

A Single COUNTY DITCH PETITION

London, Ohio, Dec. 5, 1952

Petition for repairs to existing tile, construction of new concrete headwall and cleanout of open ditch far enough to obtain a good and sufficient outlet. (Children's Home Ditch 1952)

To the Board of County Commissioners, Madison County, Ohio:

The undersigned hereby petitions your honorable body for the repairs to existing tile, construction of new concrete headwall and cleanout of open ditch far enough to obtain a good and sufficient outlet on the course hereinafter set forth.

The construction of the improvement is necessary, and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit: Commencing at the West right-of-way line of S. R. 38; thence crossing S. R. 38, through the lands of Ernest Wheeler et al, the Madison County Children's Home, again through the lands of said Wheeler, Margaret Kohn et al, crossing S. R. 42, again through said Kohn and through the lands of Leonard and Ida Wheeler, or far enough to obtain good and sufficient outlet.

The following is the nature of the work petitioned for: repairs to existing tile ditch, construction of new concrete headwall and cleanout of open ditch.

A list of the names and addresses, where known, of all the owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed improvement is as follows:

Amos H. Cordle, London, Ohio
 Creassap, Basil & Mary, London, Ohio, Rt. 2
 Kohn, Margaret A. et al, Farm Management, Troy, Ohio.
 Larkins, George L. et al, Rt. 3, London, Ohio
 Mooney, Owen F., London, Ohio
 Wheeler, Charles R. London, Ohio, R. F. D.
 Wheeler, Leonard & Ida, Rt. 3, London, Ohio
 Wheeler, Ernest et al London, Ohio
 Snyder, Loy & Nettie, London, Ohio
 Trustees of Madison County Children's Home, London, Ohio
 Williamson, Nancy F., Central National Bank, London, Ohio
 London Prison Farm, General Mgr. Springfield Rd., London, Ohio
 Department of Highways, State of Ohio, Att. Mr. Higley, Delaware, Ohio.

Service of notice of the filing of the Petition shall be obtained by making notices and publication as provided in G. C. 6447

Elta O. Griffin
 Ernest Wheeler, Petitioners

B BOND

KNOW ALL MEN BY THESE PRESENTS, That we, Ernest Wheeler, as principal, and Leonard Wheeler and Wm. McMillen as sureties, are held and firmly bound unto the State of Ohio, in the sum of Three hundred and no/100 to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at London, Ohio this 5 day of December, 1952

The condition of the above obligation is such, that, whereas, on the 5 day of December, 1952 the above bound Ernest Wheeler filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the repairs to existing tile, construction of new concrete headwall and cleanout of open ditch. (Children's Home Ditch) petitioned for by Ernest Wheeler and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at the West right-of-way line of S. R. 38, thence crossing S. R. 38, through the lands of Ernest Wheeler et al, the Madison County Children's Home, again through the lands of said Wheeler, Margaret Kohn et al, crossing S. R. 42 again through said Kohn and through the lands of Leonard and Ida Wheeler, or far enough to obtain good and sufficient outlet.

Now, if the said Ernest Wheeler will pay all costs, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this 8th
 day of December, 1952
 Forrest R. Hanson, Co. Aud.

Ernest Wheeler
 Leonard Wheeler
 Wm. McMillen

C NOTICE TO THE BOARD OF COUNTY COMMISSIONERS OF FILING OF SINGLE COUNTY DITCH PETITION

Office of Auditor of Madison County, Ohio, December 8, 1952

To the Board of County Commissioners, Madison County, Ohio:

You are hereby notified that a petition and bond for a Single County Ditch improvement was filed in my office on the 5th day of December, 1952, and I hereby certify that a true copy of said petition is set out below.

CHILDREN'S HOME DITCH

COPY OF COUNTY DITCH PETITION

Petition for repairs to existing tile, construction of new concrete headwall and cleanout of open ditch far enough to obtain a good and sufficient outlet.

To the Board of County Commissioners, Madison County, Ohio.

The undersigned hereby petition your honorable body for the repairs to existing tile, construction of new concrete headwall and cleanout of open ditch far enough to obtain a good and sufficient outlet, on the course hereinafter set forth.

The construction of the improvement is necessary, and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit:

Commencing at the West right-of-way line of S. R. 38; thence crossing S. R. 38, through the lands of Ernest Wheeler et al, the Madison County Children's Home, again through the lands of said Wheeler, Margaret Kohn et al, crossing S. R. 42, again through said Kohn and through the lands of Leonard & Ida Wheeler, or far enough to obtain good and sufficient outlet.

The following is the nature of the work petitioned for: repairs to existing tile ditch, construction of new concrete headwall and cleanout of open ditch.

A list of the names and addresses, where known, of all the owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed improvement is as follows:

| | |
|---|---------------------------------------|
| | Gene Wilson |
| Amos H. Cordle | London, Ohio |
| Basil & Mary Creasap | Rt. 2, London, Ohio |
| Charles F. Cecil | Rt. 3, London, Ohio |
| Margaret A. Kohn et al | Everett Royer, Farm Man. , Troy, Ohio |
| George E. Larkin et al | Rt. 3, London, Ohio |
| Owen F. Mooney | London, Ohio |
| Charles R. Wheeler | Rt. 3, London, Ohio |
| Leonard & Ida Wheeler | Rt. 3, London, Ohio |
| Ernest Wheeler et al | London, Ohio |
| Loy & Nettie Snyder | London, Ohio |
| Trustees of Madison Co. Children's Home | London, Ohio |
| Nancy F. Williamson | Central Natl. Bank, London, Ohio |
| London Prison Farm | General Mgr. , London, Ohio |

Service of notice of the filing of the petition shall be obtained by Department of Highways, State of Ohio, Att. Mr. Higley, Delaware, Ohio making notices and publication as provided in G. C. 6447.

Ernest Wheeler, Petitioner

D RESOLUTION: ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler et al and others.

Office of the Board of County Commissioners
Madison County, Ohio
Dec. 8, 1952.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 8th day of Dec., 1952, at the office of Commissioners with the following members present:

George W. Taylor
Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution;

Whereas, This 8th day of December, 1952, the County Auditor gave notice to the Board of County Commissioners of Madison County, Ohio, of the filing with him of a petition signed by Ernest Wheeler et al, petitioner, for the: and

Whereas, It appears to said Board that the proper bond has been filed with the Auditor and by him approved, conditioned for the payment of all costs, if the prayer of the petition is not granted, or if said petition is for any cause dismissed; therefore, be it

Resolved, By said Board of County Commissioners, that the 29th day of December, 1952, at ten o'clock A.M., at the upper terminus of the improvement, be and the same is hereby fixed as the time for the view thereon; and be it further

Resolved, That the 29th day December, 1952, at 2:00 o'clock P.M. at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and the place for the first hearing on the petition; and be it further

Resolved, That notice of said view and hearing be given, as required by law.

Mr. Taylor seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

| | |
|-----------------------------|------------|
| Mr. <u>George W. Taylor</u> | <u>Yes</u> |
| Mr. <u>Rodger B. Baker</u> | <u>Yes</u> |
| Mr. _____ | _____ |

Forrest R. Hanson
Clerk of the Board of Co. Comm.
Madison County, Ohio.

CHILDREN'S HOME DITCH

E NOTICE OF TIME AND VIEW AND FIRST HEARING TO THE OWNERS OF LAND AFFECTED BY THE
PROPOSED IMPROVEMENT

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler

County Auditor's Office,
Madison County, Ohio
Dec. 16, 1952

To the Owners of Land Affected by the Proposed Improvement:

You, and each of You, Are Hereby Notified, that on the 5th day of December, 1952 the above named petitioner Ernest Wheeler and others, filed a petition for the repairs to existing tile, construction of a new concrete headwall and cleanout of open ditch far enough to obtain a good and sufficient outlet, with the County Auditor of said County, the substance and prayer of which said petition is, that the construction of the improvement is necessary and will be conducive to the public welfare, and prays for the making of such improvement on the following course and termini, to-wit: Commencing at the West right-of-way line of S. R. 38; thence crossing S. R. 38, through the lands of Ernest Wheeler et al, the Madison County Children's Home, again through the lands of said Wheeler, Margaret Kohn et al, crossing S. R. 42, again through said Kohn and through the lands of Leonard and Ida Wheeler, or far enough to obtain good and sufficient outlet.

The following is the nature of the work petitioned for: repairs to existing tile ditch, construction of new concrete headwall and cleanout of open ditch.

As it is claimed that the improvement will affect property owned by you, you are hereby notified that the board of County Commissioners of said County have fixed the 29th day of December, 1952, at ten o'clock A. M. at the upper terminus of the improvement, as the time for the view thereon and also the 29th day of December, 1952, at 2:00 o'clock P. M. at the office of said Board, as the time and place for the first hearing on the petition.

Forrest R. Hanson

Auditor of Madison County, Ohio

F APPLICATION TO AMEND

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

London, Ohio, Dec. 29, 1952
Proceedings for Construction

Application to amend Petition.

To the Board of County Commissioners of Madison County, Ohio:

The undersigned hereby makes application to your honorable body to amend the Dec. 5 Petition of the Children's Home as follows:

to include cleaning deep enough to provide proper outlet for existing tile between S. R. 42 to deer creek.

Respectfully submitted,
Ernest Wheeler

G RESOLUTION COMMISSIONER'S ORDER ON APPLICATION TO AMEND

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio
Dec. 29, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29th day of December, 1952, at the office of Commissioners with the following members present:

George W. Taylor

Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution:

Whereas, Ernest Wheeler has heretofore filed with the County Auditor an application to amend Petition as follows:

To include cleaning deep enough to provide proper outlet for existing tile between S. R. 42 to Deer creek, therefor, be it Resolved, That said application to amend said Petition be, and that the said Petition be modified to read as follows:

repairs to existing tile, construction of a new concrete headwall and clean out of open ditch far enough to obtain a good and sufficient outlet and to include cleaning deep enough to provide proper outlet for existing tile between S. R. 42 to Deer creek.

Mr. Taylor seconded the resolution and the roll being called upon its adoption the vote resulted as follows:

| | |
|-----------------------|-----|
| Mr. George W. Taylor, | Yes |
| Mr. Rodger B. Baker | Yes |

Forrest R. Hanson, Clerk, Bd. of
Co. Com.'s, Madison Co., Ohio

CHILDREN'S HOME DITCH

H RESOLUTION: COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler et al

Office of the Board of County Commissioners,
Madison County, Ohio
January 19, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 19th day of January, 1953, at the office of Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Taylor moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 29th day of December, 1953, for the hearing on the petition in the above named improvement, the said Board met at its office, and conducted said hearing by causing the Petition to be publicly read, together with all applications for and remonstrances against the improvement, and all applications for change or extension of the improvement, previously filed in writing; and

Whereas, After proper examination, said Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement: and

Whereas, Said Board has made an actual view of said proposed improvement and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, or spurs, or changes of route, course, termini, or manner of construction described in the petition, or in any application therefor; therefore, be it

Resolved, By the Board of County Commissioners that said Board hereby finds that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare, and it is reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition is hereby granted; and it further finds that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are best and the same are hereby adopted and prescribed by said Board:

Commencing at the West right-of way line of S. R. 38; thence crossing S. R. 38 through the lands of Ernest Wheeler et al, the Madison County Children's Home, again through the lands of said Wheeler, Margaret Kohn et al crossing S. R. 42, again through said Kohn and through the lands of Leonard and Ida Wheeler, or far enough to obtain good and sufficient outlet, and be it further

Resolved, That the County Surveyor be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, upon the foregoing plan and line, and suitable maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of said improvement; and set proper construction stakes, beginning at the upper terminus of the improvement, and perform such other duties as required by Section 6454 of the General Code; and be it further

Resolved, That the 18th day of May, 1953, at 11 o'clock A. M., be and the same is hereby fixed as the time for filing with the County Auditor all of said maps, profiles, schedules and reports prepared by said Surveyor; and be it further resolved

Resolved, That further hearing on said improvement be and the same is hereby adjourned to the date above fixed for the filing of the reports and schedules by the Surveyor.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

| | |
|----------------------|-----|
| Mr. Rodger B. Baker | Yes |
| Mr. George W. Taylor | Yes |
| Mr. Rodney Plymell | Yes |

Forrest R. Hanson, Clerk, Bd. Co. Com.'s
Madison County, Ohio

County Auditor's Office,
Jan. 19, 1953

To the County Surveyor:

I hereby certify the foregoing to be a true and correct copy of the finding of the Board of County Commissioners in favor of the foregoing improvement.

Forrest R. Hanson
County Auditor

I SCHEDULE OF LAND OWNERS

Ernest Wheeler, Jr. et al

CHILDREN'S HOME DITCH

I SCHEDULE OF LAND OWNERS

| Owner's Name | Section | Description | Acres Owned | Acres Benefit. | Est. Amt. Land Be Assessed |
|---|--------------------|-------------------------|-------------|----------------|----------------------------|
| Burr, Karl E. Jr. et al | 8374-8792 | Deercreek Tp. | 93.98 | 10.00 | 31.23 |
| Bush, Willis Virgil & Vivian | 6243 | " | 10.00 | 10.00 | 31.23 |
| Cordle, Amos H. & Luella | 6243 | " | 15.06 | 10.00 | 31.23 |
| Creasap, Basil & Mary | 6246 | " | 49.00 | 20.00 | 62.46 |
| Griffin, Elta O. | 5801 | " | 48.00 | 30.00 | 93.69 |
| " " " | " | " | 49.48 | " | " |
| Kohn, Margaret et al | 8374-8792 | " | 24.30 | 24.30 | 124.74 |
| " " " | 5802 | " | 245.97 | 245.97 | 1261.33 |
| Larkin, George E. | 5802 | " | 77.25 | 77.25 | 241.31 |
| " " " | " | " | 61.49 | 61.49 | 192.09 |
| " " " | " | " | 19.90 | 19.90 | 62.15 |
| " " " | Union Tp. | London S. D. | 82.00 | 82.00 | 256.09 |
| " " " | 5802 | Union Tp. | 24.36 | 24.36 | 76.08 |
| Mooney, Owen F. | 6246 | Deercreek Tp. | 26.00 | 8.00 | 24.98 |
| Snyder, Loy & Nettie | 8374-8792 | " | 2.26 | 2.26 | 7.06 |
| " " " | " " | " | 37.24 | 37.24 | 116.33 |
| " " " | " " | " | 12.03 | 12.03 | 37.57 |
| " " " | 5801 | " | 12.00 | 12.00 | 37.48 |
| Wheeler, Charles R. | 5801 | " | 60.36 | 40.00 | 124.95 |
| Wheeler, Ernest R. & Electa | 5802 | " | 268.02 | 268.02 | 837.27 |
| " " " | 6162 | " | 22.08 | 22.08 | 68.21 |
| " " " | 6162 | Union Tp., London S. D. | 81.49 | 30.00 | 93.69 |
| " " " | 5802 | " | 73.00 | 73.00 | 228.04 |
| " " " | 5802 | " | 16.00 | 16.00 | 49.97 |
| Wheeler, Leonard & Ida | 5801 | Deercreek Tp. | 112.38 | 70.00 | 218.67 |
| Williamson, Nancy F. | 8374-8792 | " | 137.00 | 30.00 | 93.69 |
| Wilson, Gene R. et al | 6243 | " | 1.00 | 1.00 | 3.12 |
| Trustees Madison County Children's Home | 8374, 6243, & 8792 | " | 75.00 | 75.00 | 234.29 |
| Totals | | | | 1341.90 | 4372.64 |

J SCHEDULE OF LAND OWNERS, FINAL REVISION

| | | | | | |
|--|-----------|---------------|--------|--------|---------|
| Bush, Willis Virgil and Vivian | 5243 | Deercreek Tp. | 10.00 | 10.00 | 31.23 |
| Cordle, Amos H. Jr. & Luella | 6243 | " | 16.06 | 10.00 | 31.23 |
| Creasap, Basil & Mary | 6246 | " | 49.00 | 20.00 | 62.46 |
| Kohn, Margaret et al | 8374-8792 | " | 24.30 | 24.30 | 124.89 |
| " " " | 5802 | " | 245.97 | 235.97 | 1262.89 |
| Larkin, George E. | 5802 | " | 77.25 | 27.25 | 85.20 |
| Mooney, Owen F. | 6246 | " | 26.00 | 8.00 | 24.98 |
| Wheeler, Ernest & Electa | 8374-8792 | " | 268.02 | 232.92 | 769.26 |
| " " " | 6169 | " | 22.08 | 22.08 | 68.96 |
| " " " | " | London S. D. | 81.49 | 46.49 | 145.37 |
| " " " | 8374-8792 | " " | 73.00 | 19.24 | 60.09 |
| Williamson, Nancy F. | 8374-8792 | Deercreek Tp. | 137.00 | 30.00 | 93.81 |
| Wilson, Gene R. et al | 6243 | " | 1.00 | 1.00 | 3.12 |
| Madison Co. Children's Home (Trustees) | 8374-8792 | " | 75.00 | 75.00 | 234.58 |
| State Penitentiary Farm | 6246 | " | 20.00 | 20.00 | 62.46 |
| " " " | " | Union Tp. | 122.61 | 12.00 | 37.48 |
| Totals | | | | 794.25 | 3098.01 |

K RESOLUTION ORDER FIXING TIME OF FINAL HEARING ON SURVEYOR'S REPORTS,

ON ESTIMATED ASSESSMENTS, ON THE PROCEEDINGS FOR THE IMPROVEMENT AND ON THE CLAIMS FOR COMPENSATION AND DAMAGES

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio
September 21, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 21st day of September, 1953, the County Auditor has given notice to said Board of the filing with him by the County Surveyor of the maps, profiles, schedules and reports in the above named improvement, in accordance with its order of the 8th day of September, 1953,; therefore, be it

Resolved, That the 19th day of October, 1953, at 10 o'clock A. M. be and the same is hereby fixed as the time for the final hearing on said reports and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation or damages, which claims must be filed with the County Auditor on or before said date; and be it further

Resolved, That notice of said hearing be given as required by law.

Mr. Baker seconded the motion and the roll being called upon its adoption, the vote resulted as follows:

| | |
|---------------------|-----|
| Mr. Rodger B. Baker | Yes |
| Mr. Rodney Plymell | Yes |

Forrest R. Hanson
Clerk of the Board of County Com.'s
Madison County, Ohio

CHILDREN'S HOME DITCH

L POSTPONEMENT OF CHILDREN'S HOME COUNTY DITCH FINAL HEARING TO NOVEMBER 16, 1953

It has come to the attention of the Board of Commissioners of Madison County that all property owners involved in the water shed of the Children's Home County Ditch have not been assessed. Therefore be it resolved; In order to secure the necessary time for the County Engineer to ascertain the assessments, that the final hearing on the Children's Home Ditch petitioned for by Ernest Wheeler et al is hereby postponed until November 16th, 1953 at 10:00 A. M. Mr. Plymell moved the adoption of the foresaid resolution and upon a second by Rodger B. Baker the result of the roll call was:

| | |
|-----------------|-----|
| Rodger B. Baker | Yes |
| Rodney Plymell | Yes |

Forrest R. Hanson
Clerk and Auditor

M RESOLUTION: COMMISSIONER'S FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio.
November 16, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 16th day of November, 1953, at the office of the Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Plymell moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board, in it's order dated the 13th day of October, 1953, for the final hearing on the Reports and Schedules of the County Surveyor, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

Whereas, Said Board finds that due and legal notice of this final hearing has been given as required by law; and

Whereas, Said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the Surveyor; therefore, be it

Resolved, That said Board review and reconsider its former order made and dated the 13th day of October, 1953, in favor of said improvement; and be it further

Resolved, That said Board hereby approve the maps, profiles, schedules and reports prepared by the County Surveyor; as amended in its order dated the 13th day of October, 1953; and

Whereas, This Board has considered the cost of location and construction, the compensation for land taken, the damages to land along or in the vicinity of the route of the improvement, the damages to land below the lower terminus of the improvement which may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.; therefore, be it

Resolved, That said former finding in favor of said improvement made at the first hearing on the 19th day of Jan., 1953, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessments having been filed by None. Alternate plan submitted and adopted as of this date, and the Board having heard said objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the Surveyor and any competent evidence on the question of benefits, and from an actual view of the premises; therefore, be it

Resolved, That the assessments be and the same are hereby amended and corrected as follows, to-wit: Alternate Plan and be it further

Resolved, That said Surveyor's assessments as so amended and corrected be and the same are hereby approved and confirmed; and be it further

Resolved, That None be and the same is hereby assessed for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public and assessed against the County, and None found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and the following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against such political subdivisions, respectively: and be it further

Resolved, That five years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and that the notes of said County shall be issued and sold in anticipation of the collection of said assessments bearing the rate of 4% per annum, payable semiannually; and be it further

Resolved, That interest shall be added to said installments of assessments at the same rate as is drawn by the bonds issued to pay for said improvement; provided any owner may pay the assessment on his land in cash within thirty days after the contracts are approved and such assessments are levied, without paying

any interest thereon; and be it further

Resolved, That the 21st day of December, 1953, at 11:00 o'clock A. M. be and the same is hereby fixed as the time for letting the contract for the construction of the proposed improvement, and that the County Surveyor be and he is hereby directed to let the contracts for the construction of the proposed improvement; and be it further

Resolved, That the County Surveyor be and he is hereby directed to give at least two weeks' public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the Surveyor is hereby directed to send copies of the notice by mail to dealers and manufacturers, and all bids shall be received at the office of the County Auditor; and be it further

Resolved, That, whereas the estimated cost of the construction and material required in said improvement exceeds one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House and advertisement shall also be made in two successive weekly issues of a newspaper printed and in general circulation in the County, and be it further

Resolved, That said County Surveyor be and he is hereby directed to attend at said time and place so advertised by him and receive all bids submitted; and be it further

Resolved, That authority be and the same is hereby given to said County Surveyor to receive bids by public outcry, instead of sealed bids, such bids being taken separately for work and for material, and in accordance with the requirements of Section 6481 of the General Code of Ohio.

Mr. Taylor seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

| | |
|----------------------|-----|
| Mr. Rodger B. Baker | Yes |
| Mr. George W. Taylor | Yes |
| Mr. Rodney Plymell | Yes |

Forrest R. Hanson
Clerk of the Board of County Commissioners
Madison County, Ohio

N ENGINEERS REPORT ON BIDS RECEIVED

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

County Engineer's Office,
Madison County, Ohio
Dec. 21, 1953

To the Board of County Commissioners:

In obedience to your direction, and also in pursuance of the notice duly given as provided by law, bids for the work of construction and for furnishing materials for the above named improvement were received by me as follows:

| Bidder | For What Work | Amt. Bid | Guaranty | |
|-------------------------------------|------------------|----------|------------|--------|
| | | | Kind | Amount |
| Springfield Gravel & Excavating Co. | Labor & Material | 1954.00 | Cash | 60.00 |
| Green Twp. Gravel Co. | " " | 2173.33 | Cert. Chk. | 65.20 |
| O. E. Liller | " " | 1980.08 | " " | 60.00 |
| Peters & Dewbre | " " | 1959.37 | " " | 61.00 |

I recommend the following bids as the best:
Springfield Gravel & Excavating Co.

Helgeh Ekedahl
County Engineer.

O RESOLUTION COMMISSIONERS ORDER AWARDING CONTRACTS

In the Matter of the
Single County Ditch
Petitioned for by
Ernest Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio
Dec. 21, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 21st day of December, 1953, at the office of Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Taylor moved the adoption of the following Resolution:
Whereas, The County Surveyor has filed with this Board his report on bids received for the work of construction and for furnishing materials in the above named improvement petitioned for by Ernest Wheeler and others; and

Whereas, It appears to said Board that the bids of the following are the lowest and best bids, and within the Surveyor's estimate, to-wit:

| Bidder | For What Work | Amt. Bid | Surveyor Est. |
|-------------------------------------|------------------|----------|---------------|
| Springfield Gravel & Excavating Co. | Labor & Material | 1954.00 | 2493.19 |

therefore be it

Resolved, That contracts be and the same are hereby awarded to said Springfield Gravel & Excavating Co. at the amounts bid by them respectively; and

CHILDREN'S HOME DITCH

P BOND OF DITCH CONTRACTOR

In the Matter of the Single County Ditch On Contract for Work and Labor and Materials Petitioned for by Ernest Wheeler and others.

Know All Men by These Presents, That we, Springfield Gravel and Excavating Co. as Principal, Indemnity Insurance Company of North America of Philadelphia, Penn. as sureties are held and firmly bound unto the State of Ohio for the benefit of Madison County, Ohio, and for the benefit of Madison County, Ohio, and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of Two thousand four hundred ninety three and 19/100 Dollars to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated this 15th day of January, 1954

The Condition of the Above Obligation is Such That, Whereas, the above bound Springfield Gravel & Excavating Co. have entered into a Contract with said Board of County Commissioners, first, to furnish the materials and perform the work and labor for the construction of the Children's Home Ditch improvement petitioned for by Ernest Wheeler and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1 day of May, 1954, for the compensation of Nineteen hundred fifty four and no/100 (\$1954.00) Dollars;

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Fourth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said Springfield Gravel & Excavating Com. shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executed in Presence of Betty Sparks Springfield Gravel & Excavating Co. By Robt. H. Cushman Pres. Indemnity Insurance Co. of North America By Lewis P. Richey, Atty.

The above bond being good and sufficient is approved this 18 day of January, 1954. Rodger B. Baker George W. Taylor Board of County Commissioners, Madison County, Ohio Rodney Plymell

Q CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Single County Ditch Office of County Engineer, Madison County, Ohio Petitioned for by Ernest Wheeler and others. May 29, 1954

To Springfield Gravel & Excavating Company, Contractor:

This is to certify that the undersigned County Engineer has accepted---per cent of the work and labor furnished and completed by you under your contract for the construction of the above named improvement petitioned for by Ernest Wheeler and others, and I, therefore, approve said work and labor for payment in the sum of One thousand nine hundred and fifty-four and no/100 (1954.00) Dollars, plus 150.00 for additional work not called for in contract per agreement, the same being the contract price for said percentage of work and labor completed and accepted.

Helgeh Ekedahl County Engineer

R CHILDREN'S HOME DITCH

Table with 2 columns: Description and Amount. Rows include Engineering and Inspection (454.82), Springfield Gravel & Excavating (1954.00), Additional Work not called for in Contract (150.00), McBobs Extending Tile Line (20.00), Madison Press Advertisements (2.50), Abstract (4.50), Mailing Charges (2.22), and a total of 2588.04.

CHILDRENS HOME DITCH

S FINAL ASSESSMENT SCHEDULE

| Owner | District | Acres Owned | Acres Benefited | Const. Estimate | Rate | Final Assmt. Inc-Exp | |
|---|-----------|-------------|-----------------|-----------------|----------------|----------------------|----------------|
| Bush, Willis, Virgil and Bivian | Deercreek | 10.00 | 10.00 | 31.23 | .01008 | 2609 | |
| Cordle, Amos H Jr. | " | 15.06 | 10.00 | 31.23 | .01008 | 2609 | |
| Luella | " | 49.00 | 20.00 | 62.46 | .02016 | 52.17 | |
| Creasap, Basil & Mary | " | 24.30 | 24.30 | 124.89 | .04031 | 104.32 | |
| Kohn, Margaret et al | " | 245.97 | 235.97 | 1262.89 | .40765 | 1055.01 | |
| Larkin, George E. | " | 77.25 | 27.25 | 85.20 | .02750 | 71.17 | |
| Mooney, Owen F. | " | 26.00 | 8.00 | 24.98 | .00806 | 20.86 | |
| Wheeler, Ernest & Electa | " | 268.02 | 232.92 | 769.26 | 248.31 | 642.64 | |
| " " " | " | 22.08 | 22.08 | 68.96 | .02226 | 57.61 | |
| " " " London S. D. | " | 81.49 | 46.49 | 145.37 | .04692 | 121.43 | |
| " " " " | " | 73.00 | 19.24 | 60.09 | .01940 | 50.21 | |
| Williamson, Nancy F. | " | 137.00 | 30.00 | 93.81 | .03028 | 78.37 | |
| Wilson, Gene R. et al | " | 1.00 | 1.00 | 3.12 | .00101 | 2.61 | |
| Madison County Children's Home Trustees | " | 75.00 | 75.00 | 234.58 | .07572 | 195.97 | |
| State Penitentiary Farm | " | 20.00 | 20.00 | 62.46 | .02016 | 52.17 | |
| " " " Union | " | 122.61 | 12.00 | 37.48 | .01210 | 31.32 | |
| | | | | <u>794.25</u> | <u>3098.01</u> | <u>1.00000</u> | <u>2588.04</u> |

T CERTIFICATE OF UNPAID ASSESSMENTS

September 27, 1954
London, Ohio

Children's Home Ditch

Madison County Commissioners
London, Ohio

Gentlemen:

This is to certify that in the matter of the improvement of the Children's Home Ditch, the following assessments remain unpaid, to-wit:

| | |
|------------------------------|----------------|
| Bush, Willis et al | 26.09 |
| Cordle, Amos H. Jr. & Luella | 26.09 |
| Creasap, Basil & Mary | 52.17 |
| Kohn, Margaret et al | 1159.33 |
| Mooney, Owen F. | 20.86 |
| Williamson, Nancy F. | 78.37 |
| Wilson, Gene R. et al | <u>2.61</u> |
| | <u>1365.52</u> |

Yours very truly,
Forrest R. Hanson
Auditor, Madison County

U RESOLUTION TO ISSUE NOTES IN ANTICIPATION OF THE LEVY OF SPECIAL ASSESSMENTS OR OF THE ISSUANCE OF BONDS

In the Matter of the Single County Ditch
Petitioned for by Ernest Wheeler and others.

Office of the Board of County Commissioners,
Madison County, Ohio
September 27, 1954

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 27th day of September 1954, at the office of the Commissioners with the following members present:

Rodger B. Baker
Rodney Plymell

Mr. Baker moved the adoption of the following resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 16th day of November, 1953 affirmed their former order finding in favor of the improvement of the County Ditch, petitioned for by Ernest Wheeler and others; and

Whereas, It is now deemed necessary to issue and sell \$1365.52 of notes under authority of Section 2293-24 of the General Code of Ohio for the purpose of providing funds in anticipation of the levy of special assessments or of the issuance of bonds, for the improvement of said County Ditch; and

Whereas, The County Auditor has certified the maximum maturity of said notes to be five years, which maximum maturity does not exceed the estimated life or usefulness of the improvement fixed by Section 2293-9 of the General Code of Ohio; and

Whereas, This Board has heretofore by Resolution duly passed on the 16th day of November, 1953, determined that five years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited to pay the assessments that may be made for the improvement: now, therefore, be it

CHILDREN'S HOME DITCH

teen-hundred fifty four and no/100 Dollars, to be paid as hereinafter specified, hereby agrees to furnish unto said First Party all the necessary materials, and do all the work and labor required to construct the Children's Home Ditch improvement petitioned for by Ernest Wheeler and others, in accordance with plans, drawings and specifications for the same hereto attached: which plans, drawings, and specifications are hereby declared to be a part of this contract.

Said Second Party further agrees to furnish said materials and to do the said work and labor promptly, in a good substantial and workmanlike manner, under the direction of the County Surveyor in charge, without hindrance or delay to any other branch or class of work on said ditch, and to work in harmony with and to render such assistance to other branches of work as their connection therewith and the progress of the ditch may require. The whole shall be completed to the satisfaction and acceptance of said First Party on or before the 1st day of May, 1954.

And said First Party, for and in consideration of the true and faithful performance of said work and labor and furnishing of said materials as aforesaid, hereby agrees to pay unto said Second Party said sum of Nineteen hundred fifty-four and no/100 Dollars (\$1954.00), in installments from time to time, upon the certificate of acceptance of the County Surveyor and as provided by law.

It is mutually agreed that no extra work or materials shall be charged for except in accordance with the provisions of Section 6490 of the General Code of Ohio.

Witness our hands, the day and year first above written.

Signed in duplicate in
presence of
Betty Sparks

Rodger B. Baker Commissioners of Mad. Co.
George W. Taylor
Rodney Plymell

Springfield Gravel & Excavating Co.
by Robert H. Cushman, Pres., Contractors
Second Party