

DUNKIN COUNTY DITCH

A--SINGLE COUNTY DITCH PETITION

London, Ohio, April 3, 1944

Petition for reconstruction, deepening, widening and altering.  
To the Board of County Commissioners, Madison County, Ohio:

The undersigned hereby petition your honorable body for the location, reconstruction, deepening, widening and altering of a ditch 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 on the lands of Anna G. Emery at a point by the County Commissioners deemed advisable; thence following the line of what is known as the Dunkin County Ditch, or as near thereto as practical, in a general easterly direction, through the lands of said Emery, land owned by the United States, Garnet Redman, Floyd Miller, Chas. & Minnie Kellough, and Nellie R. Baker to the Yankeetown road; thence crossing said road and through land of R. A. Holden Jr. far enough to secure a good and sufficient outlet for lands and tile draining into said ditch, and also for the examination and repair of any laterals in need thereof.

The following is the nature of the work petitioned for: location, relocation, construction, reconstruction, deepening, widening and altering of said ditch and the examination and repair of any laterals in need thereof.

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:

The United States Dept of Agriculture,	Farm Security Adm, Washington, D. C.
Anna G. Emery	London, Ohio
John F. Mantle,	London, Ohio
Alice M. Redman	London, Ohio
Floyd Miller	London, Ohio
C. C. & Minnie Kellough	Sedalia, Ohio
R. A. Holden Jr.	Opekasit Farm, Cincinnati, Ohio
F. M. Shepherd	Mt. Sterling, Ohio
Stella Corson and Louise Toops	London, Ohio #1 c/o Louise Toops
Jane E. Proctor	Cincinnati, Ohio Opekasit Farm, Glendale
Benjamin P. & Ashaah Crawford	415 Washington Ave., Carnegie, Pa.
Lelia M. Anderson	627 Prospect, Lewiston, Idaho
T. J. Dwyer,	London, Ohio
Mary E. Neil	c/o Chaney Neil, London, Ohio
Garnett Redman	London, Ohio
Nellie R. Baker	Mt. Sterling, Ohio
Ora T. Dunkle	London, Ohio
Mary L. Gillispie	London, Ohio
Mary Ellen Gillispie	Westville, Ohio
Farm Security Administration	12 North 3rd Sts, Columbus, Ohio

Service of notice of the filing of the Petition shall be obtained by Personal service or publication.

Garnett H. Redman, Petitioner

B--BOND

KNOW ALL MEN BY THESE PRESENTS, That we Garnett Redman and Alice M. Redman and Floyd Miller as principal, and as sureties, are held and firmly bound unto the State of Ohio, in the sum of Five Hundred 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 at London, Ohio, this 3rd day of April, 1944.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 3rd day of April, 1944, the above bound Garnett Redman filed his petition with the Auditor of Madison County, Ohio making application to the County Commissioners for the location-relocation, construction, reconstruction, deepening, widening and altering of a ditch originally petitioned for by Sarah Dunkin and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing on the lands of Anna G. Emery at a point by the County Commissioners deemed advisable; thence following the line of what is known as the Dunkin County Ditch or as near thereto as practical, in a general easterly direction, through the land of said Emery, land owned by the United States, Garnett Redman, Floyd Miller, Chas. and Minnie Kellough, and Nellie R. Baker to the Yankeetown road; thence crossing said road and through land of R. A. Holden Jr. far enough to secure a good and sufficient outlet for lands and the draining into said ditch, and also for the examination and repair of any laterals in need thereof.

Now, if the said Garnett Redman will pay all costs, if the prayer of the petition is nor 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 by law.

Garnett H. Redman  
Alice M. Redman  
Floyd Miller

The above bond is approved this 3rd day of April, 1944.

Robert K. Dixon  
County Auditor

## C--RESOLUTION--ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett H. Redman.

Office of the Board of County Comm.  
Madison County, Ohio  
April 3, 1944

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 3rd day of April, 1944, at the office of the Commissioners with the following members present:

R. W. Armstrong  
Gola Mink  
Rodney Plymell

Mr. Mink moved the adoption of the following Resolution:

Whereas, This 3rd day of April, 1944, 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 Garnett H. Redman, petitioner, for the location, relocation, construction, reconstruction, deepening widening and altering os said Ditch; 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 27th day of April, 1944, 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 1st day of May, 1944, at ten o'clock A. M., at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and 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. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. R. W. Armstrong, Yes  
Mr. Gola Mink, Yes  
Mr. Rodney Plymell, Yes

Robert K. Dixon  
Clerk of the Board of County Comm.  
Madison County, Ohio

View 10:00 A. M., 4-27-44 Central War Time  
Hearing 10:00 A. M., 5-1--44 Central War Time

## D--RESOLUTION--COMMISSIONER'S FINDING FOR THE IMPROVEMENT

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett H. Redman.

Office of the Board of County Comm.  
Madison County, Ohio  
May 1, 1944

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 1st day of May, 1944, at the office of the Commissioners with the following members present:

R. W. Armstrong  
Gola Mink  
Rodney Plymell

Mr. Mink moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 3rd day of April, 1944 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 change 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 the best and the same are hereby adopted and prescribed by said Board;

## DUNKIN COUNTY DITCH

Commencing on the lands of Anna G. Emery at a point by the County Commissioners deemed advisable; thence following the line of what is known as the Dunkin County ditch, or as near thereto as practical in a general easterly direction, through the lands of said Emery, land owned by the United States, Garnett Redman, Floyd Miller, Chas, and Minnie Kellough and Nellie R. Baker to the Vankeetown road; thence crossing said road than through land of R. A. Holden, Jr., far enough to secure a good and sufficient outlet for lands and tile drainins into said ditch, and also for the examination and repair of any laterals in need thereof.

The following is the nature of the work petitioned for: Location, relocation, construction reconstruction, deepening, widening and altering of said ditch and the examination and repair of any laterals in need thereof.

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 of Ohio; and be it further

Resolved, That the 7th day of August, 1944, at 10 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, 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 Surbeyor.

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

Mr. R. W. Armstrong; Yea  
Mr. Gola Mink, Yea  
Mr. Rodney Plymell, Yea

Robert K. Dixon  
Clerk of the Board of County Comm.  
Madison County, Ohio

County Auditor's Office

To the County Surveyor:

May 1, 1944.

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.

Robert K. Dixon  
County Auditor

## E--REPORT OF COUNTY SURVEYOR

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett H. Redman.

County Surveyor's Office  
Madison County, Ohio  
September 18, 1944.

Proceedings for location, relocation,  
reconstruction, deepening, widening,  
and altering.

To the Board of County Commissioners Madison County, Ohio:

The undersigned County Surveyor, in obedience to the order of your Board, made on the 1st day of May, 1944, proceeded in the above matter, and visited the proposed location of said improvement and the necessary survey for the proposed improvement, as found by the Commissioners, and suitable maps showing the location of the land proposed to be assessed, and profiles showing the cutting and gradient of the improvement, and made 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 noted the intersection of the line of the improvement with the land boundaries of separate owners, township and county lines, natural land marks, road crossings, or other lines or marks; and took and noted necessary levels off the lines of the improvement for contour purposes, to determine the area, of the land subject to drainage, and to determine the land that will be specially benefited by the construction of the improvement.

I also established, at intervals of not less than one in each mile, in the most practical, permanent form, and in locations where destruction or disturbance is improbable, bench marks from which the original levels of the improvement can be established, The relation of the assumed elevation used by me in my work upon this improvement, to the established elevation of the geological survey of the United States, in the County, is as follows:

No Government bench mark available.

I also made a schedule of the work proposed to be done, showing the fall, the depth, the excavating to be done, the location of the permanent bench marks and their actual elevation above or below the base elevation used, the nature of the excavation, and the location of quicksand or rock, or other special features.

I also prepared a schedule containing the name of each owner of land, with a description of the land which I believe to be benefited by the proposed improvement, taken from the tax duplicates of the County and have entered in said schedule the proximate number of acres benefited by the proposed improvement, and the amount that said land, in my opinion, ought to be assessed, according to benefits.

I also prepared proper working specifications for the construction of the improvement, including catch basins, retaining walls, size and kind of tile, etc.

I made estimates of the cost of excavating and of the cost of materials and divided the construction of said improvement into such working sections as were deemed expedient.

The said survey, maps, profiles, schedules, and reports are hereto attached and made a part hereof.

My estimate of the cost of the construction of said improvement is as follows:

9078 Cubic yards excavation @ 35¢	\$3177.30
Grubbing and clearing (Lump sum)	422.70
Engineering and superintendance	<u>158.85</u>
Total	\$3758.85

The following fences, flood gates, culverts, and bridges will be removed in constructing said improvement: To be attended to by land owners.

The following culverts and bridges must be raised or the channel thereof enlarged to construct the improvement: To be attended to by land owners.

The following is an itemized bill of the costs and expensed incurred in the discharge of the aforesaid duties:

G. T. Clark, Deputy	10 days, at \$10.00 per day	\$100.00
Howard Barnhart, Chairman	5 days at 4.00 per day	20.00
Charles Ford, Chairman	5 days at 4.00 per day	20.00
Frank Adams, Axman	3 days at 4.00 per day	12.00
Other expenses	Stakes or	<u>8.85</u>
	Total	\$158.85

Approved September 18, 1944.  
H. L. McCafferty, County Surveyor

Respectfully submitted  
H. L. McCafferty, County Surveyor

## F--SURVEY

CONSTR. STAKE NO. FROM UPPER TERMINUS	SURFACE ELEVATION	GRADE ELT ELEVATION	COURSE OR BEARING AND CUT DISTANCE	NOTE
45	83.95	80.16	3.79	Beginning on land of Anna G. Emery
46	83.84	79.40	4.44	
47	83.36	78.64	4.72	Ditch shown is Ditch Record No. 6 page 47 et seq.
48	82.70	77.88	4.82	
B. M.	80.85			48*52 Line of Emery and U. S. A.
49	82.68	77.12	5.56	
50	83.58	-0.19 76.93	6.65	Spike in small twin ash left bank of ditch.
51	82.27	76.74	5.53	
52	81.59	76.55	5.04	Distance on U. S. A. 739 Feet.
53	81.08	76.36	4.72	
54	80.50	76.17	4.33	Base of end post Right
55	80.77	75.98	4.79	
B. M.	79.20			55*91 Line U. S. A. and Garnett Redman
56	80.43	75.79	4.64	
57	80.39	75.60	4.79	
58	80.39	75.41	4.98	
59	80.37	75.22	5.15	
60	80.40	75.03	5.37	
61	79.73	74.84	4.89	
62	80.51	74.65	5.86	
63	79.85	74.46	5.39	
64	79.94	74.27	5.67	
65	79.31	74.08	5.23	
66	79.66	73.89	5.77	
67	79.28	73.70	5.58	
68	79.11	73.51	5/60	
B	B. M.	77.60	7.	24" Right (spike)
69	79.48	73.32	6.16	Distance on Redman 3909'
70	79.04	73.13	5.91	
71	79.10	72.94	6.16	
72	79.03	72.75	6.28	
73	79.20	72.56	5.64	
74	78.97	72.37	6.60	

DUNKIN COUNTY DITCH

CONSTR. STAKE NO. FROM UPPER TERMINUS	SURFACE ELEVATION	GRADE ELEVATION	CUT	COURSE OR BEARING AND DISTANCE	NOTE
75	78.58	72.18	6.40		
76	78.46	71.99	6.47		
77	78.35	71.80	6.45		
78	78.04	71.61	6.43		
79	77.82	71.42	6.40		
80	77.82	71.23	6.59		
81	77.97	71.04	6.93		
82	77.64	70.85	6.79		
83	76.00	70.66	5.34		
84	76.37	70.47	5.90		
85	76.74	70.28	6.46		
86	77.01	70.09	6.92		
87	76.71	69.90	6.81		
88	75.60	69.71	5.89		
89	76.53	69.52	7.01		
90	76.43	69.33	7.10		
91	76.57	69.14	7.43		
92	75.98	68.95	7.03		
93	75.99	68.76	7.23		
94	75.20	68.57	6.63		
BM.	77.42				
94 - 90	77.49				N. E. Corner S. E. Wing of bridge center line of Red- man road and line of Redman and USA
95	77.47	68.38	9.09		
96	74.91	68.19	6.72		
97	75.03	68.00	7.03		
98	75.25	67.81	7.74		
99	75.12	67.62	7.50		
100	74.44	67.43	7.01		
101	74.21	67.24	6.97		
102	74.61	67.05	7.56		
BM.	72.39				Spike bottom 48" Cottonwood Left
103	74.63	66.86	7.77		
104	74.56	66.67	7.89		
105	73.55	66.48	7.07		Line USA and Floyd Miller
106	73.37	66.29	7.08		
107	72.99	66.10	6.89		
108	72.43	65.91	6.52		
109	73.46	65.72	7.74		
110	72.63	65.53	7.10		
111	72.58	65.34	7.24		
112	72.30	65.15	7.15		
113	72.84	64.96	7.88		
114	71.77	64.77	7.00		
115	71.58	64.58	7.00		
116	71.18	64.39	6.79		
117	70.86	64.20	6.66		
118	70.83	64.01	6.82		
119	70.79	63.82	6.97		
120	70.17	63.63	6.54		
BM.	68.43				Spike in 30" Cottonwood Left
121	68.43	63.44	4.88		
122	69.89	63.25	6.64		Distance on Miller 2800'
123	70.08	63.06	7.02		
124	70.09	62.87	7.22		
125	69.26	62.86	6.60		
126	69.33	62.49	6.84		
127	68.87	62.30	6.57		
128	68.71	62.11	6.60		
129	66.80	61.92	4.88		
130	68.04	61.73	6.31		
131	67.75	61.54	6.21		
132	67.26	61.35	5.91		
133	67.20	61.16	6.04		Line Miller and USA
134	66.21	60.97	5.24		
135	66.96	60.78	6.18		
136	66.90	60.59	6.31		
137	66.16	60.40	5.76		
138	66.31	60.21	6.10		
139	65.99	60.02	5.97		
140	65.75	59.83	5.92		
141	65.29	-0.15 59.68	5.61		
142	65.39	59.53	5.86		
143	64.62	59.38	5.24		
144	64.29	59.23	5.06		
145	63.35	59.08	4.27		
146	63.31	58.93	4.38		
147	63.06	58.78	4.28		
148	63.74	58.63	5.11		
149	63.33	58.48	4.85		
150	63.27	58.33	4.94		
151	62.65	58.18	4.47		
152	62.49	58.03	4.46		
153	62.20	57.88	4.32		

## DUNKIN COUNTY DITCH

CONSTR. STAKE NO. FROM UPPER TERMINUS	SURFACE ELEVATION	GRADE ELEVATION	CUT	COURSE OR BEARING AND DISTANCE	NOTE
154	61.39	57.73	3.66		
155	62.64	57.58	5.06		
156	61.79	57.43	4.36		
157	61.11	57.03	4.08		
158	61.50	56.63	4.87		
BM.	61.00	-0.22			158*60 Right Granite Boulder
159	61.60	56.23	5.37		
160	60.02	56.01	4.01		
161	60.41	55.79	4.62		
162	60.59	55.57	5.02		
163	59.89	55.35	4.54		
164	60.41	55.13	5.28		
165	60.39	54.91	5.48		
166	59.88	54.69	5.19		
167	59.48	54.47	5.01		
168	58.13	54.25	3.88		
169	56.73	54.03	2.70		
170	58.99	53.81	5.18		
171	58.49	53.59	4.90		
172	58.45	53.37	5.08		

## G--SCHEDULE OF LAND OWNERS

WORKING SEC.	NAME	SURVEY	DESCRIPTION	ACRES OWNED	ACRES BENEFITED	EST. ASSESS.
1	Dwyer, T. J.	7948 7997	Range Twp.	65.83	25.00	55.00
	" " "	" "	" "	165.86	145.00	329.50
1	Emery, Anna G.	" "	" "	182.00	90.00	174.00
1	Mantle, John	6111	" "	54.94	8.00	20.80
	" "	" "	" "	75.27	7.00	18.70
1	Miller, Floyd	7948 7997	" "	83.87	70.00	382.50
	" "	" "	" "	89.00	10.00	52.50
1	Neil, Mary E.	" "	" "	100.00	20.00	46.00
1	Redman, Alice M.	" "	" "	113.90	25.00	56.50
1	Redman, Garnett	" "	" "	112.45	112.45	510.50
	" "	" "	" "	2.85	2.85	10.50
	" "	" "	" "	75.00	75.00	469.35
	United States of America	" "	" "	262.00	90.00	637.00
	" "	" "	" "	159.72	80.00	500.00
	" "	" "	" "	75.86	38.00	189.00
	" "	" "	" "	75.86	38.00	225.00
	" "	" "	" "	130.00	10.00	21.00
	" "	7467	" "	14.00	5.00	10.50
	Madison County					50.00
			Total	1838.41	851.30	3758.85

## H--SPECIFICATIONS OF THE MANNER OF CONSTRUCTION

## REPORT OF SURVEYOR

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett Redman.

## SCHEDULE "C"

Surveyor's Office, Madison County, O  
Proceedings for location, relocation,  
reconstruction, deepening, widening  
and altering.

The ditch improvement contemplated in this report shall be cut fully down to the grade line at all points and be made to conform to the gradients shown on profile filed herewith and also shown on schedule A. of this report.

The ditch shall have a bottom width of at least 5 feet, with cuts and banks sloped as shown on the cross sections filed herewith.

All excavated materials shall be evenly spread at all points, well beyond tops of ditch banks and this must be done to the satisfaction of the land owners, and signed statements from these land owners, signifying their approval of the same shall be obtained by the contractor, and submitted to the County Engineer, before final estimate will be issued.

DUNKIN COUNTY DITCH

All trees and all brush, bushes must be removed from the channel of said ditch, and this specification will apply to the banks of said ditch except that any tree over 6 inches in diameter that does or will not interfere with the construction or future operation of said ditch, may be left standing.

All grubbed or cleared material must be burned or removed from the land where found, unless the land owner give written consent that the specification need not be observed.

The estimate cost of grubbing and clearing is assessed as follows: 75% upon lands where this work is done and the remaining 25% pro rata upon all lands draining into said ditch; the reason for this is that while it is generally conceded that lands allowing brush, trees, bushes, etc to grow and accumulate in and about a ditch, are and should be entirely responsible for the same, yet the engineer believes that the removal of said obstructing materials is and will be of benefit to all lands draining into the ditch.

It shall be the duty of the land owners to look after, remove and replace all fences, beidges water gates and obstruction of like character, that will interfere with the construction of said ditch, thereby relieving the contractor of any obligation in this matter, buth the contractor shall exercise due care so as not to cause unnecessary damage to any bridges, form or line fences, water gates, etc.

In case of damages of this kind being caused by the contractor, he shall be held liable for the same.

A clear right of way of 50 feet on each side of the ditch is reserved for construction, this width to be measured from top of ditch banks.

I--ESTIMATE OF WORKING SECTIONS

NO. OF WORKING SECTION	STATION NUMBERS		NO. LINEAL FEET	NO CUBIC YDS.	PRICE PER YD.	AMOUNT
	FROM	TO				
1	172400	45*00	12700	9078	35¢	3177.30
2	Grubbing and clearing				(lump sum)	422.70
	Engineering				Total	3600.00
						158.85

J--RESOLUTION--ORDER FIXING TIME OF FINAL HEARING ON SURVEYOR'S REPORTS, ON ESTIMATED ASSESSMENTS. ON THE PROCEEDINGS FOR THE IMPROVEMENT AND ON CLAIMS FOR COMPENSATION AND DAMAGES.

In the Matter of the Single County Ditch Petitioned for by Garnett H. Redman.

Office of the Board of County Comm. Madison County, Ohio September, 18, 1946

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 18th day of Septemeber, 1944, at the office of the Commissioners with the following members present:

- R. W. Armstrong
- Gola Mink
- Rodney Plymell

Mr. Mink moved the adoption of the following Resolution:

Whereas, This 1 th day of September, 1944, the County Auditor has given notice to said Board of 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 1st day of May, 1944; therefore, be it

Resolved, That the 9th day of October, 1944, at 10 O'clock A. M., (Central War Time) 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 that date; and be it further

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

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

- Mr. R. W. Armstrong, Yes
- Mr. Gola Mink, Yes
- Mr. Rodney Plymell, Yes

Robert K. Dixon  
Clerk of the Board of County Comm.  
Madison County, Ohio

K--RESOLUTION--COMMISSIONERS' 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 Garnett Redman.

Office of the Board of County Comm.  
Madison County, Ohio  
October 9, 1946

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 9th day of October, 1944, at the office of the Commissioners with the following members present:

R. W. Armstrong  
Gola Mink  
Rodney Plymell

Mr. Mink moved the adoption of the following Resolution:

WHEREAS, This being the day fixed by said Board, in its order dated the 18th day of September, 1944, 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 an 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 1st day of May, 1944, 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, 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 order finding in favor of said improvement made at the first hearing on the 1st day of May, 1944, be and the same is hereby affirmed; 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 \$50.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and be it further

RESOLVED, That 5 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 bonds of said County shall be issued and sold in anticipation of the collection of said assessments bearing the rate of 4% per centum per annum, payable semi-annually; 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 are levied, without paying any interest thereon; and be it further

RESOLVED, That the 6th day of November, 1944, at 10 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 said 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,

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

Mr. R. W. Armstrong, Yea  
Mr. Gola Mink, Yea  
Mr. Rodney Plymell, Yes

Robert K. Dixon  
Clerk of the Board of County Comm.  
Madison County, Ohio

DUNKIN COUNTY DITCH

L--SURVEYOR'S REPORT ON BIDS RECEIVED

In the Matter of the Single County Ditch Petitioned for by Garnett Redman.

County Surveyor's Office Madison County, Ohio November 6, 1944

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 OR MATERIALS	AMOUNT OF BID	GUARANTY
O. E. Liller	Excavation	2995.74	Check 102.55
" " "	Grubbing and cleaning	<u>422.70</u>	"
	Total	3418.44	
Amount of Estimate		3600.00	

I recommend the following bids as the best: O. E. Liller

H. L. McCafferty County Surveyor

M--RESOLUTION--COMMISSIONERS' ORDER AWARDING CONTRACTS

In the matter of the Single County Ditch Petitioned for by Garnett H. Redman.

Office of the Board of County Comm. Madison County, Ohio November 6, 1944

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 6th day of November, 1944, at the office of the Commissioners with the following members present:

R. W. Armstrong Gola Mink Rodney Plymell

Mr. Mink 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 Garnett H. Redman 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 OR MATERIALS	AMOUNT OF BID	SURVEYOR'S ESTIMATE
O. E. Liller	Excavation	2995.74	3177.30
" " "	Grubbing & cleaning	422.70	422.70

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said O. E. Liller at the amounts bid by him, respectively; and be it further

Resolved, That the County Auditor be and he is hereby directed to notify each of said successful-bidders of the acceptance of his bid, and that he is required to enter into contract and bond as provided by Sections 6483 and 6488 of the General Code; and be it further

Resolved, That the County Surveyor be and he is hereby directed to prepare said contracts and bonds and, having secured the signatures of said bidders and their sureties, present the same to this Board for approval; and be it further

Resolved, That the whole of such work shall be completed and all material furnished on or before the 31st day of January, 1945, provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work.

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

Mr. R. W. Armstrong, Yea Mr. Gola Mink, Yea Mr. Rodney Plymell, Yes

Robert K. Dixon, Clerk of the Board of County Commissioners Madison County, Ohio

## DUNKIN COUNTY DITCH

## N--DITCH CONTRACT

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett Redman

## WORK AND LABOR AND MATERIALS

THIS CONTRACT made and entered into on this 6th day of November, 1944, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party", and O. E. Liller of London, Ohio Party of the Second Part, hereinafter designated as "Second Party."

WITNESSETH, That said Second Party, for and in consideration of the sum of Three thousand, four hundred, eighteen and 40/100 (\$3418.40) Dollars, to be paid as hereinafter specified, hereby agrees to furnish unto said First Party and do all the work and labor required to construct the Ditch improvement petitioned for by Garnett Redman in accordance with plans, drawings, and specifications are hereby declared to be a part of this contract.

Said Second Party further agrees to furnish 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 to 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 his connection therewith and the progress of the work may require. The whole shall be completed to the satisfaction and acceptance of said First Party on or before the 1st day of February, 1945.

AND said First Party, for and in consideration of the true and faithful performance of said work and labor as aforesaid, hereby agrees to pay unto said Second Party said sum of Three thousand, four hundred, eighteen and 40/100 Dollars (\$3418.40), 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.

Rr W. Armstrong      Commissioners of  
Gola Mink              Madison County, O  
Rodney Plymell        First Party

Signed in duplicate in  
presence of

O. E. Liller              Contractor  
                                    Second Party

Peggy Gordon  
Regina Kavaney

## O--BOND OF DITCH CONTRACTOR

In the Matter of the Single  
County Ditch Petitioned for  
by Garnett Redman.

ON CONTRACT FOR WORK AND LABOR  
AND MATERIALS

KNOW ALL MEN BY THESE PRESENTS, That we O. E. Liller as Principal and The Ohio Casualty Insurance Company, as sureties, are held and firmly bound unto the State of Ohio 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 Three thousand, six hundred 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 6th day of November, 1944.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, Whereas, the above bound O. E. Liller has entered into a Contract with said Board of County Commissioners, First, to furnish and perform the work and labor for the construction of the Ditch Improvement petitioned for by Garnett Redman specified in said Contract, to the satisfaction and acceptance of the County Surveyor, on or before the 1st day of February, 1945, for the compensation of Three thousand four hundred, eighteen and 40/100 (\$3418.40) 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 O. E. Liller 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, an 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  
M. Humbach

O. E. Liller  
The Ohio Casualty Insurance Co.  
Frank A. Kind, Attorney-in-fact

The above bond being good and sufficient is approved this 20th day of November, 1944.

R. W. Armstrong      Board of County  
Gola Mink              Commissioners of  
Rodney Plymell        Madison County, Ohio

DUNKIN COUNTY DITCH

P--RESOLUTION--COMMISSIONERS' ORDER APPROVING CONTRACTS AND BONDS AND LEVYING ASSESSMENTS

In the Matter of the Single County Ditch Petitioned for by Garnett Redman.

Office of the Board of County Commissioners Madison County, Ohio November 20, 1944

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 20th day of November, 1944, at the office of the Commissioners with the following members present:

- R. W. Armstrong
Gola Mink
Rodney Plymell

Mr. Mink moved the adoption of the following Resolution:

Whereas, The County Surveyor has filed with this Board the contract and bond for the work of construction and furnishing materials in the above named improvement petitioned for by Garnett Redman, therefore, be it

RESOLVED, That said contract and bond be and the same are hereby approved; and be it further

Resolved, That the County Auditor be and he is hereby directed to record said contract and bond in the Commissioners' Journal; and be it further

Resolved, That the County Auditor be and he is hereby directed to reduce pro rata the assessments previously confirmed by this Board, by the difference between the estimated cost of the construction and the contract price; and be it further

Resolved, That the assessments so reduced, but with the cost of location included therein, be and the same are hereby levied upon each parcel of land stated in the schedules as of the date of this order; and be it further

Resolved, That the County Auditor be and he is hereby directed to place said assessments so levied upon the Duplicates of the County, making and furnishing the Treasurer of said County a special Duplicate with the assessments arranged thereon in semi-annual installments as provided in our former order adopted the 9th day of October, 1944.

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

- Mr. R. W. Armstrong, Yea
Mr. Gola Mink, Yea
Mr. Rodney Plymell, Yea

Robert K. Dixon, Clerk of the Board of County Commissioners of Madison County, Ohio.

Q--FINAL ASSESSMENT SCHEDULE\*\*DUNKIN COUNTY DITCH

Table with 6 columns: OWNER, ACRES OWNED, ACRES BENEFITED, CONSTR. SCHEDULE ESTIMATE, RATE, FINAL ASSESSMENT --INCL. EXPENSE. Rows include Dwyer, T. J., Emery, Anna G., Mantle, John, Miller, Floyd, Neil, Mary E., Redman, Alice M., Redman, Garnett, United States of America, and Madison County. Total row shows 3758.85 acres, 1.00000 rate, and 3590.72 assessment.

## DUNKIN COUNTY DITCH

This schedule represents the total and final assessment for the improvement of the Dunkin County Ditch and the sum opposite your name is now due and payable.

Make checks payable to Madison County Treasurer and mail to the County Auditor, Your check will be your receipt unless formal receipt is requested.

Should you desire to pay the assessment in semi-annual installments over a five (5) year period please sign and return the enclosed form. For those who pay as taxes over the five year period. An interest charge of four (4%) percent will be added.

Yours very truly

Robert K. Dixon  
County Auditor

*Robert K. Dixon*  
AUDITOR, MADISON COUNTY, OHIO

Attest; \_\_\_\_\_