

ELLA BEACH COUNTY DITCH

A--Petition

London, Ohio March 4, 1946

Petition for examination, relocating, repair and reconstruction.

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

The undersigned hereby petition your honorable body for the examination, relocation, repair and reconstruction 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 end of a large tile on the land of Ella Beach, thence following the Ella Beach County ditch or as near thereto as practical in a general south easterly direction through the land of said Beach, Andrew Yutzy, and John Hostetler far enough to obtain a good and sufficient outlet for all lands draining into said ditch.

Your petitioner also asks for the examination, repair construction or reconstruction of any necessary laterals.

The following is the nature of the work petitioned for: examination, relocation, repair, construction or reconstruction of said ditch and any necessary laterals.

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:

Ella Beach	Plain City, Ohio
Andrew H. Hock	Ostrander, Ohio
Harry High	London, Ohio
James C. Timmons	West Jefferson, Ohio
John H. Miller	Mt. Sterling, Ohio
Andrew H. & Mary Yutzy	Plain City, Ohio
John M. Hostetler	Plain City, Ohio

Service of notice of the filing of the Petition shall be obtained by mailing notices and publication as provided in Sec. 6447.

Harry High, Petitioner.

B--Bond

Know All Men By These Presents, That we, Harry High, Ben Straley as principal, and Michael Conway, 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 4th day of March, 1946.

The Condition of The Above Obligation is Such, That, Whereas, on the 4th day of March, 1946 the above bound Harry High filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the examination, relocation, repair and reconstruction of a ditch petitioned for by Harry High and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at the end of a large tile on the land of Ella Beach; thence following the Ella Beach County Ditch, or as near thereto as practical in a general south easterly direction through lands of said Beach, Andrew Yutzy and John Hostetler far enough to obtain a good and sufficient outlet for all lands draining into said ditch.

Your petitioner also asks for the examination, repair, construction or reconstruction of any necessary laterals.

Now, if the said Harry High 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 4th day of March, 1946,
Robert K. Dixon, County Auditor

Harry High
Ben Straley
Michael Conway

C--Order Fixing Time of View and First Hearing

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
March 4, 1946.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 4th day of March, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This 4th day of March, 1946, 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 Harry High, petitioner, for the examination, relocation, repair and reconstruction, 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 26 day of March, 1946, 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 8 day of April, 1946, 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. Mink seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

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

Robert K. Dixon, Auditor
Madison County, Ohio

D--Commissioners' Finding For the Improvement

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
April 8, 1946

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 8 day of April, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 4 day of March, 1946, 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, spurs, or change of route, course, termini, or manner of construction described in the petition, or in any application therefor; therefore, be it

Resolved, That 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:

Commencing at the end of a large tile on the land of Ella Beach; thence following the Ella Beach County Ditch or as near thereto as practical in a general south easterly direction through the land of said Beach, Andrew Yutzy, and John Hostetler far enough to obtain a good and sufficient outlet for all lands draining into said ditch.

Your petitioner also asks for the examination, repair, construction or reconstruction of any necessary laterals.

The following is the nature of the work petitioned for: Examination, relocation, repair, construction or reconstruction of said ditch and any necessary laterals. (Engineer to submit two plans of estimated assessments) 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 of Ohio; and be it further

Resolved, That the 24 day of June, 1946, 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 Surveyor.

ELLA BEACH COUNTY DITCH

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

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

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

County Auditor's Office
April 8, 1946

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.

Robert K. Dixon
County Auditor.

E--Schedule of Land Owners

<u>Name</u>	<u>Survey</u>	<u>Description</u>	<u>Acres Owned</u>	<u>Acres Benefited</u>	<u>Estimated Assessment</u>
Beach, Ella Wilson	12038	Canaan	220.13	125.00	750.00
" " "	"	"	209.52	12.00	90.00
" " "	"	"	86.08	50.00	300.00
" " "	5874	"	298.00	110.00	660.00
High, Harry	12030	"	75.00	60.00	360.00
Hock, Andrew H.	12038	"	75.00	6.00	36.00
Yutzy, Eli E. & Ida	12126	"	4.63	4.00	22.00
" " "	12126	"	20.37	13.00	71.50
" " "	12126	"	50.10	30.00	128.30
Streator, Pauline M.	8696	"	52.42	30.00	165.00
" " "	8690	"	18.416	14.00	77.00
Timmons, James C.	12038	"	20.07	20.00	120.00
" " "	12743	"	43.00	30.00	180.00
Yutzy, Andrew N. & Mary	8690	"	33.714	13.00	65.00

F--Specifications of the Manner of Construction

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Engineer's Office, Madison County, Ohio
Proceedings for repair and reconstruction of
The Ella Beach Ditch.

The Main ditch from Sta. 0-60 to Sta. 0 plus 66 shall be constructed an 18" tile ditch, and
from Sta. 0 plus 66 to Sta 60 plus 00 an open ditch.

Trenches for tile ditches shall be cut to uniform grade as shown on the Profile of this
report and all tile shall be laid with 1/4 inch open joints care shall be taken that open
joints on all curves shall be covered with broken tile, and all excavated material shall
be backfilled over the tile.

The open ditch shall be cut to the grade line and gradients shown in Schedule A of this
report and shall have a bottom width of three feet with side slopes of one and one half of
one. All excavated material shall be evenly spread well beyond the tops of the banks and
this must be done to the satisfaction of the land owners. Signed statements from these
land owners signifying their approval of the same must be obtained by the contractor and
submitted to the County Engineer before final estimate will be issued. In case any land
owner shall fail or refuse so to certify, then the County Engineer shall decide whether or
not the work meets the required specifications.

It shall be the duty of the land owners to look after and remove all fences crossing or
along the ditch and take out, remove and replace water gates that will interfere with the
construction of the ditch, thereby releasing the contractor from any obligation in this
matter.

The contractor shall exercise due care to cause no unnecessary damage to fences, water gates
or bridges. In case of damage of this kind being caused by the contractor, he shall be
held liable for the same.

A clean right-of-way of 50 feet on each side of the ditch is reserved fro construction pur-
posed. This distance shall be measured from the tops of the ditch banks. In depositing
and placing excavated material, care shall be taken that no draw or place where surface
water enters the ditch shall be in any manner interferred with.

Between Station 0-60 and Sta 0 plus 34 of the Main Ditch and between Sta. 15 plus 00 and
Sta. 23 plus 80 of the High Lateral at points indicated by the Engineer, the existing 18"
and 15" tile shall be removed, cleaned and relaid and, where broken, replaced with new tile
of corresponding size and additional backfill made to the satisfaction of the Engineer. This
work shall be paid for at the unit price bid and for actual work done.

From Sta 0 plus 34 to Sta. 0 plus 66 the contractor shall install 32 lin. ft. of 16 ga. 18" corrugated Iron Pipe to the proper grade as shown on the Profile.

The cost of cleaning and grubbing is included in the price bid per cu. yd. for excavation. All trees, brush or roots within the ditch limits, or along the sides of the ditch where they interfere with the contractor's work, shall be removed and disposed of to the satisfaction of the Engineer.

At Sta. 0 plus 66 and to the right of Sta 24 plus 17 of the Main Ditch, new concrete bulk heads shall be constructed in accordance with plans which are made a part of these specifications, and approved cement shall be used and aggregate shall be sharp, clean and of broken stone or washed gravel in the proportions of 1-2-4.

G--Estimate of Working Sections

No. of Working Sections	Station Numbers From	To		Labor	Material
Main Open Ditch					
0-66	60		Excavation Includes clearing and grubbing 4400 cu. yds. @ 46¢	2024.00	
			Laying 16 lin. ft. 18" corrugated pipe	6.00	
			Take up clean and relay 2.2 rods 18" tile @ 6	13.20	
			Laying 7 rods of 18" tile @ 5.00	35.00	
			Furnish 16 lin. ft. 18" corrugated pipe @ 1.55		24.80
			Furnish 18" drain tile 7.2 rods @ 12.50		90.00
			Concrete (Bulkhead) 8.8 cu. yds. @ 25.00	220.00	
			Excavation 20 cu. yds. @ 1.00	20.00	
			Backfill 50 cu. yds. @ 1.00	50.00	
			Reinforcing steel 26 lbs. @ .10		2.60
				\$2368.20	\$117.40
Lateral No. 1 (High Lateral)					
			Repairs to old bulkhead 3 cu. yds concrete @ 25.00	75.00	
			Excavation 6 cu. yds. @ 1.00	6.00	
			Backfill 15 cu. yds. @ 1.00	15.00	
			Removal part of old bulkhead 1 cu. yd.	8.00	
			Dowels 3/4" x 18" 10	10.00	
			Take up clean and relay 18" tile 20 rds @ 5	100.00	
			Furnish new 15" drain tile @ 9.50		95.00
				\$217.00	\$95.00
			Total	\$2585.20	\$212.40
			Total labor and material		\$2797.60
			Eng. & Inspection		227.20
			Total Cost		\$3024.80

H--Order Fixing Time of Final Hearing, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
November 4, 1946

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 4 day of November, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This 4 day of November, 1946, 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 7 day of October, 1946; therefore, be it

Resolved, That the 25 day of November, 1946, at 2 o'clock P.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 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. Rodney Plymell, yes.
Mr. R.W. Armstrong, yes.

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

ELLA BEACH COUNTY DITCH

I--Commissioners' Finding for the Application for change, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio.
November 25, 1946.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 25 day of November, 1946 at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, This being the day set 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 applications filed for change or route or change in the nature, kind and extent of the work proposed to be done; and

Whereas, The following persons, viz: Andrew H. Yutzy has presented verbal application to make a change of the route or course of the proposed improvement, of of either terminus thereof, from that shown in the report of the Surveyor, 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; and

Whereas, Said Board has heard either in person or by Council all evidence offered by any owner of land for or against the granting of any application for change of route, course, or termini, or nature, kind or extent of the work proposed to be done described in any application therefor; therefore, be it

Resolved, By the Board of County Commissioners that said Board hereby finds that the route or course of the proposed improvement, and the termini thereof, and thenature, kind, and extent of the work proposed to be done, as shown in the report of the Surveyor, should be changed as follows: To extend the lower termini downward to the East Pike or far enough to provide an outlet to the tile on the Andrew H. Yutzy lands, and that said changes will better accomplish the purpose and object of the proposed improvement; and be it further

Resolved, That the following persons, who will be affected thereby, be notified of such proposed changes in the manner provided by Law: (1) All persons heretofore mentioned, and (2) Also Theodore Ballard, R. #1, W. Jefferson, Ohio, and be it further

Resolved, That the County Surveyor be and he is hereby directed to make the necessary and proper schedules, which will include such changes; and be it further

Resolved, That the final hearing be and the same is hereby continued until a date to be fixed following the Engineer's filing of new schedules on the 30 day of December, 1946.

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

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

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

J--Order Fixing Time of Final Hearing, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
December 30, 1946.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 30 day of December, 1946, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, This 30th day of December, 1946, 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 25th day of November, 1946; therefore be it

Resolved, That the 20 day of January, 1947, at 2 o'clock P.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. Mink seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell, yes.
Mr. R.W. Armstrong, yes.
Mr. Gola Mink, yes.
Robert K. Dixon, Clerk of the Board of
County Commissioners, Madison County

K--Commissioners' Finding Affirming Order, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
January 20, 1947

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 20 day of January, 1947, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board, in its order dated the 30 day of December, 1946, 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 8th day of April, 1946, 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 8th day of April, 1946, be and the same is hereby affirmed; and

Whereas, Objections to the proposed improvement having been filed by Theodore Ballard in person and verbally, 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 land, as shown by the schedule of assessment 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 and restored and revert to the Schedule of Plan No. 1 filed November 4, 1946 and dated Nov. 1st, 1946, and -----be it known-----that Plan No. 2 filed December 30, 1946-----is hereby dropped, 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 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 notes of said County shall be issued and sold in anticipation of the collection of said assessments bearing the rate of four per centum per annu, 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 notes 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 17th day of February, 1947, 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, an 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; 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. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

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

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

L--Surveyor's Report on Bids Received

In the matter of the Single County Ditch Petitioned for by Harry High and others.

County Surveyor's Office
Madison County, Ohio
February 17, 1947

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	Guaranty
Visitine & Co.	Labor and Material	2600.00	cc. 84.00
O.E. Liller	Labor and Material	2665.00	cc. 80.00
Goss & Yantes Excavation Co.	Labor and Material	2300.60	cash 70.00

I recommend the following bids as the best:

Goss-Yantes Excavation Co. \$2300.60

H.L. McCafferty
County Engineer

M--Commissioners' Order Awarding Contracts

In the Matter of the Single County Ditch Petitioned for by Harry High and others.

Office of the Board of County Commissioners,
Madison County, Ohio
February 17, 1947

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 17 day of February, 1947, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong
Gola Mink

Mr. Armstrong 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 Harry High 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 Estimate
Goss-Yantes Excavating Co.	Labor & Material	2300.60	2797.60

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said Goss & Yantes Excavating Co., 1931 Greenway South, Columbus 3, Ohio., at the amounts bid by the, 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 and, 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 30 day of May, 1947, provided that the time of furnishing such material and completing the labor shall correspond with the time provided for its use in the progress of the work.

Mr. Mink seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Rodney Plymell, yes; R.W. Armstrong, yes.; Gola Mink, yes.
Robert K. Dixon, Clerk of the Board of County Commissioners of Madison County, Ohio.

N--Commissioners' Order Approving Contracts, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio.
February 19, 1947

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 24 day of February, 1947, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong

Mr. Armstrong 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 material in the above named improvement petitioned for by Harry High and others, 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 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 County Auditor be and he is hereby directed to record said contract and bond in the Commissioner's Journal; 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 20 day of January, 1947.

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

Mr. Rodney Plymell, yes.
Mr. R.W. Armstrong, yes.
Mr. Robert K. Dixon, Clerk of the Board.
of County Commissioners of Madison County

This is to certify that we received refund of bid deposit of cash in the sum of \$70.00 on this 19th day of February, 1947.

Signed. Wayne Goss
Robert E. Yantes

Attest; Robert K. Dixon

O--Certificate of County Engineer as to Work COMPLETED

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the County Engineer
Madison County, Ohio
June 21, 1947

To Goss-Yantes Excavating Co., Contractor:

This is to certify that the undersigned County Engineer has accepted 100 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 Harry High and others, and I, therefore, approve said work and labor for payment in the sum of Twenty three hundred and 60/100 (\$2300.60) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

H.L. McCafferty
County Engineer

Total Contract	\$2300.60
Engineering and Inspection	227.20
Total	\$2527.80

ELLA BEACH COUNTY DITCH

P--Itemized List of Improvement Costs

Construction:

Goss-Yantes Excavating Co.	<u>\$2300.60</u>	
	Total	2300.60

Engineer's Services:

Engineering & Inspection	<u>227.20</u>	
	Total	227.20

Commissioners Fees:

One Commissioners Fee	<u>20.00</u>	
	Total	20.00

Transcript, Mailing Notices and Advertising:

Transcript	4.50	
Mailing 3/7/46 (7)	.21	
Mailing 11/6/46 (8)	.24	
Mailing 1/3/47 (9)	.27	
Advertising 3/14/47 Ditch Bids	12.75	
Slips from Ad " "	1.25	
Mailing Statements (7)	<u>.21</u>	
	Total	<u>19.43</u>

Grand Total \$2567.23

Q--Final Assessment Schedule

<u>Owner</u>	<u>Acres Owned</u>	<u>Acres Benefited</u>	<u>Constr. Schedule Estimate</u>	<u>Rate</u>	<u>Final Assessment---Incl. Expenses</u>
Beach, Ella Wilson	220.13	125.00	750.00	.24795	636.54
" " "	209.52	15.00	90.00	.02975	76.38
" " "	86.08	50.00	300.00	.09918	254.62
" " "	298.00	110.00	660.00	.21820	560.17
High, Harry	75.00	60.00	360.00	.11902	305.55
Hock, Andrew H.	75.00	6.00	36.00	.01190	30.55
Yutzy, Eli E. & Ida	4.63	4.00	22.00	.00727	18.66
" " "	20.37	13.00	71.50	.02364	60.69
" " "	50.10	30.00	128.30	.04242	108.90
Streator, Pauline M.	52.42	30.00	165.00	.05455	140.04
" " "	18.416	14.00	77.00	.02545	65.34
Timmons, James C.	20.07	20.00	120.00	.03967	101.84
" " "	43.00	30.00	180.00	.05951	152.78
Yutzy, Andrew N. & Mary	33.714	13.00	65.00	.02149	55.17
			<u>3024.80</u>	1.00000	<u>2567.23</u>

R--Unpaid Assessments:

London, Ohio
Sept. 29, 1947

Madison County Commissioners
London, Ohio

Gentlemen:

This is to advise that statements were mailed to all persons assessed for the improvement of the subject Ditch and I am listing herewith those remaining unpaid, to be collected as taxes with interest added, for which a note should be issued, and, to-wit:

Name	Acres Owned	Amount
Beach, Ella Wilson	220.13	636.54
	209.52	76.38
	86.08	254.62
	298.00	560.17
Streator, Pauline M.	52.42	140.04
	18.416	65.34
Yutzy, Eli E. & Ida	4.63	18.66
	20.37	60.69
	50.10	108.90

Total Amount \$1921.34

Respectfully,
Robert K. Dixon, Auditor of Madison County

S--Resolution To Issue Notes, etc.

In the Matter of the Single
County Ditch Petitioned for
by Harry High and others.

Office of the Board of County Comm.
Madison County, Ohio
September 29, 1947

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29th day of September, 1947, at the office of the Commissioners with the following members present:

Rodney Plymell
R.W. Armstrong

Mr. Armstrong moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 20th day of January, 1947, affirmed its former order finding in favor of the improvement of the County Ditch, petitioned for by Harry High, and

Whereas, It is now deemed necessary to issue and sell \$1921.34 of notes under authority of Section 2293-24 of the General Code of Ohio, and "The Uniform Bond Act" for the purpose of providing funds in anticipation of the levy of assessments according to benefits 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 20th day of January, 1947, 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 assessment that may be made for the improvement; now, therefore, be it

Resolved, By the Board of County Commissioners of Madison County, Ohio, that in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of assessments according to benefits or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act" in the aggregate sum of Nineteen Hundred Twenty One and 34/100 Dollars (\$1921.34), not exceeding in amount that portion of the estimated cost of the improvement for which the assessment is levied, to provide a fund for the payment of the cost and expense of the improvement of said County Ditch according to the terms of said Resolution above referred to; and be it further

Resolved, That said notes shall be dated the 1 day of October, 1947, and shall be in the denomination of Nineteen Hundred Twenty One and 34/100 Dollars (\$1921.34) and shall be numbered seven.

Said note shall bear interest at the rate of four per centum per annum until paid, and the interest on said note shall be payable on the 1 day of April, and the 1 day of October, 1948, and until the principal sum of said note is paid and as evidenced interest coupon attached thereto. Said note shall not be issued for a longer period of time than two years from date thereof and shall be payable at the office of the Treasurer of said County at London, Ohio, upon presentation and surrender of said note and interest coupon as they respectively mature. Said note shall be redeemable at any interest period.

Said note shall be due and payable as follows; No. 7 April 1, 1947 \$1921.34

Said note shall specify on their face the purpose for which they are issued, and that they are issued in pursuance of this resolution and under authority of the General Laws of the State of Ohio, particularly Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act", and shall be full general obligations of said Madison County, and for the full amount thereof, and the full faith, credit and revenue of said County are hereby pledged for the payment of the principal and interest thereof at maturity.

Said note shall be signed by the members of the Board of County Commissioners of said County, and the County Auditor and bear his seal, and the interest coupons shall have the facsimile signature of said County Auditor printed or lithographed thereon; and be it further

Resolved, That said note shall be paid from the proceeds of bonds hereafter issued in anticipation of the collection of assessments and all of the assessments collected for the improvement shall be applied to the payment of the notes and interest thereon until both are fully paid; and be it further

Resolved, That there shall be and is hereby levied on all the taxable property in Madison County, Ohio, in addition to all other taxes a direct tax annually during the years while such notes run, not less than that which would have been levied if bonds had been issued without the prior issue of such notes.

Said tax shall be, and is hereby ordered computed, certified, levied and extended upon the tax duplicate, and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, levied, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and principal of said notes, when and as the same fall due.

ELLA BEACH COUNTY DITCH

It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said notes in order to make the same legal, valid and binding obligations of said County have been done, have happened and have been performed in regular and due form as required by law and that the tax for the payment of the principal and interest as the same fall s due and is payable does not exceed any limitations of taxation of said County, and that the amount of this note issued does not exceed any limitation of indebtedness as fixed by law.

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

Mr. Rodney Plymell, yes.
Mr. R.W. Armstrong, yes.

Dated this 29th day of September, 1947

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