

A COUNTY DITCH PETITION

London, Ohio, Jan. 30, 1950

Petition for the straightening, deepening and widening of a continuation of the Ella Beach County Ditch in Canaan Township.

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

The undersigned hereby petition your honorable body for the straightening, deepening and widening of a continuation of the Ella Beach County Ditch in Canaan Township, 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 or near Sta. 58 of the Ella Beach County Ditch as constructed in 1946 on land of Eli E. and Ida Yutzy, and continuing along the line of the present ditch in an Easterly direction, through the land of said Yutzy and land of Theodore Ballard to the East Pike or far enough to secure a sufficient outlet for the Ella Beach Ditch and for the tile emptying into the proposed ditch.

The following is the nature of the work petitioned for: straightening, deepening and widening of a continuation of the Ella Beach County Ditch in Canaan Township.

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:

Beach, Ella Wilson, Beach Chandler Co., Plain City, Ohio
 High, Harry, London, Ohio
 Hock, Andrew H., Ostrander, Ohio
 Yutzy, Eli E. & Ida, Plain City, Ohio, Rt. #1
 Streator, Pauline M. Plain City, Ohio
 Timmons, James C. West Jefferson, Ohio
 Yutzy, Andrew N. & Mary, Rt. 2, Plain City, Ohio
 Hammond, Pete & Theressa, c/o Herman Hammond, Rt. 2, Plain City, Ohio
 Ballard, Theodore, #1, West Jefferson, Ohio

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

Andrew Yutzy	Eli E. & Ida Yutzy	
Pete Hammond	Ella Beach	
Pauline M. Streator	Harry High	Petitioners
James C. Timmons		

B BOND (TO BE FILED WITH DITCH PETITION)

KNOW ALL MEN BY THESE PRESENTS, That we, Andrew Yutzy, as principal, and Benjamin J. Miller and Robert M. Kaufman as sureties are held and firmly bound unto the State of Ohio, in the sum of Two hundred and no/100 (\$200.00) 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 30th day of January, 1950.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 30th day of January, 1950, the above bound Andrew Yutzy filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the straightening, deepening and widening of a continuation of the Ella Beach County Ditch in Canaan Township, petitioned for by Andrew Yutzy and others, the following being the course and termini of said proposed improvement, to-wit: Commencing at or near Sta. 58 of the Ella Beach County Ditch as constructed in 1946 on land of Eli E. and Ida Yutzy, and continuing along the line of the present ditch in an Easterly direction, through the land of said Yutzy and land of Theodore Ballard to the East Pike or far enough to secure a sufficient outlet for the Ella Beach Ditch and for tile emptying into the proposed ditch.

Now, if the said Andrew Yutzy 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 30th day of Jan., 1950,
 Robert K. Dixon, County Auditor

Andrew Yutzy
 Benj. J. Miller
 Robert M. Kaufman

ELLA BEACH COUNTY DITCH

C RESOLUTION ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single County Ditch Petitioned for by Andrew Yutzy and others.

Office of the Board of County Commissioners Madison County, Ohio Jan. 30, 1950

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 30th day of Jan., 1950, at the office of the Commissioners with the following members present:

Rodney Plymell Glenn R. Daugherty George W. Taylor

Mr. Daugherty moved the adoption of the following Resolution; Whereas, This 30th day of Jan., 1950, 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 Andrew Yutzy, petitioner, for the Improvement of the Ella Beach County 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 February, 1950, 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 sixth day of March, 1950, 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. Taylor seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodney Plymell Yes Mr. Glenn R. Daugherty Yes Mr. George W. Taylor Yes

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

D RESOLUTION COMMISSIONERS FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch Petitioned for by Andrew Yutzy and others.

Office of the Board of County Commissioners Madison County, Ohio. March 6, 1950

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 6 day of March, 1950, at the office of the Commissioners with the following members present:

Rodney Plymell Glenn R. Daugherty George W. Taylor

Mr. Daugherty moved the adoption of the following resolution:

Whereas, this being the day fixed by said Board in its order dated the 30th day of Jan., 1950, 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 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 or near Sta. 58 of the Ella Beach County Ditch as constructed in 1946 on land of Eli E. and Ida Yutzy, and continuing along the line of the present ditch in an Easterly direction, through the land of said Yutzy and the land of Theodore Ballard to the East Pike or far enough to secure a sufficient outlet for the Ella Beach Ditch and for the tile emptying into the proposed ditch.

The following is the nature of the work petitioned for : straightening, deepening and widening of a continuation of the Ella Beach County Ditch in Canaan Township, 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 24th day of July, 1950, 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.

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

Mr. Rodney Plymell	Yes
Mr. Glenn R. Daugherty	Yes
Mr. George W. Taylor	Yes

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

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

Name	Lot no.	Description	Acres Owned	Acres Benefited	Estimated Amt. Land Should Be Assessed
Ballard, Theodore	6969	Canaan Twp.	120.50	41.00	285.77
Ballard, Theodore	12126	Canaan Twp.	11.36	11.36	79.18
Ballard, Theodore	8507	Canaan Twp.	16.75	16.75	116.75
Beach, Ella Wilson	12038	"	220.13	125.00	121.25
" " "	"	"	209.52	12.00	11.64
" " "	"	"	86.08	50.00	48.50
Beach, Ella	5874	"	298.00	110.00	106.70
Hammond, Peter & Theresa	8417 8507	"	179.904	18.00	125.46
High, Harry	12038	"	75.00	60.00	58.20
Hock, Andrew H.	12038	"	50.24	6.00	5.82
Streator, Pauline M.	8696	"	52.42	30.00	29.10
" "	8417	"	18.416	14.00	13.58
James C. Timmons	12038	"	20.07	20.07	19.47
" "	12734	"	43.00	30.00	29.10
Yutzy, Andrew N. & Mary	8417	"	33.714	33.714	156.95
" "	"12126	"	1.88	1.88	13.10
" "	"12126	"	22.00	22.00	153.34
" "	"8507	"	56.00	56.00	389.92
Yutzy, Eli E. & Ida	12126	"	4.63	4.63	8.27
" "	"	"	19.19	13.00	12.61
" "	"	"	50.00	25.00	24.25
" "	"	"	57.25	27.25	189.93
" "	8507	"	5.00	5.00	35.85
Madison County					47.00

F 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 Andrew N. Yutzy and others Office of the Board of County Commissioners. Madison County, Ohio Sept. ,1950

The Board of County Commissioners of Madison, County, Ohio, met in regular session on the 5th day of Sept. 1950, at the office of the Commissioners with the following members present:

Rodney Plymell
Glenn R. Daugherty
George W. Taylor

Mr. Daugherty moved the adoption of the following Resolution:

Whereas, This 5th day of Sept., 1950, 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 6th day of March, 1950, therefore, be it

Resolved, That the 25th day of Sept., 1950, 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

MELLA BEACH COUNTY DITCH

Resolved, That notice of said 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. Rodney Plymell	Yes
Mr. Glenn R. Daugherty	Yes
Mr. George W. Taylor	Yes

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

G 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 Andrew N. Yutzy and others	Office of the Board of County Commissioners, Madison County, Ohio. Oct. 16, 1950
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The Board of County Commissioners of Madison County, Ohio met in regular session
on the 16th day of Oct., 1950, at the office of the Commissioners with the following
members present:

Mr. Rodney Plymell
Mr. Glenn R. Daugherty

Mr. Daugherty moved the adoption of the following resolution:

Whereas, This being the day fixed by said Board, in its order dated the 28th day of
Sept., 1950, 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 28th day of Sept., 1950, 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 16th day of
Oct., 1950, and

Whereas, This Board has considered the cost of location and construction, the compensa-
tion for land taken, the damages to land along or in the vicinity of the route of
the improvement, the damages to the 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 improve-
ment, etc.; therefore, be it

Resolved, That said former order finding in favor of said improvement made at the
first hearing on the 28th day of Sept., 1950, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by None 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 approved as follows, to-wit:
Per Revised Schedule, and be it further

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

Resolved, That \$47.00 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 notes 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 note issued to pay for said improvement; provided any
owner may pay the assessment on his land in cash in thirty days after the contracts
are approved and such assessments are levied, without paying any interest thereon;
and be it further

Resolved, That the 20th day of Nov., 1950, 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 con-
struction 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 does exceed 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 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 the accordance with the requirements of Section 6481 of the General Code of Ohio.

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

Mr. Rodney Plymell	Yes
Mr. Glenn Daugherty	Yes

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

H CHANGE OF SALE DATE

Mr. George Taylor moved the adoption of the following Resolution:

Whereas, This being the day fixed for the sale of the Ella Beach Single County Ditch that said date be changed to Dec.20, 1950 at 11:00 A. M.,

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

Mr. Rodney Plymell	Yes
Mr. Glenn R. Daugherty	Yes
Mr. George W. Taylor	Yes

Attest: Forrest R. Hanson, Clerk
Madison County Commissioners

I SURVEYOR'S REPORT ON BIDS RECEIVED

In the Matter of the Single
County Ditch Petitioned for
by Andrew Yutzy et al

County Surveyor's Office,
Madison County, Ohio
Dec. 20, 1950

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:

Green Twp. Gravel Co.	Labor and Material	Bid--	\$1627.06	Cert. Chk.	\$48.81
Parker & Dewbre	" " "	"	\$1262.12	Cash	\$40.00

I recommend the following bids as the best:

Parker & Dewbre, Cedarville, Ohio. Bid \$1262.12

R. H. Graham
County Engineer

J COMMISSIONERS' ORDER AWARDING CONTRACTS

In the Matter of the Single
County Ditch Petitioned for
by Andrew Yutzy and others

Office of the Board of County Commissioner
Madison County, Ohio
Dec., 1950

The Board of County Commissioners of Madison County, Ohio, met in special session on the 20th day of Dec, 1950, at the office of the Commissioners with the following members present:

Rodney Plymell
George Taylor

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 Andrew Yutzy et al, and best bids, and within the surveyors estimate to-wit:

Parker & Dewbre	Labor and Materials	Amt. Bid --	\$1262.12	Surv. Est.	\$1694.92
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therefore, be it

Resolved, That contracts be and the same are hereby awarded to said Parker & Dewbre, Cedarville, Ohio, at the amounts bid by them, respectively; and be it further

ELLA BEACH COUNTY DITCH

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, 1951, 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. Rodney Plymell	Yes
Mr. George W. Taylor	Yes

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

K DITCH CONTRACT

In the Matter of the Single
County Ditch Petitioned for by Andrew Yutzy and others
WORK AND LABOR AND MATERIALS

THIS CONTRACT made and entered into on this --day of-- 19-- , by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party," and Parker & Dewbre of Cedarville, Ohio Part--of the Second Part, hereinafter designated as "Second Party."

Witnesseth, That said Second Party, for and in consideration of the sum of one thousand two hundred sixty two dollars and 12/100--- 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 Ella Beach Ditch improvement petitioned for by Andrew Yutzy et al 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 31 day of January, 1951.

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 One thousand two hundred sixty two and 12/100 Dollars (\$1262.12), in installments from time to time, upon the certificate of acceptance of 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 aboce written.

George W. Taylor	Commissioners of
Rodger B. Baker	Madison County, Ohio
Glenn R. Daugherty	First Party

L BOND OF DITCH CONTRACTOR

In the Matter of the Single
County Ditch Petitioned for by Andrew Yutzy and others
ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

KNOW ALL MEN BY THESE PRESENTS, That we, Parker & Dewbre, as Principal The Ohio Casualty Insurance Company, Hamilton, Ohio, as sureties, are held and firmly bound into 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 sixteen hundred ninety four and 92/100 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 26th day of December, 1950.

The Condition of the Above Obligation is Such That, Whereas, the above bound Parker & Dewbre has 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 Ella Beach Ditch improvement petitioned for by Andrew Yutzy and others specified in said Contract, to the satisfaction and acceptance of the County Surveyor, on or before the 31st day of January, 1951, for the compensation of Twelve hundred sixty two and 12/100 (\$1262.12) 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;

ELLA BEACH COUNTY DITCH

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 Parker & Dewbre 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
Joyce Pippert

Parker & Dewbre
By: The Ohio Casualty Insurance Company
By: E. Earle Johnson, Atty. in Fact

The above bond being good and sufficient is approved this 2nd day of January, 1951

George W. Taylor
Rodger B. Baker
Glenn R. Daugherty
Board of County Commissioners, Madison County, O.

M SUBJECT:

London, Ohio, August 13, 1951
Single County Ditch Petitioned for by Andrew Yutzy et al. known as the Ella Beach Ditch.

Resolution to remove "lump" \$140.00 for construction of Farm Bridge at Station 60-91 from Ditch Bid and to prorate this decrease among all property owners assessed.

RESOLUTION; Mr. Baker moved the adoption of the following Resolution: That the concrete, excavation, and steel as lumped by the bidder Parker & Dewbre of Cedarville, Ohio at \$140.00 at the recommendation of the County Engineer, be removed from the contract and the cost of construction of the Ella Beach Ditch be reduced to the extent of \$140.00 and this reduction prorated among the assessed property owners. Mr. Daugherty seconded the resolution and upon roll call the result was:

Madison	George W. Taylor	Yes
County	Rodger B. Baker	Yes
Commissioners	Glenn R. Daugherty	Yes

Attest: Forrest R. Hanson, Auditor & Clerk

N CERTIFICATE OF COUNTY SURVEYOR AS TO WORK COMPLETED

In the Matter of the Single
County Ditch Petitioned for by
Andrew Yutzy and others.

Office of County Surveyor,
Madison County, Ohio
Sept. 11, 1951

To Parker & Dewbre, Contractor:

This is to certify that the undersigned County Surveyor 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 Andrew Yutzy and others, and I, therefore, approve said work and labor for payment in the sum of Twelve hundred sixty two and 12/100 (\$1262.12) Dollars, less \$140.00 for concrete, excavation and steel as lumped by bidder to be removed from contract price. (See explanation below) the same being the contract price for said percentage of work and labor completed and accepted.

Helge G. Ekedahl
County Surveyor

Amt. of bid		\$1262.12
Estimate No. 1	\$800.00	
Estimate No. 2	\$322.12	
	\$ 1122.12	
Amt. paid Parker & Dewbre		\$1122.12
Amt. removed from bid price by resolution adopted by County Commissioners, August 13, 1951		\$140.00

O. FINAL ASSESSMENT SCHEDULE

Owner	District	Acres Owned	Acres Benefited	Constr. Schedule Estimate	Rate	Final Assessm't Incl. Exp.
Beach, Ella Wilson	Canaan	220.13	125.00	121.25	.05824	84.93
"	"	209.52	12.00	11.64	.00559	8.15
"	"	86.08	50.00	48.50	.02330	33.98
"	"	298.00	110.00	106.70	.05126	74.75
Clingman, Margaret	"	11.36	11.36	79.18	.03804	55.48
180 N. Hague Ave.	"	16.75	16.75	116.75	.05608	81.79
Columbus, O.	"	75.13	41.00	285.77	.13727	200.19
Hammond, Peter & Theresa	"	179.904	18.00	125.46	.06027	87.90

ELLA BEACH COUNTY DITCH

Owner	Dist.	Acres Owned	Acres Benefited	Constr. Schedule Est.	Rate	Final Assm't. Incl. Exp.
High, Harry	Canaan	75.00	60.00	58.20	.02796	40.78
Hock, Andrew H.	"	50.24	6.00	5.82	.00280	4.08
Timmons, James C.	"	20.07	20.07	19.47	.00935	13.64
"	"	43.00	30.00	29.10	.01398	20.39
Wilson, Walter C.	"	52.42	30.00	29.10	.01398	20.39
Ruth E.	"	18.416	14.00	13.58	.00652	7.51
Plain City, O.	"	.006	.006	.01	-	-
Yutzy, Eli E. & Ida	"	4.624	4.624	8.26	.00397	5.79
"	"	19.17	13.00	12.61	.00606	8.84
"	"	50.10	25.00	24.25	.01165	16.99
"	"	57.25	27.25	189.93	.09124	133.06
"	"	5.00	5.00	35.85	.01722	25.11
Yutzy, Eli N. & Lizzie Ann	"	33.714	33.714	156.95	.07539	109.95
"	"	1.88	1.88	13.10	.00629	9.17
Plain City, O.	"	22.00	22.00	153.34	.07366	107.42
"	"	56.00	56.00	389.92	.187.30	273.15
Madison County				47.00	.02258	32.93
		1605.76	732.65	2081.74	1.00000	1458.37

P ITEMIZED LIST OF IMPROVEMENT COSTS

Construction:			
Parker & Dewbre Contract	1262.12		
By Resolution (Construction Farm Bridge)	140.00		
	<u>1122.12</u>		1122.12
Engineers Services :			
Engineers & Inspection	320.00		320.00
Transcripts, Mailing Notices and advertising			
Transcript	4.50		
Mailing 1/30/50	.27		
Publishing Notices 12/1/50	8.40		
Slipoffs	2.00		
Mailing 9/5/50	.27		
" 9/18/50	.27		
" 9/28/50	.27		
Mailing Statements 1/17/52	.27		
	<u>16.25</u>		16.25
		Total	<u>1458.37</u>

Q CERTIFICATE OF UNPAID ASSESSMENTS

September 29, 1952
London, Ohio

Madison County Commissioners
London, Ohio

Gentlemen:

This is to certify that in the matter of the improvement of the Ella Beach County, the following assessments remain unpaid, to-wit:

Beach, Ella Wilson	93.08
Beach, Ella	108.73
Timmons, James C.	34.03
Yutzy, Eli E. & Ida	189.79
Total	<u>\$425.63</u>

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

ELLA BEACH COUNTY DITCH

R RESOLUTION TO ISSUE NOTES IN ANTICIPATION OF THE LEVY OF ASSESSMENTS ACCORDING TO BENEFITS OR OF THE ISSUANCE OF BONDS

In the Matter of the Single
County Ditch Petitioned for by
Andrew Yutzy and others.

Office of the Board of County Com.'s
Madison County, Ohio
September 29, 1952

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

George W. Taylor
Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 16th day of Oct., 1950, affirmed its former order finding in favor of the improvement of the County Ditch petitioned for by Andrew Yutzy and others; and

Whereas, it is now deemed necessary to issue and sell \$425.63 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 16th day of Oct. 1950, 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 Four hundred twenty five and 63/100 Dollars (\$425.63), 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 1st day of Oct., 1952, and shall be in the denomination of Four hundred twenty five and 63/100 Dollars (\$425.63) and shall be numbered 30.

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 1st day of October, 1953, and until the principal sum of said note is paid and as evidenced by interest coupons 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 office of the Treasurer of said County at London, Ohio, upon presentation and surrender of said note and interest coupons as they respectively mature. Said note shall be redeemable at any interest period.

Said note shall be due and payable as follows:

#30	Oct. 1	\$425.63
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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 note 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 note.

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 fund 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.

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

ELLA BEACH COUNTY DITCH

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 falls due and is payable does not exceed any limitations of taxation of said County, and that the amount of this said note issue does not exceed any limitation of indebtedness as fixed by law.

The Clerk of this Board is hereby authorized and directed to offer this issue of notes at par and accrued interest first to the Board of Trustees of the Sinking Fund of said County and if refused, then the clerk is directed to offer the same for sale at private sale.

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

Dated this 29th day of September, 1952

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