

A SINGLE COUNTY DITCH PETITION London, Ohio March 29, 1958.

Petition for reconstruction, alteration, filling, changing the course, constructing an embankment the Harrod and Gordin ditches.

TO THE BOARD OF COUNTY COMMISSIONERS, MADISON, COUNTY, OHIO:

The undersigned hereby petitions your honorable body for the reconstruction, alteration, filling, changing the course, constructing an embankment, the Harrod and Gordin ditches, on the course 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 or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Cleman's property on the east, continuing through the Arthur Clemans' property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642, west of the Village of South Solon, Ohio, Madison County, Ohio.

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

Commencing on or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Clemans' property on the east, continuing through the Arthur Clemans' property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642, west of the Village of South Solon, Madison County, Ohio.

The following is the nature of the work petitioned for: Alteration of the course of said combined open ditch/to the west side of a tile drain, to prevent the flow of water over a tile drain existing at said location; and cover said tile drain with the soil removed in the relocation of the open ditch. This petitioner also prays for the establishment of a maintenance fund for the maintenance of said ditches, in accordance with Section 6137.02 et sec. Revised Code of Ohio.

B NOTICE OF FILING OF SINGLE COUNTY DITCH PETITION

Office of Clerk of County Commissioners of Madison County, Ohio. April 14, 1958.

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

You are Hereby Notified that a petition and bond for a Single County Ditch improvement were filed in my office on the 31st. day of March, 1958, and I hereby certify that a true copy of said petition is set out below.

Forrest R. Hanson
Clerk of the County Commissioners.

Copy of County Ditch Petition

Petition to Reconstruction, alteration, filling, changing the course constructing an embankment, the Harrod and Gordin Ditches.

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

Reconstruction, alteration, filling, changing the course, constructing an embankment, the Harrod and Gordin Ditches, 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 or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Cleman's property on the east, continuing through the Arthur Clemans property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642 west of the Village of South Solon, Madison County, Ohio.

The following is the nature of the work petitioned for:

Alteration of the course of said combined open ditch to the west side of a tile drain to prevent the flow of water over a tile drain existing at said location; and cover said tile drain with the soil removed in the relocation of the open ditch. This petitioner also prays for the establishment of a maintenance fund for the maintenance of said ditches, in accordance with Section 6137.02 et sec. Revised Code of Ohio.

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: Ruth Correll Turner, South Solon, Ohio; Roger C. Hill & William F. Hill, South Charleston, Ohio; J. B. Smith, South Solon, Ohio, Charles Bruce Baughn, South Solon, Ohio, Cora Baughn, South Solon, Ohio; Agricultural Lands, In Care of Paul Hackett, 2035 Wickford Road, Columbus, Ohio. Pearl M. Gordin, South Solon, Ohio, Luther Rehm, South Solon, Ohio; Emmett Simmerman, South Solon, Ohio; Clement Simmerman, South Solon, Ohio; Sina Belle Funk, Shirley, Ill., Darby Company, C/O Opekašit, Lebanon, Ohio.

Service of notice of the filing of the Petition shall be obtained by mailing notices as provided in Section 6131.07 R.C.

Arthur Clemans, Petitioners.

B NOTICE OF FILING OF SINGLE COUNTY DITCH PETITION

Office of Clerk of County Commissioners of Madison County, Ohio. April 14, 1958.

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

You are Hereby Notified that a petition and bond for a Single County Ditch improvement were filed in my office on the 31st day of March, 1958, and I hereby certify that a true copy of said petition is set below. Forrest R. Hanson, Clerk of the County Commissioners.

COPY OF COUNTY DITCH PETITION

HARROD AND GORDIN DITCH

Petition to Reconstruction, alteration, filling, changing the course constructing an embankment the Harrod and Gordin Ditches.

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

The undersigned hereby petition your honorable body to: Reconstruction, alteration, filling, Changing the course, constructing an embankment, the Harrod and Gordin Ditches, 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 or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Cleman's property on the east, continuing through the Arthur Clemans property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642 west of the Village of South Solon, Madison County, Ohio.

The following is the nature of the work petitioned for:

Alteration of the course of said combined open ditch to the west side of a tile drain to prevent the flow of water over a tile drain existing at said location; and cover said tile drain with the soil removed in the relocation of the open ditch. This petitioner also prays for the establishment of a maintenance fund for the maintenance of said ditches, in accordance with Section 6137.02 et sec. Revised Code of Ohio.

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: Ruth Correll Turner, South Solon, Ohio; Roger C. Hill & William F. Hill, South Charleston, Ohio; J. B. Smith, South Solon, Ohio; Charles Bruce Baughn, South Solon, Ohio; Cora Baughn, South Solon, Ohio; Agricultural Lands, In Care of Paul Hackett, 2035 Wickford Road, Columbus, Ohio; Pearl M Gordin, South Solon, Ohio; Luther Rehm, South Solon, Ohio; Emmett Simmerman, South Solon, Ohio; Clement Simmerman, South Solon, Ohio; Sina Belle Funk, Shirley, Ill.; Darby Company, C/O Opekasit, Lebanon, Ohio.

Service of notice of the filing of the Petition shall be obtained by mailing notices as provided in Section 6131.07 R. C.

Arthur Clemans, Petitioners

C BOND

(To be filed with Ditch Petition)

KNOW ALL MEN BY THESE PRESENTS, That we, Arthur Clemans, as principal, and cash bond as suret are held and firmly bound unto the State of Ohio, in the sum of Two Hundred and no/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 at London, Ohio, this 29th day of March, 1958.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 29th day of March, 1958, the above bound Arthur Clemans filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the reconstruction, alteration, filling, changing the course, constructing an embankment, the Harrod and Gordin ditches petitioned for by the said Arthur Clemans, the following being the course and termini of said proposed improvement, to wit: Commencing on or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Clemans' property on the east, continuing through the Arthur Clemans' property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642, west of the Village of South Solon, Madison County, Ohio.

Now, if the said Arthur Clemans 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.

Arthur Clemans

The above bond is approved this 31st day of March, 1958. Forrest R. Hanson, County Auditor.

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

In the Matter of the single County Ditch Petitioned for by Arthur Clemans etal.

Office of County Commissioners Madison County, Ohio, April 14, 1958.

To the Owners of Land Affected by the Proposed Improvement:

You, and Each of You, are Hereby Notified, that on the 31st. day of March, 1958, the above named petitioner etal, filed a petition to reconstruction, alteration, filling, changing the course, constructing, an embankment, the Harrod and Gordin Ditches, with the Commissioners Clerk of said County, the substance and prayer of which said petition is, that the construction of the improvement is necessary and will be conducive to the public welfare, and prays for the making of such improvement on the following course and termini, to wit: Commencing on or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Clemans property on the east, continuing through the Arthur Clemans property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642, west of the Village of South Solon, Madison County, Ohio.

As it is claimed that the improvement will affect property owned by you, you are hereby notified that the Board of County Commissioners of said County has fixed the 12th. day of May, 1958, at 10 O'clock A. M., at the upper terminus of the improvement, as the time for the view thereon and also the 9th. day of June, 1958, at 10 O'clock A. M., at the office of said Board, as the time and place, for the first hearing on the petition.

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

E RESOLUTION * ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the County Ditch
Single Petitioned for by

Office of County Commissioners
Madison County, Ohio
April 14, 1958

The Board of County Commissioners of Madison County, Ohio, met in special session on the 14th day of April, 1958, at the office of Commissioners with the following members present: George W. Taylor, Rodger B. Baker and Rodney Plymell.

Mr. Baker moved the adoption of the following Resolution:

Whereas, This 14th day of April, 1958, the Clerk of this board gave notice to the Board of County Commissioners and the County Engineer of Madison County, Ohio, on the filing with him of a petition signed by - Arthur Clemans, petitioner, to Madison County Commissioners and;

Whereas, It appears to said Board that the proper bond has been filed with the Clerk approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles and schedules, 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 12th day of May, 1958, at ten O'clock, A. M., at the upper terminus of the improvement, be and the same is hereby fixed as the time and place for the view thereon; and be it further

Resolved, That the 9th day of June, 1958, 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. George W. Taylor, yes; Mr. Rodger B. Baker, yes; Mr. Rodney Plymell, yes.

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

F Certificate of Mailing Notices of Time of View and First Hearing to the Owners of Land Affected by the Proposed Improvement

In the Matter of the Single County Ditch
Petitioned for by Arthur Clemans, et al.

Office of County Commissioners
Madison County, Ohio. April 23, 1958.

I Hereby Certify that on the 23rd. day of April, 1958, I prepared and mailed, in a five day return envelope addressed to Affected Persons the following notice:

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

Office of County Commissioners,
Madison County, Ohio, April 23, 1958.

To the Owners of Land Affected by the Proposed Improvement:

You and each of you, are Hereby Notified, that on the 31st day of March, 1958, the above named petitioner, Arthur Clemans and others, filed a petition to reconstruction, alteration, filling changing the course, constructing an embankment, the Harrod and Gordin Ditches with the Clerk of the County Commissioners of said County; the substance and prayer of which said petition is, that the construction of the improvement is necessary and will be conducive to the public welfare, and prays for the making of such improvement on the following course and termini, to wit: Commencing on or about the location of the line between the Ruth Correll Turner property on the the west and the Arthur Clemans property on the East, continuing through the Arthur Clemans property and ending at the point where said ditch meets the Federal Road; being in Survey No. 3642, west of the Village of South Solon, Madison County, Ohio

As it is claimed that the improvement will affect property owned by you, you are hereby notified that the Board of County Commissioners of said County has fixed the 12th day of May, 1958, at 10 o'clock A. M. at the upper terminus of the improvement, as the time for the view thereon and also the 9th day of June, 1958, at 10 O'clock A. M. at the office of said Board, as the time and place for the first hearing on the petition.

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

The persons thus notified are the following:

Ruth Correll Turner, So. Solon, O.; Roger C. & William F. Hill, So. Charleston, O; J. B. Smith, So. Solon, Ohio; Charles Bruce Baughn, South Solon, Ohio; Agricultural Lands, Inc., Box 190, London, Ohio; Pearl M. Gordin, So. Solon, Ohio; Luther Rehm, South Solon, Ohio; Emmett Simmerman, South Solon, Ohio; Clement Simmerman, South Solon, Ohio; Sina Belle Funk, Shirley, Illinois; Darby Co., C/O Opekasit, Lebanon, Ohio; Cora Baughn, So. Solon, O.; Arthur Clemans, 218 E. High St., London, Ohio/

None of the said mailed notices have been returned undelivered, except

For these persons and for those whose addresses are unknown, publication has been had as prescribed by law.

Forrest R. Hanson - G
Clerk of the County Commissioners

HARROD AND GORDIN DITCH

G RESOLUTION COMMISSIONERS ORDER ON APPLICATION TO AMEND

In the Matter of the Single County
Ditch No. Petitioned for by et al.

Office of the Board of County Commissioners
Madison County, Ohio, July 7, 1958.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 7th day of July, 1958, at the office of Commissioners, with the following members present: Mr. George W. Taylor, Mr. Rodger B. Baker; Mr. Rodney Plymell.

Mr. Baker moved the adoption of the following Resolution:

Whereas, Roger C. Hill and C. B. Baughn has heretofore filed with the Clerk of this board an application to amend as follows:

Believing an inadequate Harrod Ditch Surface Channel South of the Roger C. Hill farm line is entrapping flood waters North of said line, We wish to ask that the Arthur Clemans Petition be amended to include re-establishment of an adequate, graded, Harrod Ditch Surface Channel South of said line.

Construct storm ditch from Roger C. Hill line across Smith-Turner-Clemans and Gordin properties to the head wall of the tile. Excavate open ditch from headwall down stream far enough to give sufficient outlet for tile if found necessary.

Resolved, That said application to amend said petition be, and that the said petition be modified to read as follows: on or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Clemans' property on the east, continuing through the Arthur Cleman's property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642 west of the Village of South Solon, Madison County, Ohio.

Reconstruction, alteration, filling, changing the course, constructing an embankment, the Harrod and Gordin Ditches .

Re-establishment of an adequate, graded, Harrod Ditch Surface Channel South of said line.

Construct storm ditch from Roger C. Hill line across Turner-Smith-Clemans and Gordin properties to the headwall of the tile. Excavate open ditch from headwall down stream far enough to give sufficient outlet for tile if found necessary.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Yes; Mr. Rodger B. Baker, Yes; Mr. Rodney Plymell, Yes;

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

H RESOLUTION IN RE: REQUEST FOR PERMISSION TO FILE APPLICATION FOR CHANGE OR EXTENSION OF THE IMPROVEMENT

In the Matter of the Single County Ditch
No. Petitioned for by et al.

Office of the Board of County Commissioners
Madison County, Ohio, July 7, 1958.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 7th day of July 1958, at the office of Commissioners with the following members present: Mr. George W. Taylor, Mr. Rodger B. Baker ; Mr. Rodney Plymell.

Mr. Baker moved the adoption of the following Resolution:

Whereas, it is the belief of the Commissioners and members present that the original petition as filed is not complete that the following amendments be a part of the original petition as filed and Roger C. Hill and C. B. Baughn

having filed a request to be permitted to file an application for

Believing an inadequate Harrod Ditch Surface Channel South of Roger C. Hill farm line is entrapping flood waters North of said line, We wish to ask that the Arthur Clemans Petition be amended to include re-establishment of an adequate, graded, Harrod Ditch Surface Channel South of said line. Furthermore that the petition be amended to include "construct storm ditch from Roger C. Hill line across, therefore, Smith-Turner-Clemans and Gordin properties to the head wall of the tile.

Resolved, That the said request for permission to file said application be and the same is excavate open ditch from headwall down stream far enough to give sufficient outlet for tile if found necessary. hereby granted ; and be it further

Resolved, That the 28th day of July, 1958, at 10:00 O'clock A. M., be and the same is hereby fixed for a view upon said application; and be it further

Resolved, That notice of said hearing on said application 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. George W. Taylor, yes; Mr. Rodger B. Baker, Yes; Mr. Rodney Plymell, Yes:

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

I RESOLUTION - POSTPONING HEARING ON PETITION

In the Matter of the Single County Ditch No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
Madison County, Ohio July 7, 1958.

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 7th day of July, 1958, at the office of Commissioners with the following members present: Mr. George W. Taylor, Mr. Rodger B. Baker and Mr. Rodney Plymell. Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board for a hearing on the Petition in the above named improvement, and

Whereas, On good cause shown therefor, to wit: Amended Petition requiring a second view of ditch. View - July 28 at 10:00 A. M. therefore, be it

Resolved, That said hearing be and the same is hereby postponed until the 15th day of September 1958, at 10:00 O'clock A. M. Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: _____ Yes; Mr. Rodger B. Baker, yes; Mr. Rodney Plymell, yes;

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

J RESOLUTION - POSTPONING HEARING ON PETITION

In the matter of the Single County Ditch No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
November 17, 1958.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 17th day of November, 1958, at the office of Commissioners with the following members present: Mr. George W. Taylor, Mr. Rodger B. Baker; Mr. Rodney Plymell.

Mr. Plymell moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board for a hearing on the Petition in the above named improvement; and
Whereas, On good cause shown therefor, to wit: Unable to survey upper portion of ditch due to cornfields. therefore, be it

Resolved, That said hearing be and the same is hereby postponed until the 26th day of January 1959, at 10:00 O'clock A. M. Mr. Baker 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; Mr. Rodney Plymell, yes.

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

K REQUEST FOR EXTENSION OF TIME TO COMPLETE SURVEY, REPORTS AND SCHEDULES BY COUNTY ENGINEER

In the Matter of the single County Ditch No.
Petitioned for by Arthur Clemans, et al.

County Engineer's Office
Madison County, Ohio
Proceedings to reconstruction, alteration,
filling, changing the course, constructing
an embankment on the Harrodd & Gordin Ditches.

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

By reason of the inclemency of the weather and the pressure of other work, I find it impossible to complete the survey, reports and schedules of the above named improvement within the time prescribed by your order of the 9th day of June, 1958, and I, therefore, respectfully request an extension of time within which to complete same.

Respectfully submitted,
Helgeh Ekedahl, County Engineer

Date suggested: November 14, 1958.

L RESOLUTION - GRANTING EXTENSION OF TIME TO COMPLETE SURVEY, REPORTS AND SCHEDULES BY COUNTY ENGINEER

In the Matter of the Single County Ditch No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
Madison County, Ohio

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 2nd day September, 1958 at the office of Commissioners with the following members present: Mr. George W. Taylor, Mr. Rodger B. Baker; Mr. Rodney Plymell. Mr. Baker moved the adoption of the following Resolution:

Whereas, This 2nd day of September, 1958, the County Engineer filed his request with us for an extension of time within which to complete his survey, reports and schedules in the above named improvement; therefore, be it

Resolved, That said County Engineer be and he is hereby granted such extension of time to the 24th day of November, 1958, at 10:00 O'clock A.M., within which to file with the Clerk of the County Commissioners his survey, reports and schedules in the said matter; and be it further

Resolved, That the 24th day of November, 1958, at 10:00 O'clock A. M. at the office of the Board of County Commissioners of Madison County be and the same is hereby fixed as the time and place for the further consideration of said matter. Mr. Plymell 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; Mr. Rodney Plymell, yes;

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

M RESOLUTION COMMISSIONERS FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
Madison County, Ohio - January 26, 1959

The Board of County Commissioners of Madison County, Ohio, met in special session on the 29th day of January, 1959, at the office of Commissioners with the following members present: Mr. Rodney Plymell, Mr. Wm. S. Bell; Mr. George W. Taylor.

Mr. Taylor moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 17th day of November, 1958, for the hearing on the petition in the above named improvement, the said Board met at its

HARROD AND GORDIN DITCH

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:

Commencing on or about the location of the line between the Ruth Correll Turner property on the west and the Arthur Clemans property on the east, continuing through the Arthur Clemans property and ending at the point where said ditch meets the Federal Road; being in survey No. 3642, west of the village of South Solon, Madison County, Ohio, and be it further

Resolved, That the County Auditor be authorized to transfer from the general revenue funds of the county, not otherwise appropriated, to the general drainage improvement fund the sum of one hundred ninety nine 75/100-----; and be it further

Resolved, That the County Engineer be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, plans for the structures, 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; which shall include actual construction cost of engineering and the cost of notices, publication and other incidental expenses; and set proper construction stakes, beginning at the upper terminus of the improvement, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio; and be it further

Resolved, That the 30th day of March, 1959, at 10 O'clock A. M., be and the same is hereby fixed as the time for filing with the Clerk of the County Commissioners all of said maps, profiles, schedules and reports prepared by said County Engineer; 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 County Engineer.

Mr. Bell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Rodney Plymell, yes; Mr. William S. Bell, yes; Mr. George A. Taylor, yes.

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

Office of the Board of County Commissioners,

To the County Engineer:

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

Forrest R. Hanson
Clerk of the County Commissioners.

N REPORT OF COUNTY ENGINEER

In the Matter of the single County Ditch
petitioned for by Arthur Clemans, et al

County Engineer's Office
Madison County, Ohio
Proceedings to reconstruction, alteration, filling,
changing the course, constructing an embankment on
the Herrod and Gordin Ditches.

To the Board of County Commissioners:

The undersigned County Engineer, in obedience to the order of your Board, made on the 26 day of January, 1959, proceeded in the above matter, and visited the proposed location of said improvement and made the necessary survey for the proposed improvement, as found by the Commissioners, plans for structures, 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 actual cost of the construction together with the cost of engineering and the cost of notices, publication and other incidental expenses, 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 apparent 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 extent of benefits to the land affected 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 U. S. C. & G. S. B. M. 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 quick-sand 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 duplicate 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, and included an easement of sufficient width for permanent maintenance, etc.

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

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

I hereby recommend the Maintenance district in which this improvement shall be placed, and I have included \$200.00 in the construction costs for the maintenance of said district for one year.

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

Labor	1470.25	
Materials	1433.34	\$2903.58
Engineering	75.00	
Inspection	25.00	
Contingencies	50.00	
1st yr's maint.	<u>200.00</u>	<u>350.00</u>
		<u>\$3253.58</u>

Respectfully submitted,
Helgah Ekedahl, County Engineer
By Gideon T. Clark, Deputy

N RESOLUTION - ORDER FIXING TIME OF FINAL HEARING ON ENGINEER'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 No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
Madison County, Ohio - May 4, 1959.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 4th day of May, 1959, at the office of Commissioners with the following members present: Mr. Plymell, Mr. Bell, Mr. Taylor.

Mr. Bell moved the adoption of the following Resolution:

Whereas, This 4th day of May, 1959, the Clerk of the Board of County Commissioners has given notice to said Board of the filing with him by the County Engineer of the maps, profiles, schedules and reports in the above named improvement, in accordance with its order of the 8th day of June 1958; therefore, be it

Resolved, That the 29th day of June, 1959, at 10:00 O'clock A. M., be and the same is hereby fixed as the time for the final hearing on said reports and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation or damages, which claim must be filed with the Clerk of the Board of County Commissioners on or before said date, and be it further

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: Rodney Plymell, yes; Mr. William S. Bell, yes; Mr. George W. Taylor, yes.

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

O NOTICE TO COMMISSIONERS OF THE FILING WITH THE CLERK OF THE REPORTS AND SCHEDULES OF THE COUNTY ENGINEER

In the Matter of the County Ditch
Petitioned for by Arthur Clemans, et al

Office of the Board of Commissioners,
Madison County, Ohio, May 4, 1959.

To the Board of County Commissioners Madison County:

You are Hereby Notified that the County Engineer filed in this office on the 1st. day of May, 1959, the maps, profiles, schedules and reports in the above named improvement, in accordance with your order of the 9th day of June, 1958.

Forrest R. Hanson
Clerk of the County Commissioners

P REPORT OF COUNTY ENGINEER

In the Matter of the Single County Ditch
Petitioned for by Arthur Clemans, et al

County Engineer's Office, Madison County,
Ohio. November 23, 1959.
Proceedings to reconstruction, alteration,
filling, changing the course, constructing
an embankment on the Harrod Gordon Ditches.

To the Board of County Commissioners Madison County, Ohio:

The undersigned County Engineer, in obedience to the order of your Board, made on the 14th. day of September, 1959, proceeded in the above matter, and visited the proposed location of said

HARROD AND GORDIN DITCH

improvement and made the necessary survey for the proposed improvement, as found by the Commissioners, plans for structures, 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 actual cost of the construction together with the cost of engineering and the cost of notices, publication and other incidental expenses, 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 apparent 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 extent of benefits to the land affected 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 geogological survey of the United States, in the County, is as follows: No U.S.C. and G. S. 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 and included an easement of sufficient width for permanent maintenance, etc.

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

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

I hereby recommend the maintenance district in which this improvement shall be placed, and I have included \$150.00 in the construction costs for the maintenance of said district for one year.

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

Labor	1981.50	
Materials	<u>242.00</u>	\$2223.50
Engineering	\$ 200.00	
Inspection	50.00	
Contingencies	100.00	
Lst year's maintenance	<u>150.00</u>	
		<u>500.00</u>
		\$2723.50
	Total	\$2723.50 -

Respectfully submitted,

Helgeh Ekedahl, County Engineer
By Gideon T. Clark, Deputy

P HARROD-GORDIN DITCH HEARING - December 14, 1959 10:00 A. M.

Mr. Plymell: We are running a minute or two late and it is time for the hearing on the Harrod-Gordin ditch. It is the final hearing and the Clerk will now read the petition.

Mr. Hanson read petition.

Roll call: J. B. Smith, Mrs. Gordin, Arthur Clemans, Darby Company, by Mr. Brayer, Roger Hill.

Mr. Ekedahl: Did you contact the conservancy district?

Mr. Hill: Their fiscal year ends with the calendar year and they have appropriated everything and nothing could be done until after January 1, 1960, so it was only a matter of talking on what could be done after that time. Mr. Lightle was the one I talked to and he indicated in similar jobs where surface drainage was concerned that the Government had paid approximately one-half of the cost of such an operation. However, I did not go into details on how much tile, labor, etc., down through Clemans and down to the bulkhead, so I don't have any really definite report in the way of costs. He left me under the impression we would have to back in a group after January 1, 1950.

Mr. Ekedahl: Do you want to pursue the idea you would like to have the conservancy people do it:

Mr. Brayer: From what I know about it, every person on here would have to sign a group agreement and it has been extremely difficult to get people to do that.

Mr. Hill: I don't believe we should drop our proceedings here.

Mr. Brayer: If we want to get it done, let's pursue it.

Mr. Ekedahl: There is no use to hold this meeting until you decide one way or another.

Mr. Hill: As a last resort we could go to them.

Mr. Ekedahl: This proposition now is to construct an overflow or grass ditch. One part, the upper part ends at the line of Smith-Turner fence and there is nothing done until you get down to Clemans. Down on Clemans land we construct a new grass ditch. There is a bend after you pass the Correll property and there is where we start to construct a new over-flow and bulldoze dirt over the tile. We will fix blow-outs on the Gordin property. There are no broken tile but blow-outs because the tile is far apart. There is one thing to do, cover it over and seal it up and that is what we intend to do. On the estimated cost, we have never built a ditch like this before and I have no idea of what it will cost per cubic yard. I used figures the same as for a drag line and estimated it at 35¢ per yard. I think it could be done cheaper than that with a bull-dozer. Anything under the estimate will be pro-rated among the property owners. We have a little fund to take care of contingencies and the engineering charge is low. We only put in \$200.00 for engineering, \$125.00 for first year's maintenance and \$50.00 for maintenance. I think that is fair and square.

Mr. Hill: What did you say was the estimated cost per cubic yard.

Mr. Ekedahl: On the dragline 35¢.

Mr. Hill: You put in a higher figure.

Mr. Bell: No, he used 35¢.

At this point Mr. Ekedahl checked on it.

Mr. Ekedahl: It is 50¢ per yard. I think it is a high figure but we have to set it high enough to get a bid. We had three ditches this Fall we didn't get a bid on. It takes a hundred dollars to move a dragline. The only way we got them done was to accept the estimate.

Mr. Smith: In other words this has not been definitely established. When the contract is let it is let at the best possible price. If it is more it is added on or less it is taken off. If more tile has to be repaired, then what?

Mr. Ekedahl: If more tile is put in then we would have to pay the contractor. I have put \$100.00 in for contingencies. If it is more it would have to be taken out of the estimate, but it cannot go over the estimate.

Mr. Smith: There would be no change in the tile, it is a repair job?

Mr. Ekedahl: We will fix the blow outs through the Gordin property. We will cover them up and cement the tile. On your property (Hills) we want to seed it and put straw on it. The conservancy people do it. It would have to be done the right time of the year.

Mrs. Gordin: (To Mr. Clemans) Do you get a new surface ditch through you?

Mr. Clemans: I was in and talked to them and they are doing it 800 feet from the bridge back. It is all right as far as it has gone, but back of the Correll line, that has been repaired a dozen times.

Mr. Smith: Why is it only 800 feet North?

Mr. Ekedahl: The crew could not find any blowouts there.

Mr. Clemans: If you fellows will fix that tile and clean it out, it is half full of dirt on the South end, I will take care of the rest of it myself, and cover it from one end to the other.

Mr. Hill: How much tile is there?

Mr. Clemans: 30 feet. If they will fix that I will get a dozer and fix it myself.

Mr. Hill: Would \$300 do it.

Mr. Clemans: It depends on what has to be done.

Mr. Taylor: There was a new law went through the Legislature allowing the County Engineer to make repairs without a petition or anything up to \$300.00. We don't have to have the land owners consent. The Commissioners have authority to assess up to \$300.00.

Mr. Clemans: It would depend on how much has to be taken up.

Mr. Smith: The tile will come apart. I have tried it and I know.

Mr. Plymell: Let's call on these people at this time. Mr. Smith what do you think of this as it stands?

Mr. Smith: I am in the middle. My drainage has been all right, but I have been in sympathy with that movement of his for a good many years and I still think you will have trouble on below the bridge where there is no coverage on that tile. Those joints were cemented years ago and when you don't have enough coverage to hold it it will eventually go out on a wash. I have no objection to the program, it has not hit my farm too heavy, but I will go along with Arthur.

Mrs. Gordin: If they would just cover it and put in a new storm ditch.

Mr. Ekedahl: If you try to take that dirt and bulldoze over the top it will make a worse condition than you have now. It will come down and wash out.

Mr. Smith: If they would go down through there and straighten it. Wouldn't it be possible to take a dragline and make a new surface ditch. I am not objecting to the petition. These people above have been hit worse than I have. I am not having anything more to say, but I think there should be a surface ditch and tile covered.

HARROD AND GORDIN DITCH

Mr. Clemans: I think he is right but I have hesitated to say so.

Mrs. Gordin: There was to be a new channel and new surface channel to be made.

Mr. Clemans: Originally I asked to have it done as we are talking today, but Mr. Ekedahl suggested cutting through there and I agreed his idea was all right, but there was too much cost.

Mr. Ekedahl: We can repair that tile for \$300.00. As far as the County is concerned we can fix that tile.

Mr. Taylor: But remember if we proceed under that method that you and the land owners above you will be automatically assessed without any hearing or any consent from you on your proportionate share of that \$300.00. It is a brand new law and I want you to understand it. It will be divided proportionately as we think it should be according to benefit. We will have no hearings on it.

Mr. Ekedahl: My idea is that this be dismissed and we go in there and fix the tile then he can go ahead and bulldoze out the overflow himself but we fix the tile.

Mr. Clemans: Mrs. Gordin has all the ditch she needs. I will go ahead and do it.

Mr. Taylor: If we dismiss this petition the county forces will go in there and correct his tile condition, that is on the Clemans land up to \$300.00. That \$300.00 for correction of that tile condition will be assessed by the Engineer with the approval of this Board.

Mr. Hill: I want to keep it as it is now to get the North end fixed.

Mr. Taylor: We can't fix that \$300.00 up with this petition.

Mr. Ekedahl: Why can't you agree with Mr. Clemans that he will do the work on his own land and it be approved by the County Engineer?

Mr. Brayer: I think we better stay with this deal.

Mr. Smith: You better let him attend to his own fish fry and you get a new petition.

Mr. Taylor: I think Mr. Smith has a good suggestion. Let's dismiss this petition and he look after his and you come in with a new petition.

Mr. Ekedahl: I will send the crew down and set the grade and also have it inspected. We will set the grade where ever he starts and then have a continuation of the ditch. The storm ditch goes down to the road and doesn't affect Mrs. Gordin at all, and we will fix the tile.

Mr. Taylor: If the excavation is done by Mr. Clemans it should be entered in these records. The Engineer doesn't care where he puts it as long as he has the grade.

Mrs Gordin: We voted for this to be reassessed taking in new people. It was to go through there and there was to be a storm ditch from your place.

Mr. Plymell: You have not said yet you would not accept this. We have the cart before the horse here. Mr. Hill are you in favor or not in favor of it?

Mr. Hill: I am in favor of it.

Mr. Brayer: I am in favor of it because I think it comes nearest to doing the thing we started out to do, but I will defer to Mr. Clemans if he wants it.

Mr. Clemans: I want the whole thing covered.

Mr. Taylor: What does he mean by the South end?

Mr. Clemans: He proposed to put dirt on the South end 800 feet. He stops there, but we have had as much trouble North. I want to go up where it comes through the Correll line.

Mr. Plymell: Mr. Clemans are you in favor or not in favor of this revised petition.

Mr. Clemans: As far as the North end I am satisfied but I am not willing to go ahead with that assessment on my end. I am talking about North of the road on my own property.

At this point the County Engineer, Commissioners and land owners held a conference and looked at the profile of the ditch.

Mr. Plymell: Mrs. Gordin are you satisfied with your assessment?

Mrs. Gordin: It has been twisted around until I hardly know. When we voted on it the last time we added other people.

Mr. Plymell: That is right.

Mr. Plymell: Mr. Smith what do you think?

Mr. Smith: I am going to pass on that. If it is only 800 feet I won't go along with that. I am not trying to join hands with Arthur or play ring around the rosy, but I think it should all be covered. I will pass on it.

Mr. Taylor: Well there is one thing, the County Engineer knows what kind of grade he has to maintain.

Mr. Hill: What I wanted was a new channel to cover up all the old tile.

Mr. Clemans: Unless you do it that way it won't work and I will fight it to the bitter end, I won't go along with it at all.

Mr. Taylor: There is one thing I want to tell you Mrs. Gordin. The Board at the start felt we should not put an open ditch through your property because you did not want it or want a big assessment on your land. If we were to follow good drainage procedure we would put a bulk-head at the bridge and make an open ditch, but the Board has considered very seriously your situation and believe me it has been a factor. I just want the property owners to understand our position in this thing. We are trying to cooperate and get a satisfactory answer to everyone concerned. As it stands now the proposition we have does not seem to be satisfactory and if that is the case the only thing we can do is dismiss it.

Mr. Clemans: I will try to work it out with Mr. Ekedahl.

Mr. Ekedahl: You want to take it up to the fence line. If the bid is less than the estimate we will take the difference between the bid and the estimate and apply it to the cost of carrying it to the fence line.

Mr. Taylor: If there isn't any other way, I think you can still work that \$300 in. You understand the motion I am going to make doesn't guarantee to take it to the fence line. If there is no difference between the contract price and the estimated cost then we can operate under the \$300 law.

Mr. Clemans: Can you do it for \$300.00?

Mr. Ekedahl: Sure we can do it.

Mr. Taylor: The motion I am about to make is on this schedule of assessments, the rest is a gentleman's agreement between us.

Mr. Clemans: I am willing to take it through my place but I expect \$500.00 to be reduced and then I am satisfied, I will take care of it.

Mr. Taylor: I move that the schedule of assessments and plans and specifications be approved and that the Engineer be instructed to advertise the ditch for sale.

Mr. Bell: I second the motion.

Vote: Mr. Plymell, yes; Mr. Bell, Yes: Mr. Taylor, Yes.

Q 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 Arthur Clemans, et al.

Office of the Board of County Commissioners,
Madison County, Ohio, December 14, 1959.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 14th day of December 1959, at the office of the commissioners with the following present: Mr. Rodney Plymell, Mr. William S. Bell; Mr. George W. Taylor.

Mr. Taylor moved the adoption of the following Resolution:

Whereas, this being the day fixed by said Board, in its order dated the 29th day of June, 1959, for the final hearing on the Reports and Schedules of the County Engineer, 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 County Engineer; therefore, be it

Resolved, That said Board review and reconsider its former order made and dated the 14th day of December, 1959, in favor of said improvement; and be it further

Resolved, That said Board hereby approve the maps, profiles, plans, schedules and reports prepared by the County Engineer, as amended in its order dated the 14th day of December, 1959;

Whereas, This Board has considered in 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 26th day of January 1959, 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 any land, as shown by the schedule of assessments filed by the County Engineer and any competent evidence on the questions of benefits, and from an actual view of the premises; therefore, be it

Resolved, That the assessments be and the same are hereby amended and corrected as follos; to wit: None

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

Resolved, That \$ be and the same is hereby assessed for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public and assessed against the County, and \$60.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and the following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against such political sub-divisions, respectively:

HARROD AND GORDIN DITCH

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 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 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 23rd. day of February 1960, 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 Engineer 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 Engineer 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 County Engineer 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 Clerk of the County Commissioners; 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, an advertisement shall also be made in two successive weekly issues printed and in general circulation in said County.

Resolved, That said County Engineer be and he is hereby directed to attend at said time and place so advertised by him and receive bids filed with the Clerk of the Board of County Commissioners; and be it further

Resolved, That authority be and the same is hereby given to said County Engineer 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 Sections 6331.39 of the Revised Code of Ohio.

Mr. Bell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Rodney Plymell, yes; Mr. William S. Bell, yes; Mr. George W. Taylor, yes.

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

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 Office of the Board of County Commissioners
Petitioned for by Arthur Clemans, et al Madison County, Ohio, February 23, 1960.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 23rd day of February, 1960, at the office of Commissioners with the following members present: Mr. Rodney Plymell; Mr. Wm. S. Bell; Mr. George W. Taylor.

Mr. Bell moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 14th day of December 1959, affirmed its former order finding in favor of the reconstruction etc. of the County Ditch No. petitioned for by Arthur Clemans and others; and

Whereas, It is now deemed necessary to issue and sell \$2723.50 of notes under authority of Section 133.31 of the Revised 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 reconstruction of said County Ditch; and

Whereas, The County Auditor has certified the maximum maturity of said notes to be 5 years, which maximum maturity does not exceed the estimated life or usefulness of the improvement fixed by Section 133.20 of the Revised Code of Ohio; and

Whereas, This Board has heretofore, by Resolution duly passed on the 23rd day of February, 1960, 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 133.31 of the Revised Code of Ohio, and "The Uniform Bond Act" in the aggregate sum of Twenty seven hundred twenty three 50/100 (\$2723.50), 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 reconstruction of said County Ditch according to the terms of said Resolution and be it further resolved:

Resolved,

That said notes shall be dated the 7th day of March 1960, and shall be in the denomination of Dollars (\$) each, except note No. , which shall be in the denomination of Dollars (\$) , and shall be numbered from 29 to , both numbers inclusive.

Said notes shall bear interest at the rate of 4 per centum per annum until paid, and the interest on said notes shall be payable on the 1st day of April and the 1st. day of October, 1960, and until the principal sum of said notes is paid as evidenced by interest coupons attached thereto. Said notes 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 notes and interest coupons as they respectively mature. Said notes shall be redeemable at any interest period.

Said notes shall be due and payable as follows: No. 29, 3-7-60- Amount- \$2723.50

Said notes 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 133.31 of the Revised 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 notes 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 notes 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.

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 falls due and is payable does not exceed any limitations of taxation of said County, and that the amount of this 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 Notes
Central Bank at private sale.

Mr. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Rodney Plymell, yes; Mr. William S. Bell, yes; Mr. George W. Taylor, yes.
Dated this 23rd day of February, 1960.

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

S DITCH CONTRACT

In the Matter of the Single County Ditch
Petitioned for by Arthur Clemans, et al.

WORK AND LABOR AND MATERIALS

THIS AGREEMENT, made and entered into on this 23 day of February 1960, by and between the County Commissioners of Madison County, Ohio, and hereinafter designated as "First Party," and Green Twp. Gravel Company, R.R.#2 Cedarville, Ohio hereinafter designated as "Second Party," to be paid as hereinafter specified, hereby agree to furnish unto said "Second Party", for and in consideration of the sum of one thousand eight hundred seventy four and 20/100 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 Harrod Gordin ditch improvement petitioned for by Arthur Clemans, 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 workmanship manner, under the direction of the County Engineer 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 connection therewith and the progress of the ditch may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st day of November 1960

In the Matter of the Single County Ditch No.
Petitioned for by Arthur Clemans et al.

Office of the Board of County Commissioners
Madison County, Ohio, February 23, 1960.

The Board of County Commissioners of Madison County, Ohio, met in special session on the 23rd day of February, 1960, at the office of Commissioners with the following members present: Mr. Rodney Plymell; Mr. Wm. S. Bell; Mr. George W. Taylor.

Mr. Taylor moved the adoption of the following Resolution:

Whereas, The County Engineer 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 Arthur Clemans and others; and

Whereas, The County Engineer 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 Arthur Clemans and others; and

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

<u>Bidder</u>	<u>For What Work or Materials</u>	<u>Amount of Bid</u>	<u>County Engineer's Estimate</u>
Darby Enterprises, Inc. 8500 Alkire Road Grove City, Ohio By Okie Rice, Pres.	Labor and Materials	2707	2723.50
Green Twp. Gravel Co. RR.#2 Cedarville, Ohio By: K. Everett Macy	Labor and materials	1874.20	2723.50

therefore, be it

Resolved, that contracts be and the same are hereby awarded to said Green Twp. Gravel Company at the amounts bid by them, respectively; and be it further

Resolved, That the Clerk of the Board of County Commissioners 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 6131.41 and 6131.42 of the Revised Code; and be it further

Resolved, That the County Engineer 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 1st day of November, 1960, 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. Bell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Rodney Plymell, Yes; Mr. William S. Bell, yes; _____ Yes.

CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the single County Ditch No
Petitioned for by Arthur Clemans, et al.

Office of County Engineer,
Madison County, Ohio. October 14, 1960.

To Green Twp. Gravel 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 Arthur Clemans, et al, and I therefore, approve said work and labor for payment in the sum of Eighteen hundred seventy-four and 20/100 (\$1874.20) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

Helgah Ekedahl
County Engineer