

SINGLE COUNTY DITCH PETITION

London, Ohio, March 10, 1938

Petition for Location, construction by tileing

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

The undersigned hereby petition your honorable body for the Location and construction by tileing and repairing that portion of the existing tile ditch as may be found necessary. on the course hereinafter set forth.

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

The following is the course and termini of said proposed improvement, to-wit: Commencing at the mouth of an existing tile ditch on the lands of Clara Ackley in Monroe Township, thence in a general Southeasterly direction across lands of said Clara Ackley to the Brown Road; thence crossing said road again into and across lands of said Clara Ackley, to the Becker road; thence across said road into and across the lands of Albert Pfleeger to the Mechanicsburg and Sanford road; thence across said road and across the lands owned by Imogene Booth's to said Mechanicsburgh and Sanford road; thence across said road and along said road as far as may be found necessary to give good and sufficient outlet.

The following is the nature of the work petitioned for; Repairing of the existing tile ditch as may be found necessary and the tileing of the prtion of present open ditch from mouth of existing ditch across the lands of Clara Ackley, Albert Pfleeger, and Imogene Booth and as much farther as may be found necessary.

Names and addresses, where known, of all owners of the land which the petitioner claims will be Benefited or damaged by the construction of the proposed improvement:

- Clara Ackley Plain City, Ohio
  - Charles R. & Frank Murphy Urbana, Ohio
  - James J. McNary Mechanicsburg, Ohio
  - Emmet M. Lewis Mechanicsburg, Ohio R.F.D. 2
  - Albert Pfleeger Mechanicsburg, Ohio R.F.D. 2
  - Imogene Booth London, Ohio
  - Perry Reed Mechanicsburg, Ohio R.F.D. 2
  - Henry A. Smith Mechanicsburg, Ohio R.F.D. 2
  - Ada T.omas Irwin, Ohio c/o Farm Management.
- Complete list per Brown 3-10-38

Service of Notice ofnFiling the Petition shall be obtained by Mailing notices andpublication as provided in Section 6447

IMOGENE BOOTH\*\*Petitioner.

BOND  
(Filed with Ditch Petition)

KNOW ALL MEN BY THESE PRESENTS, That we Imogene Booth, Walter Booth and M.M. Creath are held and firmly bound unto the State of Ohio in the sum of One hundred and fifty (\$150) to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselver, our heirs, executors and administrators.

Signed by us and dated this 10 day of March, 1938

The Condition of the above Obligation is shch, that, Whereas, on the 10 day of March, 1938, the above bound Imogene Booth filed her petition with the County Auditor of Madison County, Ohio, making application to the County Commissioners, praying for the Location and construction of a ditch by tiling petitioned for by Imogene Booth the following is the course and termini of said proposed improvement, to-wit: Commencing at the mouth of an existing tile ditch on the lands of Clara Ackley in Monroe Township, thence in a general southeasterly direction across the lands of said Clara Ackley to the Brown Road; thence across said road again into the lands of said Clara Ackley and across same to the Becker Road; thence across said Becker road into and across the lands of Albert Pfleeger to the Mechanicsburgh and Sanford Road; thence across said road into and across the lands of Imogene Booth to said Mechanicsburg and Sanford Road; thence across said road and along said road and as much farther as may be found necessary to give good and sufficient outlet.

Now, if the said Imogene Booth will pay all costs, if the prayer of the petition is not greanted or if said petition is for any cause dismissed then this oblation to be void; otherwise to remain in full force and virtue in law.

The above bond is approved this 10 day of  
March, 1938

IMOGENE BOOTH  
T.W. BOOTH  
M.M. CREATH

ROBERT K. DIXON  
County Auditor.

NOTICE TO COMMISSIONERS  
OF PETITION FILED

Office of Auditor of Madison County, Ohio, March 14, 1938

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

GENTLEMEN: You are hereby notified that a petition and bond for a Single County Ditch improvement was filed in this office on the 11th day of March, 1938, a copy of which petition is attached below.

ROBERT K. DIXON  
Madison County Auditor.

COPY OF COUNTY DITCH PETITION

Petition for Location, Construction by tiling

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

The undersigned hereby petition your honorable body for the location and construction by tiling and repairing that portion of the existing tile ditch as may be found necessary on the course hereinafter set forth.

## IMOGENE BOOTH DITCH

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

The following is the course and termini of said proposed improvement, to-wit: Commencing at the mouth of an existing tile ditch on the lands of Clara Ackley in Monroe Twp., thence in a general southeasterly direction across lands of said Clara Ackley to the Brown Road, thence crossing said road again into and across lands of Clara Ackley to the Becker Road, thence across said road into and across the lands of Albert Pfleeger to the Mechanicsburg and Sanford Road; thence across said road and across the lands owned by Imogene Booth to said Mechanicsburg and Sanford Road; thence across said road and along said road as far as may be found necessary to give good and sufficient outlet.

The following is the nature of the work petitioned for repairing of the existing tile ditch as may be found necessary and the tile in of the portion of present open ditch from mouth of existing ditch across the lands of Clara Ackley, Albert Pfleeger and Imogene Booth and as much farther as may be found necessary.

Names and addressew, where known, of all owners of the land which the petitioner claims will be benefited or damaged by the construction of proposed improvment:

Clara Ackley	Plain City, Ohio
Chas. R. & Frank Murphy	Urbana, Ohio
James J. Mc <sup>ary</sup>	Mechanicsburg, O.
Emmet M. Lewis	Mechanicsburg, O. # 2
Albert Pfleeger	" " "
Imogene Booth	London, Ohio
Perry Reed	Mechanicsburg, Ohio # 2
Henry A. Smith	"
Ada Thomas	c/o Farm Management, Irwin, Ohio

Complete list per Brown-3-10-38

Service of Notice of Filing the Petition shall be obtained by mailing notices and publication as provided in Section 6447

IMOGENE BOOTH\*\*PETITIONERS

## ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of Office of the Board of County Commissioners  
 The Single County Ditch Madison County, Ohio  
 Petitioned for by March 14, 1938.  
 Imogene Booth

Mr. Armstrong moved the adoption of the following

## RESOLUTION

Whereas, This 14th day of March, 1938, the board of County Commissioners of Madison County, being in regular session, members present John Funk, R.W. Armstrong and Gola Mink, the County Auditor gave notice to us of the filing with him of a petition signed by Imogene Booth, et al petitioners for the location & construction by tiling & Repairing that portion of the existing tile ditch as may be found necessary; and

Whereas, It appears to us 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 12 day of April 1938, 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 18 day of April, 1938, at ten o'clock A.M., at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and place for the first hearing on the petition; and be it further

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

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

Mr. JOHN FUNK	YES
MR. R.W. ARMSTRONG	YES
MR. GOLA MINK	YES

London, Ohio  
 April 18, 1938

Subject: Imogene Booth Ditch (Hearing)

Proceedings and those present.

Pursuant to the order of the Commissioners, dated March 14, 1938, the first hearing on the petition for the improvement of the Imogene Booth ditch was called to order at 10 A.M., this date with the following persons present, to-wit; John Funk, R.W. Armstrong and Gola Mink, Commissioners; Howard G. Borwn, Engineer; and Robert K. Dixon, County Auditor; and interested persons persos as follows; John T. Brown Representing Clara Ackley, E.F. Murphey representing Charles and Frank Murphey, Albert Pfleeger, Walter Booth representing Imogene Booth, Russell Reed representing

Harry Reed, and Henry A. Smith.

In the general discussion that followed, Mr. Booth pointed out the need for the improvement and was very much in favor of proceeding.

Mr. Brown stated that, in his opinion, it would be far more practical and economical to proceed with the construction of an open channel basis rather than tiling and this he stated, would serve the same purposes.

Mr. Murphey stated that he is affected so very little that no objection would be forth coming on his part, and the same conclusion was offered by Mr. Reed, Mr. Smith and Mr. Pfleeger.

Attest: ROBERT K. DIXON  
Auditor

April 19, 1938

APPLICATION TO AMEND

London, Ohio, April 18, 1938

In the Matter of Proceedings for Location &  
The single County Ditch Petitioned for by Construction  
Imogene Booth

Application to amend Petition

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

The undersigned hereby makes application to your honorable body to amend Petition as follows: Instead of a tile ditch as originally petitioned the undersigned applicant prays for the construction of an open ditch, along the same line as set forth in petition.

Respectfully submitted,

IMOGENE BOOTH  
BY W.T. BOOTH

COMMISSIONERS' ORDER  
In Re: Application to Amend

In the Matter of Office of the Board of Co. Commissioners,  
the Single County Ditch Petitioned for by Madison County, Ohio.  
Imogene Booth April 18, 1938.

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present John Funk, R.W. Armstrong and Gola Mink; and

Whereas, Imogene Booth has heretofore filed with the County Auditor an application to amend petition as follows; Instead of a tile ditch as originally petitioned the undersigned applicant prays for the construction of an open ditch, along the same line as set forth in petition.; therefore be it

RESOLVED, That said application to amend said petition be modified to read as follows: that construction work shall be open ditch instead of tiling.

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

Mr. Funk, Yes; Mr. Armstrong, Yes; Mr. Mink, Yes.

COMMISSIONERS' FINDING FOR THE IMPROVEMENT.

In the Matter of Office of the Board of County Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio.  
Imogene Booth April 19, 1938

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, this day the Board of County Commissioners being in regular session, present John Funk, R.W. Armstrong and Gola Mink and this being the day fixed by said Board in their order dated the 14th day of March, 1938, for the hearing on the petition in the above named improvement, the said Board met at their 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 do find 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 we do hereby find that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare; and we are reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition as amended is hereby granted; and we do further find 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 us: Commencing at the mouth of an existing tile ditch on the lands of Clara Ackley in Monroe Township, thence in a general southeasterly direction across the lands of said Clara Ackley to the Brown Road; thence crossing said road again into and across lands of said Clara Ackly, to the Backer Road; thence across said said road into and across the lands of Albert Pfleeger to the Mechanicsburg and Sanford Road; thence across said road and across the lands owned by Imogene Booth to said Mechanicsburg and Sanford Road; thence across

## IMOGENE BOOTH DITCH

said road and along said road as far as may be found necessary to give good and sufficient outlet, and be it further

Resolved, that the County Surveyor be and he is hereby directed to makemake the necessary survey for the proposed improvement, upon the foregoing plan and line, and suitable maps showing the location of the land porposed to be assessed, and profiles showing the cuttings and gradient of the improvement, together with an estimate of the cost of the construction of said impvment; and set proper construction stakes, beginning at the upper terminus of the improvement; and perform such other duties as required by law (G.C. 6454); and be it further

Resolved, That the 234d day of May, 1938, 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. Armstrong seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Mr. Funk, Yes; Mr. Armstrong, Yes; Mr. Mink, Yes.

County Auditor's Office

April 18, 1938

To the County Surveyor:

I hereby certify the foregoing to be a true and correct copy of the record of the proceedings of the Board of County Commissioners.

ROBERT K. DIXON  
County Auditor.

GRANTING EXTENSION OF TIME TO COMPLETE SURVEY, REPORTS AND SCHEDULE OF  
COUNTY SURVEYOR.

In the Matter of Office of the Board of Co. Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio.  
Imogene Booth May 23, 1938

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, This 23 day of May, 1938, the Board of County Commissioners of Madison County, Being in regular session members present, John Funk, R.W. Armstrong and Gola Mink, and the County Surveyor 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 Surveyor be and he is hereby granted such extension of time to the 6 day of June, 1938, at 10 o'clock A.M., within which to file with the County Auditor his survey, reports and schedules in the said matter; and be it further

RESOLVED, That the 6 day of June, 1938, at 10 o'clock A.M., at the office of the Board of County Commissioners of Madison County be and the

is hereby fixed as the time and place for the further consideration of said matter.

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

Mr. Funk, Yes; Mr. Armstrong, yes; Mr. Mink, yes.

REPORT OF COUNTY SURVEYOR

In the Matter of the  
Single County Ditch  
Petitioned for by  
Imogene Booth

County Surveyor's Office,  
Madison County, Ohio

June 6th, 1938

Proceedings for Location and construction  
of an open ditch

To the Board of County Commissioners Madison County, Ohio:

The undersigned County Surveyor, in obedience to the order of your Board, made on the 23 day of May, 1938, 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, and suitable maps showing the location of the land proposed to be assessed, and profiles showing the cutting and gradient of the improvement, and made an estimate of the upper terminus of the improvement and noted the intersection of the line of the improvement with the land boundaries of separate owners, township and county lines, natural land marks, road crossings, or other lines or marks; and took and noted necessary levels off the lines of the improvement for contour purposes, to determine the area, of the land subject to drainage, and to determine the land that will be specially benefited by the construction of the improvement.

I also established at intervals of not less than one in each mile, in the most practical, permanent form, and in locations where destruction or disturbance is improbable, bench marks from which the original levels of the improvement can be established.

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

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

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

IMOGENE BOOTH DITCH

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, schedules, and reports are hereto attached and made a part hereof.

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

2538 Cu. Yds. excavating of earth and leveling	@ \$0.20	\$507.60
250 Sq. Yds. Grubbing	@ .06	15.00
Cu. Yds. 1-5 $\frac{1}{2}$ Concrete	@ 13.00	<u>56.81</u>
		\$579.41

The following fences, flood gates, culverts, and bridges will be removed in constructing said improvement: None

The following culverts and bridges must be raised or the channel thereof enlarged to construct the improvement: None

I estimate the cost of inspecting the work as it progresses to be \$15.00

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

G.W. Correll	Deputy	3 $\frac{1}{2}$ days,	at \$5.00 per day	\$17.50
Taylor Creamer	Chainman	$\frac{1}{2}$ "	" " 3.00	" " 1.50
Robert Brady	"	2 "	2 3.00	" " 6.00
O'Dea Geer	"	1 $\frac{1}{2}$ "	" " 3.00	" " 4.50
				<u>\$29.50</u>
				<u>15.00</u>
			Total	44.50

Approved June 6, 1938

Respectfully submitted

HOWARD G. BROWN  
County Surveyor.

HOWARD G. BROWN  
County Surveyor.  
By: G.W. CORRELL  
Deputy

SURVEY

CONSTR. STAKES NO. FROM UPPER TERMINUS	SUR. ELEVATION	GR. ELEVATION	CUT	CU. YDE. PER STA.	COURSE	LAND MARKS ETC.
00+00	95.1	94.60	0.50	00	N: 69° 13' E. 85 Ft.	B.M. R.R. spike in root 30' Oak. 90 ft. Rt. of Sta.0
0+85					N: 59° 30' E. 471 ft.	Elev. 100.00
1	95.7	94.44	1.26	38.9		
2	95.8	94.28	1.52	33.3		
3	96.0	94.12	1.88	36.1		
4	95.4	93.96	1.44	38.9		
5	95.0	93.80	1.20	32.4		
5+56					S. 75° 55' E. 266 ft.	
6	95.0	93.64	1.36	31.7		
7	94.7	93.48	1.22	33.3		
7+84						Center line of David Brown Rd.
8	94.6	93.32	1.28	29.6		
8+22					S. 85° 32' 312 ft.	
9	94.6	93.16	1.44	27.8		

10	93.9	93.00	0.96	29.6	
11	93.7	92.61	1.09	25.9	
11+20					Center line of Becker Road, Property line between Clara M. Ackley et al & Albert Pfleeger.
11+34					Elev. 98.23 S. 81° 20' E. 284 ft. B.M.N.W. corner of W. wall of Bridge
12	93.5	92.23	1.67	32.8	
13	93.1	91.54	1.66	27.8	
14	92.8	91.45	1.35	34.3	
14+18					N. 83° 21' E. 177 ft.
15	92.6	91.06	1.54	43.5	
15+95					N. 67° 11' E. 70 ft.
16	92.5	90.67	1.83	53.7	
16+65	92.4	90.42	1.98	32.5	N. 44° 07' E. 67 ft.
17					Center line Mechanicsburg-Sanford Roads, property line between Albert Pfleeger and Imogene Booth.
17+05					
17+32					N. 74° 57' E. 201 ft.
18 93.7	93.7	89.99	3.80	82.0	
19	90.6	89.62	0.98	131.0	
19+33					N. 32° 50' E. 410 ft.
20	92.3	89.33	2.97	55.6	
21	90.6	89.05	1.55	57.4	
22	89.7	88.77	0.93	24.1	
23	89.3	88.48	0.82	27.8	
24+43					N. 89° 37' E. 562.5 ft.
24	89.7	88.20	1.50	36.1	
25	89.3	87.92	1.38	32.4	
26	88.6	87.64	0.96	29.6	
27	88.6	87.35	1.25	30.6	
28	88.8	87.05	1.75	38.9	
29	88.2	86.77	1.43	42.6	
29+05.5					N. 65° 20' E. 642.5 ft.
30	88.3	86.50	1.80	41.7	
31	88.1	86.19	1.91	45.6	
32	87.5	85.88	1.62	45.4	
33	87.4	85.57	1.83	45.4	
34	87.8	85.26	2.54	57.4	
35	87.5	84.95	2.55	72.2	
35+48					N. 87° 47' E. 27 Ft.
35+75					S. 24° 57' E. 392 ft.
36	87.2	84.64	2.56	76.9	
37	86.4	84.33	2.07	67.6	
38	86.0	84.02	1.98	65.7	
39	85.2	83.71	1.49	59.3	
39+67					S. 80° 53' E. 180 ft.
40	85.4	83.40	2.00	54.6	

IMOGENE BOOTH DITCH

41	85.7	83.04	2.66	71.2	
41+47					N. 56° 34' E. 152 ft
42	84.8	82.67	2.13	78.7	
42+99					N. 85° 12' E. 170 ft.
43	84.7	82.31	2.39	76.9	
44	84.7	81.94	2.76	71.3	
44+69					S. 54° 43' E. 190 ft.
45	84.9	81.58	3.32	86.1	
46	83.4	81.22	2.18	88.9	
46+59					S. 69° 16' E. 111 ft
47	81.8	80.86	0.94	54.6	(Center line of Mechanicsburg and Sanford Roads. Property line between Imogene Booth and Albert Pfleeger.
47+34					
47+70					N. 66° 44' E. 330 ft. (B.M. S E. corner of S.E. Wing of Road Bridge Elev. 86.37
48	81.2	80.49	0.71	44.4	
49	81.1	80.13	0.97	50.0	
49+54					(Property line between Albert Pfleeger & Perry Road.
50	80.4	79.77	0.63	55.6	
51	79.4	79.40	0.00	58.3	
				2538.0	

SPECIFICATIONS OF THE MANNER OF CONSTRUCTION

Report of Surveyor Schedule "C"  
 In the Manner of the Surveyor's Office, Madison County, Ohio  
 Single County Ditch Proceedings for Booth Ditch # 2  
 Petitioned for by Location and construction  
 Imogene Booth

Beginning at the mouth of an existing tile line upon the lands of Clara Ackley et al an open ditch is to be constructed upon the line and grade as shown on plans on file in the County Engineer's office.

From sta. 0 00 to Sta. 17+ 07 the ditch is to have 3 foot bottom, from Sta. 17+07 to Sta. 35+00 the ditch is to have 4 foot bottom, from Sta. 35+00 to Sta. 51+00 to have 5 foot bottom. All slopes are to be one and one half to one. The earth from the ditch is to be leveled to the satisfaction of the County Engineer. Necessary trees and brush are to be removed for the construction of the improvement.

Bulkhead to, be built according to detail plan on file.

No. of Work.Sec.	Sta. Number from to	ESTIMATE OF WORKING SECTIONS				Amount	Remarks
		No. Lineal ft.	No. Cu. Yd.	Price per Yd.			
1	0 00 51.00	5100	2538.	\$0.20	\$507.60	To include excavating, leveling of spoil banks	
	Grubbing	250	Sq. yds.	\$0.06	15.00	Across the lands of Albert Pfleeger.	
	1-5½ Concrete	4.37	Cu. Yds.	13.00	56.81	At the mouth of the tile line on the lands of Clara Ackley et al	
					\$579.41		

## IMOGENE BOOTH DITCH

## SCHEDULE OF LAND OWNERS

No. Wrkg. Sec.	Owners' Names	Survey	Township	Acres Owned	Acres Benefited	Est. Amt.	Amended Amt. by com.
	Chas.R. & Frank Murphy	6006	Somerford-Mcb.	92.00	15.00	16.02	16.02
1	Clara M. Ackley etal	9138	Monroe	60.21	30.00	64.08	42.33
1		12227	"	58.95	20.00	21.36	21.36
1		9138	Som.McBurg	137.00	122.00	217.16	178.91
1		9138	" "	9.00	9.00	16.02	16.02
1		12070	" "				
1		12237-12245	" "	78.42	30.00	32.04	32.04
1	Ada B. Thomas	12021-12251	Monroe	60.00	20.00	21.36	21.36
1	Albert Pfleeger	12070 etc	"	113.64	20.00	17.80	17.80
1	Imogene Booth	12070 etc	"	151.77	85.00	152.21	152.21
1	William Calloway	12070	Som.McBurg	9.00	9.00	10.68	10.68
1	Emmett E. Lewis	12070	" "	50.00	10.00	10.68	10.68
						579.41	
1	Madison County		Roads				60.00
							579.41

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

On Estimated Assessments, on the Proceedings for the Improvement and on Claims for Compensation and Damages

In the Matter of Office of the Board of Co. Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio.  
Imogene Booth June 6, 1938

Mr. Mink moved the adoption of the following

## RESOLUTION

Whereas, This 6th day of May, 1938, the Board of County Commissioners of Madison County, Being in regular session, members present, John Funk, R.W. Armstrong and Gola Mink, the County Auditor has given notice to us of the filing with him by the County Surveyor of the maps, profiles, schedules, and reports in the above named improvement, in accordance with our order of the 23 day of May, 1938, therefore, be it

Resolved, That the 5th day of July, 1938, at 2:00 1'clock P.M., be and the the same is hereby fixed as the time for the final hearing on said report and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation or damages which claims must be filed with the County Auditor on or before said date; and be it further

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

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

Mr. Funk, Yes; Mr. Armstrong, Yes; Mr. Mink, yes.

## IMOGENE BOOTH DITCH

CERTIFICATE OF FISCAL OFFICER AS TO ESTIMATED LIFE OF PROPOSED PERMANENT IMPROVEMENT AND THE MAXIMUM MATURITY OF BONDS PROPOSED TO BE ISSUED.

Gen. Code, Sec. 2293-2-9-10

London, Ohio

July 5, 1938

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

The undersigned, the fiscal officer of Madison County, Ohio, as defined by Section 2293-1 of the General Code, hereby certifies that the estimated life or usefulness of the improvement of the Imogene Booth County ditch, situated in Madison County, Ohio referred to in previous proceedings of your Board, is not less than five (5) years.

Respectfully submitted..

ROBERT K. DIXON  
Auditor, Madison County, Ohio

Commissioners' Finding Affirming Former Order Confirming the Assessments, and Ordering the and Ordering the Letting of the Contracts of the Contracts

In the Matter of Office of the Board of County Commissioners,  
THE SINGLE COUNTY DITCH Madison County, Ohio

PETITIONED FOR BY

July 5, 1938

IMOGENE BOOTH

Mr. Armstrong moved the adoption of the following

RESOLUTION

WHEREAS, This day the Board of County Commissioners being in regular session, present John Funk, R.W. Armstrong, and Gola Mink and this being the day fixed by said Board, in their order dated the 6 day of June, 1938, 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, We find 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 the former order made by us dated the 18th day of April, 1938, in favor of said improvement; and be it further

RESOLVED, That we do hereby approve the maps, profiles, schedules and reports prepared by the County Surveyor, as amended in our order dated the 5th day of July, 1938; and

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

RESOLVED, That the former order finding in favor of said improvement made by us at the first hearing on the 18 day of April, 1938, be and the same is hereby affirmed; and

WHEREAS, Objections to the proposed assessment having been verbally presented John T. Borwn, in behalf of property in the name of Clara M. Ackley et.al 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 by any competent evidence on the question of benefits, and from an actual view of the premises; therefore be it

RESOLVED that the assessments be and the same are hereby amended and corrected as follows, to-wit:

Clara M. Ackley et al tract of 137.00 acres reduced assessment from \$217.16 to \$178.91; added to schedule \$60.00 charged to Madison County for benefit of Roads. Otherwise original schedule remains unchanged, and be it further

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

RESOLVED, That \$60.00 be and the same is hereby assessed by benefits to the general public by reason of the improvement being conducive to the public welfare, against the County 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 installment as taxes are apid, given the owners of land benefited, to pay the assessment 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, Interest shall be added to said installments of assessments at the same rate as is drawn by the bonds issued to pay for said improvement; provided any owner may pay the assessment on his land in cash within thirty days after the contracts are approved; and such assessments are levied, without paying any interest thereon; and be it further

RESOLVED, That the 25th day of July, 1938, at ten 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:

IMOGENE BOOTH DITCH

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

RESOLVED, That whereas the estimated cost of the construction and material required in said improvement does not exceed one thousand dollars, the notice of said letting be given by posting at the front door of the county court house, London, Ohio and be it further

RESOLVED, That said County Surveyor be and is hereby directed to attend at said time and place so advertised by him and receive all bids submitted:

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

Mr. Funk, Yes; Mr. Armstrong, Yes; Mr. Mink, yes.

SURVEYOR'S REPORT ON BIDS RECEIVED

In the Matter of County Surveyor's Office  
 The Single County Ditch Petitioned for by Madison County, Ohio.  
 Imogene Booth July 25, 1938  
 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 furnishing materials for the above named improvement were received by me as follows:

Bidder	Amount of Bid	Guaranty	
		Kind	Amount
O.E. Liller	515.00	25	certified check
Iliff Bros.	554.42	17.00	Cash

I recommend the following bids as the best.

O.E. Liller

HOWARD G. BROWN  
 County Surveyor

## COMMISSIONERS' ORDER AWARDING CONTRACTS

In the Matter of Office of the Board of County Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio.  
Imogene Booth

Mr. Mink moved the adoption of the following

## RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present, J. Funk, R.W. Armstrong and Gola Mink and the County Surveyor has filed with this Board his report on bids received for the work of construction and furnishing materials in the above named improvement petitioned for by Imogene Booth and others; and

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

Bidder	Amount of Bid
O.E. Liller	515.00

therefore be it

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

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

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

Resolved, That the whole of such work shall be completed and all material furnished on or before the 1st day of November, 1938 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. Armstrong seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Mr. Funk, Yes; Mr. Armstrong, Yes Mr. Mink, Yes.

## DITCH CONTRACT

In the Matter of  
The Single County Ditch Petitioned for by Work and Labor and Materials  
Imogene Booth

THIS AGREEMENT, made and entered into on this 3rd day of August, 1938 by and between the County Commissioners of Madison County, Ohio, and hereinafter designated as "First Party," and O.E. Liller of London, Ohio hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," for and in consideration of the sum of Five Hundred and fifteen 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 Imogene Booth County Ditch improvement petitioned for by Imogene Booth and others:

IMOGENE BOOTH DITCH

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 Imogene Booth County Ditch, and to work in harmony with and to render such assistance to other branches of work as his connection therewith and the progress of the work may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st day of November, 1938.

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 Five Hundred and fifteen and no one hundred Dollars, (\$515.00), in installments from time to time, upon the certificate of acceptance of the County Surveyor and as provided by law.

It is mutually agreed that no extra work or materials shall be charged for except in accordance with the provisions of Sec. 6490 G.C.

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

Signed in duplicate in presence of GUY W. CORRELL R.C. MILLIKIN

JOHN FUNK R.W. ARMSTRONG GOLA MINK O.E. LILLER Commissioners of Madison County, Ohio "First Party." Contractor "Second Party"

CERTIFICATE OF COUNTY ENGINEER

London, Ohio Dec. 6, 1938

Madison County Commissioners London, Ohio Gentlemen:

I hereby certify that arrangements are made for the completion of the improvement of the Imogene Booth County Ditch, and there will be no further cost beyond payments already made and or contracted for.

Very truly yours, HOWARD G. BROWN County Engineer

IMOGENE BOOTH DITCH

ITEMIZED LIST OF IMPROVEMENT COST

Construction

Drag Line	\$ 515.00	
Total		\$515.00

Engineer's Service

Location, etc.	29.50	
Inspection	<u>15.00</u>	
Total		44.50

Commissioners' Fees

3-14-38 Fixing time for view & 1st hearing	15.00	
4-12-38 Viewing Ditch	15.00	
Finding for Improvement	15.00	
Final Hearing	<u>15.00</u>	
Total		60.00

Transcript & Mailing

Transcript Fee	6.00	
Mailing 3-17-38 (9)	.26	
Mailing 6-9-38 (9)	.26	
Mailing Final Assessments (9)	<u>.26</u>	
Total		<u>6.78</u>

GRAND TOTAL		<u>\$626.28</u>
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Approved:

MADISON COUNTY COMMISSIONERS:

JOHN FUNK  
R.W. ARMSTRONG  
GOLA MINK

ATTEST: ROBERT K. DIXON  
AUDITOR & CLERK

DATE- DECEMBER 6, 1938

London, Ohio  
December 6, 1938

To all Persons Assessed:

Following is a schedule of the prorated total assessments for the improvement of the Imogene Booth Ditch, to-wit:

Owner	Constr. Schedule	Rate	Pro-rated Constr.	Engineer Service	Com. Fees	Trans.& Mailing	Total assmt.
C.R. & E.F. Murphy	16.02	.02765	14.24	1.23	1.66	.20	17.33
Clara Ackley et al	42.33	.07305	37.62	3.25	4.38	.50	45.75
" " " "	21.36	.03686	18.98	1.64	2.21	.25	23.08
" " " "	178.91	.30879	159.03	13.74	18.53	2.09	193.39
" " " "	16.02	.02764	14.24	1.23	1.66	.19	17.32
" " " "	32.04	.05530	28.48	2.46	3.32	.37	34.63
Ada B. Thomas	21.36	.03686	18.98	1.64	2.21	.25	23.08
Albert Pfleeger	17.80	.03072	15.82	1.37	1.84	.21	19.24
Imogene Booth	152.21	.26271	135.30	11.69	15.76	1.78	164.53
Wm. Colloway	10.68	.010843	9.49	.82	1.11	.12	11.54
Emmett E. Lewis	10.68	.01843	9.49	.82	1.11	.12	11.54
Madison County	60.00	.10356	53.33	4.61	6.21	.70	64.85
	579.41	1.00000	515.00	44.50	60.00	6.78	626.28

## IMOGENE BOOTH DITCH

The Board of Commissioners approved all matters and ordered assessments levied and your proportionate share appears in the extreme right hand column opposite your name. Should you desire to pay in cash and avoid interest charges, the amount should be paid on or before Dec. 19. In the event, you wish to pay as other taxes are paid, kindly sign the enclosed form and return promptly.

Very truly yours,

ROBERT K. DIXON  
AUDITOR, MADISON COUNTY, OHIO

## AUDITOR'S CERTIFICATE OF ASSESSMENTS PAID

London, Ohio

March 6, 1939

Board of County Commissioners  
London, Ohio

Gentlemen:

In the matter of the improvement of the Imogene Booth Ditch, I hereby certify that all assessments were paid in cash, therefore, no note or bond issue is necessary.

Very truly yours,

ROBERT K. DIXON  
Auditor, Madison County, O.

## COMMISSIONERS' APPROVAL OF ASSESSMENTS PAID

London, Ohio  
March 6, 1939

In the Matter of the  
Imogene Booth Ditch Improvement

Whereas, the County Auditor has certified that all assessments, levied in the matter of the Imogene Booth Ditch, have been paid in cash, therefore, be it  
RESOLVED; That the collection of said assessment be and hereby is approved and no notes shall be issued.

Mr. Mink moved the adoption of the foregoing resolution and upon the second of Mr. Plymell, the motion carried by unanimous vote.

attest: ROBERT K. DIXON  
Auditor & Clerk

ATTEST: ROBERT K. DIXON  
AUDITOR & CLERK  
MADISON COUNTY, OHIO

DATE:--July 19, 1940