

SINGLE COUNTY DITCH PETITION

West Jefferson, Ohio  
Jan. 28, 1939

Petition for Location & Construction

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

The undersigned hereby petition your honorable body for the location and construction 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: Commencint at the mouth of a 12" tile and four smaller tile on the land of Irma Harbage said tile being about 20' from the South line of Helen Wilson Landsittel property, thence in a north easterly direction through the lands of Irma Harbage Helen Wilson Landsittel, and Harry Wilson to three mile run there terminating.

The following is the nature of the work petitioned for; Clean out of open ditch and constructing head wall at mouth of tile lines.

Names and addresses, where known, of ll owners of the land whcih the petitioner claims will be benefited or damaged by the construction of the proposed improvement:

- Harry Wilson Plain City, O. R.F.D.
- Helen Landsittel London, O. R.F.D. 3
- Irma Harbage West Jefferson, O. R.F.D. 1
- Dr. Quinn Dorgan 111 Cleveland Ave. Columbus, O.
- Agricultural Lands Inc. 51 N. High St., Columbus, O.
- Jeannette L O'Harra West Jefferson, O. R.F.D 1
- Asil H. Bidwell West Jefferson, O.R.F.D. 1
- Marie Starkey Hanscel West Jefferson, O. R.F.D.1
- Forest R. Ripley et al 100 W. North S. Springfield, O.
- S.C. Baber West Jefferson, Ohio

Complete list of affected persons per Engineer H.G. Brown

Service of Notice of Filing the Petition shall be botained by mailing notices and publication as provided in Sec. 6447 G.C.

IRMA HARBAGE  
MARIE S. HANSCEL Petitioners.  
ASIL H. BIDWELL



Commissioners' Journal # 25

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February 27, 1939

Subject: Irma Harbage Ditch

B. Hearing

The first hearing on the petition filed in the matter of the improvement of the Irma Harbage Ditch was called to order at 10:30 A.M., on Feb. 27, 1939, with the Commissioners, the Engineer, the Clerk, and the following interested persons, present, to-wit: Harry Wilson, Irma Harbage, Asil Bidwell and Marie Starkey Hanscel.

The matter of the improvement was discussed at length and generally it seemed the improvement was needed, and wanted, and no objections were filed.

Attest: ROBERT K. DIXON  
Auditor & Clerk

COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Mat ter of Office of Bd. of Co. Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio.  
Irma Harbage Feb. 27, 1939.

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present R.W. Armstrong, Gola Mink and Rodney Plymell and this being the day fixed by said Board in their order dated the 30 day of January, 1939, 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 improvment, 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 improve- ment 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 improve- ment, or for or against the granting of any laterals, branches, or spurs, or chanbe 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 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 a 12" tile and four smaller tile on the lands of Irma Harbage, said tile being about 20' from the south line of Helen Wilson Landsittel property, thence in a north easterly direction through the lands of Irma Harbage, Helen Wilson Landsittel, and Harry Wilson to Three mile run, there terminating, and be it further

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

Resolved, That the 27th day of March, 1939 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. Plymell seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Mr. Armstrong, Yea; Mr. Mink, Yea; Mr. Plymell, Yea;

County Auditor's Office

February 27, 1939

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.

IRMA HARBAGE DITCH

REPORT OF COUNTY ENGINEER

County Engineer's Office  
Madison County, Ohio  
March 27, 1939

In the Matter of  
The Single County Ditch Petitioned for by  
Irma Harbage and others  
Proceedings for Location  
and construction of an  
open ditch

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

The undersigned County Engineer, in obedience to the order of your Honorable Body, made on the 27th day of February, 1939, 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 an estimate of the cost of the construction of said improvement; and set proper construction stakes, beginning at the upper terminus of the improvement, and noted the intersection of the line of the improvement with the land boundaries of separate owners, township and county lines, natural land marks, road crossing, 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 forms, 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 100.00 of the geological survey of the United States, in the county, is as follows: Impractical to tie in as it is too great a distance from a government bench mark

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, etc.

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.

IRMA HARBAGE DITCH

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

I made estimates of the cost of excavating and of the cost of 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:

1679.2 Cu. Yds. Open Ditch Excavation @ \$0.22	\$369.42
9.2 Cu. Yds. Concrete Headwall 13.00	119.60
1000.0 Sq. Yds. Medium Curbing	75.00
207 Lin. Ft. 8" 10" 12" old and new tile (Labor)	8.70
165 Lin. Ft. 8" 10" 12" Tile	16.20
	<u>\$588.92</u>

The following fences, flood gates, culverts and bridges will be removed in constructing said improvement:

- 11+00 Fence between Irma Harbage and Helen Wilson Landsittel
- 10+21 Fence Helen Wilson Landsittel
- 19+59 Fence Helen Wilson Landsittel
- 19+66 Bridge Helen Wilson Landsittel

I estimate the cost of inspecting the work as it progresses to be \$14.25

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

Guy W. Correll	Deputy	5 days, at \$5.00 per day,	\$25.00
Martel Roberts	Rodman	3 " " 3.00 " "	9.00
Other expenses 50 stakes		@ 1 1/2¢	.75
Blueprinting etc.			<u>1.00</u>
			\$50.00

Approved March 25, 1939

Howard G. Brown  
County Engineer

Respectfully submitted

HOWARD G. BROWN  
County Engineer  
By GUY W. CORRELL  
Deputy

SURVEY

CONSTR. STAKES NUM. FROM UPPER TERMINUM	SURFACE ELEVATION	GRADE ELEVATION	CU. YDS CUT PER STA	Course & Distance	Land Marks etc.
0+00	97.1	95.20	1.90	N. 31° 20' E.	Property line Irma Harbage & Helen Wilson 0+00 B.M. stake in fence corner Elev. 100.00
1	97.3	95.02	2.28	77.4	
1+20				N. 13° 17' E.	
2	97.1	94.84	2.26	101.5	N. 21° 22' E.
3	97.1	94.66	2.44	94.4	N. 53° 31' E.
4	97.0	94.48	2.52	88.0	N. 83° 47' E.
5	96.8	94.30	2.50	94.4	N. 56° 10' E.
6	96.8	94.12	2.68	94.4	N. 23° 47' E.
7	96.6	93.94	2.66	98.1	N. 12° 26' E.
8	96.3	93.76	2.54	99.1	N. 4° 19' E.

IRMA HARBAGE DITCH

9	96.2	93.58	2.62	89.8	N. 18° 5' W.
10	95.9	93.40	2.50	74.1	n. 33° 16' E.
11	95.9	93.22	2.68	69.4	S. 89° 26' E.
12	95.2	93.04	2.16	67.6	S. 86° 23' E.
1e	95.0	92.86	2.14	57.4	
13+70					N. 84° 7' E.
14	94.7	92.68	2.02	56.1	
15	94.5	92.50	2.00	59.8	
15+75					S. 83° 21' E.
16	94.2	92.32	1.88	54.6	
16+66					N. 67° 37' E.
17	94.0	92.14	1.86	44.6	
17+95					N. 84° 15' E.
18	93.7	91.96	1.74	41.7	
19	93.7	91.78	1.82	40.7	
19+79					S. 65° 23' E.
20	93.2	91.60	1.60	34.2	
21	93.1	91.42	1.68	34.2	
21+40					S. 84° 48' E.
22	92.4	91.24	1.16	32.4	N. 78° 2' E.
23	92.3	91.06	1.24	25.9	N. 71° 29' E.
24	92.1	90.88	1.22	23.7	N. 58° 35' E.
25	92.0	90.70	1.30	23.7	
25+62					N. 83° 7' E.
26	92.0	90.52	1.48	25.0	
27	91.1	90.34	.76	21.3	
28	90.8	90.16	.64	13.9	
28+93					N. 88° 49' E.
29	90.7	89.98	.72	15.7	
30	90.4	89.80	.60	15.7	
31	90.0	89.62	.38	7.4	
32	89.5	89.44	.06	2.8	
32+18				.20	

Property line between Helen Wilson & Harry Wilson B.M. Railroad spike in root of 30" Elm 100' left. Elev. 93.07

## IRMA HARBAGE DITCH

## SCHEDULE OF LAND OWNERS

OWNERS' NAMES	SURVEY	TOWNSHIP	ACRES OWNED	ACRES BENEFITED	ESTIMATED ASSESSMENTS
Agricultural Land Co.	6800	Canaan	54.00	20.00	30.70
J. Quinn Dorgan	6800	"	25.00	15.00	23.02
Jeannette O'Harra	13661	"	10.50	10.50	16.12
	13661	"	10.50	7.50	9.72
	8425	Jefferson	40.25	8.00	10.23
	8425	"	42.75	00	
Charles Frey	12273	"	18.03	00	
Marie Starkey Hanscel	10295	"	90.60	26.00	33.26
	12275	"	147.50	00	
Asil H. Bidwell	10295	"	44.50	24.00	36.84
	12273	Canaan	33.60	33.60	51.68
	10295	"	30.00	20.00	30.70
	13874	"	1.50	00	
Irma Harbage	12273	"	79.55	79.55	122.04
	10295	"	70.09	30.00	46.05
	13874	"	5.00	00	
Helen Wilson Voorhees	10295	"	8.00	8.00	12.28
Helen Wilson	5744	"	198.96	100.00	127.91
	6800	"	35.00	25.00	38.37
	10295	"	5.00	00	
					\$588.92

## SPECIFICATIONS OF THE MANNER OF CONSTRUCTION

In the Manner of \_\_\_\_\_ County Engineer's Office,  
 The Single County Ditch Petitioned for by \_\_\_\_\_ Madison County, Ohio  
 Irma Harbage \_\_\_\_\_ Proceedings for Location and  
 Construction of an open ditch

The open ditch to be cut from Station 0 00 to Station 32 18 to be out to a width of three (3) in the bottom and with slopes of  $1\frac{1}{2}$  to 1. All earth to be removed from ditch to be placed not nearer than five (5) from the top of the slopes. The dirt so removed to be evenly spread so as to not to unduly interfere with cultivation. All trees and brush falling in the channel or slopes of the ditch are to be grubbed. All trees or brush within five feet of the top of slope are to be also grubbed. All tile drains coming into the open ditch are to be carefully watched during construction so drains coming into the open ditch are to be carefully watched during construction so that they are not covered. All tile lines emptying upon the lands of Irma Harbage at about Station 0 00 are to be extended to the line between said Harbage and Helen Wilson (Landsittel), where a concrete bulkhead is to be constructed. All of the tiles emptying upon said Irma Harbage are to be taken up for a distance of one rod from there present end and relayed.

## IRMA HARBAGE DITCH

The concrete used in the bulkhead is to be 1-5½ concrete 1 part cement 2 parts sand and 3½ parts gravel sand and gravel to be washed material. Reinforcing steel to be used as shown upon plan. The concrete to be mixed in an approved mechanical mixer. The part of said bulkhead being above the ground line to be carefully formed so as to produce a neat appearing structure.

## ESTIMATE OF WORKING SECTIONS

No. of Working Sections	Station From	Station Numbers To	No. Lineal Feet	No. Cu. Yds.	Price Per Yd.	Amount	Remarks
1	0 00	32.18	3218	1679.2	22¢	369.42	Open Ditch Excavation
2	0 00	32.18				75.00	Grubbing
3	0 00			9.2	13.00	119.60	Headwall
	0 00			207 Lin. Ft.		24.90	Tile ditch extension & repair

## NOTICE TO COMMISSIONERS

Upon the Filing with the Auditor of the Reports and Schedules of the Surveyor.

In the Matter of  
The Single County Ditch Petitioned for by  
Irma Harbage and others

County Auditor's Office,  
Madison County, Ohio.  
March 27, 1939

To the Honorable Board of County Commissioners of Madison County:

Gentlemen: You are hereby notified that the County Surveyor filed in this office on the 27th day of March, 1939, the maps, profiles, schedules and the reports in the above named improvement, in accordance with your order of the 27th day of February, 1939.

ROBERT K. DIXON  
County Auditor.

ORDER FIXING TIME OF FINAL HEARING ON SURVEYOR'S REPORTS  
On Estimated Assessments, on the Proceedings for the Improvement and on  
Claims for Compensation and Damages.

In the Matter of  
The Single County Ditch Petitioned for by  
Irma Harbage and others

Office of the Bd. of Co. Commissioners,  
Madison County, Ohio.  
March 27, 1939.

Mr. Mink moved the adoption of the following

## RESOLUTION

Whereas, This 27th day of March, 1939, the Board of County Commissioners of Madison County, being in regular session, members present, R.W. Armstrong, Gola Mink and Rodney Plymell, 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 27th day of March, 1939, therefore, be it

Resolved, That the 24th day of April, 1939, at 2:00 o'clock P.M. be and 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. Plymell seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Armstrong, Yea; Mr. Mink, Yea; Mr. Plymell, Yea

London, Ohio  
April 24, 1939

Hearing--Irma Harbage Ditch

The hearing scheduled for this date and time was called to order by President Armstrong at 2:30 P.M., with the following persons present, to-wit:

R.W. Amrstrong, Gola Mink & Rodney Plymell, Commissioners; Howard G. Brown, County Engineers; R.K. Dixon, Clerk; Geroge O'Hrra; Asil H. Bidwell, and Irma Harbage.

Proceedings as recorded since the fixing of this time and date for heaing were read by the Clerk of the Board as well as the complaint filed in behalf of Helen Wilson Landsittel and or Helen Wilson.

No serious objections were placed and the contemplated project seemed to meet with the approval of all present and following general discussion, the County Engineer reported to the Board an oversight in preparing the schedule of assessments in that the property owned by Forrest R. Ripley had been overlooked, therefore, the Engineer filed an amended schedule, which is recorded following this article.

Attest: ROBERT K. DIXON  
Auditor & Clerk

London, Ohio  
Apr. 24, 1939

Madison County Commissioners  
London, Ohio

Gentlemen:

In connection with the schedule of assessments on the proposed improvement of the Irma Harbage County Ditch I wish to file my protest herewith.

I have no objection to the improvement and will gladly assume a fair portion of the assessments, however the figures submitted seem out or proportion to the benefits to be derived, in connection with jy property.

Therefore, it is hereby requested that you give careful consideration to the schedule and substantial adjustment and reductions, will be a ppreciated.

Another important meeting in th s date makes it impossible for me to be present at the meeting set for this date.

very truly yours,

Helen Wilson Voorhees and/or Helen Wilson

By; R.D. LANDSITTEL? AGENT.



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 three years shall be the period of time, in semi-annual installments or 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 not be issued and sold in anticipation of the collection of said assessments bearing the rate of four per centum per annum, payable semi-annually said notes shall be sold at private sale 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 assessments 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 22 day of May, 1939, at 10 o'clock A.M., be and the same is hereby fixed as the time for letting the contract for the construction of the proposed improvement, and that the County Surveyor be and he is hereby directed to let the contracts for the construction of the proposed improvement; and be it further

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

Mr. Armstrong, Yea; Mr. Mink, Yea; Mr. Plymell, yea.

ATTEST: ROBERT K. DIXON  
Auditor & Clerk

IRMA HARBAGE DITCH

NOTICE--DITCH BIDS

Sealed Bids will be received on the 22'nd day of May, 1939 at 10 o'clock A.M., at the office of the County Auditor of Madison County, Ohio, for the construction of the improvement or furnishing of materials;

1679 Cu. Yds. open ditch excavation

9.2 Cu. Yds. 1\*5 1/2 Concrete bulkhead

Laying 25 Lin. Ft. 12" tile 50 Lin. Ft. 10" tile 50 Lin. Ft. 8" tile taking up and re-laying 16.5' 12" tile 33' 10" tile 33' 8" tile for the County Ditch located in Canaan Township, in Madison County, Ohio, petitioned for by Irma Harbage and others.

Said bids shall be in writing on a form to be furnished by the County Surveyor, and be accompanied with either a deposit of money, or a certified check on some bank or a bill of current commercial exchange in an amount of three per cent. of the bid as a guarantee that, if the bid is accepted, the bidder will sign the contract for the performance of the work or furnishing of the material bid upon, and will furnish such bond to the County for the performance of the contract signed as may be required by law.

The Board of County Commissioners reserves the right to reject any or all bids.

By order of the Board of County Commissioners of said County.

HOWARD G. BROWN  
County Surveyor.

SURVEYOR'S REPORT ON BIDS RECEIVED

In the Matter of \_\_\_\_\_ County Surveyor's Office,  
The Single County Ditch Petitioned for by \_\_\_\_\_ Madison County, Ohio.  
Irma Harbage and others \_\_\_\_\_ May 22, 1939 .  
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 means follows:

Bidder	For What Work or Materials	Amt. of Bid	Guaranty	
			Kind	Amt.
O.E. Liller	Labor & Bulkhead	572.72	c.c. check	18.00
O.E. Liller	Tile	16.20		
The Madison Tile & Co.	Tile	16.00	Cash	.50

I recommend the following bids as the best:

O.E. Liller and the Madison Tile & Co.

HOWARD G. BROWN  
County Surveyor.

COMMISSIONERS' ORDER AWARDING CONTRACTS

In the Matter of Office of the Bd. of Co. Commissioners,  
The Single County Ditch Petitioned for by Madison County, Ohio  
Irma Harbage and others May 22, 1939.

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present, R.W. Armstrong, Gola Mink and Rodney Plymell 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 Irma Harbage 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	For What Work or Materials	Amt. of Bid
O.E. Liller	Labor & Bulkhead	572.72
Madison Tile Co.	Tile	16.00

therefore be it

Resolved, That contracts be and the same are hereby awarded to said O.E. Liller & The Madison Tile Co. at the amounts bid by them, 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 August, 1939 provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work.

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

Mr. Armstrong, yea; Mr. Mink, yea; Mr. Plymell, yea

## IRMA-HARBAGE-DITCH

## DITDH CONTRACT

In the Matter of

The Single County Ditch Petitioned for by

Irma Harbage

Work and Labor and Materials

THIS AGREEMENT, made and entered into on this 1 day of June 1939, by and between the County Commissioners of Madison County, Ohio, and hereinafter designated as "First Party," and the Madison Tile Co., of London, Ohio, hereinafter designated as "Second Party."

WITNESSETH, That Said "Second Party," for and in consideration of the sum of sixteen and no one hundredths Dollars, to be paid as hereinafter specified, hereby agrees to furnish unto said "First Party" all the necessary tile required to construct the Irma Harbage County Ditch improvement petitioned for by Irma Harbage and others, 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 hinderance or delay to any other branch or class of work on said Irma Harbage 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 20th day of June, 1939

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 Sixteen Dollars, (\$16.00), 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

R.C. MILLIKIN

ROBERT K. DIXON

R.W. ARMSTRONG Commissioners of

GOLA MINK Madison County, Ohio.

RODNEY PLYMELL "First Party."

Madison Tile & Co. Contractors.  
by C.F. Van Cleve "Second Party."

## DITCH CONTRACT

In t e Matter of

The single County Ditch Petitioned for by

Irma Harbage and others

WORK AND LABOR AND MATERIALS

THIS AGREEMENT, made and entered into on this 11th day of June, 1939, 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 seventy two and seventy two one hundreds Dollars, to be paid as hereinafter specified, hereby agrees unto said "First Party" do all the work and labor required to construct the Irma Harbage County Ditch improvement petitioned for by Irma Harbage and others, 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 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 Irma Harbage County Ditch, and to work in harmony with and to render such assistance to other branches of work as is connection therewith and the progress of the work may require. The work to be completed to the satisfaction and acceptance of said "First Party" on or before the 20th day of June, 1939.

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 seventy two and seventy two one hundreds Dollars, (\$572.72), 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

R.C. MILLIKIN

ROBERT K. DIXON

R.W. ARMSTRONG

GOLA MINK

RODNEY PLYMELL

Commissioners of

Madison County, Ohio

"First Party."

Contractor

"Second Party."

IRMA HARBAGE DITCH

Subject: Irma Harbage Ditch, Assessments, including Interest

Whereas, the County Auditor has certified to this Board that assessments in the matter of the Irma Harbage Ditch have either been collected or lproper application has been made to collect the same as taxes, therefore, be it

RESOLVED, That the following schedule submitted by the County Auditor be, and is hereby approved and the assessments, including the interest, ordered charged against the property involved in the County Ditch Duplicate, to-wit:

NAME	TOWNSHIP	ACRES OWNED	ACRES BENEFITED	SURVEY	CHG. ACRES	TOTAL ASSEMT.	PAID CASH	COLLECT AS TAXES	RATE	SHARE OF INTEREST	ASSESSMENTS PLUS INTEREST
Agri. Lands Inc.	Canaan	54.00	20.00	6800	54.00	35.31	35.31				
Ripley, Forrest R. & Lena	"	261.50	30.00	12272	261.50	52.96	52.96				
Bidwell, A. H.	Jefferson	44.50	14.00	10295	44.50	24.72	24.72	.04004		1.73	26.45
	Canaan	33.60	33.60	12273	33.60	59.45	58.45	.09629		4.16	63.61
	"	30.00	16.00	10295	30.00	28.26	28.26	.04577		1.98	30.24
	"	25.00	15.00	6800	25.00	26.48	26.48	.04289		1.85	28.33
Dr. J. Quinn Morgan	Jefferson	80.60	26.00	10295	80.60	38.26	38.26	.06197		2.68	40.94
Hanscel, Marie Starkey	Canaan	79.55	79.55	12273	79.55	140.37	140.37	.22736		9.83	150.20
Harbage, Irma O.	Canaan	70.09	30.00	10295	70.09	52.96	52.96	.08578		3.71	56.67
O'Harra, Jeannett L.	Canaan	10.50	10.50	13661	10.50	18.54	18.54	.03003		1.30	19.84
	"	10.50	7.50	13661	10.50	11.18	11.18	.01810		.78	11.96
	Jefferson	40.25	8.00	8425	40.25	11.76	11.76	.01905		.82	12.58
Voorhees, Helen Wilson	Canaan	8.00	108.00	10295	8.00	14.13	14.13	.02289		.99	15.12
Wilson, Helen	Canaan	198.96	100.00	5744	108.96	147.14	147.14	.23832		10.30	157.44
	"	35.00	25.00	6900	35.00	44.15	44.15	.17151		3.09	47.24
						705.67	88.27	617.40	1.00000	43.22	660.62

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

COMMISSIONERS' ORDER APPROVING CONTRACTS AND BONDS AND LEVYING ASSESSMENTS.

In the Matter of Office of the Board of Co. Commissioners,

The Single County Ditch Petitioned for by Madison County, Ohio

Irma Harbage June 12, 1939

Mr. Mink moved the adoption of the following

RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present, Armstrong, Mink and Plymell and the County Surveyor has filed with this Board the contract and bonds for the work of construction and furnishing material in the above named improvement petitioned for by Irma Harbage and others; therefore be it

Resolved, That said Contracts and bonds be and the same are hereby approved; and be it further

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

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

Resolved, That the County Auditor be and he is hereby directed to place said assessments so levied upon the Duplicated of the County, making and furnishing the Treasurer of said County a special Duplicate with the assessments arranged thereon in semi-annual installments as provided in our former order adopted the 25 day of April, 1939.

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

Mr. Armstrong, yea; Mr. Mink, yea; Mr. Plymell, yea.

IRMA HARBAGE DITCH

OWNER	TOWNSHIP	AMENDED SURVEY	SCHEDULE ACRES OWNED	ACRES BENEFITED	AMENDED ASSMT.
Agricultural Lands	Canaan	6800	54.00	20.00	29.47
Dr. J. Quinn Dorgan	"	6800	25.00	15.00	22.10
Jeannette O'Harra	"	13661	10.50	10.50	15.47
	"	13661	10.50	7.50	9.33
	Jefferson	8425	40.25	8.00	9.82
	"	8425	42.75	None	
Charles Frey				None	
Marie Starkey Hanscel	"	10295	80.60	26.00	31.93
	"	12275	147.50	None	
Asil Bidwell	"	10295	44.50	14.00	20.63
	Canaan	12273	33.60	33.60	49.61
	"	10295	30.00	16.00	23.58
	"	13874	1.50	None	
Irma Harbage	Canaan	12273	79.55	79.55	117.15
	"	10295	70.09	30.00	44.20
	"	13874	5.00	None	
Helen Wilson Voorhees	"	10295	8.00	8.00	11.79
Helen Wilson	"	5744	198.96	100.00	122.80
	"	6800	35.00	25.00	36.84
	"	10295	5.00	None	
Forrest R. Ripley etal	"	12272	261.50	30.00	44.20
					\$588.92

Signed: HOWARD G. BROWN  
Co. Engineer

London, Ohio  
August 31, 1939

To All Persons Assessed:

Following is a pro-rated schedule of assessments for the improvement of the aformentioned ditch, to-wit:

Owner	Acres Owned	Acres Benefited	Constr. Sch.	Rate	Final Assessment	
Agri. Lands Inc.	54.00	20.00	29.47	.05004	\$ 35.31	
J. Quinn Dorgan	25.00	15.00	22.10	.03753	26.48	
Jeannette O'Harra	10.50	10.50	15.47	.02627	18.54	
	10.50	7.50	9.33	.01584	11.18	
	40.25	8.00	9.82	.01667	11.76	
Charles Frey	42.75	x	x	x	x	
Marie Starkey Hanscel	80.60	26.00	31.93	.05422	38.26	
Asil H. Bidwell	147.50	14.00	x	x	x	
Asil H. Bidwell	44.50	14.00	20.63	.03503	24.72	
	33.60	33.60	49.61	.08424	59.45	
	30.00	16.00	23.58	.04004	28.26	
	1.50	x	x	x	x	
Irma Harbage	79.55	79.55	117.15	.19892	140.37	
	70.09	30.00	44.20	.07505	52.96	
Helen Wilson Voorhees	8.00	8.00	11.79	.02002	14.13	
	198.96	100.00	122.80	.20852	147.14	
	35.00	25.00	36.84	.06256	44.15	
	5.00	x	x	x	x	
Forrest R. Ripley etal	261.50	30.00	44.20	.07505	52.96	
				\$588.92	1.00000	\$ 705.67

The Commissioners approved all proceedings and ordered assessments levied and your assessmet appears in the extreme right-hand column, opposite your name.

## IRMA HARBAGE DITCH

ASSESSMENTS under \$5.00 are payable in cash and those amounting to \$5.00 or more may be paid as other taxes are paid, with proper interest added.

In order that tax books may be arranged for the December collection, cash payments should be made on or before September 11, 1939. Eligible persons desiring to pay as taxes, with interest added should file the tax form on or before the specified date.

Yours very truly.

ROBERT K. DIXON  
Auditor, Madison County, Ohio

## ITEMIZED LIST OF IMPROVEMENT COSTS

Construction:

Material.	16.00	
Labor	<u>572.72</u>	
Total		\$588.72

Engineer's Services:

Location, etc.	35.75	
Inspecting work	<u>14.25</u>	
Total		50.00

Commissioners Fees:

1-30-39 fixing time of View & Hearing	15.00	
2-23-39 Viewing Ditch	15.00	
2-27-39 Finding for Improv.	15.00	
4-24-39 Final Hearing	<u>15.00</u>	
Total		60.00

Transcript & Mailing:

New Ditch Transcript	6.00	
Mailing notices 2-6-39	.32	
Mailing notices 3-31-39	.34	
Mailing Statements	<u>.29</u>	
Total		6.95

GRAND TOTAL

\$705.67

Attest: ROBERT K. DIXON  
Auditor, Madison County, Ohio

## CERTIFICATE OF COUNTY SURVEYOR AS TO WORK COMPLETED

In the Matter of

Office of the County Surveyor.

The Single County Ditch petitioned for by

Madison County, Ohio

Irma Harbage

August 12, 1939

To O.E. Liller, Contractor:

This is to certify that the undersigned County Surveyor has accepted 100% per cent. of the work and labor furnished and completed by said contractor under his contract for the construction of the above needed improvement petitioned for by Irma Harbage, and others, and I, therefore, approve said work and labor for payment in the sum of Five hundred and seventy-two and seventy two one hundredths (\$572.72) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

HOWARD G. BROWN  
County Surveyor.

CERTIFICATE OF COUNTY SURVEYOR AS TO MATERIAL FURNISHED.

In the Matter of Office of County Surveyor.  
 The Single County Ditch petitioned for by Madison County, Ohio  
 Irma Harbage and others August 12, 1939  
 To the Madison Tile Company Contractor:

This is to certify that the undersigned County Surveyor of Madison County, Ohio, has inspected materials furnished by said contractor for the construction of the above named improvement petitioned for by Irma Harbage and others, and I find the same to comply with the specifications and

contract as follows, to-wit:

Kind of Material	Amount Furnished	Amount Accepted	Contract Price Amt. Accepted	Furnished to
Tile 12"	33 ft.	33	\$5.00	O.E. Liller
10"	66 ft.	66	7.00	"
8"	66 ft	66	4.00	"
			<u>\$16.00</u>	

I, therefore, approve the above accepted material for payment in the aggregate sum of sixteen and no one hundreds dollars (\$16.00) Dollars.

HOWARD G. BROWN  
 County Surveyor.

AUDITOR'S CERTIFICATIONS OF ASSESSMENTS PAID AND UNPAID

London, Ohio  
 October 16, 1939

To the Board of County Commissioners  
 London, Ohio

Gentlemen:

In the matter of the improvement of the Irma Harbage Ditch, I hereby certify that the following schedule reveals a true record of assessments paid and unpaid in the improvement of the said ditch, to-wit:

	Paid	Unpaid
Agricultural Lands Inc.	\$35.31	
J. Quinn Dorgan		\$26.48
Jeannette O'Harra		18.54
		11.18
		11.76
Marie Starkey Hanscell		38.26
Asil H. Bidwell		24.72
		59.45
		28.26
Irma Harbage		140.37
		52.96
Helen Wilson Voorhees		14.13
		147.14
		44.15
Forrest R. Ripley	<u>52.96</u>	
Totals	\$88.27	\$617.40

Signed; ROBERT K. DIXON  
 Auditor & Clerk

RESOLUTION TO ISSUE NOTES IN ANTICIPATION OF THE LEVY OF SPECIAL ASSESSMENTS  
OR OF THE ISSUANCE OF BONDS

In the Matter of Office of the Bd. of Co. Commissioners  
The Single County Ditch Petitioned for by Madison County, Ohio  
Irma Harbage and others October 16, 1939

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 16th day of October, 1939, at the office of the Commissioners with the following members present:

R.W. Armstrong  
Gola Mink  
Rodney Flymell

Mr. Mink moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 16th day of October, 1939, affirmed their former order finding in favor of the location & construction of the County Ditch, petitioned for by Irma Harbage and others; and

Whereas, It is now deemed necessary to issue and sell \$617.40 of notes under authority of Section 2293-24 of the General Code of Ohio for the purpose of providing funds in anticipation of the levy of special assessments or of the issuance of bonds, for the location & impr. of said County Ditch; and

Whereas, The County Auditor has certified the maximum maturity of said notes to be 3 years, which maximum maturity does not exceed the estimated life or usefulness of the improvement fixed by Section 2293-9 of the General Code of Ohio; and

Whereas, This Board has heretofore by Resolution duly passed on the 16th day of October, 1939, determined that 3 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 special assessments or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio in the aggregate sum of six hundred seventeen and 40/100 Dollars (\$617.40), 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 location & Constr. of said County Ditch according to the terms of said Resolution above referred to; and be it further

Resolved, That said notes shall be dated the 21st day of December, 1939 and shall be in the denomination of Three hundred eight and 70/100 Dollars (\$308.70) each, and shall be numbered from 30 to 31, both numbers inclusive.

Said notes shall bear interest at the rate of 4 percentum per annum until paid, and the interest on said notes shall be payable on the 21 day of June and the 21 day of December, 1940, and until the principal sum of

Said notes is paid and 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 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	Date	Amount
30	June 21, 1940	308.70
31	June 21, 1940	308.70

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 2293-24 of the General Code, 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 fac-simile 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 levy, however, may be reduced from year to year by the amount of special assessments that are apid and received for the retirement of said notes and interest.

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 and binding obligations of said County have been done, have happened and 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.

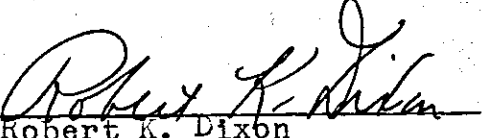
The Clerk of this Board is hereby authorized and directed to offer this issue of bonds at par and accrued interest first to the Board of Trustees of the Sinking Fund of said County and if refused, then the Clerk is directed to offer the same for sale at private sale.

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

MR. R.W. ARMSTRONG	YEA
MR. COLA MINK	YEA
MR. RODNEY PLYMELL	YEA

Dated this 16th day of October, 1939

ROBERT K. DIXON  
Clerk, Board of County Commissioners of  
Madison County, Ohio

ATTEST:   
Robert K. Dixon  
Auditor & Clerk  
Madison County, Ohio

DATE: JULY 29, 1940