

A-Single County Ditch Petition

London, Ohio

March 29, 1948

Petition for location and repair of tiled portion of the J. T. Ballinger County ditch, construction of an outlet therefor and for location and construction of all necessary laterals.

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

The undersigned hereby petition your honorable body for the location, examination and repair of the tiled portion of the J. T. Ballinger Co. Ditch, construction of an outlet and all necessary laterals 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 a point in the south westerly right of way line of the P.C.C. and St. Louis Railroad in what is known as the J. T. Ballinger County Ditch and on the land of Lulu B. and E. R. George; thence following said ditch through land of said George, Lank W. Cary, William B. and M. R. Keller, and Charles G. Roby to the north side of the Amity pike at the end of the tile in said ditch; thence following an open ditch or as near thereto as practical through lands of said Roby, John Walter Barr, said Roby and Edna and Dorothy G. Tagert to Big Darby creek, or far enough to secure a good and sufficient outlet for all lands draining into said ditch, and for the location, construction and tiling of all necessary laterals.

The following is the nature of the work petitioned for: an examination, the making of all necessary repairs to the tiled portion of the John T. Ballinger County Ditch, construction of a proper outlet for the same and the location, construction and tiling of all necessary laterals.

Nemes 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:

Minnie Lee Cary	Plain City, Ohio
Minnie Lee Witter	Plain City, Ohio
Lulu & E. R. George	60-18th Ave., Columbus, Ohio
Lank W. Cary et al	Plain City, Ohio
Lank W. Cary et al	Plain City, Ohio
W. R. And M. R. Keller	Plain City, Ohio
Elton DeBolt	#1, Box 85 - Amlin, Ohio
Charles G. Roby	Plain City, O.
John Walter & Ada M. Barr	1070 Luzon St., Johnstown, Penna.
Edna and Grace Tagert	210 Prospect St., Wellington, Ohio
Green Skagg	#2, Plain City, Ohio
Bertha K. Latham	Hilliards, Ohio
Walter M. Latham	Hilliards, Ohio
Alta Horn	Plain City, Ohio
Sam R. Sharpe	Plain City, Ohio
Menno & L. E. Bonteger	#2, Plain City, Ohio
Grace V. Butt	#2, Plain City, Ohio

Service of Notice of Filing the Petition shall be obtained by Rodney Cary Estate drain thru tile which crosses DeBolt into him.

Elmer R. George

Petitioners

B-Bond

Know All Men By These Present, That we Lank W. Cary, Andrew W. Cary, Walter Latham are held and firmly bound unto the State of Ohio, in the sum of Five Hundred Dollars, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated this 20 day of March 1948.

The Condition of the above Obligation is such, that, Whereas, on the 20 day of March 1948, the above bound filed his petition with the County Auditor of Madison County, Ohio, making application to the County Commissioners, praying for the location, examination and repair of the tiled portion of the J. T. Ballinger County ditch, construction of an outlet therefor and the location, construction and tiling of necessary laterals petitioned for by and others; the following is the course and termini of said proposed improvement, to-wit;

Commencing at a point in the south westerly right of way line of the P. C. C. and St. Louis Railroad in what is known as the J. T. Ballinger County ditch, on the land of Lulu B. and E. R. George; thence following said ditch through land of said George, Lank W. Cary, William B. and M. R. Keller, and Charles G. Roby to the north side of the Amity pike at the end of the tile in said ditch; thence following an open ditch, or as near thereto as practical through lands of said Roby, John Walter Barr et al, said Roby and Edna and Dorothy G. Tagert to Big Darby Creek or far enough to secure a good and sufficient outlet for bonds draining into said ditch and for the location, construction of all necessary laterals.

The above bond is approved this 29 day of March 1949

Lank W. Cary
Andrew W. Leary
Walter Latham

Robert K. Dixon, County Auditor

J. T. BALLINGER DITCH

C-Resolution-Order Fixing Time of View and First Hearing

In the Matter of the Single County Ditch Petitioned for by Elmer R. George.	Office of the Board of County Commissioners, Madison County, Ohio March 29, 1948.
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The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29th day of March 1948, at the office of the Commissioners with the following members present:

Rodney Plymell
 R. W. Armstrong
 Gola Mink

Mr. Mink moved the adoption of the following Resolution:

Whereas, This 29th day of March 1948, the County Auditor gave notice to the Board of County Commissioners of Madison County, Ohio, of the filing with him of a petition signed by Elmer R. George, petitioner, for the location and repair of tiled portion of the J. T. Ballinger Co. ditch, construction of an outlet therefor and for location and construction of all necessary laterals, and

Whereas, It appears to said Board that the proper bond has been filed with the Auditor and by him approved, conditioned for the payment of all costs, if the prayer of the petition is not granted, or if said petition is for any cause dismissed; therefore, be it

Resolved, By said Board of County Commissioners, that the 21 day of April 1948, 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 26 Day of April 1948, 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. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

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

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

D-Resolution-Commissioners' Finding for the Improvement

In the Matter of the Single County Ditch Petitioned for by Elmer R. George and others	Office of the Board of County Commissioners, Madison County, Ohio April 26, 1948
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The Board of County Commissioners of Madison County, Ohio, met in regular session on the 26 day of April, 1948, at the office of the Commissioners with the following members present:

Rodney Plymell
 R. W. Armstrong
 Gola Mink

Mr. Gola Mink moved the adoption of the following Resolution:

Whereas, This being the day fixed by Said Board in its order dated the 29 day of March, 1948, for the hearing on the petition in the above named improvement, the said Board met at its office, and conducted said hearing by causing the petition to be publicly read, together with all applications for and remonstrances against the improvement, and all applications for change or extension of the improvement, previously filed in writing, and

Whereas, After proper examination, said Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement; and

Whereas, Said Board has made an actual view of said proposed improvement and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, or spurs, or change of route, course, termini, or manner of construction described in the petition, or in any application therefor; therefore, be it

Resolved, By the Board of County Commissioners that said Board hereby finds that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare, and it is reasonably certain that the cost thereof, will be less than the benefits, and the prayer of the petition is hereby granted; and it further finds that the following described route and termini of the proposed improvement and of the branches, spurs, and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by said Board:

Commencing at a point in a south westerly right of way line of the P. C. C. and St. L. Railroad in what is known as the J. T. Ballinger County Ditch and on the land of Lulu B. and E. R. George; thence following said ditch through land of said George, Lank W. Cary, William B. and M. R. Keller, and Charles G. Roby to the north side of the Amity pike at the end of the tile in said ditch; thence following an open ditch or as near thereto as practical through lands of said Roby, John Walter Barr, said Roby and Edna and Dorothy G. Tagert to Big Darby creek, or far enough to secure a good and sufficient outlet for all lands draining into said ditch; and for the location, construction and tiling of all necessary laterals.

The following is the nature of the work petitioned for: An examination the making of all necessary repairs to the tiled portion of the John T. Ballinger County Ditch, construction of a proper outlet for the same and the location, construction and tiling of all necessary laterals, and be it further

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

Resolved, That the 26 day of July 1948, 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. R. W. Armstrong seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

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

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

County Auditor's Office
April 26, 1948.

To the County Surveyor:

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

Robert K. Dixon, County Auditor

E- Resolution-Commissioners' Finding Setting Aside Former Order and Dismissing Petition.

In the Matter of the Single
County Ditch Petitioned for
by Elmer R. George and others.

Office of the Board of County Commissioners,
Madison County, Ohio
November 29, 1948.

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29 day of Ovember, 1948, at the office of the Commissioners with the following members present:

Rodney Plymell
R. W. Armstrong
Gola Mink

Mr. Armstrong moved the adoption of the following Resolution:

Resolved, That said Board review and reconsider its former order made on and dated the 26 day of April, 1948, in favor of said improvement; and

Whereas, Said Board finds that the petitioner desires the petition dismissed, and be it

Resolved, That said former order finding in favor of said improvement made at the first hearing on the 26 day of April, 1948, be and the same is hereby set aside; and be it further

Resolved, That said petition be and the same is hereby dismissed; and be it further

Resolved, That all the costs in said proceedings, save and except the costs made by the Surveyor in making his surveys, reports, and schedules, be and the same are hereby ordered to be paid by the petitioner

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

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

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