

McGuire Gilliland Co. Ditch

A - COUNTY DITCH PETITION

London, Ohio, March 26, 1952

Petition for Repair of headwall and cleanout of McGuire-Gilliland Open Ditch, 1952

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

The undersigned hereby petition your honorable body for the repair of headwall and cleanout of McGuire-Gilliland Open Ditch 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 headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al., thence through said lands and through the lands of Matthew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain good and sufficient outlet. The following is the nature of the work petitioned for: Repair of headwall and cleanout of open ditch.

A list of the names and addresses, where known, of all the owners of the land which the petitioner claims will be benefited or damaged by the construction of the proposed

improvement is as follows:

Adams, Moses L. et al, London, Rt. # 3
 Andrix, Matthew R., J.C. Andrix, Trustee, 1267 W. Broad St., Columbus, O.
 Cecil, Forest F. London, Ohio
 Christman, George Grove City, Ohio
 Dwyer, Paul M. London, Ohio
 Gallagher, Emmett et al London, Ohio # 4
 Gilliland, Russell et al, London, Ohio # 4
 Guyton, Norman G. 2329 Valleyview Dr., Columbus, Ohio
 Hume, Horace Life Estate London, Ohio
 Jackson, Clarence W. et al, London Ohio # 4
 Sidner, Bessie E., Life Estate West Jefferson, Ohio
 Tomlinson, Elta London, Ohio # 4
 Warner, Anna Laura, 2355 Mayfair Rd., Dayton, Ohio
 Holland, John J. # 4 London, Ohio

Service of notice of the filing of the Petition shall be obtained by

M.L. Adams
 Paul E. Andrix Petitioners
 Emmett Gallagher

B- BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE, M.L. Adams as principal, and Paul E. Andrix and Emmett Gallagher as sureties are held and firmly bound unto the State of Ohio, in the sum of three hundred (\$300.00) dollars to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at London, Ohio this 19 day of April, 1952

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, Whereas, on the 10th day of April, 1952, the above bound M. L. Adams et al filed their petition with the Auditor of Madison County, Ohio making application to the County Commissioners for the repair of headwall and cleanout of McGuire-Gilliland Open Ditch, 1952 petitioned for by M.L. Adams and others, the following being the course and termini of said proposed improvement, to-wit: Commencing at the headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al, thence through said lands and through the lands of Matthew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain good and sufficient outlet.

Now, if the said M.L. Adams will pay all cost, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void: otherwise it shall be and remain in full force and virtue in law.

M.L. Adams
 Paul E. Andrix
 Emmett Gallagher

The above bond is approved this 14th day of April, 1952
 Forrest R. Hanson
 County Auditor

C - RESOLUTION - ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single County Ditch
 Petitioned for by M.L. Adams and others

Office of the Board of County Commissioners
 Madison County, Ohio
 April 14, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 14th day of April, 1952, at the office of the commissioners with the following members present:

George W. Taylor
 Rodger B. Baker
 Glenn R. Daughterty

Mr. Baker moved the adoption of the following Resolution:

WHEREAS, This 14th day of April, 1952, the County Auditor gave notice to the Board of County Commissioners of Madison County, Ohio on the filing with him of a petition signed by M.L. Adams petitioner, for the repair of headwall and cleanout of open ditch and WHEREAS, It appears to said Board that the proper bond has been filed with the Auditor and by him approved, condition 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 5th day of May, 1952

at ten o'clock A.M., at the upper terminus of the improvement, be and the same is hereby fixed as the time and place for the view thereon; and be it further
 RESOLVED, That the 12 day of May, 1952 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. Daugherty seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mt. George W. Taylor	Yes
Mr. Rodger B. Baker	Yes
Mr. Glenn Daugherty	Yes

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

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

In the matter of the Single County Ditch
 Petitioned for by M. L. Adams and others

County Auditor's Office
 Madison County, Ohio
 April 15, 1952

To the Owners of Land Affected by the Proposed Improvement:

You, and Each of You, Are Hereby Notified, that on the 14th day of April, 1952, the above named petitioner M.L. Adams and others, filed a petition for the repair of open ditch. with the County Auditor of said County, the substance and prayer of which said petition is, that the construction of the improvement is necessary and will be conducive to the public welfare, and prays for the making of such improvement on the following course and termini, to-wit: Commencing at the headwall of the McGuire Gilliland County Ditch on the lands of Emmett B. Gallagher et al, thence through said lands and through the lands of Mathew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain a good and sufficient outlet. The following is the nature of the work petitioned for: repair of headwall and cleanout of open ditch.

As it is claimed that the improvement will affect property owned by you, you are hereby notified that the Board of County Commissioners of said County has fixed the 5th day of May, 1952, at ten o'clock A.M., at the upper terminus of the improvement, as the time for the view thereon and also the 12 day of May, 1952, at ten o'clock A.M., at the office of said Board, as the time and place for the first hearing on the petition.

Forrest R. Hanson
 Auditor of Madison County, Ohio

E - JOURNAL ENTRY - COMMISSIONERS' ORDER
 In re: Application to amend

In the Matter of the Single County Ditch
 Petitioned for by M.L. Adams and others

Office of the Board of County Commissioners,
 Madison County, Ohio
 May 12, 1952

Mr. Baker moved the adoption of the following

RESOLUTION

Whereas, This day the Board of County Commissioners being in regular session, present Mr. Taylor, Mr. Baker and Mr. Daugherty; and

Whereas, M.L. Adams has heretofore filed with the County Auditor an application to amend petition as follows:

Commencing at the headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al; thence through said lands and through the lands of Matthew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain a good and sufficient outlet. The following is the nature of the work petitioned for: Reconstruct new headwall approximately 40' up stream from existing headwall, clean out open ditch far enough to obtain good and sufficient outlet for tile and make any necessary repair in main tile of ditch so that maximum efficiency will be restored. Therefore be it

Resolved, That said application to amend said petition that the said petition be modified to read as follows;

Commencing at the headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al, thence through said lands and through the lands of Matthew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain good and sufficient outlet. The following is the nature of the work petitioned for: Reconstruct new head wall approximately 40' up stream from existing headwall, clean out open ditch far enough to obtain good and sufficient outlet for tile and make any necessary repair in main tile of ditch so that maximum efficiency will be restored.

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

Mr. George W. Taylor Yes; Mr. Rodger B. Baker Yes; Mr. Glenn Daugherty Yes;

F- FINAL HEARING ADJOURNED

McGuire Gilliland County Ditch

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

That the final hearing on the McGuire Gilliland County Ditch be adjourned until

Feb. 2, 1953, at 2:00 P.M. Mr. Plymell seconded this motion and the result of the roll call was Mr. Baker Yes; Mr. Plymell Yes; Mr. Taylor Yes;
 Forrest R. Hanson, Madison County Auditor

MCGUIRE-GILLILAND DITCH

G - RESOLUTION - COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch
Petitioned for by M. L. Adams and others

Office of the Board of County Commissioners,
Madison County, Ohio
May 12, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 12 day of May, 1952, at the office of the Commissioners with the following members present:

George W. Taylor
Rodger B. Baker
Glenn R. Daugherty

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 15th day of April, 1952, 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 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 construction the same are the best and the same are hereby adopted and prescribed by said Board:

Commencing at the headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al, thence through said lands and through the lands of Matthew Andrix, crossing the Kiousville-Georgesville Road and into the lands of Leo G. Guyton far enough to obtain a good and sufficient outlet. The following is the nature of the work petitioned for: Reconstruct new headwall approximately 40' up stream from existing headwall, clean out open ditch far enough to obtain good and sufficient outlet for tile and make any necessary repair in main tile of ditch so that maximum efficiency will be restored. And be it further

Resolved, That the County Engineer be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, 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 6th day of October, 1952, 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 County Engineer; and be it further

Resolved, That further hearing on said improvement be and the same is hereby adjourned to the date above for the filing of the reports and schedules by the County Engineer. Mr. Daugherty seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. George W. Taylor	Yes
Mr. Rodger B. Baker	Yes
Mr. Glenn Daugherty	Yes

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

County Auditor's Office,
May 12, 1952.

To the County Engineer:

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

Forrest R. Hanson
County Auditor

H - SCHEDULE OF LAND OWNERS
McGuire-Gilliland Ditch 1952 Revised

Owners Names	Section	Despp.	Acres Owned	Acres Bene.	Assess.
Adams, Moses L. & Estyl E.	8423	fairfield	65.78	65.78	239.44
Ames, John	6297	"	4.28	4.00	11.84
" "	8423	"	9.75	8.00	23.68
Andrix, Matthew L. (L.E.)	6297	"	140.00	46.00	401.24
Cecil, Forrest F. & Myrtle	12127	"	145.83	25.00	95.60
Coppock, Hallie E.	8423	"	10.00	10.00	29.60
Gallagher, Emmett B. & Lucy R.	12127	"	134.90	122.90	653.89
Gilliland, Russell & Agnes	"	"	82.00	21.00	76.04
Guyton, Leo G.	6297	"	52.46	21.00	163.40
Guyton, Leo	8423	"	39.56	39.56	228.66

Guyton, Norma G.	8423	"	41.34	39.35	375.06
Dwyer, Paul M.	12127	"	220.88	70.00	254.80
"	"	"	261.00	20.00	72.80
Holland, John J.	"	"	85.38	69.00	398.82
Hume, Horace (L.E.)	"	"	42.80	25.00	91.00 Out
Igo, J. Weller	8423	"	.95	.95	3.46
Jackson, Clarence W. & Emily E.	12127	"	91.37	25.00	94.00
Jones, Ella	8423	"	36.09	36.09	240.21
"	"	"	30.23	25.00	74.00
Kellner, Martha	"	"	47.56	3.00	8.88
Sidner, Bessie (L.E.)	12127	"	210.25	100.00	364.00
Tomlinson, Elta	"	"	60.04	58.04	211.26
Warner, Anna Laura	"	"	90.23	11.00	40.04
Trustees, Fairfield Madison County					50.00
			831.67	4080.72	

I - RESOLUTION - ORDER FIXING TIME OF FINAL HEARING ON ENGINEER'S REPORTS, ON ESTIMATED ASSESSMENTS, ON THE PROCEEDINGS FOR THE IMPROVEMENT AND ON CLAIMS FOR COMPENSATION AND DAMAGES

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

Office of the Board of County
Commissioners,
Madison County, Ohio
December 15, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 15th day of December, 1952 at the office of Commissioners with the following members present:

George W. Taylor
Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution:

Whereas, This 15th day of December, 1952, the County Auditor has given notice to said Board of the filing with him by the County Engineer of the maps, profiles, schedules, and reports in the above named improvement, in accordance with its order of the 6th day of October, 1952; therefore, be it

Resolved, That the 12th day of January, 1953, at 10:00 A.M., be and the same is hereby fixed as the time for the final hearing on said reports and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation or damages, which 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. Taylor seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. George W. Taylor	Yes
Mr. Rodger B. Baker	Yes

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

J - APPLICATION TO AMEND

London, Ohio May 12, 1952

In the Matter of the Single County Ditch Petitioned for by Proceedings for repair of Headwall and cleanout of open ditch.

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:

Commencing at the headwall of the McGuire-Gilliland County Ditch on the lands of Emmett B. Gallagher et al., thence through said lands and through the lands of Mathew Andrix, crossing the Kiousville Georgesville Road and into the lands of Leo G. Guyton far enough to obtain good and sufficient outlet.

The following is the nature of the work petitioned for: Reconstruction new head wall approximately 40' up stream from existing headwall, clean out open ditch far enough to obtain good and sufficient outlet for tile and make any necessary repair in main tile of ditch so that maximum efficiency will be restored.

Respectfully submitted,
M. L. Adams

K - RESOLUTION - COMMISSIONERS' FINDING AND ORDER AS TO COMPENSATION AND DAMAGES

In the Matter of the Single County Ditch
Petitioned for by Moses L. Adams and others

Office of the Board of County
Commissioners,
Madison County, Ohio
January 12, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 12th day of January, 1953, at the office of the commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Plymell moved the adoption of the following Resolution:

MCGUIRE-GILLILAND DITCH

WHEREAS, This being the day set for the final hearing on the reports and schedules of the County Engineer, on the estimated assessments, on the proceedings for the improvement and on applications filed for change of route and change in the nature, kind and extent of the work proposed to be done and on claims for compensation or damages, and the persons hereinafter named having filed written claims for compensation and damages by reason of the above named proposed improvement; and

WHEREAS, Said Board has considered said written applications for compensation and damages, and heard all competent evidence offered by any of the interested parties upon any claim filed for compensation or damages; therefore be it

RESOLVED, By the Board of County Commissioners that upon consideration of all the evidence, and a view of the premises, said Board hereby finds and determines the amount of damages to which any owner is entitled, and the fair value of any land or any interest in real property taken for said improvement, to be as follows:

Emmett B. Gallagher	None	None	None
M.L. Adams	None	None	None

Providing arrangements are made to take care of Ditch during time of year that will not necessitate damages. (Contractor or Engineer to arrange) and be it further

RESOLVED, That the County Auditor be and he is hereby authorized to issue warrant upon the treasury of the County, payable from the general ditch improvement fund, to each of such claimants for the amounts so allowed, which amounts, so determined, shall be paid before any work on the proposed improvement is done.

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

Mr. Rodger B. Baker	Yes
Mr. Rodney Plymell	

L- CLAIM FOR DAMAGES

In the Matter of the Single County Ditch
 Petitioned for by Paul E. Andrix, M.L. Adams and Emmett Gallagher January 5, 1953

To the Board of County Commissioners of Madison County:

The undersigned, the owners of the following described lands, Survey No. 12127 in the name of Emmett B. & Lucy Gallagher affected by the above named improvement petitioned for by M.L. Adams et al and others, represents that if said improvement be established upon the route decided upon by your Board, they will sustain damage to the lands owned by them in the sum of three hundred and fifty dollars (\$350.00) for the following reasons: Damage to two fences which would have to be removed and rebuilt. One-half interest in two fields of wheat, one nineteen acre field and one 14 acre field, through which said ditch passes.

They, therefore ask that they be allowed said sum of \$350.00 as damages that will accrue to them from the construction of said improvement.

Emmett B. Gallagher
 Lucy Gallagher

M - CLAIM FOR DAMAGES

In the Matter of the Single County Ditch
 Petitioned for by M.L. Adams and others Madison County, Ohio
 January 9, 1953

The undersigned, the tenant of the following described lands, the farm owned by Emmett B. and Lucy Gallagher claims damages if the wheat is destroyed during the excavation of the ditch affected by the above named improvement petitioned for by M.L. Adams and others, represents that, if said improvement be established upon the route decided upon by your Board, he will sustain damage to the lands rented by him in the sum of one hundred and fifty dollars (\$150.00) for the following reasons: If wheat is destroyed by the excavation of the ditch he, therefore, asks that he be allowed said sum of \$150.00 as damages that will accrue to him from the construction of said improvement.

M. L. Adams

N - SCHEDULE OF LAND OWNERS

Owners Name	Section	Acres Owned	Acres Bene.	Estd. Amount of Assess.	Twp.
Adams, Moses L. & Estyl E.	8423	65.78	65.78	264.44	Fairfield
Andrix, Matthew R. (Life Estate)	6297	140.00	31.00	326.84	"
Dwyern Paul M.	12127	220.88	70.00	286.00	"
" "	"	261.00	20.00	90.40	"
Gallagher, Emmett B. & Lucy R.	"	134.90	134.90	833.66	"
Gilliland, Russell & Agnes M.	"	82.00	11.00	44.22	"
Guyton, Leo G.	6297	52.46	21.00	171.80	
" "	8423	39.56	39.56	244.49	"
" Norma G.	"	41.35	41.35	403.16	"
Holland, John J.	12127	85.38	75.00	463.50	
Igo, J. Weller	8423	.95	.95	5.87	"

Jackson, Clarence W. & Emily E.	12127	Fairfield	91.37	25.00	100.50
Jones, Ella	8423	"	36.09	36.09	273.92
Sidner, Bessie E. (Life Est.)	12127	"	210.25	100.00	402.00
Tomlinson, Elta	"	"	60.04	60.04	239.48
Warner, Anna Laura	"	"	90.23	11.00	44.22
Hume Horace (Life Estate)	"	"	42.80	25.00	100.50
Madison County					50.00
	Totals		767.67	4335.00	

O - RESOLUTION - COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS

In the Matter of the Single County Ditch
Petitioned for by M.L. Adams and others

Office of the Board of County Commissioners
Madison County, Ohio
February 2, 1953

The Board of County Commissioners of Madison County, Ohio met in regular session on the 2nd day of February, 1953 at the office of Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Taylor moved the adoption of the following Resolution:

WHEREAS, this being the day fixed by said Board in its order dated the 15th day of December, 1952, for the final hearing on the Reports and Schedules of the County Engineer on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and an application, filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

WHEREAS, Said Board finds that due and legal notice of this final hearing has been given as required by law; and

WHEREAS, Said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the County Engineer; therefore, be it RESOLVED, That said Board review and reconsider its former order made and dated the 15th day of December, 1952, in favor of said improvement; and be it further RESOLVED, That said Board hereby approve the maps, profiles, schedules and reports prepared by the County Engineer, as amended in its order dated the 15th day of December, 1952, in favor of said improvement; and be it further

RESOLVED, That said Board hereby approve the maps, profiles, schedules and reports prepared by the County Engineer, as amended in its order dated the 15th day of December, 1953; 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 construction the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.; therefore, be it

RESOLVED, That said former order finding in favor of said improvement made at the first hearing on the 15th day of December, 1952, be and the same is hereby affirmed; and

WHEREAS, Objections to the proposed assessment having been filed by none.

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

Cecil, Forrest F, et al	25 Acres		\$95.60
from	15 Acres	54.60	
Gallagher, Emmett B. & Lucy	122.90 "		633.89
from	122.90 "	710.36	
Gilliland, Russell & Agnes	21.00 "		76.04
from	11.00 "	40.04	
Guyton, Norma G.	39.35 "		275.06
from	39.35 "	375.06	
Hume, Horace (Life Est)	No assessment	91.00	
from	25.00 "	91.00	
Fairfield School Board	6.00 "		50.00
Madison County	6.00 "	29.53	50.00 O.K.

and be it further

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

Resolved That \$100.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, and the following sums found to benefit the following political subdivisions of the State be and the same are hereby assessed against the following political subdivisions, respectively:

Fairfield School Board	\$50.00
Madison County	\$50.00

and be it further

Resolved, That five years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement; and that notes of said County shall be issued and sold in anticipation of the collection of said assessments bearing the rate of 4% per annum, payable semi-annually and be it further

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RESOLVED, That 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 2nd day of March, 1953, at 11:00 o'clock A.M., be and the same is hereby fixed as the time for letting the contract for the construction of the proposed improvement, and that the County Engineer be and he is hereby directed to let the contracts for the construction of the proposed improvement; and be it further

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

RESOLVED, That, whereas the estimated cost of the construction and material required in said improvement does exceed one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House and advertisement shall also be made in two successive weekly issues of a newspaper printed and in general circulation in said county and be it further

RESOLVED, That said County Engineer be and he is hereby directed to attend at said time and place so advertised by him and receive all bids submitted; and be it further

RESOLVED, That authority be and the same is hereby given to said County Engineer to receive bids by public outcry, instead of sealed bids, such bids being taken separately for work and for material, and in accordance with the requirements of Sections 6481 of the General Code of Ohio.

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

Mr. Rodger B. Baker,	Yes
Mr. George W. Taylor,	yes
Mr. Rodney Plymell,	Yes

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

P- ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Single County Ditch
Petitioned for by M. L. Adams and others

County Engineer's Office,
Madison County, Ohio
March 2, 1953

To the Board of County Commissioners:

In obedience to your direction, and also in pursuance of the notice duly given as provided by law, bids for the work of construction and for furnishing materials for the above named improvement were received by me as follows:

Bidder	For What Work or Materials	Amount Bid	Check
C. O. Dewbre	Materials and Labor	2778.95	81.00

I recommend the following bids as the best:
C. O. Dewbre

Helge Ekedahl
County Engineer

Q - DITCH CONTRACT

In the Matter of the Single County Ditch
Petitioned for by M. L. Adams and others

Work and Labor and Materials

THIS CONTRACT made and entered into on this 2 day of March, 1953, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party", and C. O. Dewbre of Springfield, Ohio. Part of the Second Part, hereinafter designated as "Second Party".

WITNESSETH, THAT SAID Second Party, for and in consideration of the sum of Twenty seven hundred seventy eight and 95/100 dollars, to be paid as hereinafter specified hereby agrees to furnish unto said First Party all the necessary materials, and do all the work and labor required to construct the improvement petitioned for by M. L. Adams 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 Engineer in charge, without hindrance or delay to any other branch or class of work on said ditch, and to work in harmony with and to render such assistance to other branches of work as the connection therewith and the progress of the ditch may require. The whole shall be completed to the satisfaction and acceptance of said First Party on or before the 15th day of November, 1953

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 twenty seven hundred seventy eight and 95/100 dollars (\$2778.95), in installments from time to time, upon the certificate of acceptance of the County Engineer and as provided by law. It is mutually agreed that no extra

work or materials shall be charged for except in accordance with the provisions of Section 6490 of the General Code of Ohio.

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

Rodger B. Baker Board of County Commissioners
George W. Taylor Of Madison County First Party
Rodney Plymell

Signed in duplicate in
presence of

C. O. Dewbre

Contractors
Second Part

Forrest R. Hanson
Alice M. Sharp

R - BONDS OF DITCH CONTRACTOR

In the Matter of the Single County Ditch
Petitioned for by M.L. Adams and others

On Contract for work and labor
And Materials

KNOW ALL MEN BY THESE PRESENTS, That we, C. O. Dewbre as Principal, and as sureties, are held and firmly bound unto the State of Ohio for the benefit of Madison County, Ohio, and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of Thirty five hundred twenty one and 22/100 dollars to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated this day of , 1953

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, Whereas, the above bound C. O. Dewbre has entered into a Contract with said Board of County Commissioners, First, to furnish the materials and perform the work and labor for the construction of the ditch improvement petitioned for by M. L. Adams and others specified in said Contract; to the satisfaction and acceptance of the County Engineer, on or before the 1st day of November, 1953, for the compensation of Twentyseven hundred and seventy eight and 95/100 (\$2778.95) dollars;

Second, to save the County from any loss by delay in completing the work or furnishing the material within and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of this contract;

And Fourth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said C. O. Dewbre shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executed in Presence of Chris Hanscel, Raymond Lahy, Raymond Peters
and W.E. Norris

The above bond being good and sufficient is approved this 9th day of March,
1953.

Rodger B. Baker Board of County
George W. Taylor Commissioners
Rodney Plymell Madison County, Ohio

S - RESOLUTION - COMMISSIONERS' ORDER AWARDING CONTRACTS

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

Office of the Board of County
Commissioners,
Madison County, Ohio
March 2, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 2nd day of March, 1953, at the office of Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plyemll

Mr. Taylor moved the adoption of the following Resolution:

WHEREAS, THE COUNTY Engineer had filed with this Board his report on bids received for the work of construction and for furnishing materials in the above named improvement petitioned for by M. L. Adams et al; and the best bids, and within the County Engineer's estimate, to-wit:

Bidder	For What Work or Materials	Amount of Bid	County Engineer's Estimate
C:O. Dewbre	Materials and Labor	2778.95	3521.22

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said C. O. Dewbre 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 Section 6483 and 6488 of the General Code;

MCGUIRE-GILLILAND DITCH

and be it further

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

Resolved, That the whole of such work shall be completed and all material furnished on or before the 1st day of November, 1953, provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work.

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

Mr. Rodger B. Baker	Yes
Mr. George W. Taylor	Yes
Mr. Rodney Plymell	Yes

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

T - CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Single County Ditch
Petitioned for by M. L. Adams and others.

Office of County Engineer,
Madison County, Ohio
January 19, 1954

To C. O. Dewbre, Contractor:

This is to certify that the undersigned County Engineer has accepted percent of the work and labor furnished and completed by you under your contract for the construction of the above named improvement petitioned for by M.L. Adams and others and I, therefore, approve said work and labor for payment in the sum of \$2778.95 (Two thousand seven hundred seventy eight and 95/100 plus \$30.00 work not called for in contract, the same being the contract price for said percentage of work and labor completed and accepted.

U - MCGUIRE-GILLILAND DITCH

Publishing Notices	15.85
Contractor	2808.95
Engineering & Inspection	510.00
Abstract	4.50
Mailing Charges	2.85
	<u>\$3342.15</u>

FINAL ASSESSMENT SCHEDULE

Owner	Fairfield	Acres Owned	Acres Bene.	Constr. Schedule	Rate	Final Assmt.
Adams, Moses et al	"	65.78	65.78	239.44	.05868	196.12
Ames, John	"	4.28	4.00	11.84	.00290	9.69
	"	9.75	8.00	23.68	.00580	19.38
Andrix, Matthew L.	"	140.00	46.00	401.24	.09833	328.63
Cecil, Forrest F. et al	"	145.83	25.00	95.60	.02343	78.31
Coppock, Hallie E.	"	10.00	10.00	29.60	.00725	24.23
Gallagher, Emmett et al	"	134.90	122.90	653.89	.16024	535.55
Gilliland, Russell et al	"	82.00	21.00	76.04	.01863	62.27
Guyton, Leo G.	"	52.46	21.00	163.40	.04004	133.82
	"	39.56	39.56	228.66	.05604	187.29
Guyton, Norma G.	"	41.34	39.35	275.06	.06740	225.27
Dwyer, Paul M.	"	220.88	70.00	254.80	.06244	208.68
	"	261.00	20.00	72.80	.01784	59.62
Holland, John J.	"	85.38	69.00	398.82	.09773	326.63
Igo, J. Weller	"	.95	.95	3.46	.00085	2.84
Jackson, Clarence W.	"	91.37	25.00	94.00	.02304	77.00
Jones, Ella	"	36.09	36.09	260.21	.06377	213.13
	"	30.23	25.00	74.00	.01813	60.59
Kellner, Martha	"	47.56	3.00	8.88	.00218	7.29
Sidner, Bessie	"	210.25	100.00	364.00	.08920	298.12
Tomlinson, Elta	"	60.04	58.04	211.26	.05177	173.02
Warner, Ann Laura	"	90.23	11.00	40.04	.00981	32.79
Fairfield School	"	6.00	6.00	50.00	.01225	40.94
Madison County	"			50.00	.01225	40.94
				<u>4080.72</u>		<u>3342.15</u>

This schedule represents the total and final assessments for the improvement of the McGuire-Gilliland Ditch and the sum opposite your name is now due and payable.

Make check payable to Madison County Treasurer and mail to the County Auditor.

Should you desire to pay the assessments in semi-annual installments over a five (5) year period, please sign and return the enclosed form. For those who pay as taxes over the five year period an interest charge of 4% will be added.

IF YOU DESIRE TO PAY THE ASSESSMENT IN CASH THIS MUST BE DONE BY MARCH 19, 1954. IF NO INDICATION IS RECEIVED BY MARCH 19, 1954, THE ASSESSMENT WILL BE PUT ON AS TAXES AND COLLECTED OVER A FIVE YEAR PERIOD WITH INTEREST AT 4%.

V- CERTIFICATE OF UNPAID ASSESSMENTS
Madison County Commissioners
London, Ohio

Gentlemen:

This is to certify that in the matter of the improvement of the McGuire-Gilliland County Ditch, the following assessments remain unpaid, to-wit:

Adams, Moses et al	Fairfield	\$196.12
Ames, John	"	9.69
		19.38
Guyton, Leo G.	"	133.82
	"	187.29
Guyton, Norma G.	"	225.27
Dwyer, Paul M.	"	208.68
	"	59.62
Jones, Ella	"	213.13
		60.59
Fairfield School	"	40.94
	Total	\$1354.53

Yours very truly ,

Forrest R. Hanson
Auditor, Madison County

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

In the Matter of the Single County Ditch
Petitioned for by Moses L. Adams and other.

Office of the Board of County
Commissioners,
Madison County, Ohio
March 29, 1954

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29th day of March, 1954, at the office of the Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Taylor moved the adoption of the following Resolution:

Whereas, The Board of County Commissioners of said County Ditch improvement has heretofore, by Resolution duly passed on the 2nd day of February, 1953, affirmed its former order finding in favor of the improvement of the County Ditch petitioned for by Moses L. Adams and others; and

Whereas, It is now deemed necessary to issue and sell \$1354.53 of notes under authority of Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act," for the purpose of providing funds in anticipation of the levy of assessments according to benefits or for the issuance of bonds for the improvement of said County Ditch; and

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

Whereas, Said Board of County Commissioners has heretofore by Resolution duly passed on the 2nd day of February, 1953, determined that five years shall be the period of time in semi-annual installments, as taxes are paid, given the owners of land benefited to pay the assessment that may be made for the improvement; now, therefore, be it Resolved, By the Board of County Commissioners of Madison County, Ohio, that, in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of assessments according to benefits or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act" in the aggregate sum of Thirteen hundred fifty four and 53/100 dollars (1354.53), not exceeding an amount that portion of the estimated cost of the improvement for which the assessment is levied, to provide a fund for the payment of the cost and expense of the improvement of said County Ditch according to the terms of said Resolution above referred to; and, be it further

Resolved, That said notes shall be dated the 1st day of April, 1954, and shall be in the denomination of thirteen hundred fifty four and 53/100 dollars (1354.53) and shall be numbered 6

Said notes shall bear interest at the rate of four per centum per annum until paid, and the interest on said notes shall be payable on the 1st day of October and the 1st day of April, 1955, 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 as they respectively mature. Said notes shall be redeemable at any interest period.

Said notes shall be due and payable as follows:

No.	6	Date	April 1, 1954	Amount	\$1354.53
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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 Law of the State of Ohio, particularly Section 2293.24 of the General Code and "The Uniform Bonds Act," and shall be full general obligations of said 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

McGUIRE-GILLILAND DITCH

Shall have the facsimile signature of said County Auditor printed or lithographed thereon; and, be it further

RESOLVED, That said notes shall be paid from 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 the other taxes a direct tax annually during the years while such notes run, not less than that which would have been levied if bonds had been issued without the prior issue of such notes.

Said tax shall be, and is hereby ordered computed, certified, levied and extended upon the tax duplicate, and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, levied, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and principal of said notes, when and as the same fall due.

It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said notes in order to make the same legal, valid and binding obligations of said County have been done, have happened and have been performed in regular and due form as required by law and that the tax for payment of the principal and interest as the same falls due and is payable does not exceed any limitations of taxation of said County, and that the amount of this note issue does not exceed any limitation of indebtedness as fixed by law.

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

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

Mr. Rodger B. Baker	Yes
Mr. George W. Taylor	Yes
Mr. Rodney Plymell	Yes

Dated this 29th day of March, 1954

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

