

The Millikin Ditch Improvement.

DITCH PETITION.

London, Ohio, Aug. 23rd, A.D. 1910, Petition for Location, Construction and Tiling of a Ditch.

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

The undersigned owners of lots and land which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and now and hereby pray for the location, construction and tiling of a ditch on the route hereinafter set forth.

The necessity for and the benefits of the improvement so prayed for is that it will drain and reclaim the lands along the line thereof and adjacent thereto, and will promote the public health, convenience and welfare.

The following is the beginning, route and termini of said proposed improvement, to-wit; Commencing at a point in a 10 inch tile ditch about 100 feet West of the East Pike on the lands of Henry Wright; thence in an Easterly direction through the lands of said Wright (crossing said pike) into and through the lands of James Millikin about 115 rods or far enough to secure a good and sufficient outlet to the lands draining thereinto, and all being located in Canaan Tp., Madison Co., Ohio.

FILED
AUG. 22, 1910,
J. J. SHAFFER
Auditor.

The Names of all Persons and Corporations, either public or private, who in the opinion of the petitioners are in any way affected or benefited thereby are as follows;

- W. J. Chandler
D. J. Cutler
J. B. Cutler
Eva Loveless
J. L. Peterman
James Millikin
Henry Wright
Madison County.

James Millikin) Petitioners.

PETITIONER'S BOND.

KNOW ALL MEN BY THESE PRESENTS, That James Millikin as principal, and and..... as sureties, are held and firmly bound unto the State of Ohio in the penal sum of Two hundred Dollars, good and lawful money, for which we bind ourselves, and our heirs, executors and administrators.

Signed by us and dated this 23 day of August, A.D. 1910.

The condition of the above obligation is such, nevertheless, that, whereas, on the 23 day of August, 1910, the above bounden James Millikin made application to the Commissioners of Madison County, and on said day filed with the Auditor of said County his petition for the location, construction and tiling of a ditch in pursuance of the statute in such case made and provided, on the following route and termini, to-wit; Commencing at a point in a 10 inch tile ditch about 100 feet West of the East Pike on the lands of Henry Wright; thence in an Easterly direction through the lands of said Wright (crossing said pike) into and through the lands of James Millikin about 115 rods or far enough to secure a good and sufficient outlet to the lands draining thereinto; and all being located in Canaan Tp., Madison Co., Ohio.

FILED
AUG. 22, 1910,
J. J. SHAFFER,
Auditor.

Now if the above bounden James Minshall shall pay all costs, if the prayer of said petition be not granted, or if for any other cause the same shall be dismissed, then this

The Millikin Ditch Improvement.

obligation shall be void.

The above bond and the sureties thereon, are approved by me this 23 day of August, 1910.

J. J. Shaffer,
County Auditor.

James Millikin
W. E. Loveless
Columbus Huddle

NOTICE TO COMMISSIONERS

OF PETITION FILED AND TIME FOR HEARING.

Office of Auditor of Madison County, O., Aug. 23rd, A.D.1910.

To the Honorable Board of Commissioners of said County;

GENTLEMEN; You are hereby notified that a petition and bond for a ditch improvement has been filed in this office on the 23 day of August, 1910, a copy of which petition is attached below; and as required by law I have fixed the 20th day of Sept. 1910, at 10 o'clock A.M., at the beginning of said proposed ditch described in said petition, for your hearing of said matter.

J. J. SHAFFER, Auditor.

.....##.....

COPY OF DITCH PETITION.

London, Ohio, Aug. 23rd, A.D.1910, Petition for location, construction and tiling of a Ditch.

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

The undersigned owners of lots and lands which will be drained or benefited by the improvement herein prayed for, hereby make application to your honorable body, and now file with the Auditor of said County, this, their petition, and now and hereby pray for the location, construction and tiling of a ditch on the route hereinafter set forth.

The necessity for and the benefits of the improvement so prayed for is that it will drain and reclaim the lands along the line thereof and adjacent thereto, and will promote the public health, convenience and welfare.

The following is the beginning, route and termini of said proposed improvement, to-wit; Commencing at a point in a 10 inch tile ditch about 100 feet west of the East pike on the lands of Henry Wright; thence in an easterly direction through the lands of said Wright (crossing said pike) into and through the lands of James Millikin about 115 rods or far enough to secure a good and sufficient outlet to the lands draining thereinto, and all being located in Canaan township, Madison county, Ohio.

The Names of all Persons and Corporations, either public or private, who in the opinion of the petitioners are in any way affected or benefited thereby are as follows;

W. J. Chandler	D. J. Cutler
J. B. Cutler	Eva Loveless
J. L. Peterman	James Millikin
Henry Wright	Madison County

James Millikin) Petitioners.

I Hereby Certify the foregoing to be a true copy of a Ditch Petition filed in my office on the 23rd day of August, A.D.1910.

J. J. SHAFFER, County Auditor.

The Millikin Ditch Improvement.

See Commissioners' Journal entry of August 22, 1910, Volume 11, Page 200.

Auditor's Office, Madison County, Ohio.

August 24th, A.D. 1910.

In the matter of Ditch Improvement No..)

Petitioned for by Jas. Millikin) Notice to Lot or Land Owners.

To the Lot or Land Owners and to the Corporations, either Public or Private, affected by said Improvement;

You, and each of you, are hereby notified that on the 23rd day of August, 1910, Jas. Millikin filed a petition with the Auditor of Madison County, the prayer of which is for the location, construction and tiling of a Ditch on the following starting point, route and terminus, to-wit; Commencing at a point in a 10 inch tile ditch about 100 feet west of the East pike on the land of Henry Wright; thence in an easterly direction through the lands of said Wright (crossing said pike) into and through the lands of Jas. Millikin about 115 rods or far enough to secure a good and sufficient outlet to lands draining thereinto, and all being located in Canaan Township, Madison County, Ohio.

You are also notified that the following time and place have been fixed when and where the Commissioners of said County will meet for the hearing of said petition, to-wit; Tuesday, Sept. 20th, 1910, at 10 o'clock A.M., at the beginning of said proposed ditch improvement for the purpose of hearing any and all proof offered by any of the parties affected by said ditch improvement, whether the said ditch will be conducive to the public health, convenience and welfare; and whether the route described is the best route, and any and all objections to said proposed ditch improvement.

Any application for compensation or damage, or for any change of route, must be in writing and filed with the Commissioners on or before the day set for hearing.

No further notice of any proceedings in this matter will be given.

J. J. Shaffer, Auditor of Madison County.

Auditor's Office, Madison County, Ohio,

Aug. 30th, A.D. 1910.

THE STATE OF OHIO,)

Madison County, ss.)

PROOF OF PERSONAL NOTICE.

On this 30th day of August, 1910, personally came James Millikin, Jr., who being duly sworn according to law, deposes and says that on the days hereinafter named, he served the annexed notice on the persons hereinafter named, by delivering to each person opposite whose name appears "D" a true copy of the annexed notice; and on those opposite whose name appears R. by leaving the same at their usual place of residence.

NAME OF PERSON SERVED.	How Served D. or R.	WHEN SERVED.
W. J. Chandler	D	Aug. 29, 1910.
J. B. Cutler	"	" " "
J. L. Peterman	"	" " "
Henry Wright	R	" " "
D. J. Cutler	D	" " "
Jas. Millikin	"	" " "
Frank Chandler	"	" " "
Dennis Hunter	"	" " "

and further this deponent saith not.

James Millikin, Jr.

The Millikin Ditch Improvement.

See Commissioners' Journal entry of September 20, 1910, Volume 11, Page 229.

See Commissioners' Journal entry of October 10, 1910, Volume 11, Page 245.

Auditor's Office, Madison County, Ohio.
 FILED NOV. 16 1910. Nov. 15th, A.D. 1910.
 J. J. SHAFFER, Auditor.

In the matter of Ditch Improvement No..) Report and Schedules of Engineer.
 Petitioned for by Jas. Millikin .)

To the Honorable, the Board of Commissioners of Madison County, Ohio;
 the direction of
 The undersigned Engineer, in obedience to your Honorable Body, made on the 10 day of Oct. 1910, has proceeded in the above matter, and has made a level and survey of the line of said proposed ditch improvement, and set a stake at every hundred feet numbering down stream; and I have made a note of the intersections of lines and boundaries of lands, township and county lines, land marks, bench marks, and road and railroad crossings; and I herewith make report of the same, with profile, and plat and an estimate of the number of the cubic yards of earth or other substance to be removed, and the cost per cubic yard for each working section on said report indicated and of each section of one hundred feet.

I have also made, and return herewith, a schedule of all the lots and lands, and public and corporate roads and railroads, together with the name of the owners of such railroad companies, and the names of the lessees operating the same, that will be benefited by said improvement; and an apportionment of the cost of location and construction, in money, to each lot and tract of land, road and railroad, according to the benefits which will result to each from the said improvement; and in apportioning the costs of such improvement the benefits to any lots or lands by diking the same in whole or in part, have been by me considered with other benefits; and a specification of the manner in which the improvement shall be made and completed; the number of flood gates, water-ways, farm crossings and bridges, including kinds and dimensions thereof; and such other matters as the undersigned deems important. The said survey, level reports and schedules are herewith attached and made a part hereof.

The following is an itemized cost bill, made by me, in the proper discharge of my duty, under your order.

J. H. Asher,	Engineer,	2 days, at \$5.00 per day,	\$10.00
A. T. O'Neill,	Rodman,	1 " " \$2.00 " "	\$ 2.00
W.R. Rainey,	Draughtsman	2 " " \$4.00 " "	\$ 8.00
Other Expenses;			
Wm. Baber,			
Horse and Buggy,			\$ 1.50
Cash expense paid by J. H. Asher,			<u>.70</u>
	Total,		\$22.20

The foregoing Cost Bill allowed by us.....19....
) H. L. McCafferty, Engineer.
) County Commissioners.
)

The Millikin Ditch Improvement.

REPORT OF ENGINEER.

SLOPE...

SCHEDULE "A".

Stake every 10 feet marked from stream.	Surface Elevation.	Grade Elevation	Total fall from station 0.	Entire Depth.	Cut	Course & Distance	Remarks
B	100.00						S. East corner of sewer-head East side of Pike
0	96.34	93.02		3.32	3.32	From 0 to 500	
+83	99.79	91.86	1.16	7.93	7.93	N. 89 1/4 E. = 500 1/2	= Center of pike and line between Henry Wright and James Millikin
1	95.12	91.62	1.40	3.50	3.50		Distance on Wright's land 82 1/2 feet.
2	93.28	90.22	2.80	3.06	3.06		
3	92.23	88.82	4.20	3.41	3.41		
4	91.34	87.82	5.20	3.52	3.52		
5	90.28	86.82	6.20	3.46	3.46		
6	89.95	85.82	7.20	4.13	4.13		
7	89.07	84.82	8.20	4.25	4.25		
8	87.49	83.82	9.20	3.67	3.67		
9	86.93	82.82	10.20	4.11	4.11		Distance on
10	85.64	81.82	11.20	3.82	3.82		(Millikin's land, 1562 1/2 feet.)
+25	85.90	81.57	11.45	3.33	3.33	500 To 1025	
11	84.67	80.82	12.20	3.85	3.85	N. 76 1/4 E. = 525'	
12	83.50	79.82	13.20	3.78	3.78		
13	83.00	78.82	14.20	4.18	4.18		
14	80.87	77.82	15.20	3.05	3.05	1025 to 1400.	
15	79.93	76.82	16.20	3.11	3.11	N. 77 E. = 375'	
16	78.49	75.82	17.20	2.67	2.67	1400 To 1645	
+45	78.16	75.37	17.65	2.79	2.79	N. 77 1/2 E. = 245'	
B	80.48						Walnut stump Rt.

Report of Engineer.

Schedule A A.

Statement of Working Sections of the James Millikin Ditch.

No. of Working Sections	No. of Stakes From	To	No. of Lines Feet	Rods	Price per Rod	Amount	Remarks
1	16+45	0.	1645	99.70			
	99.70	Rods	12 inch	Tile	\$1.70	\$169.49	
	99.70	"	Construction		1.15	114.65	Average Depth 3 inches
						284.14	" Cut 3 " 9"
	6 Ys				1.15	6.90	
				Total,		291.04	

List of Ys.

1	12" X 8"	Bet stations	1 & 2
1	12" X 5"	At	" 3+15
1	12" X 5"	"	" 3+40
1	12" X 5"	"	" 6
1	12" X 5"	"	" 9+35
1	12" X 5"	"	" 14

The Millikin Ditch Improvement.

Report of Engineer.

Schedule "C".

Auditor's Office, Madison County, Ohio.

Nov. 16th, A.D. 1910.

In the matter of Ditch Improvement)

No...Petitioned for by James Millikin.) Specifications of the Manner of Construction.

This improvement shall be made a tile ditch from station 0, its beginning, to station 16+45, its terminus. Twelve inch tile shall be used throughout its entire length. The trench for receiving the tile shall be cut down to the grade line as shown on the profile, filed herewith and to the depths as indicated in Schedule "A" of this report. The tile shall be evenly laid and closely jointed so as to prevent sediment from entering the tile. The tile must not be covered until after they have been inspected by the engineer in charge of the work. (After inspection, there shall be placed on the tile sufficient dirt to protect them from injury by freezing, by being tramped by stock or by farming over them. The contractor for constructing the ditch shall put in place all Ys and connect all laterals old or new without extra compensation, except where any lateral needs taking up and cleaning, or relaying for more than one rod from the main ditch, then in such instances he shall be allowed a reasonable compensation for said work, to be determined by the engineer.

All tile shall be of first quality of drain tile and be delivered on the line of the ditch, each size in its proper place. Also all Ys for connections shall be delivered in their proper places. Any expense caused the contractor for construction by failure to deliver, or by improper delivery, will be charged against the tile contract and deducted therefrom at time of settlement. A clear right of way of 30 feet on each side of ditch is reserved for the delivery of tile and construction of ditch.

After final inspection, if found satisfactory, the trench shall be filled full and all dirt removed shall be replaced.

THE Millikin Ditch Improvement.

REPORT OF ENGINEER.

SCHEDULE "B".

Owner's Name As Found On Duplicate.	Survey	Acres Owned.	Acres Ampted.	Estimated Cost of Construction	Estimated Cost of Location	Total Cost Apportioned
Henry Wright	2681	127.09	15	20.00	1.52	16.52
Eva Stevens	2681	118.56	10	15.00	1.15	16.15
James Millikin	2681	145.00	20	204.04	15.57	219.61
Jacob L. Peterman	2681	2.75	--			
"	"	7.90	5	3.00	.23	3.23
"	"	5.70	--			
David J. Cutler	2681	37.00	35	15.00	1.15	16.15
"	12126	81.50	--			
James B. Cutler	2681	30.65	20	10.00	.76	10.76
"	"	5.70	--			
W. J. Chandler	12126	66.00	18	9.00	.69	9.69
Madison County				15.00	1.13	16.13

The within report approved as amended this 16th day of November, 1910.

J. W. Bowers, Pres. (Commissioners
E. C. Breyfogle (of
J. F. Mattin (Madison County.

Sale Dec. 2nd, 1910, at 10 o'clock.

In addition to the above estimate and to the apportionment submitted herein, there shall be added the interest on bonds if any are issued, and \$25.00 or such part thereof as will be necessary for cost of superintending the construction.

H. L. McCafferty,
Co. Surveyor.

London, Ohio, Nov. 16, 1910.

To the County Auditor, Madison County, Ohio.

We hereby make application to pay our assessments on the Millikin Ditch in cash.

Henry Wright
David J. Cutler
Wm. J. Chandler
J. L. Peterman
J. B. Cutler, Per W.J.C.
Eva Loveless

See Commissioners' Journal entry of November 16, 1910, Volume 11, Page 274.

The Millikin Ditch Improvement.

DITCH SALE

...NOTICE TO CONTRACTORS...

The undersigned County Surveyor will sell at public outcry to the lowest and best bidder on Friday, December 2, 1910, at 10 o'clock a.m., standard time, at the County Surveyor's office in the basement of the court house, at London, the labor of constructing and furnishing all necessary materials for The Millikin Ditch Improvement, located in Canaan township, Madison County, Ohio. Said ditch will be sold as follows;

MAIN DITCH TILE.

Section 1. From Station 64+45 to Station 0.		
99.70 rods 12-inch tile, at \$1.70		\$169.49
99.70 rods construction, at \$1.15		<u>114.65</u>
Total,		\$284.14

ESTIMATE FOR Ys.

1	12x8 inch Y)	at \$1.15	\$6.90
5	12x5 inch Ys)		
Total estimate			<u>\$291.04</u>

Bidders are required to deposit \$25, cash or certified check, before any bid will be considered. Contract and bond must be entered into within five days from date of sale. Persons desiring to view the ditch should do so prior to time of sale. Specifications now on file in the Auditor's office at London, Ohio. The right to reject any or all bids is reserved.

By order County Commissioners of Madison County, Ohio.

J. J. SHAFFER, Auditor.

H. L. McCafferty, County Surveyor.

PLEASE POST.

Auditor's Office, Madison County, Ohio.

In the matter of County Ditch Improvement)

Dec. 2nd, A.D. 1910.

No...Petitioned for by James Millikin.) Report of Sale of the Labor of Construction.
To the Honorable Commissioners of Madison County, Ohio;

Gentlemen; In obedience to your direction and also in pursuance of the notice, duly given by the Auditor of the sale of the work of constructing the above styled improvement, at the time and place therein specified, I offered the said several working sections for sale to the lowest responsible bidder at public out-cry and sold the same to the persons hereinafter named, at the prices herein stated, and took their contracts and bonds respectively conditioned according to law, and return the same herewith for your approval.

No. of Working Sections.	TO WHOM SOLD.	Amount for which it sold.	Amount for which it was estimated.	WHEN TO BE COMPLETED.
1	Tile Madison Tile Co.	\$171.41	\$176.39	Delivery to begin at once and to be completed Jany. 31st, 1911.
1	Construction. Leonard Morgan.	114.65	114.65	March 1st, 1911.

Respectfully submitted,

H. L. McCafferty,

County Surveyor.

The Millikin Ditch Improvement.

CONTRACT FOR DRAIN TILE.

Auditor's Office, Madison County, Ohio.

Dec. 2ⁿ, A.D. 1910.

In the matter of Ditch Improvement No..)

Petitioned for by James Millikin .)

CONTRACT FOR DRAIN TILE.

WHEREAS, The above styled improvement has been duly ordered, and advertised for sale according to law, and the construction of Working Section No. 1 of 1645 feet sold by the County Surveyor, on the 2ⁿ day of Dec. 1910, to the undersigned, for the sum of One hundred and seventy one and 41/100 Dollars.

Now, in consideration of the premises, it is agreed by me, to and with whomsoever may be interested therein, that I will furnish 99-70/100 rods of 12 inch Drain Tile from Station 16+45 to Station 0; and 1;- 12" X 8" Y also 5-12" X 6" Ys, delivered on line of above styled improvement in lots as needed rods, delivery to begin at once and to be completed on or before the 31st day of January, 1911; provided this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

H. L. McCafferty,

County Surveyor.

Contractor.

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CONTRACTOR'S BOND FOR DRAIN TILE.

Auditor's Office, Madison County, Ohio.

Dec. 2ⁿ, A.D. 1910.

In the matter of Ditch Improvement No..)

Petitioned for by James Millikin.)

Know all Men by these Presents, That Madison Tile Co., as principal, and and as sureties, are firmly held and bound unto the STATE OF OHIO, in the penal sum of Three hundred and forty two and 82/100 Dollars, good and lawful money.

Signed and dated this 2nd day of Dec. 1910.

The Condition of the Above Obligation is such, however, that whereas, the above bounden principal contractor has bid off the furnishing and delivering the Drain Tile for constructing Working Section No. 1, has duly entered into the annexed contract, subject to the condition that the same shall be approved by the Commissioners of said County.

Now, if the said Madison Tile Co. shall well and truly perform all the obligations of his said contract and complete the same within the time fixed by said contract and pay all damage which may occur by reason of a failure to complete the same within the time agreed upon in said contract, then this obligation shall be void, otherwise to be in full force and effect in alaw.

Madison Tile Co.

J. W. Van Cleve

Leonard Morgan.

This Contract and Bond, and Sureties on said Bond approved this 5 day of Dec. 1910.

H. L. McCafferty,

County Surveyor.

J. W. Bowers,

President of Board of Com'rs.

The Millikin Ditch Improvement.

Auditor's Office, Madison County, Ohio.

In the matter of County Ditch Improvement)

Dec. 2nd, A.D. 1910.

No...Petitioned for by James Millikin.)

Contract for Labor of Construction.

WHEREAS, The above styled improvement has been duly ordered, and advertised for sale according to law, and the construction of Working Section No. 1 of 1645 feet was sold by the County Surveyor, on the 2nd day of Dec. 1910, to the undersigned, for One hundred and fourteen and 65/100 Dollars, pursuant to said order and notice. Now, in consideration of the premises, it is agreed by me, to and with whomsoever may be interested therein, that I will do and perform all the labor of constructing said improvement in accordance with the specifications for constructing the same, as shown in the record of the proceedings thereof, the same to be completed on or before the 1st day of March, 1911; Provided, however, this contract shall be of no force and effect until approved by the Board of Commissioners of Madison County, Ohio.

H. L. McCafferty,
County Surveyor.

his
Leonard X Morgan
mark.
Contractor.

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Auditor's Office, Madison County, Ohio.

In the matter of County Ditch Improvement)

Dec. 2nd, 1910.

No.. Petitioned for by James Millikin .)

Contractor's Bond.

Know all Men by these Presents, That Leonard Morgan as principal , and and as sureties, are firmly held and bound unto the STATE OF OHIO, in the penal sum of Two hundred and twenty nine and 30/100 Dollars, good and lawful money.

Signed and dated this 2nd day of Dec. 1910.

The Condition of the Above Obligation is such, however, that whereas, the above bounden principal contractor has bid off the labor of constructing Working Section No. 1, has duly entered into the annexed account, subject to the condition that the same shall be approved by the Commissioners of said Madison County, and has agreed to fully do and perform all labor of constructing said improvement in accordance with the plans and specifications of said improvement, as shown on the record of said proceedings, on or before the 1st day of March, 1911.

Now, if the said Leonard Morgan shall well and truly perform all the obligations of his said contract and complete the same within the time fixed by said contract and pay all damages which may accrue by reason of a failure to complete the same within the time agreed upon in said contract, and pay for all labor and material and for all debts incurred in the performance of this contract, then this obligation shall be void, otherwise to be in full force and effect in law.

his
Leonard X Morgan
mark.
J. W. Van Cleve

Madison Tile Co. By J.W. Van Cleve,
Pres.

This Contract and Bond, and Sureties on said Bond approved this 5th day of Dec. 1910.

H. L. McCafferty,
County Surveyor.

J. W. Bowers,
President of Board of Com'rs.

See Commissioners' Journal entry of December 12, 1910, Volume 11, Page 288.