

A SINGLE COUNTY DITCH PETITION

Petition to relocate Prose Ditch, extension of Monroe Bidwell Ditch headwall, repairs to existing Bidwell Ditch tile.

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

The undersigned hereby petition your honorable body to relocate Prose Ditch, extension of Monroe Bidwell Ditch headwall, repairs to existing Bidwell Ditch tile 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 on the lands of Celesta Olney at a point on the Prose Ditch; disconnect from old tile and continue with new tile in a general southerly and westerly direction to existing headwall on the Monroe Bidwell Ditch, and continuing with old open ditch far enough to secure good and sufficient outlet.

The following is the nature of the work petitioned for: Construct new 15" tile ditch to lateral entering from North, continuing with new 18" tile to existing headwall on Monroe Bidwell Ditch which is to be extended on North end to receive new tile. Clean out part 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:

Celesta Olney, Rt. 1, West Jefferson, Ohio
 Oleh Braithwaite, Rt. 1 King Ave., West Jefferson, Ohio
 Dale D. Rapp et al, 17 S. High St., Columbus, Ohio
 Mary Egelhoff, West Jefferson, Ohio
 James H. Hutson, Rt. 1, West Jefferson, Ohio
 Elizabeth Lash, 1005 Northwest Blvd., Columbus, Ohio
 John Warrington, Opekasit Farm Inc., Rentschler Bldg., Hamilton, Ohio
 R. H. & Ruth Rotruck, Rt. 3, London, Ohio
 William Evans Elliott, West Jefferson, Ohio
 Wilbur Grewell, R. F. D. West Jefferson, Ohio
 Pauline M. Streater, Plain City, Ohio
 Martel Roberts, Rt. 1, West Jefferson, Ohio
 Mamie Bradley, West Jefferson, Ohio
 Elzie O. Reams, West Jefferson, Ohio
 State of Ohio

Service of notice of the filing of the Petition shall be obtained by mailing notices and publication as provided in Sec. 6131.07 R. C.

Evans Elliott
 Oleh Braithwaite Petitioners
 Elwood Rapp

B BOND
(To Be Filed With Ditch Petition)

Know All Men By These Presents, That we, Evans Elliott, as principal, and Oleh Braithwaite and Elwood Rapp as sureties are and firmly bound unto the State of Ohio, in the sum of Two hundred and no/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 at London, Ohio, this 24th day of July, 1958

The Condition of the Above Obligation is Such, That, Whereas, on the 25th day of July, 1958, the above bound Evans Elliott, Oleh Braithwaite and Elwood Rapp filed their petition with the clerk of the County Commissioners of Madison County, Ohio, making application to the County Commissioners to construct new 15 " tile ditch to lateral entering from North, continuing with new 18 " tile to existing headwall on Monroe Bidwell Ditch which is to be extended on North end to receive new tile. Clean out part of open ditch, petitioned for by Evans Elliott and others, the following being the course and termini of said proposed improvement, to-wit:
 Commencing on the lands of Celesta Olney at a point on the Prose Ditch; disconnect from old tile and continue with new tile in a general southerly and westerly direction to existing headwall on the Monroe Bidwell Ditch, and continuing with old open ditch far enough to secure good and sufficient outlet.

Now, if the said Evans Elliott will pay the cost of notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles and schedules, if the prayer of the 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.

Evans Elliott
 Oleh Braithwaite
 Elwood Rapp

The above bond is approved this 28th day of July, 1958, Forrest R. Hanson, Auditor

PROSE & MONROE BIDWELL SINGLE COUNTY DITCH

C RESOLUTION ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single
County Ditch Petitioned for by
Evans Elliott and Others.

Office of County Commissioners,
Madison County, Ohio
July 28, 1958

The Board of County Commissioners of Madison County, Ohio, met in special session on the 28th day of July, 1958 at the office of the Commissioners with the following members Present:

George W. Taylor
Rodger B. Baker
Rodney Plymell

Mr. Baker moved the adoption of the following Resolution:

Whereas, This 28th day of July, 1958, the Clerk of this board gave notice to the Board of County Commissioners and the County Engineer of Madison County, Ohio, on the filing with him of a petition signed by Evans Elliott, petitioner to relocate of Prose Ditch, extension of Monroe Bidwell Ditch headwall, repairs to existing Bidwell Ditch tile; and

Whereas, It appears to said Board that the proper bond has been filed with the Clerk approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles and schedules, 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 29th day of August, 1958, 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 27th day of October, 1958, 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. Plymell 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. Rodney Plymell	Yes

Forrest R. Hanson, Clerk of the Board of Co. Comm's.
Madison County, Ohio

D CERTIFICATE OF MAILING NOTICES 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
Evans Elliott and others.

Office of County Commissioners,
Madison County, Ohio
August 11, 1958

I hereby certify that on the 11th day of August, 1958, I prepared and mailed, in a five day return envelope addressed to affected persons the following notice:

In the Matter of the Single
County Ditch Petitioned for
by Evans Elliott and others

Office of County Commissioners,
Madison County, Ohio
August 11, 1958

To the Owners of Land Affected by the Proposed Improvement:

You and each of you, are hereby notified, that on the 25th day of July, 1958, the above named petitioner Evans Elliott and others, filed a petition to relocation of Prose Ditch, extension of Monroe Bidwell Ditch headwall, repairs to existing Bidwell Ditch tile, with the Clerk of the County Commissioners 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 on the lands of Celesta Olney at a point on the Prose Ditch; disconnect from old tile and continue with new tile in a general southerly direction to existing headwall on the Monroe Bidwell ditch and continuing with old open ditch far enough to secure good and sufficient outlet.

The following is the nature of the work petitioned for: Construct new 15" tile ditch to lateral entering from North, continuing with new 18" tile to existing headwall on Monroe Bidwell Ditch which is to be extended on North end to receive new tile. Clean out part 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 29th day of August, 1958, at 10 o'clock A. M. at the upper terminus of the improvement, as the time for the view thereon and also the 27th day of October 1958, at 10 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, Clerk of the Board Co. Comm's.
Madison County, Ohio

The persons thus notified are the following:

Celesta Olney	Rt. 1 West Jefferson, Ohio
Oleh Braithwaite	Rt. 1 West Jefferson, Ohio
Dale D. Rapp et al	17 S. High St., Columbus, Ohio
Mary Egelhoff	Rt. 1 West Jefferson, Ohio
James H. Hutson	Rt. 1 West Jefferson, Ohio
Elizabeth Lash	1005 Northwest Blvd., Columbus, Ohio
John Warrington	Opekasit Farm, Hamilton, Ohio
R. H. & Ruth Rotruck	Rt. 3 London, Ohio

William Evans Elliott	West Jefferson, Ohio
Wilbur Grewell	Rt. 1 West Jefferson, Ohio
Pauline M. Streator	Plain City, Ohio
Martel Roberts	Rt. 1 West Jefferson, Ohio
John W. King et al.	Rt. 4 London, Ohio
Mamie Bradley	West Jefferson, Ohio
Elzie O. Ream	West Jefferson, Ohio
Elza T. Hutson, Ohio	West Jefferson, Ohio

For these persons and for those whose addresses are unknown, publication has been had as prescribed by law.

Forrest R. Hanson, Clerk of the County Commissioners.

E RESOLUTION 'COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single	Office of the Board of County Commissioners,
County Ditch Petitioned for by	Madison County, Ohio
Evans Elliott and others.	October 27, 1958

The Board of County Commissioners of Madison County, Ohio, met in Special session on the 27th day of October, 1958, at the office of Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 28th day of July, 1958, 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, 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 on the lands of Celesta Olney at a point on the Prose Ditch; disconnect from old tile and continue with new tile in a general southerly and westerly direction to existing headwall on the Monroe Bidwell Ditch, and continuing with old open ditch far enough to secure good and sufficient outlet. and be it further

Resolved, That the County Auditor be authorized to transfer from the general revenue funds of the county, not otherwise appropriated, to the general drainage improvement fund the sum of One hundred fifty five and 79/100-----; 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, plans for the structures, 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; which shall include actual cost of engineering and cost of notices, publication and other incidental expenses; and set proper construction stakes, beginning at the upper terminus of the improvement, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio; and be it further

Resolved, That the 12th day of January, 1959, at ten o'clock A.M. be and the same is hereby fixed as the time for filing with the clerk of the County Commissioners 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 fixed for the filing of the reports and schedules by the County Engineer.

Mr. Plymell 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. Rodney Plymell, Yes

Forrest R. Hanson, Cl. of the Bd. Co. Comm's
Madison County, Ohio

Office of the Board of County Commissioners,
October 27, 1958

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
Clerk of the County Commissioners

F

REPORT OF COUNTY ENGINEER

In the Matter of the
Single County Ditch
Petitioned for by Evans Elliott et al

County Engineer's Office
Madison County, Ohio
Jan. 5, 1959

Proceedings to relocation of Prose Ditch, extension of Monroe Bidwell Ditch headwall, repairs to existing Bidwell Ditch Tile.

To the Board of County Commissioners Madison County, Ohio

The undersigned County Engineer, in obedience to the order of your Board, made on the 27th day of October, 1958, 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, plans for structures, maps showing the location of the land proposed to be assessed, and profiles showing the cutting and gradient of the improvement, and made an estimate of the actual cost of the construction together with the cost of engineering and the cost of notices, publication and other incidental expenses, 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 apparent land boundaries of separate owners, township and county lines, natural land marks, road crossings, or other lines or marks; and took and noted necessary levels off the lines of the improvement for contour purposes, to determine the area, of the land subject to drainage, and to determine the extent of benefits to the land affected by the construction of the improvement.

I also established, at intervals of not less than one in each mile, in the most practical, permanent form, and in locations where destruction or disturbance is improbable, bench marks from which the original levels of the improvement can be established. The relation of the assumed elevation used by me in my work upon this improvement, to the established elevation of the geological survey of the United States, in the County, is as follows: No U. S. C. & G. S. B M available.

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

I also prepared a schedule containing the name of each owner of land, with a description of the land which I believe to be benefited by the proposed improvement, taken from the tax 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.

I also prepared proper working specifications for the construction of the improvement, including catch basins, retaining walls, size and kind of tile, and included an easement of sufficient width for permanent maintenance, 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, plans, schedules, and reports are hereto attached and made a part hereof.

I hereby recommend the -----maintenance district in which this improvement shall be placed, and I have included \$300.00 in the construction costs for the maintenance of said district for one year.

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

Labor	766.65	1750.49
Materials	983.84	
Engineering	100.00	
Inspection	50.00	
Contingencies	100.00	
First Year's maintenance	300.00	550.00
		2300.49

Respectfully submitted,
Helgeh Ekedahl, County Engineer.
by Gideon T. Clark, Deputy

G

SPECIFICATIONS OF THE MANNER OF CONSTRUCTION

Report of Engineer

Schedule "E"

In the Matter of the Single
County Ditch Petitioned for by
Evans Elliott and others.

Engineer's Office, Madison County, Ohio
Proceedings to relocation of Prose Ditch, extension of
Monroe Bidwell Ditch headwall, repairs to existing
Bidwell Ditch tile.

The term "Engineer" as used in these specifications shall be taken to mean the County Engineer of Madison County, Ohio, or his duly appointed Deputy. The term "Contractor" shall be taken to mean the individual or firm awarded the contract for performance of work herein specified.

The ditch and structure shall be constructed in accordance with the plat, plans and profile. True line and grade shall be maintained at all points and any changes shall be approved by the Engineer in person before being made. On the tile ditch construction a tolerance of more than one half inch above or below grade will not be allowed.

Tile joints shall be not greater than 1/4 inch nor less than 1/8 inch. When tile is placed in the trench they shall be keyed in place with sufficient dirt to insure alignment, then checked for grade. Backfill shall be carefully made to insure against breakage. Any excess dirt shall be neatly mounded over tile line.

At station 8 x 50 the north wing and the apron and buttress walls of the old headwall shall be removed. A new wing, apron and buttress walls shall be constructed in accordance with the plans. Concrete shall be 1-2-4 mix, carefully placed and spaded and all exposed surfaces shall be well rubbed to insure a neat finish. Steel shall be free from rust, clean, well wired and braced to prevent movement. Forms and steel shall be inspected and approved by the Engineer before concrete is placed.

The open ditch shall be constructed in accordance with the profile and cross-sections, true line and grade shall be maintained at all points and any changes shall be approved by the Engineer. A tolerance of six inches below grade will be allowed. A bottom width of five feet and side slopes of one and one half to one shall be used unless otherwise directed. A right of way of one hundred feet shall be reserved for construction purposes and for the disposal of excavated material. The area where excavated material is to be placed and the area within the limits of the area where excavated material is to be placed and the area within the limits of the new ditch shall be cleared and grubbed. All trees and brush so grubbed shall be piled and burned. Waste material from the new ditch shall be piled and, when dry, spread not more than 18 inches in depth and none shall be left nearer than five feet to the edge of the edge of the ditch bank.

Proper care shall be used to provide openings through the spread material to permit proper surface drainage. Any broken tile shall be removed from the ditch by the Contractor.

All fences, flood gates or bridges which may interfere with the construction of the ditch shall be removed and replaced by the property owner at his own expense.

Any changes in location or construction of the ditch, made at the request of a property owner shall be approved by the Engineer and any additional cost shall be paid by the interested property owner.

Partial and final payments will be made in accordance with the laws governing such payments.

Before final payment is made the Engineer shall make final inspection of the project and his decision on the quality of the work shall be final.

H SCHEDULE OF LAND OWNERS

Owner	Survey	Twp.	Acres Owned	Acres Benefited	Estimated Assessment
Bradley, Mamie	6000	Jefferson Tp.	55.00	29.00	78.50
" "	"	"	30.00	16.00	43.31
" "	"	"	14.95	14.95	40.47
Braithwaite, Isaac Oleh	2985	"	90.70	70.00	126.31
" " "	"	"	50.00	50.00	90.25
Braithwaite, Oleh	"	"	71.42	50.00	90.25
" "	"	"	71.42	55.00	99.28
Egelhoff, Mary	12273	Jeff. Jon. Alder	38.91	38.91	70.23
" "	13662	" "	39.11	39.11	105.87
" "	8425	" "	73.56	73.56	132.74
" "	"	" "	60.39	60.39	109.00
" "	12273	" "	1.00	1.00	1.80
" "	13662	" "	4.89	4.89	13.24
" "	12273	" "	28.30	28.30	51.08
Elliott, Wm. Evans et al	6000	" "	44.00	16.25	43.99
" "	6000	" "	63.75	63.75	172.57
Grewell, Wilbur	6000	" "	62.18	20.00	54.14
Hutson, Elsa T.	2985	Jefferson Tp.	61.37	8.00	14.44
Hutson, James Homer	8425	Jeff. Jon. Alder	83.00	15.00	27.08
" "	12273	" "	.58	.58	1.05
Lash, Elizabeth	13872	" "	50.00	30.00	54.15
" "	"	Jefferson Twp.	52.50	30.00	54.15
Olney, Celesta	2985	" "	81.70	81.70	210.34
Ropp, Dale D. et al	12273	Jeff. Jon. Alder	278.97	179.00	323.10
Ream, Elzie O. & Mary G.	2985	Jefferson Twp.	1.50	1.50	2.71
Rotruck, R. H. & Ruth	8425	" "	28.16	28.16	50.83
Warrington, John R.	12270	Jeff. Jon. Alder	190.05	50.00	90.25
Madison County		Roads			79.36
State of Ohio		"			70.00
		Totals		1055.05	2300.49

I NOTICE TO COMMISSIONERS OF THE FILING WITH THE CLERK OF THE REPORTS AND SCHEDULES OF THE COUNTY ENGINEER

In the Matter of the Single County
Ditch Petitioned for by Evans Elliott and others

Office of the Board of Commissioners,
Madison County, Ohio
Jan. 12, 1959

To the Board of County Commissioners of Madison County:
You are hereby notified that the County Engineer filed in this office on the 9th day of January, 1959 the maps, profiles, schedules and reports in the above named improvement, in accordance with your order of the 27th day of October, 1958.

Forrest R. Hanson, Cl. of the Co. Comm's.

PROSE AND MONROE BIDWELL SINGLE COUNTY DITCH

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

In the Matter of the Single County Ditch
Petitioned for by Evans Elliott and others.

Office of the Board of County Commissioners,
Madison County, Ohio
Jan. 12, 1959

The Board of County Commissioners of Madison County, Ohio, met in special session on the 12th day of January, 1959, at the office of the Commissioners with the following members present:
Mr. Rodney Plymell, Mr. Willaim S. Bell, Mr. George W. Taylor

Mr. Bell moved the adoption of the following Resolution:

Whereas, This 12th day of January, 1959, the clerk of the Board of County Commissioners 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 27th day of October, 1958 therefore, be it

Resolved, That the 24th day of February, 1959, at 10 o'clock 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 clerk of the Board of County Commissioners 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. Rodney Plymell	Yes
Mr. William S. Bell	Yes
Mr. George W. Taylor	Yes

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

K CERTIFICATE OF MAILING NOTICES TO OWNERS OF LAND AFFECTED BY THE PROPOSED IMPROVEMENT, OF ASSESSMENT, OF DATE OF FINAL HEARING AND OF FILING CLAIMS FOR COMPENSATION OR DAMAGES.

In the Matter of the Single County
Ditch Petitioned for by Evans Elliott et al.

Office of the County Commissioners,
Madison County, Ohio
February 5, 1959

I hereby certify that on the 5th day of February, 1959, I prepared and mailed, in a stamped five-day return envelope, to all the owners whose names appear in the County Engineer's Schedules of Assessments, to each addree as given in the petition, or to such address as I learned to be the correct address, including land owners other than those mentioned in the petition whose names have been filed by the County Engineer in his Schedule of Assessments, a copy of the following notice properly filled in:

You are hereby notified that the County Engineer filed in this office on the 12th day of January, 1959 the maps, profiles, plans, schedules and reports in the above named improvement, and that the assessment on each tract of land owned by you, as estimated and described in said schedule, is as follows:

Per Attached List

and you are further notified that the Board of County Commissioners of said County have fixed the 24th day of February, 1959, at 10 o'clock A. M. at the office of said Board, as the time and place of the final hearing by the Commissioners on the report of the County Engineer, and on the proceedings for the improvement, and that all claims for compensation or damages must be filed with the Clerk of the Board of County Commissioners before that date; and that if bonds are to be issued for said improvement, you must give notice within ten days after said final hearing of your intention to pay in cash and if you do not give such notice of your intention to pay cash within ten days the installments will be payable with interest added at the same rate that the bonds bear interest.

Forrest R. Hanson, Cl. of the Co. Comm's.
Madison County, Ohio

The persons thus notified are as follows:

Mamie Bradley	West Jefferson, Ohio
Isaac Oleh Braithwaite	Rt. 1, West Jefferson, O.
Mary Egelhoff	West Jefferson, O.
Wm. Evans Elliott	West Jefferson, O.
Elsa T. Hutson	West Jefferson, O.
James Homer Hutson	West Jefferson, O.
Elizabeth Lash	1005 Northwest Blvd., Cols., O.
Celesta Olney	West Jefferson, O.
Dale D. Rapp et al	17 S. High St., Columbus, O.
Elzie O. & Mary G. Ream	West Jefferson, O.
R. H. & Ruth Rotruck	Rt. 3, London, O.
John Warrington	Opekasit Farm Inc., Hamilton, O.
State of Ohio	Delaware, Ohio
Wilbur Grewell	West Jefferson, O.

L RESOLUTION COMMISSIONERS' FINDING SETTING ASIDE FORMER ORDER AND DISMISSING PETITION

In the Matter of the Single County
Ditch Petitioned for by Evans Elliott and others.

Office of the Board of County Commissioners
Madison County, Ohio
February 24, 1959

The Board of County Commissioners of Madison County, Ohio, met in special session on the 24th day of February, 1959 at the office of Commissioners with the following members present:

Mr. Rodney Plymell
Mr. William S. Bell
Mr. George W. Taylor

Mr. Taylor moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 12th day of January, 1959, 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 on 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 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 on and dated the 12th day of Jan., 1959, in favor of said improvement; and

Whereas, Said Board finds that the cost of improvement will be equal to or greater than the benefit which will be derived therefrom, if constructed, that the improvement is not necessary, that the improvement will not be conducive to the public welfare; therefore, be it

Resolved, That said former order finding in favor of said improvement made at the first hearing on the 27th day of October, 1958, 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 County Engineer in making his surveys, reports, and schedules, be and the same are hereby ordered to be paid by the petitioner

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

Mr. Rodney Plymell, Yes
Mr. William S. Bell, Yes
Mr. George W. Taylor, Yes

Forrest R. Hanson, Cl. of the Bd. of Co. Comm's.
Madison County, Ohio