

SINGLE COUNTY DITCH PETITION

London, Ohio, August 9, 1951

Petition for Reconstruction, deepening and tiling a ditch.

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

The undersigned hereby petition your honorable body for the Reconstruction, deepening and tiling, 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 or near the end of a tile ditch at the North R/W line of S. R. 142 thence in a Northeasterly direction thru the lands of Frank R. Nibert et al, crossing the Glade Run Road and thence thru the lands of Sarah Fitler et al, to Glade Run and there terminating.

The following is the nature of the work petitioned for: tile or construct an 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:

Sarah Fitler et al
Frank Nibert et al, Rt. 1, West Jefferson, Ohio
Mason M. Daley, R. F. D. London, Ohio
H. S. Floyd, R. F. D. London, Ohio

Frank Nibert Petitioner.

B BOND (TO BE FILED WITH DITCH PETITION)

Know all men by these presents, That we, Frank R. Nibert, as principal, and as surety, are held 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 10th day of August, 1951.

The condition of the above obligation is such, That, Whereas, on the 10th day of Sept., 1951, the above bound Frank R. Nibert filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the reconstruction, deepening and tiling a ditch petitioned for by Frank Nibert et al the following being the course and termini of said proposed improvement, to-wit:

Commencing at or near the end of a tile ditch at the North R/ W line of S. R. 142; thence in a Northeasterly direction thru the lands of Frank R. Nibert et al, crossing the Glade Run Road and thence through the lands of Sarah Fitler et al to Glade Run and there terminating.

Now, if the said Frank Nibert will pay all costs, 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.

The above bond is approved this 10th day of September, 1951
Forrest R. Hanson, County Auditor

Frank Nibert
Mason M. Daily
Byrl Cheeseman

C JOURNAL ENTRY- ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single
County Ditch Petitioned for by
Frank R. Nibert and others.

Office of the Board of County Commissioners,
Madison County, Ohio
September 10, 1951

Mr. Baker moved the adoption of the following Resolution

Whereas, This 10th day of September, 1951, the Board of County Commissioners of Madison County, being in regular session, members present George W. Taylor, Rodger B. Baker and Glenn R. Daugherty, the County Auditor gave notice to us of the filing with him of a petition signed by Frank R. Nibert et al petitioners for the Reconstruction, deepening and tiling a ditch.

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

Resolved, by said Board of County Commissioners, that the 8th day of October, 1951, at ten o'clock A. M. at the upper terminus of the improvement, be and the same is hereby fixed as the time for the view thereon; and be it further

Resolved, That the 15th day of October 1951, 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:

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

NIBERT SINGLE COUNTY DITCH

D JOURNAL ENTRY COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Office of the Board of County Commissioners,
 Ditch Petitioned for by Madison County, Ohio
 Frank R. Nibert and others. October 15, 1951

Mr. Baker moved the adoption of the following Resolution

Whereas, This day the Board of County Commissioners being in regular session, present Taylor, Baker and Daugherty and this being the day fixed by said Board in their order dated the 13th day of September, 1951, for the hearing on the petition in the above named improvement, the said Board met at their office, and conducted said hearing by causing the petition to be publicly read, together with all applications for and re monstrances against the improvement, and all applications for change or extension of the improvement, previously filed in writing; and

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

Whereas, Said Board has made an actual view of said proposed 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 we do hereby find that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare; and we are reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition is hereby granted; and we do further find that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by us: Commencing at or near the end of a tile ditch at the North R/W of S. R. 142 thence in a northeasterly direction and thru the lands of Frank R. Nibert et al, crossing the Glade Run Road and thence through the lands of Sarah Fitler et al to Glade Run and there terminating. The following is the nature of the work petitioned for: tile or construct an open ditch, and be it further

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

Resolved, That the 17th day of December, 1951, at 10 o'clock P. 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 fixed for the filing of the reports and schedules by the County Engineer.

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

Mr. George W. Taylor, Yes; Mr. Rodger B. Baker, Yes; Mr. Glenn R. Daugherty, Yes.
 County Auditors Office,
 October 15, 1951

To the County Engineer:

I hereby certify the foregoing to be a true and correct copy of the record of the proceedings of the Board of County Commissioners.

Forrest R. Hanson
 County Auditor

E SCHEDULE OF LAND OWNERS

Owners Names	No. of Lot or Survey	Twp.	Acres Owned	Acres Benefited	Est. Amt. Land Be Ass.	
Cheesman, Bryl & Mary Ann	10454	Deercreek Tp.	21.29	5.00	25.86	
Daily, Mason & Leah W.	"	"	68.00	68.00	935.49	
Daily, Mason M. et al	5195	"	27.00	15.00	77.58	
" " "	10454	"	77.00	55.00	284.42	
Fitler, Sarah et al	5195	"	70.81	5.00	25.86	
" " "	"	"	28.93	10.00	51.72	
Floyd, Homer S. & Flavia A.	10454	"	146.25	10.00	51.72	
Hopkins, Lewis (Life Est.) Hattie Seldon	5195	"	1.00	1.00	5.17	
Hopkins, Leander	5195	"	1.93	1.93	9.98	
Nibert, Frank R. & Anna	"	"	40.00	40.00	306.85	
" " "	10454	"	39.72	31.72	164.03	
Welsh, Caroline	13454	"	106.95	10.00	51.71	
Dept. Of Highways, State of Ohio					874.98	
Madison County					277.87	
		Totals		252.65	3143.24	
						Amended Amt. by Com.s 3165.67

NIBERT SINGLE COUNTY DITCH

F APPLICATION TO AMEND

London, Ohio, April 25, 1952

In the Matter of the Single County Ditch Petitioned for by Frank R. Nibert and otherd. Proceedings for repairs and construction of tile ditch cleanout open ditch.

Application to amend Course and termini of said ditch.

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

The undersigned hereby makes application to your honorable body to amend petition as follows

Main Ditch. Beginning at the end of an 8" tile on the lands of Mason Daily et al; thence in a southeasterly direction through asid Daily to and along S. R.-142, crossing said S. R. 142, through the lands of Frank R. Nibert, crossing Glade Run Road; thence north easterly through the lands of said Nibert, crossing said S. R.142, again through said Nibert, crossing the Glade Run Road; thence through the lands of Sarah Fitler et al to Glade Run and there terminating.

Lateral No. 1 Beginning on the North side of S. R. 142, opposite the lands of Howard Mc Donald;thence northeasterly following the roadside ditch past the lands of Mason M. Daily et al to the Main Ditch and there terminating.

Respectfully submitted,
Frank Nibert

G JOURNAL ENTRY COMMISSIOMERS' ORDER
IN RE: APPLICATION TO AMEND

In the Matter of the Single County Ditch Petitioned for by Frank R. Nibert and others. Office of the Board of County Commissioners, Madison County, Ohio
April 28, 1952

Mr. Baker moved the adoption of the following resolution

Whereas, This day the Board of County Commissioners being in session, present George W. Taylor, Rodger B. Baker, and Glenn R. Daugherty.

Whereas, Frank Nibert has heretofore filed with the County Auditor an application to amend Petition as follows:

Main Ditch. Beginning at the end of an 8" tile on the lands of Mason Dailey et al; thence in a southeasterly direction through said Dailey to and along S. R. 142, crossing said S. R. 142,, through the lands of Frank " Nibert, crossing Glade Run Road; thence Northeasterly through lands of said Nibert, crossing said S. R. 142, again through said Nibert, crossing the Glade Run Road; thence through the lands of Sarah Fitler et al to Glade Run and there terminating.

Lateral No. 1 Beginning on the North side of S. R.142, opposite the lands of Howard McDonald; thence Northeasterly following the roadside ditch past the lands of Mason M. Dailey et al to the Main Ditch and there terminating; there be it

Resolved, That said application to amend said Petition and that the said Petition be modified to read as follows:

Main Ditch. Beginning at the end of an 8" tile on the lands of Mason Dailey et al; thence in a southeasterly direction through tsaidDailey to and along S. R. 142, crossing said S. R. 142, through the lands of Frank R. Nibert, crossing Glade Run Road; thence North easterly through landsoof said Nibert, crossing said S. R. 142, again through said Nibert, crossing the Glade Run Road ; thence through the lands of Sarah Fitler et al to Glade Run and there terminating. Lateral No. 1.Beginning on the North Side of S. R. 142, opposite the lands of Howard McDonald; thence Northeasterly following the roadside ditch past the lands of Mason M. Dailey et al to the Main Ditch and there terminating.

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

Mr. Rodger B. Baker Yes
Mr. Glenn R. Daugherty Yes

H JOURNAL ENTRY ORDER FIXING TIME OF FINAL HEARING ON COUNTY 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 Frank R. Nibert and others. Office of the Board of County Commissioners, Madison County, Ohio
April 28, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This 28th day of April, 1952, the Board of County Commissioners of Madison County, being in regular session, members present Taylor, Baker, Daugherty, the County Auditor has given notice to us of the filing with him by the County Engineer of the maps profiles, schedules, and reports in the above named improvement, in accordance with our order of the 24th day of March, 1952; therefore, be it

Resolved, That the 19 day of May, 1952, at 10 o'clock A. M.be and the same is hereby fixed as the time for the finalhearing on said report and schedules, on estimated assess ments, on the proceedings for the improvement, and on claims for compensation or dam ages 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. Daugherty seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Rodger B. Baker, Yes; Mr. Glenn Daugherty, Yes

NIBERT SINGLE COUNTY DITCH

I JOURNAL ENTRY 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 Frank R. Nibert and others. Office of the Board of County Commissioners, Madison County, Ohio May 19, 1952

Mr. Daugherty moved the adoption of the following Resolution

Whereas, This day the Board of County Commissioners being in regular session, present Mr. Rodger Baker and Mr. Glenn R. Daugherty and this being the day fixed by said Board, in their order dated the 28 day of April, 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 on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

Whereas, We find 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 the former order made by us dated the 28th day of April, 1952, in favor of said improvement; and be it further

Resolved, That we do hereby approve the maps, profiles, schedules and reports prepared by the County Engineer, 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 constructing 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 the former order finding in favor of said improvement made by us at the first hearing on the 28th day of April, 1952, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by None and the Board having heard said objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the County Engineer and by any competent evidence on the question of benefits, and from an actual view of the premises; therefore be it

Resolved, That the assessments be and the same are hereby amended and corrected as follows, to-wit: None and be it further

Resolved, That said Engineer's assessments be and the same are hereby approved and confirmed; and be it further

Resolved, \$277.87 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 subdivisions of the State be and the same are hereby assessed against such political subdivisions, respectively: 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 four per centum per annum, payable semi annually (G. C. 6460) and be it further

Resolved, Interest shall be added to said installments of assessments at the same rate as is drawn by the bonds issued to pay for said improvement; provided any owner may pay the 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 16th day of June, 1952, at 11 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, 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 exceeds one thousand dollars, the notice of said letting be given by posting at the front door of the county court house, an advertising in two successive issues of a newspaper printed and in general circulation in the county.

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 Sec. 6481, G. C.

Mr. Baker seconded the resolution and the roll being called on its adoption, the

vote resulted as follows:

Mr. Rodger B. Baker, Yes; Mr. Glenn Daugherty, Yes.

J ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Single
County Ditch Petitioned for by
Frank Nibert and others.

County Engineer's Office,
Madison County, Ohio
June 16, 1952

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	Amt. Bid	Guaranty	
			Kind	Amount
O. E. Liller	Labor and Material	1362.63	Chk,	\$40.00
C. O. Dewbre	" "	1353.80	Cash	\$41.00

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

Helgeh Ekedahl
County Engineer.

K JOURNAL ENTRY COMMISSIONERS' ORDER AWARDING CONTRACTS.

In the Matter of the Single
County Ditch Petitioned for by
Frank R. Nibert and others.

Office of the Board of County Commissioners,
Madison County, Ohio
June 16, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This day the Board of County Commissioners being in regular session, present George W. Taylor, Rodger B. Baker and Glenn R. Daugherty and the County Engineer has filed with this Board his report on bids received for the work of construction and furnishing materials in the above named improvement petitioned for by Frank R. Nibert and others; and

Whereas, It appears to us that the bids of the following are the lowest and best bids and within the County Engineer's estimate to-wit:

Bidder	For What Work or Materials	Amt. Bid	Co. Eng.s Estimate
C. O. Dewbre	Labor & Materials	1353.80	1426.54
O. E. Liller	" "	1362.63	

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 Sections 6483 and 6488 of the General Code; 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 first day of November, 1952 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. 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 R. Daugherty, Yes.

L DITCH CONTRACT

In the Matter of the Single
County Ditch Petitioned for by
Frank Nibert and others.

Work and Labor and Materials

This contract made and entered into on this 16th day of June, 1952, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, herein after designated as "First Party", and C. O. Dewbre of Springfield, Ohio, Party of the Second Part hereinafter designated as "Second Party".

Witnesseth, That said Second Party, for and in consideration of the sum of Thirteen hundred fifty three and 80/100 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 Frank Nibert 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 his connection therewith and the progress of the ditch may require. The whole shall be completed to the satisfaction and acceptance of said

NIBERT SINGLE COUNTY DITCH

First Party on or before the 1st day of November, 1952

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 Thirteen hundred fifty three and 80/100 Dollars (\$1353.80), 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.

George W. Taylor	Board of Co. Com.s
Rodger B. Baker	First Party
C. O. Dewbre	Contractors, Second Party

M BOND OF DITCH CONTRACTOR

In the Matter of the Single
County Ditch Petitioned for by
Frank Nibert and others.

On Contract for Work and Labor
and Materials

Know all men by these presents, That we, C. O. Dewbre, as Principal, and John K. Bridgman, as surety 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 Fourteen hundred twenty six and 54/100 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 ---, 1952

The condition of the above obligation is such that, Whereas, the above bound C. O. Dewbre has entered into a Contract withs said Board of County Commissioners, First, to furnish the materials and perform the work and labor for the construction of the Frank R. Nibert Ditch improvement petitioned for by Frank Nibert and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1 day of November, 1952, for the compensation of Thirteen hundred fifty three & 80/100 (\$1353.80) Dollars;

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time 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 his 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
Helgeh Ekedahl
Alice M. Sharp

C. O. Dewbre
John K. Bridgman
Raymond Peter

The above bond being good and sufficient is approved this 29th day of September, 1952
George W. Taylor Board of County
Rodger B. Baker Commissioners, Madison, County

N CERTIFICATE OF COUNTY SURVEYOR AS TO WORK COMPLETED

In the Matter of the Single
County Ditch Petitioned for by
Frank R. Nibert and others.

Office of County Surveyor,
Madison County, Ohio
April 28, 1953

To C. O. Dewbre, Contractor:

This is to certify that the undersigned County Surveyor has accepted 100 per cent of the work and labor furnished and completed by you under your contract for the construction of the above named improvement petitioned for by Frank R. Nibert and others, and I, therefore, approve said work and labor for payment in the sum of Three hundred and three and 80/100 (See note below) (\$303.80) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

Helgeh Ekedahl
County Surveyor

Balance due on contract
Excavation performed not included in
contract per agreement between County
Engineer and Contractor

\$153.80

150.00
303.80

NIBERT SINGLE COUNTY DITCH

O ITEMIZED LIST OF CONSTRUCTION COSTS WORK COMPLETED

Construction of the Single
 Coun. C.D.O. Dewbretoned for by
 Engineering Services others.

Office of County Surveyor,
 1503-80 County, Ohio
 1484.00, 1953

Publishing Notices Contractor: 7.95
 Ditch Bids 2.50

This is to certify that the undersigned County Surveyor has accepted 100 per cent of
 Abstract and labor furnished and completed by 4.50 under your contract for the con-
 Postage of the above named improvement well done for by Frank R. Nibert and others,
 and 7 mailings @ .24 approve said work and labor 1.68 payment in the sum of Three hundred
 and thirty one and 43/100 -
 2004.43

P FINAL ASSESSMENT SCHEDULE

Owner	District	Acres Owned	Acres Benefited	Constr. Sche. Est.	Rate	Final Asst. Inc. Exp.
Dailey, Mason M. & Leah W.	Deercreek Twp.	68.00	68.00	935.49	.46477	931.60
" " "	"	27.00	15.00	77.58	.03854	77.25
" " "	"	77.00	55.00	284.42	.14.30	283.23
Fitler, Sarah et al	"	70.81	5.00	25.86	.01285	25.76
" " "	"	28.93	10.00	51.72	.02570	51.51
Floyd, Homer S. & Flavia A.	"	146.25	10.00	51.72	.02570	51.51
Hopkins, Lewis (Life Estate) & Hattie Seldon	"	1.00	1.00	5.17	.00257	5.15
Hopkins, Leander	"	1.93	1.93	9.98	.00496	9.94
Nibert, Frank R. & Anna	"	40.00	40.00	306.85	.15244	305.56
" " "	"	39.72	31.72	164.03	.08149	163.34
Madison County Roads				100.00	.04968	99.58
				2012.82	1.00000	2004.43
Labor Furnished Not Included in Costs Madison County Dept. of Highways State of Ohio				277.87		277.87
				874.98		874.98
				3165.67		3157.28

Q CHANGE IN ASSESSMENT SCHEDULE

Mr. Forrest Hanson
 Madison County Auditor
 London, Ohio

Dear Mr. Hanson:

Re: Nibert Ditch

Previous to the hearing on assessments on the Nibert Ditch, 10 acres of the Welsh and
 5 acres of the Cheeseman land were removed from the list, with the resulting loss in
 money to be assessed against Madison County.

Due to an oversight, I failed to notify you of this change, so will kindly have the
 Commissioners by Resolution, assess \$100.00 against Madison County, and remove the above
 mentioned owners from the list of assessments.

Yours very truly,
 Helgeh Ekedahl
 Madison County Engineer

R CERTIFICATE OF UNPAID ASSESSMENTS

September 28, 1953
 London, Ohio

Madison County Commissioners
 London, Ohio

Gentlemen:

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

Hopkins, Lewis (Life Estate) & Hattie Seldon	\$55.15
Hopkins, Leander	9.94
Floyd, Homer S. & Flavia	51.51
	\$ 66.60

Yours very truly,
 Forrest R. Hanson
 Auditor Madison County

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

In the Matter of the Single
 County Ditch Petitioned for by
 Frank R. Nibert and others.

Office of the Board of County Commissioners,
 Madison County, Ohio.
 September 28, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on
 the 28th day of September, 1953, at the office of the Commissioners with the following
 members present:

Rodger B. Baker
 Rodney Plymell

NIBERT SINGLE COUNTY DITCH

Mr. Plymell moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 19th day of May, 1952, affirmed their former order finding in favor of the improvement of the County Ditch petitioned for by Frank R. Nibert and others; and

Whereas, It is now deemed necessary to issue and sell \$66.60 of notes under authority of Section 2293-24 of the General Code of Ohio for the purpose of providing funds in anticipation of the levy of special assessments or of the issuance of bonds, for the 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, This Board has heretofore by Resolution duly passed on the 19th day of May, 1952, 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 assessments that may be made for the improvement; now, therefore, be it

Resolved, By the Board of County Commissioners of Madison County, Ohio, that in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of special assessments or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio in the aggregate sum of Sixty six and 60/100 Dollars (\$66.60), not exceeding in amount that portion of the estimated cost of the improvement for which the assessment is levied, to provide a fund for the payment of the cost and expense of the 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 1 day of October, 1953, and shall be in the denomination of Sixty six and 60/100 Dollars and shall be numbered 4.

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 1 day of April and the 1 day of October, 1954, 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. 4	October 1, 1953	\$66.60
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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 shall be full general obligations of said Madison County, and for the full amount thereof, and the full faith and credit and revenue of said County are hereby pledged for the payment of the principal and interest thereof at maturity.

Said notes shall be signed by the members of the Board of County Commissioners of said County, and the County Auditor and bear his seal, and the interest coupons shall have the fac-simile signature of said County Auditor printed or lithographed thereon; and be it further

Resolved, That said notes shall be paid from the proceeds of bonds hereafter issued in anticipation of the collection of assessments and all of the assessments collected for the improvement shall be applied to the payment of the notes and interest thereon until both are fully paid; and be it further

Resolved, That there shall be and is hereby levied on all the taxable property in Madison County, Ohio, in addition to all other taxes a direct tax annually during the years while such notes run, not less than that which would have been levied if bonds had been issued without the prior issue of such notes.

Said 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 been performed in regular and due form as required by law and that the tax for the payment of the principal and interest as the same falls due and is payable does not exceed any limitations of taxation of said County, and that the amount of the note issue does not exceed any limitations of indebtedness as fixed by law.

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

Mr. 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	Yes

Dated this 28th day of September, 1953.

Forrest R. Hanson, Clerk, Board of Co. Com.s
Madison County, Ohio