



## NICHOLSON WILSON JOINT COUNTY DITCH

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

In the Matter of the Joint  
County Ditch Petitioned for by  
Clyde L. Thomas and others.

Office of the Board of County Commissioners,  
Madison County, Ohio.  
Feb. 2, 1950.

Mr. Allen W. Craig moved the adoption of the following Resolution:

Whereas, This 2 day of Feb., 1950, the Joint Board of County Commissioners of Madison and Clark Counties, being in session, members present from Madison County, Plymell, Daugherty and Taylor, and from Clark County, Craig and Tavenner and due and legal notice has been given to us of the filing of a petition signed by Clyde L. Thomas and others petitioners for the improvement of the Nicholson-Wilson Joint County Ditch; and

Whereas, It appears to us that the proper bond has been filed with the Auditor of Madison County, and by him approved, conditioned for the payment of a ll 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 Joint Board of County Commissioners, that the 21 day of February, 1950, 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 1 day of March, 1950 at ten o'clock A. M. at the office of the Board of County Commissioners of Madison 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. Bernard L. Tavenner seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Madison County		Clark County	
Mr. Rodney Plymell	Yes	Mr. Allen W. Craig	Yes
Mr. Glenn R. Daugherty	Yes	Mr. Bernard L. Tavenner	Yes
Mr. George W. Taylor	Yes		

Attest. Robert K. Dixon, Aud. Mad. Co.

## D DESIGNATION OF ENGINEER

March 1, 1950

The Joint Board of County Commissioners of Madison County and Clark County composed of Rodney Plymell, Glenn R. Daugherty and George W. Taylor of Madison County and B. L. Tavenner and Leon M. Ervin of Clark County met in regular session and it was moved by B. L. Tavenner and seconded by George W. Taylor that R. H. Graham, Engineer of Madison County serve as the Engineer in the matter of the proposed improvement of the Nicholson-Wilson Joint County Ditch.

The result of the vote was;

Rodney Plymell	Yes
Glenn R. Daugherty	Yes
George W. Taylor	Yes
B. L. Tavenner	Yes
Leon M. Ervin	Yes

## E RESOLUTION COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Joint  
County Ditch Petitioned for by  
Clyde L. Thomas and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
March 1, 1950

Mr. Daugherty moved the adoption of the following Resolution:

Whereas, This day the Joint Board of County Commissioners being in session, present from Madison County, Plymell, Daugherty and Taylor; from Clark County, Tavenner and Ervin; and this being the day fixed by said Board in its order dated the 2 day of February, 1950, 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 Joint Board of County Commissioners that said Board hereby finds that the said proposed improvement petitioned for is necessary and will be conducive to the public welfare, and it is reasonably certain that the cost thereof will be less than the benefits, and the prayer of the petition is hereby granted; and it further finds that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by said Board: Commencing at the end of the 15" tile on lands of James W. Wilson in Union Township and continuing in a southerly direction through the lands of siad Wilson, Agricultural Lands Inc., Francis E. Kronk, Donna P. Bonner, Carolyn Welsh, W. A. & K. B. Sessler and terminating on lands of Carolyn Welsh, or far enough to secure a sufficient outlet.

NICHOLSON WILSON JOINT COUNTY DITCH

The following is the nature of the work petitioned for: Repair the tile ditch where necessary on lands of James E. Wilson, Agricultural Lands Inc., and Francis E. Kronk. Construction of a bulkhead at the end of the tile and cleaning, deepening and widening of the open ditch through lands of Donna P. Bonner, Carolyn Welsh, W. A. & K. B. Sessler for a sufficient distance to provide an outlet for the tile ditch, and be it further

Resolved, That the County Engineer of Madison County 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 5th day of June, 1950, at 10 o'clock A. M., be and the same is hereby fixed as the time for filing with the County Auditor of Madison County 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. Tavenner seconded the resolution and the roll being called on its adoption, the vote resulted as follows;

Madison County		Clark County	
Mr. Rodney Plymell	Yes	Mr. Leon M. Ervin	Yes
Mr. Glenn R. Daugherty	Yes	Mr. B. L. Tavenner	Yes
Mr. George W. Taylor	Yes		

County Auditors Office, Madison County, Ohio  
March 1, 1950

To the County Engineer of Madison County;  
I hereby certify the foregoing to be a true and correct copy of the finding of the Joint Board of County Commissioners in favor of the foregoing improvement.  
Robert K. Dixon, Co. Aud.

F RESOLUTION GRANTING EXTENSION OF TIME TO COMPLETE SURVEY, REPORTS AND SCHEDULES BY COUNTY ENGINEER

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others.	Office of the Board of County Commissioners, Madison County, Ohio Dec. 18, 1950
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The Board of County Commissioners of Madison County, Ohio, met in regular session on the 18th day of December, 1950, at the office of the Commissioners with the following members present:

Rodney Plymell  
Glenn Daugherty  
George Taylor

Mr. ---moved the adoption of the following resolution:

Whereas, This 18th day of Dec., 1950, the County Engineer filed his request with us for an extension of time within which to complete his survey, reports and schedules in the above named improvement; therefore, be it

Resolved, That said County Engineer be and he is hereby granted such extension of time to the 19th day of March, 1951, at ten o'clock A. M. within which to file with the County Auditor his survey, reports and schedules in the said matter; and be it further

Resolved, That the 19th day of March, 1951, at ten o'clock A.M. at the office of the Board of County Commissioners of Madison County be and the same is hereby fixed as the time and place for the further consideration of said matter.

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

Mr. Rodney Plymell	Yes
Mr. Glenn R. Daugherty	Yes
Mr. George W. Taylor	Yes

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

NICHOLSON WILSON JOINT COUNTY DITCH

G SCHEDULE OF LAND OWNERS

Owners Name	No. of Lot or Survey	Description	Acres Owned	Acres Benefited	Est. Amt. Land by Be Assess.	Amended Amt. Land by Commiss.s
Agricultural Lands, Inc.	8223	Union Twp.	28.00	28.00	95.20	95.20
"	1308	"	149.00	149.00	581.10	681.10
"	"	"	71.00	40.00	156.00	156.00
"	9287	"	255.84	210.00	1249.90	1349.90
Andrix, Fletcher H.	6384 7943	"	45.81	45.81	178.66	178.66
"	6384	"	100.00	25.00	97.50	97.50
Bauman, Ruth S.	8828	"	4.44	4.44	15.10	15.10
Bonner, Donna P.	4514	"	5.50	5.50	29.81	29.81
"	9821	"	60.00	20.00	68.00	68.00
"	9039	"	60.00	60.00	888.20	936.20
"	9821	Paint Twp.	105.96	28.00	95.20	95.20
"	"	"	85.25	85.25	687.44	762.40
"	4515	"	25.00	25.00	135.50	135.50
Dwyer, Wilfred T.	13161-2-3-4-	"	20.00	20.00	68.00	68.00
"	9821	"	91.10	63.10	296.82	296.82
Field, Francis F.	7176	"	49.00	7.00	23.80	23.80
Kronk, Francis E.	13082	Union Tp.	40.00	40.00	216.80	216.80
"	9821	"	85.37	85.37	462.71	462.71
"	1316-2-3	"	38.00	38.00	595.96	595.96
Keye, Pearl T. London, O.	6384	"	102.59	30.00	117.00	117.00
Morris, Lloyd T. & Mildred L.	7176	Paint Tp.	1.00	1.00	3.40	3.40
Sessler, Wordie A. & Kittie B.	13831	"	11.62	11.62	62.98	62.98
"	9821	"	11.43	11.43	61.95	61.95
"	7176	"	110.00	41.00	222.22	48.01
Thomas, Clyde L.	8223	Union Twp.	15.25	10.00	34.00	34.00
"	13082	"	11.00	11.00	37.40	37.40
"	9821	"	132.63	30.00	102.00	102.00
Welsh, Carolyn	9821	Paint	4.75	4.75	23.04	23.04
"	"	"	34.93	34.93	339.32	339.32
"	7776	"	6.47	6.47	35.07	35.07
"	4514	"	150.00	125.00	949.42	598.67
Welsh, Guy W. Jeff. O.	7176	"	1.00	1.00	3.90	3.90
Wilson, Stella (Life Est.)	6384	Union Twp.	41.31	41.31	140.45	140.45
R. R. 1 So. Charleston						
Wilson, Harrison & Helen	6384	"	119.88	119.88	467.53	467.53
"	"	"	3.54	3.54	19.19	19.19
" Stella (Life Est.)	"	"	1.35	1.35	7.32	7.32
" Harrison & Helen	7943	"	5.90	5.90	31.98	31.98
"	6384	"	.30	.30	.30	1.02
New York Central R. R.						75.00
Madison County Contingency Fund					50.00	205.42
				1532.05		8717.89

Bauman, Ruth S.	6384	Harmony Twp.	102.10	56.00	190.40	190.40
"	8223	"	96.76	56.00	190.40	190.40
Agricultural Lands Inc.	8223	"	1.27	1.27	4.32	4.32
Keye, Florence & Herbert C.	6384	"	145.37	56.00	218.40	218.40
"	"	"	24.02	24.02	93.68	93.68
Thomas, Clyde L.	8223	"	4.23	4.23	14.38	14.38
"	"	"	35.70	19.50	66.30	66.30
"	9821	"	118.05	21.05	71.57	71.57
Wilson, Ella H.	6384	"	139.10	6.00	20.40	20.40
Wilson, Harrison & Helen	"	"	19.00	19.00	74.10	74.10
Wilson, Stella (Life Est.)	"	"	61.35	61.35	208.59	208.59
"	"	"	"	"	"	"
"	7943	"	8.00	1.00	3.40	3.40
"	6384	"	47.30	10.00	34.00	34.00
"	"	"	6.75	6.75	22.95	22.95
Clark County					50.00	100.00
						1521.48

	Amended	Total
(Madison Co. Total	8767.89-8717.89	16,239.37
(Clark Co. Total	1471.48-1521.48	
Total	10239.37	10239.37

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

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others. Office of the Board of County Commissioners, Madison County, Ohio August 6, 1951

Mr. Baker moved the adoption of the following Resolution:

Whereas, This 6th day of August, 1951, the Joint Board of County Commissioners being in session, members present, from---: and the County Auditor of Madison County 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 1st day of March, 1951; therefore, be it

Resolved, That the 27th day of August, 1951, at 10:00 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 County Auditor of Madison County on or before said date; and be it further

NICHOLSON WILSON JOINT COUNTY DITCH

Resolved, That notice of said hearing be given as required by law.

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

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

I REORGANIZATION OF JOINT BOARD OF COUNTY COMMISSIONERS

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others Office of the County Commissioners, Madison County, Ohio August 27, 1951

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others. Office of the Board of County Commissioners, Madison County, Ohio August 27, 1951

Mr. Craig moved the adoption of the following Resolution:

Whereas, The County Auditor of Madison County, Ohio, has heretofore notified the Boards of County Commissioners of Clark & Madison Counties, of the filing of a petition for a joint countyditch improvement and notice has also been given to said Boards of County Commissioners of the date fixed for the hearing thereon; and

Whereas, This 27th day of August, 1951, being the day so fixed and members of said Boards of County Commissioners being present from said Counties interested in said Joint County Ditch improvement, as follows:

Clark County	Madison County
Allen Craig	George W. Taylor
B. L. Tavenner	Rodger B. Baker
	Glenn R. Daugherty

therefore, be it Resolved, That Mr. George W. Taylor, County Commissioner from Madison County, be and he is hereby elected to act as president of this Joint Board of County Commissioners; and be it further

Resolved, That Mr. Forrest R. Hanson, Auditor of Madison County, in which the petition is filed, be and he is hereby elected to act as clerk of said Joint Board.

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

Clark County		Madison County	
Mr. B. L. Tavenner	Yes	Mr. Rodger B. Baker	Yes
Mr. Allen Craig	Yes	Mr. Glenn R. Daugherty	Yes

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

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas 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 day the Joint Board of County Commissioners being in session, present from Clark County, Mr. Tavenner, Mr. Craig, Mr. Ervin; from Madison County, Mr. Taylor, Mr. Baker, Mr. Daugherty; and this being the day fixed by the Board, in its order dated the 27th day of August, 1951, 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 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 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 27th day of August, 1951, 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, 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 said former order finding in favor of said improvement made at the first hearing on the 27th day of August, 1951, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by Fletcher Andrix, Carolyn Welsh, Herbert Keye, W. A. and Katie Sessler 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 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:

Fletcher H. Andrix- Disallowed  
 Carolyn Welsh- Reduced from \$1350.75 to \$1000.00  
 Herbert Kēye--Disallowed  
 W. A. and Katie Sessler reduced from \$347.15 to \$172.94  
 Agricultural Lands-Increased from \$2082.20 to 2282.20  
 Donna P. Bonner-Increased from \$1904.15 to \$2054.11  
 New York Central Railroads increased to \$75.00 and, be it further

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

Resolved, That \$200.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the Counties, as follows:

Clark County	\$100.00	
Madison County	\$205.42	and, be it further

Resolved, That 5 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 the counties interested in said improvement in the following amounts, viz: Madison 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; and, be it further

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 8th day of October, 1951, at 11 o'clock A. M. be and the same is hereby fixed as the time for letting the contracts 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 material 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 of Madison County, Ohio; and, be it further

Resolved, That, whereas the estimated cost of 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 advertisement 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 Section 6481 of the General Code of Ohio.

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

Madison County		Clark County
Mr. George W. Taylor	Yes	B. L. Tavenner
Mr. Rodger B. Baker	Yes	L. M. Ervin
Mr. Glenn R. Daugherty	Yes	Allen Craig

K ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others. County Engineers Office, Madison County, Ohio October 22, 1951

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 of Bid	Guaranty Kind	Amount
Greene Township Gravel Com.	Labor and Material	8754.00	Ctf. Chk.	262.62

I recommend the following bids as the best:  
 Greene Township Gravel Company

Helgeh Ekedahl  
 County Engineer

L RESOLUTION COMMISSIONERS' ORDER AWARDING CONTRACTS

In the Matter of the Joint County Ditch Petitioned for by Clyde L. Thomas and others. Office of the County Commissioners, Madison County, Ohio October 22, 1951

Mr. Baker moved the adoption of the following Resolution:

## NICHOLSON WILSON JOINT COUNTY DITCH

Whereas, This day the Joint Board of County Commissioners being in session, present from Clark County, Tavenner, Ervin, Craig, from Madison County Taylor, Baker, and the County Engineer has 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 Clyde L. Thomas and others; and

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

Bidder	For What Work or Materials	Amt. of Bid	Co. Engineer
Greene Township Gravel Co.	Materials and Labor	8754.00	9030.37

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said Greene Township Gravel Company at the amounts bid by him, respectively; and, be it further

Resolved, That the County Auditor of Madison County 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 1st day of April, 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. Craig seconded the resolution and the roll being called on its adoption, the vote resulted as follows:

Madison County		Clark County	
Mr. George W. Taylor	Yes	Mr. B. L. Tavenner	Yes
Mr. Rodger B. Baker	Yes	Mr. L. M. Ervin	Yes
		Mr. Allen Craig	Yes

## M DITCH CONTRACT

In the Matter of the Joint Work and Labor and Materials  
County Ditch Petitioned for by  
Clyde L. Thomas and others.

This contract made and entered into on this 22 day of October, 1951, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party," and Green Twp. Gravel Company of Cedarville, Ohio, Party of the Second Part, hereinafter designated as "Second Party."

Witnesseth, That said Second Party for and in consideration of the sum of Eighty seven hundred fifty four and no/100---(\$8754.00) 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 ditch improvement petitioned for by Clyde L. Thomas 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 their 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 1st day of April, 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 Eighty seven hundred fifty four and no/100 Dollars (\$8754.00), 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.

Signed in duplicate in presence of J. R. Slattery	George W. Taylor	Board of County Commissioners Madison County, First Party
	Rodger B. Baker	
	Glenn R. Daugherty	
	Greene Twp. Gravel Co.	Contractors, Second Party
	By K. E. Macy	

## N BOND OF DITCH CONTRACTOR

In the Matter of the Joint On Contract for Work and Labor and Materials  
County Ditch Petitioned for by  
Clyde L. Thomas and others.

Know all men by these presents, That we, Green Twp. Gravel Company, as principal, The Ohio Casualty Insurance Company, as sureties, are held and firmly bound unto the state of Ohio for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of Nine thousand thirty nine and 37/100 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 12th day of November, 1951

The condition of the above obligation is such that, Whereas, the above bound Green Twp. Gravel Company 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 Clyde L. Thomas and others specified in said Contract to the satisfaction and acceptance of the County Engineer, on or before the 1st day of April, 1952, for the compensation of Eighty seven hundred fifty four and no/100 (\$8754.00 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 Green Twp. Gravel Company 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  
Helen G. Shough  
Patricia J. Wurst

Green Twp. Gravel Company  
By K. E. Macy  
The Ohio Casualty Insurance Company  
E. Earle Johnson, Attorney-in-Fact

The above bond being good and sufficient is approved this 19th day of November, 1951

George W. Taylor      Board of County  
Rodger B. Baker      Commissioners,  
Glenn R. Daugherty    Madison County, Ohio

O CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Joint  
County Ditch Petitioned for by  
Clyde L. Thomas and others.

Office of the County Engineer,  
Madison County, Ohio  
April 16, 1953

To Greene Township Gravel Company, Contractor:

This is to certify that the undersigned County Engineer has accepted 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 Clyde L. Thomas and others, and I, therefore, approve said work and labor for payment in the sum of Eight thousand seven hundred and fifty-four and no/100 (\$8754.00) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

Helgeh Ekedahl  
County Engineer

Note:

Contract price \$8754.00 plus \$158.00 extra work per agreement 3-26-53 between Madison County Engineer and contractor covering 38 sq. yds. sodding \$38.00; extra labor farm bridge \$45.00; extra labor farm bridge \$75.00.

P ITEMIZED LIST OF IMPROVEMENTS

Construction	
Greene Twp. Gravel	8912.00
Engineering Services	800.00
Abstract	4.50
Publishing Notices	20.08
Postage Blueprints	3.28
7 Mailings @ .42	2.94
	<u>9742.80</u>

Q RESOLUTION TO ADJUST THE AMOUNT

London, Ohio  
May 25, 1953

Subject: Nicholson-Wilson Joint County Ditch:  
Mr. Taylor moved the adoption of the following resolution: On the Stella Wilson (Life Estate) Clark County, 6384 Survey, 61.35 Acres was duplicated in the Engineers Schedule of Assessments and it is now found necessary to adjust this amount. Be it hereby resolved that the amount of \$99.13 and which represents one half of the final assessment, be charged to the assessment of Clark County for the benefit of County Roads and \$99.14 be charged against Madison County as beneficial to County Roads. Mr. Plymell seconded the motion and the result of the roll call was :

NICHOLSON WILSON DITCH

Clark County Commissioners:  
 B. L. Tavenner Yes  
 Allen Craig Yes

Madison County Commissioners:  
 Rodger B. Baker Yes  
 George W. Taylor Yes  
 Rodney Plymell Yes

Attest: Forrest R. Hanson, Clerk

R FINAL ASSESSMENT SCHEDULE

Owner	District	Acres Owned	Acres Benef.	Constr. Schedule Est.	Rate	Asst. Inc.	Final Expenses
Agricultural Lands Inc.	Union	28.00	28.00	95.20	.009483		90.49
"	"	149.00	149.00	681.10	.067843		647.41
"	"	71.00	40.00	156.00	.015539		148.29
"	"	255.84	210.00	1349.90	.134461		1283.14
Andrix, Fletcher H.	"	45.81	45.81	178.66	.017796		169.82
"	"	100.00	25.00	97.50	.009712		92.68
Bauman, Ruth S.	"	4.44	4.44	15.10	.001504		14.35
Bonner, Donna P.	"	5.50	5.50	29.81	.002969		28.33
"	"	60.00	20.00	68.00	.006774		64.64
"	"	60.00	60.00	963.20	.095942		915.56
"	Paint	105.96	28.00	95.20	.009483		90.49
"	"	85.25	85.25	762.40	.075941		724.69
"	"	25.00	25.00	135.50	.013497		128.80
Dwyer, Wilfred T.	"	20.00	20.00	68.00	.006773		64.63
"	"	91.10	63.10	296.82	.029566		282.14
Field, Francis F.	"	49.00	7.00	23.80	.002371		22.63
Kronk, Francis E.	Union	40.00	40.00	216.80	.021595		206.08
"	"	85.37	85.37	462.71	.046090		439.83
"	"	38.00	38.00	595.96	.059362		566.48
Keye, Pearl T.	"	102.59	30.00	117.00	.023308		117.00
Morris, Lloyd F.	Paint	1.00	1.00	3.40	.000339		3.24
Sessler, Wardie A.	Kittie B.	11.62	11.62	62.98	.006273		59.86
"	"	11.43	11.43	61.95	.006171		58.89
"	"	110.00	41.00	48.01	.004782		45.63
Thomas, Clyde L.	Union	15.25	10.00	34.00	.003387		32.32
"	"	11.00	11.00	37.40	.003725		35.55
"	"	132.63	30.00	102.00	.010160		96.96
Welsh, Carolyn	Paint	4.75	4.75	23.04	.002295		21.90
"	"	34.93	34.93	339.32	.033799		322.54
"	"	6.47	6.47	35.07	.003493		33.33
"	"	150.00	125.00	598.67	.059632		569.06
"	Guy	1.00	1.00	3.90	.000389		3.71
Wilson, Harrison & Helen	Union	41.41	41.31	140.45	.013990		133.50
"	"	1.35	1.35	7.32	.000729		6.96
"	"	119.88	119.88	467.53	.046570		444.41
"	"	3.54	3.54	19.19	.001911		18.24
"	"	5.90	5.90	31.98	.003185		30.39
"	"	.30	.30	1.02	.000102		.97
New York Central R. R.	"			75.00	.007471		71.29
Madison County				205.42	None		205.42
Clark County Lands							
Bauman, Ruth S.	Harmony	102.10	56.00	190.40	.018965		180.98
"	"	96.76	56.00	190.40	.018965		180.98
Agricultural Lands Inc.	"	1.27	1.27	4.32	.000430		4.10
Keye, Florence & Herbert C.	"	145.37	56.00	218.40	.021754		207.59
"	"	24.02	24.02	93.68	.009331		89.04
Thomas, Clyde L.	"	4.23	4.23	14.38	.001432		13.67
"	"	35.70	19.50	66.30	.006604		63.02
"	"	118.05	21.05	71.57	.007129		68.03
Wilson, Ella H.	"	139.10	6.00	20.40	.002032		68.03
"	Harrison & Helen	19.00	19.00	74.10	.007381		70.44
"	Stella Life Est.	61.35	61.35	208.59	.020777		198.27
"	"	61.35	61.35	208.59	.020777		198.27
"	"	8.00	1.00	3.40	.000338		3.23
"	"	47.30	10.00	34.00	.003387		32.32
"	"	6.75	6.75	22.95	.002286		21.82
Clark County	"			100.00	None		100.00
Madison Co. Totals				8717.89			
Clark Co. Totals				1521.48			
				10,239.37	1.00000		9742.80

*Duplicated & Removed*

S 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 Nicholson Wilson Joint County Ditch, the following assessments remain unpaid, to-wit:

Agricultural Lands Inc. (Madison County)  
 Bonner, Donna P.

## NICHOLSON WILSON JOINT COUNTY DITCH

Agricultural Lands Inc. (Madison County)	\$2169.63	
Bonner, Donna P.	1952.51	
Field, Francis F.	22.63	
Kronk, Francis E.	1212.39	
Thomas, Clyde L.	164.83	
Welsh, Carolyn	946.83	
Welsh, Guy	3.71	
Wilson, Harrison & Helen	<u>634.47</u>	\$7107.00
		(Clark County)
Bauman, Ruth S.	361.96	
Thomas, Clyde L.	144.72	
Wilson, Harrison & Helen	70.44	
Wilson, Stella (Life Estate)	<u>255.64</u>	\$ 832.76
	7939.76	

Yours very truly,

Forrest R. Hanson  
Auditor, Madison County

T 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 Joint Office of the Board of County Commissioners.  
County Ditch Petitioned for by Madison County, Ohio  
Clyde L. Thomas and others. 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

Mr. Plymell moved the adoption of the following Resolution:

Whereas, The Joint Board of County Commissioners of said Joint County Ditch improve ment has heretofore, by Resolution duly passed on the 10th day of September, 1951, affirmed its former order finding in favor of the improvement of the Joint County Ditch petitioned for by Clyde L. Thomas and others; and

Whereas, It is now deemed necessary to issue and sell \$7939.76 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 bene fitsor of the issuance of bonds for the improvement of said Joint 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 Joint Board of County Commissioners has heretofore by Resolution duly passed on the 10th day of September, 1951, 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, there fore, 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 Seven thousand nine hundred thirty nine and 76/100 Dollars (\$7939.76), 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 improve ment of said Joint 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 Seventy nine hundred thirty nine and 76/100 dollars (\$7939.76) and shall be numbered 1 & 2

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 1st 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. 1	October 1	\$4406.58
No. 2	" "	" "

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 Laws of the State of Ohio, particularly Section 2293-24 of the General Code and "The Uniform Bond Act," and shall be full general obligations of said Madison 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 shall have

NICHOLSON WILSON JOINT COUNTY DITCH

the facsimile 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 levied 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 limitations 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. 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 County Commissioners  
 Madison County, Ohio