

ROBERTS SINGLE COUNTY DITCH

A COUNTY DITCH PETITION

London, Ohio, March 12, 1951

Petition for cleaning, constructing, reconstructing and straightening a natural water way and for constructing, locating, cleaning and straightening an open ditch as hereinafter described.

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

The undersigned hereby petition your honorable body for the cleaning, constructing, reconstructing and straightening a natural waterway and for locating, constructing, cleaning and straightening an open ditch as hereinafter described on the course here in after 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:

Section A Commencing at a point in said waterway in Deercreek Twp. Madison County, Ohio. approximately 100 feet of the east line of the Betty Neville Road & in the lands of Herbert Dye: thence with the meanderings of said waterway in a generally westerly direction thro the lands of Herbert Dye, thence crossing the said Betty Neville Road and thro the lands held in trust for the Lafayette M. E. Church by Maynard C. Dickerson, Trustee, to the westerly line of said church lands, easterly line of I. L. Roberts.

Section B Commencing at the westerly terminus of Section A as above described, in said waterway or ditch, in the easterly line of said church lands and in the easterly line of said I. L. Roberts, thence with said waterway or ditch, now tiled, in a general westerly direction thro the lands of I. L. Roberts to the westerly line thereof, also easterly line of Herbert Dye.

The following is the nature of the work petitioned for :

Section A Locate or relocate, straighten where advisable, all on a grade such as will furnish an adequate outlet for Section B.

Section B. Locate and construct an open ditch throughout this section of a grade, depth and width adequate to carry all surface water from said I. L. Roberts land and all surface and tile water draining into proposed ditch from lands lying west of said Roberts land; construct bulkhead at western terminus of Section B where present tile will empty into new 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:

Herbert Dye, 116 E. High St., London, Ohio
 I. L. Roberts, London, Ohio, R F D #3
 Maynard C. Dickerson, Trustee Under Will of Lucy Beach for Benefit of Lafayette M. E. Church
 Mrs. Bessie Ferguson, London, Ohio, R F D #3

Service of notice of the filing of the Petition shall be obtained by mailing notices and publishing as provided in Sec. 6447, O. G. C.

I. L. Roberts Petitioner.

B BOND (TO BE FILED WITH DITCH PETITION)

Know All Men By These Presents, That we, I. L. Roberts, as principal, and as sureties are held and firmly bound unto the State of Ohio, in the sum of Two Hundred Fifty 00/100 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 12th day of March, 1951.

The Condition of the Above Obligation is Such, That, Whereas, on the day of March, 1951 the above bound I. L. Roberts filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the cleaning construction and straightening a natural waterway and for locating, constructing, cleaning and straightening an open ditch as described in said application petitioned for by I. L. Roberts and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing Section A Commencing at a point in said waterway in Deercreek Twp., Madison Co., Ohio, approximately 100 feet east of the east line of the Betty Neville Road and thro the lands held in trust for the Lafayette M. E. Church by Maynard C. Dickerson, Trustee, to the westerly line of said church lands, westerly line of I. L. Roberts.

Section B Commencing at the westerly terminus of Section A as above described, in said waterway or ditch, in the westerly line of said church lands and in the easterly line of said I. L. Roberts, thence with said waterway or ditch, now tiled, in a generally westerly direction thro the lands of I. L. Roberts to the westerly line thereof, also westerly line of Herbert Dye.

Now, if the said I. L. Roberts 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 26 day
 of March, 1951
 Forrest R. Hanson, Co. Aud.

I. L. Roberts
 Margaret Roberts
 J. M. McDorman

ROBERTS SINGLE COUNTY DITCH

C RESOLUTION ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of

In the Matter of the Single
County Ditch Petitioned for by
I, L. Roberts and others.

Office of the board of County Commissioners
Madison County, Ohio
March 26, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 26th day of March, 1951, at the office of the Commissioners with the following members present:

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

Mr. Daugherty moved the adoption of the following Resolution:

Whereas, This 26th day of March, 1951, the County Auditor gave notice to the Board of County Commissioners of Madison County, Ohio, of the filing with him of a petition signed by I. L. Roberts, Margaret Roberts, and others, for the cleaning, constructing, reconstructing, and straightening a natural waterway and for locating, constructing, cleaning and straightening an open ditch: as hereinafter described: and

Whereas, It appears to said Board that the paper 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 23rd day of April, 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 30th day of April, 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. Rodger B. Baker 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

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

D APPLICATION TO AMEND

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

London, Ohio, March 12, 1951

Proceedings for cleaning, constructing, locating,
cleaning and straightening an open ditch as
hereinafter described.

Application to amend petition. To the Board of County Commissioners of Madison County, Ohio:

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

Section C. Commencing at the easterly line of Herbert Dye and the westerly line of I. L. Roberts, the westerly terminus of Section "B"; thence in a westerly direction, following the line of an existing open ditch, a distance of approximately 600 feet. The new construction shall be an open ditch and a new headwall shall be constructed where this open ditch ends.

Respectfully submitted,
Herbert Dye.

E RESOLUTION COMMISSIONERS' ORDER ON APPLICATION TO AMEND

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

Office of the County Commissioners,
Madison County, Ohio
May 21, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 21st day of May, 1951, at the office of the Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, Herbert Dye has heretofore filed with the County Auditor an application to amend I. L. Roberts Petition as follows:

Section "C": Commencing at the easterly line of Herbert Dye and westerly line of I. L. Roberts, the westerly terminus of Section "B"; thence in a westerly direction, following the line of an existing open ditch, a distance of approximately 600 feet. The new construction shall be an open ditch and a new headwall shall be constructed where this open ditch ends; therefore, be it

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

Section "C". Commencing at the eastern line of Herbert Dye and the westerly line of

ROBERTS SINGLE COUNTY DITCH

I. L. Roberts, the westerly terminus of Section "B"; thence in a westerly direction, following the line of an existing open ditch, a distance of approximately 600 feet. The new construction shall be an open ditch and a new headwall shall be constructed where this open ditch ends.

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

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

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

F RESOLUTION POSTPONING HEARING ON PETITION

In the Matter of the Single County Ditch Petitioned for by I. L. Roberts and others	Office of the Board of County Commissioners Madison County, Ohio April 30, 1951
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The Board of County Commissioners of Madison County, Ohio, met in regular session on the 30th day of April, 1951, at the office of the Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board for a hearing on the Petition in the above named improvement; and

Whereas, On good cause shown therefore, to-wit:

Absence of Attorney for Maynard Dickerson; therefore, be it

Resolved, That said hearing be and the same is hereby postponed until the 21st day of May, 1951, at ten o'clock A. M.

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. Glen R. Daugherty	Yes

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

G RESOLUTION COMMISSIONERS FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch Petitioned for by I. L. Roberts and others	Office of the Board of County Commissioners, Madison County, Ohio May 21, 1951
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The Board of Commissioners of Madison County, Ohio, met in regular session on the 21st day of May, 1951, at the office of the Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board in its order dated the 26th day of March, 1951, 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 change of route, course, termini, or manner of construction described in the petition, or in the 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 Section A. --Commencing at a point in said waterway in Deercreek Twp., Madison County, Ohio, approximately 100 feet of the east line of the Betty Neville Road & in the lands of Herbert Dye: thence with the meanderings of said waterway in a generally westerly direction through the lands of Herbert Dye, thence crossing the said Betty Neville Road and through the lands held in trust for the Lafayette M. E. Church by Maynard C. Dickerson, Trustee, to the westerly line of said church lands, easterly line of I. L. Roberts, Section B. Commencing at the westerly terminus of Section A as above described, in said waterway or ditch, in the easterly line of

ROBERTS SINGLE COUNTY DITCH

said church lands and in the easterly line of said I. L. Roberts; thencewith said waterway or ditch, now tiled, in a generally westerly direction through the lands of I. L. Roberts to the westerly line thereof, also easterly line of Herbert Dye.

Section C. Commencing at the easterly line of Herbert Dye and westerly line of I. L. Roberts the westerly terminus of Section B, thence in a westerly direction, following the line of an existing open ditch, a distance of approximately 600 feet. The new construction shall be an open ditch and a new headwall shall be constructed where this open ditch ends, and be it further

Resolved, That the County Surveyor be and he is hereby directed to cause to be made the necessary survey for the proposed improvement, upon the forgoing 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 25th day of June, 1951, at 10 o'clock A.M., be and the same is hereby fixed as the time for filing with the County Auditor all of said maps, profiles, schedules and reports prepared by said surveyor; 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 report and schedules by the Surveyor.

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

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

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

H SCHEDULE OF LAND OWNERS

Owners' Names	Lot no.	Description	Acres Owned	Acres Benefited	Est. Amt Land Be Assessed
Cecil, Charles F. #3, London, O.	8374 8792	Deercreek Twp.	120.18	40.	217.20
Conway, James R. et al "	8374 8792	" "	5.00	5.	17.15
Dickerson, Maynard, Trustee	"	" "	191.60	176.60	958.94
" "	"	" "	4.90	4.90	26.61
Dye, Herbert S.	"	" "	183.32	183.32	995.43
" "	8505	" "	11.00	11.00	37.73
" "	8374 8792	" "	2.63	2.63	9.02
Ferguson, Bessie	6245	" "	29.82	26.00	89.18
" "	8374	" "			
" "	8792	" "	8.00	8.00	27.44
" "	8503	" "	74.00	24.00	82.32
" "	6245	Somerford Twp.	50.27	23.00	78.89
" "	8503	" "	91.79	48.00	164.64
Gwynne, Edminston c/o Cynthia Burr, 1265 Parkview Cols. Ohio	7264	Deer Creek Twp.	103.08	16.00	97.74
Huntington, Burr &	"	" "	103.08	12.00	65.16
Dunn-Trustees of	8374 8792	" "	221.22	18.00	97.74
" " "	8792	" "	221.22	130.00	195.00
" " "	3901	" "	462.77	32.00	48.00
Richmond, Louise & Dean M. London, Ohio	3901	" "	160.00	28.00	42.00
Roberts, Loring & Margaret #3 London, Ohio	8374 8792	" "	104.74	104.74	1097.42
" " "	8374 8792	" "	1.51	1.51	9.71
Madison County					50.00

ROBERTS SINGLE COUNTY DITCH

I RESOLUTION ORDER FIXING TIME OF FINAL HEARING ON SURVEYOR'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
I. L. Roberts and others.

Office of the Board of County Commissioners
Madison County, Ohio
July 9, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 9th day of July, 1951, at the office of the Commissioners with the following members present:

Rodger B. Baker
Glenn R. Daugherty

Mr. Baker moved the adoption of the following Resolution:

Whereas, This 9th day of July, 1951, the County Auditor has given notice to said Board of the filing with him by the County Surveyor of the maps, profiles, schedules, and reports in the above named improvement, in accordance with its order of the 25th day of June, 1951; therefore, be it

Resolved, That the 6th 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 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 R. Daugherty Yes

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

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

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

Office of the Board of County Commissioners
Madison County, Ohio
August 6, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 6th day of August 1951, at the office of Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, This being the day fixed by said Board, in its order dated the 9th day of July, 1951, for the final hearing on the reports and schedules of the County Surveyor, 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 the schedules and reports filed by the Surveyor; therefore, be it

Resolved, That said Board review and reconsider its former order made and dated the 9th day of July, 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 Surveyor, 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 along 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 21st day of May, 1951, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessments having been filed by

1. I. L. Roberts
2. Maynard Dickerson
3. Herbert S. Dye

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 Surveyor 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:

ROBERTS SINGLE COUNTY DITCH

Charles Cecil 40 Acres to be reduced to 25 Acres. (Assessments)
 Upon a motion by Mr. Baker and a second by Mr. Daugherty the assessment of 40 acres of Mr. Chas. Cecil was reduced to 25 Acres assessment and the balance of such assessment to be provided by the Contingency Fund from the County Surveyor. Result of the vote was

Mr. Taylor	Yes
Mr. Baker	Yes
Mr. Daugherty	Yes

The above objections of I. L. Roberts, Maynard Dickerson, and Herbert S. Dye were withdrawn in the course of the hearing, and be it further

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

Resolved, \$50.00 found to benefit State or County Roads or Highways be and the same is hereby assessed against the County, 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; 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 4th day of September, 1951, 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 Surveyor 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 Surveyor 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 Surveyor 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 Advertisement, and be it further

Resolved, That said County Surveyor 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 Surveyor 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. 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

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

K COUNTY ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Single County Ditch Petitioned for by I. L. Roberts and others. County Engineer's Office, Madison County, Ohio September 4, 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 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 Materials	2773.60	Cet. Chk.	84.00
Parker & Dewbre Ex. Co.	" "	2946.26	Cash	90.00

I recommend the following bids as the best.
 O. E. Liller.

Helgeh Ekedahl
 County Engineer

ROBERTS SINGLE COUNTY DITCH

L RESOLUTION COMMISSIONERS ORDER AWARDING CONTRACTS

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

Office of the Board of County Commissioners
Madison County, Ohio.
September 4, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 4th day of September, 1951, at the office of the Commissioners with the following members present:

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

Mr. Baker moved the adoption of the following Resolution:

Whereas, The County Surveyor 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 I. L. Roberts and others; and

Whereas, It appears to said Board that the bids of the following are the lowest and best bids, and within the Surveyors estimate, to-wit:

Bidder	For What Work or Materials	Amt. Bid	Surveyors Est,
O. E. Liller	Labor and Material	2773.60	3341.58
Parker & Dewbre	" "	2946.26	3341.58

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said O. E. Liller 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 whole of such work shall be completed and all material furnished on or before the 3rd day of December, 1951, 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 vot resulted as follows:

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

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

M DITCH CONTRACT

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

Work and Labor and Materials

This Contract made and entered into on this 24th day of September, 1951, by and between the Board of County Commissioners of Madison County, Ohio, Party of the First Part, hereinafter designated as "First Party", and O. E. Liller of London, Ohio, Party of the Second Part hereinafter designated as "Second Party".

Witnesseth, That said Second Party, for and in consideration of the sum of Twenty seven hundred seventy three and 60/100 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 I. L. Roberts ditch improvement petitioned for by I. L. Roberts 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 Surveyor 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 First Party on or before the 1st day of November, 1951.

And said First Party, for and in consideration of the true and faithful performance of said work and labor and furnishing of said materials as aforesaid, hereby agrees to pay unto said Second Party said sum of Twenty seven hundred seventy three and 60/100 Dollars (\$2773.60), in installments from time to time, upon the certificate of acceptance of the County Surveyor 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	Commissioners of Madison County
Rodger B. Baker	First Party
Glenn R. Daugherty	

O. E. Liller Contractor Second Party

N BOND OF DITCH CONTRACTOR

In the Matter of the Single County Ditch Petitioned for by I. L. Roberts and others. On Contract for Work and labor and Material

Know All Men By These Presents, That we, O. E. Liller, as Principal The Ohio Casualty Insurance Company, Hamilton, Ohio and , as sureties, are held and firmly bound unto the State of Ohio, for the benefit of Madison County, Ohio, and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of Thirty three hundred forty one and 58/100 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 September, 1951

The Condition of the Above Obligation is Such That, Whereas, the above bound O. E. Liller 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 I. L. Roberts ditch improvement petitioned for by I. L. Roberts and others specified in said contract, to the satisfaction and acceptance of the County Surveyor, on or before the 1st day of November, 1951, for the compensation of Twenty seven hundred seventy three and 60/100 (\$2773.60) 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 O. E. Liller 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
Lloyd D. Sittel

O. E. Liller
The Ohio Casualty Insurance Company
Frank R. King
Atty.-in-Fact

The above bond being good and sufficient is approved this 24th day of September, 1951

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

O CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Single County Ditch Petitioned for by I. L. Roberts and others. /Office of County Engineer,
Madison County, Ohio
January 27, 1953

To O. E. Liller, Contractor:

This is to certify that the undersigned County Engineer 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 I. L. Roberts and others, and I, therefore, approve said work and labor for the payment in the sum of Seven hundred seventy three and 60/100 (\$773.60) Dollars, (2nd and final estimate \$773.60 plus \$200.00 cutting out concrete flumes the same being the contract price for said percentage of work and labor completed and \$50.00 extra excavation.) accepted.

Helgeh Ekedahl
County Engineer.

P ITEMIZED LIST OF IMPROVEMENT COSTS

Construction:

O. E. Liller Contract	2773.60	
Cutting out concrete flumes	200.00	
Extra excavation	50.00	3023.60

Engineering & Inspection	742.00	742.00
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Transcript, Mailing Notices etc.

Public Notices & slips	17.20	
Mailing Notices 4/2/51 (4)	.12	
" " 4/30/51 (4)	.12	
" " 7/11/51 (9)	.27	
Final Notices 1/30/53 (9)	.27	17.98
		<u>3783.58</u>

ROBERTS SINGLE COUNTY DITCH

Q FINAL ASSESSMENT SCHEDULE

Name	Acres Owned	Acres Benefited	Constr. Schedule Estimate	Rate	Final Assessment Incl. Exp.
Cecil, Charles F. et al	120.18	25.00	217.20	@5.43	135.75
Conway, James R. et al	5.00	5.00	17.15	.00396	14.98
Dickerson, Maynard Trustee	191.60	176.60	958.94	.22128	837.23
	4.90	4.90	26.61	.00614	23.23
Dye, Herbert S.	183.32	183.32	995.43	.22970	869.09
	11.00	11.00	37.73	.00871	32.96
	2.63	2.63	9.02	.00208	7.87
Ferguson, Bessie	29.82	26.00	89.18	.02058	77.87
	8.00	8.00	27.44	.00633	23.95
	74.00	24.00	82.32	.01899	71.85
	50.27	23.00	78.89	.01820	68.86
	91.79	48.00	164.64	.03799	143.74
Gwynne, Edminston, Huntington	103.08	16.00	24.00	.00554	20.96
Burr & Dunn- Trustees of	103.08	12.00	65.16	.01504	56.91
	221.22	18.00	97.74	.02255	85.32
	221.22	130.00	195.00	.04500	170.26
	462.77	32.00	48.00	.01108	41.92
Richmond, Louise & Dean M.	160.00	28.00	42.00	.00969	36.66
Roberts, Loring & Margaret	104.74	104.74	1097.42	.25324	958.15
	1.51	1.51	9.71	.00224	8.48
Madison County			50.00	.01154	43.66
			4333.58	1.00000	3783.58
Madison County Additional 15 Acres Charge					53.88
Mr. Charles Cecil reduced to 25 Acres per resolution					
Balance To Madison County					
Acreage Average \$5.43					
15 Acres @ 71.10					

R CERTIFICATE OF UNPAID ASSESSMENTS

April 1, 1953
London, Ohio

Madison County Commissioners
London, Ohio

Gentlemen:

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

Cecil, Charles F. et al	135.75
Dye, Herbert S.	909.92
Ferguson, Bessie	386.27
Gwynne, Edminston, Huntington etc.	375.37
Roberts, Loring & Margaret	966.63
	<u>\$2773.94</u>

Yours very truly,
Forrest R. Hanson
Auditor, Madison County

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

In the Matter of the Single
County Ditch Petitioned for by
I. L. Roberts and others.

Office of the Board of County Commissioners
Madison County, Ohio
March 30, 1953

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 30th day of March, 1953, at the office of the Commissioners with the following members present:

Rodger B. Baker
George W. Taylor
Rodney Plymell

Mr. Taylor moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 6th day of August 1951, affirmed its former order finding in favor of the improvement of the County Ditch petitioned for by I. L. Roberts and others; and

Whereas, It is now deemed necessary to issue and sell \$2773.94 of notes under authority of Section 2293-24 of the General Code of Ohio, and "The Uniform Bond Act" for the purpose of providing funds in anticipation of the levy of assessments according to benefits or 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 6th day of August 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, therefore, be it

Resolved, By the Board of County Commissioners of Madison County, Ohio, that in the judgment of said Board of County Commissioners, it is now necessary in anticipation of the levy of assessments according to benefits or of the issuance of bonds to issue and sell the notes of said County under and by virtue of the authority of Section 2293-24 of the General Code of Ohio and "The Uniform Bond Act" in the aggregate

sum of Twenty seven hundred seventy three and 94/100 Dollars (\$2773.94) 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 1st day of April, 1953, and shall be in the denomination of Twenty seven hundred seventy three and 94/100 Dollars (\$2773.94) and shall be numbered 35.

Said notes shall bear interest at the rate of four per centum per annum until paid, and the interest on said notes shall be payable on the 1st day of October and the 1st day of April, 1954, and until the principal 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 the 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.	Date	Amount
35	April 1, 1953	\$2773.94

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 of Ohio 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 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 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 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 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 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 this note issue does not exceed any limitation of indebtedness as fixed by law.

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

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

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

Dated this 30th day of March, 1953.

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