

## ELI JONES SINGLE COUNTY DITCH

## A SINGLE COUNTY DITCH PETITION

London, Ohio, Jan. 2, 1952

Petition for Reconstruction, deepening and widening of a ditch.

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

The undersigned hereby petition your honorable body for the reconstruction, deepening and widening of Eli Jones Ditch, in Darby and Canaan Townships, on the course herein 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: Commencing at the south side of the Plain City and Rosedale Road; thence through the lands of Walter Florence, Emerson Morgridge et al, Jacob E. Yutzy, John N. Hochstettler Martha Whitmer, M. M. Kaufman, Daniel Troyer, Levi And Fannie Miller and Vernon E. Yutzy to the beginning of the Eli Jones Ditch repaired in 1947 and 1948. The tile north of the Plain City and Rosedale Road shall be checked and repairs made if necessary.

The following is the nature of the work petitioned for: Repairs and cleanout of open ditch and repairs to tile where necessary.

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:

Henry Dellinger, Rt. 1 Plain City, Ohio  
 Anna M. Temple, Plain City, Ohio  
 W. J. Davis, Box 324, Plain City, Ohio  
 Wm. L. Debolt, Rt. 1, Plain City, Ohio  
 Eli & Mary Ann Beachy, Rt. 2 Plain City, Ohio  
 Walter T. Florence, Box 62, Antlers, Oklahoma  
 Emerson And Paul Morgridge, Plain City, Ohio  
 Jacob E. Yutzy, Rt. 1, Plain City, Ohio  
 Mary M. F. Taylor, London, Ohio  
 Martha Whitmer, Plain City, Ohio  
 John M. Hochstettler, Rt. 2, Plain City, Ohio  
 Cephas Atkinson, Plain City, Ohio  
 Alma W. Atkinson  
 A. B. Yoder, Plain City, Ohio, Rt. 2  
 Abe And Anna Yoder, Rt. 2, Plain City, Ohio  
 Moses M. Kaufman, Rt. 2, Plain City, Ohio  
 Daniel Troyer, Plain City, Ohio  
 Levi And Fannie Miller, Plain City, Ohio  
 Vernon E. Yutzy, Plain City, Ohio  
 Vernon and Minerva Yutzy, Rt. 1, Plain City, Ohio  
 David Yutzy, Rt. 2, Plain City, Ohio  
 John C. and Clara Plank, Plain City, Ohio  
 Joseph J. Jr., Edna Kathryn Miller, Rt. 2, Plain City, Ohio  
 John W. and Anna Miller, Rt. 2, Plain City, Ohio  
 Perry J. Stutzman, Plain City, Ohio  
 Jean Rowlen Mengert, London, Ohio  
 Lulu Vaughn Mortimer, c/o D. " " Richmond, London, Ohio  
 F. E. Lombard Estate-Roy Lombard, Plain City, Ohio

Service of notice of filing of the petition shall be obtained by making notices and publication as provided in Sec. 6447 G. C.

W. J. Davis  
 W. L. Debolt  
 Mrs. Eli E. Beachy                      Petitioners  
 John M. Hostettler  
 Roy Lombard

## B BOND (TO BE FILED WITH PETITION)

Know all men by these presents, That we W. J. Davis, as principal, and The Ohio Casualty Insurance Company as surety, are held and firmly bound unto the State of Ohio, in the sum of Three hundred fifty 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, and executors and administrators.

Signed by us and dated at Hamilton, Ohio, this 28th of January, 1952.

The condition of the above obligation is such, That, Whereas, on the 30 day of January 1952, the above bound W. J. Davis filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the reconstruction, deepening and widening of Eli Jones Ditch in Darby and Canaan Townships petitioned for by W. J. Davis and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at the south side of the Plain City and Rosedale Road; thence through the lands of Walter Florence, Emerson Morgridge et al, Jacob E. Yutzy, John N. Hochstettler, Martha Whitmer, M. M. Kaufman, Daniel Troyer, Levi and Fannie Miller and Vernon E. Yutzy to the beginning of the Eli Jones Ditch repaired in 1947 and 1948. The tile north of the Plain City Road and Rosedale Road shall be checked and repairs made if necessary.

Now, if the said W. J. Davis 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 30 day  
 of January, 1952.  
 Forrest R. Hanson  
 County Auditor

W. J. Davis  
 The Ohio Casualty Insurance Company  
 By R. D. Mackay, Atty.-In-Fact

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

In the Matter of the Single  
County Ditch Petitioned For by  
W. J. Davis and other s.

Office of the Board of County Commissioners,  
Madison County, Ohio  
February 4, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This 4th day of February, 1952, the Board of County Commissioners of Madison County, being in special 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 W. J. Davis and others petitioners for the reconstruction, deepening and widening of a ditch; and

Whereas, It appears to us that a 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 3rd day of March, 1952, 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 10th day of March, 1952, 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. Rodger B. Baker	Yes
Mr. Glenn Daugherty	Yes

## D JOURNAL ENTRY COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single  
County Ditch Petitioned for by  
W. J. Davis and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
March 10, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This day the Board of County Commissioners being in regular session, present Taylor, Daugherty and Baker and this being the day fixed by said Board in their order dated the 7th day of February, 1952, 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 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 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 hereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by us: Commencing at the South side of Plain City and Rosedale Road; thence thru the lands of Walter Florence, Emerson Morgridge et al, Jacob E. Yutzy, John N. Hochstettler, Martha Whitmer, M. M. Kaufman, Daniel Troyer, Levi and Fannie Miller and Vernon Yutzy to the beginning of the Eli Jones Ditch repaired in 1947 and 1948. The tile north of the Plain City and Rosedale Road shall be checked and repairs made if necessary; 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 12th day of May, 1952, 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 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. Glenn Daugherty	Yes
Mr. Rodger B. Baker	Yes

## ELI JONES SINGLE COUNTY DITCH

County Auditor's Office,  
March 10, 1952

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	Section	Description	Acres Owned	Acres Benefited	Est. Amt. Land should Be Assessed
Troyer, Eli M. & Malinda	13020	Canaan Twp.	43.72	43.72	102.87
" " "	10080	"	49.96	49.96	117.56
" " "	10080	"	2.85	2.85	6.71
Atkinson, Cephas	7240	"	41.30	41.30	97.18
" " "	"	Darby Twp.	34.00	34.00	80.00
Beachy, Mary Ann	7059	"	105.50	105.50	487.73
Davis, Wm. J.	"	"	53.00	53.00	245.02
" " "	12270	"	36.50	36.50	168.74
" " "	8265	"	30.70	20.70	95.73
Debolt, W. L.	12708	Chuckery-Darby Sch.D.	38.09	15.00	69.35
" " "	"	"	11.75	11.75	54.32
" " "	8265	Darby Twp.	40.00	30.00	138.69
" " "	7059	"	12.75	12.75	58.94
" " "	"	"	10.55	10.55	48.77
" " "	"	"	19.70	19.70	91.07
Florence, Walter T.	10986	Canaan Twp.	4.00	4.00	9.41
" " "	12275	Darby Twp.	102.07	52.79	124.22
" " "	10986	"	65.00	65.00	152.95
Hochstettler, John M.	"	Canaan Twp.	4.00	4.00	9.41
" " "	13020	"	9.78	9.78	23.01
" " "	"	"	38.58	38.58	90.78
" " "	7240	"	5.81	5.81	13.67
Kauffman, Moses, Raymond	"	"	37.45	37.45	88.12
" " "	13020	"	68.38	68.38	160.90
" " "	10080	"	3.00	3.00	7.06
" " "	10740	"	1.25	1.25	2.94
Lombard, Frank E.	7059	Darby Twp.	18.50	10.50	48.54
Mengert, Jean Rowland	2834	"	140.00	90.00	211.77
Miller, Levi & Fannie	10982	Canaan Twp.	55.91	55.91	131.55
" " "	10470	"	14.00	14.00	32.94
" " "	"	"	12.00	12.00	28.24
" " "	7240	"	1.50	1.50	3.53
" " "	7394	"	32.33	10.00	23.53
" " "	10470	Darby Twp.	13.25	13.25	31.17
" " "	"	"	4.50	4.50	10.59
Mortimer, Lulu Vaughn	2834	"	61.09	30.00	138.69
" " "	12270	"	53.83	53.83	248.74
" " "	7059	"	3.09	3.09	14.29
Plank, John C.	10470	Canaan Twp.	55.82	55.82	131.33
" " "	"	"	7.60	7.60	17.88
" " "	"	Darby	20.00	20.00	47.06
Morgridge, Emerson & Paul	10986	"	40.00	40.00	94.12
Stutzman, Perry J.	7394	Canaan Twp.	62.25	62.25	100.84
" " "	10983	"	45.35	45.35	73.47
Taylor, Mary M. F.	12275	Darby Twp.	102.07	57.00	134.12
Edith S. George (Life Est.)	12708	Chuckery-Darby	41.91	41.91	193.75
" " "	7392-12270	"	57.22	21.22	98.25
" " "	7059	Darby Twp.	37.96	37.96	175.49
Troyer, Daniel	13020	Canaan	75.50	75.50	177.66
" " "	10081	"	3.00	3.00	7.06
" " "	10470	"	1.50	1.50	3.53
" " "	7075	"	.60	.60	1.41
Dellinger, Henry	7392	Chuckery-Darby	35.50	19.97	92.26
Whitmer, Martha	13020	Canaan	72.06	72.06	169.55
" " "	"	"	27.94	27.94	65.75
Yoder, Abe	10081	"	33.14	33.14	77.98
Yoder, A. B.	"	"	48.15	48.15	113.30
Yutzy, David	7394	"	10.75	10.75	17.42
" " "	10982	"	89.24	89.24	144.57
" " "	7394	"	17.02	17.02	27.57
Yutzy, Vernon E.	10982	Darby Twp.	25.00	25.00	58.83
" " "	"	Canaan Twp.	2.60	2.60	6.12
" " "	10470	"	55.73	55.73	131.13
" " "	7394	"	42.17	20.00	47.06
Yutzy, Vernon & Minerva	"	"	4.72	4.72	11.11
Yutzy, Jacob E.	10986	Darby Twp.	72.06	72.06	169.34
Miller, John W. & Anna	10982	Canaan Twp.	84.66	84.66	137.15
Miller, Joseph Jr. & Edna K.	10470	" & Darby Twp.	54.02	54.02	87.52
" " "	"	"	30.15	30.15	48.84
Beachy, Jonas . et al	"	Canaan	79.66	79.66	129.05
" " "	11008	"	5.00	5.00	8.10
Myers, Katherine	11008	"	36.00	36.00	48.60
" " "	10982	Darby	23.80	23.80	38.56
Madison County					200.00

Totals

2396.28

6700.61

F 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  
W. J. Davis and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
July 14, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This 14th day of July, 1952, the Board of County Commissioners of Madison County, being in regular session, members present, 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 10th day of March, 1952; therefore, be it

Resolved, That the 4th day of August, 1952, at 10 o'clock A. M. be and the same is hereby fixed as the time for the final hearing on said report 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 Daugherty	Yes

G 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  
W. J. Davis and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
August 26, 1952

Mr. Baker moved the adoption of the following Resolution

Whereas, This day the Board of County Commissioners being in special session, present George Taylor, Rodger Baker and Glenn Daugherty and this being the day fixed by said Board, in their order dated the 11th day of August 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 day of ---, 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, as amended in our order dated the 11th day of August 1952, 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 11th day of August 1952, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by ----- 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:

1. Wm. J. Davis assessment on Survey 8265 Darby Twp., 30.70 Acres is reduced to 20.70 Acres Benefited and assessment is \$95.70

2. Jean Rowland Mengert assessment on Survey 12275 Darby Twp. is 50 Acres is entirely removed. The assessment of Survey 2884 Darby Twp. 140 Acres is changed to 90 acres benefited and the amount of assessment is \$211.77.

The assessment of R. H. & A. M. Scheiderer, Chuckery Twp. Acres 93 is entirely removed.

4. The assessment of Edith S. George Life Estate, Survey 7392 Darby S. D. 57.22 acres is changed to 21.22 acres benefited and the assessment to \$98.25, and be it further

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

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Resolved, That \$200.00 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 4 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 notes 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 22nd day of September 1952, at 11:00 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, 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; and be it further

Resolved, That whereas the estimated cost of the construction and material required in said improvement does exceed one thousand dollars, the notice of said letting be given by posting at the front door of the county court house and advertisement shall also be made in two successive weekly issues of a newspaper printed and in general circulation in said county, 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 Sec. 6481, G. C.

Mr. Daugherty seconded the resolution and the roll being called on its adoption, Mr. George W. Taylor, Yes; Mr. Rodger B. Baker, Yes; Mr. Glenn Daugherty, Yes.

H ENGINEER'S REPORT ON BIDS RECEIVED

In the Matter of the Single County Ditch Petitioned for by W. J. Davis and others.

County Engineer's Office, Madison County, Ohio September 22, 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	Amt. Bid	Guaranty	
			Kind	Amt.
O. E. Liller	Materials & Labor	3100.94	Ct. Ck.	93.04
Mechanicsburg Sand & Gravel	" "	3826.00	Cash	115.00
Parker & Dewbre	" "	3409.96	"	105.00

I recommend the following bids as the best:

O. E. Liller  
Helgeh Ekedahl  
County Engineer.

I RESOLUTION-- COMMISSIONERS ORDER AWARDING CONTRACTS

In the Matter of the Single County Ditch Petitioned for by W. J. Davis and others.

Office of the Board of County Commissioners, Madison County, Ohio September 22, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 22nd day of September, 1952 at the office of the Commissioners with the following members present:

George W. Taylor  
Rodger B. Baker

Mr. Baker moved the adoption of the following Resolution:

Whereas, The County Engineer has filed with this Board his report on bids received for the work of the construction and for furnishing materials in the above named improvement petitioned for by W. J. Davis and others; and

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

Bidder			
O. E. Liller	Materials & Labor	3100.94	93.04

Bidder	For What Work or Material	Amt. Bid	County Engineer's Estimate
O. E. Liller	Materials & Labor	3100.94	5293.62
Mechanicsburg Sand & Gravel	" "	3826.00	"
Parker & Dewbre	" "	3409.96	"

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 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 March, 1953, 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. Taylor 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

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

#### J DITCH CONTRACT

In the Matter of the Single  
County Ditch Petitioned for by  
W. J. Davis and others.

Work and Labor and Materials

This Contract made and entered into on this 29th day of September, 1952, 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 Thirty one hundred and 94/100 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 Eli Jones Single County Ditch improvement petitioned for by W. J. Davis 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 Eli Jones 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 December, 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 Thirty one hundred and 94/100 Dollars (\$3100.94), 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  
F. R. Hanson  
Gladys M. Griffith

George W. Taylor Board of Co. Com.  
Rodger B. Baker

O. E. Liller Contractors, Second Party

#### K BOND OF DITCH CONTRACTOR

In the Matter of the Single  
County Ditch Petitioned for by  
W. J. Davis and others.

On Contract for Work and Labor and Materials.

Know all Men by these Presents, That we, O. E. Liller, as Principal, The Ohio Casualty Insurance Company and, 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 Fifty two hundred ninety three and 62/100 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 15th day of October, 1952.

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 Eli Jones ditch im

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provement petitioned for by W. J. Davis and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1st day of December, 1952, for the compensation Thirty one hundred and 94/100 (\$3100.94) 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  
 Patricia J. Wurst  
 O. E. Liller  
 The Ohio Casualty Insurance Com.  
 W. R. Hedgecock, Atty.-in -fact

The above bond being good and sufficient is approved this 27th day of October, 1952  
 George W. Taylor Board of County  
 Rodger B. Baker Commissioners,  
 Madison Co.

L CERTIFICATE OF COUNTY SURVEYOR AS TO WORK COMPLETED

In the Matter of the Single Office of the County Surveyor,  
 County Ditch Petitioned for Madison County, Ohio  
 by W. J. Davis and others. May 4, 1953

To O. E. Liller, Contractor:

This is to certify that the undersigned County Surveyor 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 W. J. Davis and others, and I, therefore, approve said work and labor for payment in the sum of Thirty one hundred dollars and 94/100 (\$3100.94) Dollars, the same being the contract price for said percentage of work and labor completed and accepted.

Helgeh Ekedahl  
 County Surveyor.

Feb. 16, 1953	First Est.	\$2000.00
May 4, 1953	Second and Final Est.	<u>1276.94</u>
		3276.94

(\$176.00) extra work performed  
 by contractor per agreement  
 between County Engineer  
 and Contractor.

M ITEMIZED LIST OF IMPROVEMENT COSTS

Construction: O. E. Liller		3276.94
Engineers Services		1004.00
Construction of Headwall by County		400.00
Transcripts, Mailing Notices and Advertising:		
Transcript	4.50	
Publications	8.40	
Mailing Charges	<u>6.96</u>	
		<u>19.86</u>
		4700.80

ELI JONES SINGLE COUNTY DITCH

Owner	Dist:	Acres Owned	Acres Benefited	Constr. Schedule Estimate	Rate	Final Assmt. Incl. Exp.
Atkinson, Cephas	Darby	34.00	34.00	80.00	.01221	57.40
Beachy, Mary Ann (Life Est.)	"	105.50	105.50	487.73	.07441	349.79
Davis, Wm. J.	"	53.00	53.00	245.02	.03738	175.72
"	"	36.50	36.50	168.74	.02574	121.00
"	"	30.70	20.70	95.70	.01460	68.63
DeBolt, William L.	"	40.00	30.00	138.69	.02116	99.47
"	"	12.75	12.75	58.94	.00899	42.26
"	"	10.55	10.55	48.77	.00744	34.97
"	"	19.70	19.70	91.07	.01389	65.29
"	"	1.26	1.26	5.82	.00089	4.15
Florence, Walter T.	"	102.07	52.79	124.22	.01895	89.08
"	"	65.00	65.00	152.95	.02334	109.72
Lombard, Frank E.	"	18.50	10.50	48.54	.00741	34.83
Mengert, Jean Rowland	"	140.00	90.00	211.77	.03231	151.88
Miller, Levi & Fannie	"	13.25	13.25	31.17	.00476	22.38
"	"	4.50	4.50	10.59	.00162	7.62
" Joseph Jr. & Edna	"	30.15	30.15	48.84	.00745	35.02
Mortimer, Lulu Vaughn	"	61.09	30.00	138.69	.02116	99.47
"	"	3.09	3.09	14.29	.00218	10.25
"	"	52.57	52.57	242.92	.03706	174.21
Morgridge, Emerson & Paul	"	40.00	40.00	94.12	.01436	67.50
Myers, Katherine D.	"	23.80	23.80	38.56	.00588	27.64
Plank, John C.	"	20.00	20.00	47.06	.00718	33.75
George, Edith S. Life Est.	"	37.96	37.96	175.49	.02677	125.84
Taylor, Mary M. F.	"	102.07	57.00	134.12	.02046	96.18
Yutzy, Vernon E.	"	25.00	25.00	58.83	.00898	42.21
Yutzy, Jacob E.	"	72.06	72.06	169.34	.02584	121.47
DeBolt, W. L.	Chuckery -	38.09	15.00	69.35	.01059	49.78
"	Darby	"	"	"	"	"
"	"	11.75	11.75	54.32	.00829	38.97
Dellinger, Henry	"	35.50	19.97	92.266	.01408	66.19
George, Edith S. Life Est.	"	41.91	41.91	193.75	.02956	138.96
"	"	57.22	21.22	98.25	.01499	70.46
Madison Co.	"	"	"	200.00	.03051	143.45
				6554.50	1.00000	4700.80
Atkinson, Cephas	Canaan	41.30	41.30	97.18	.01483	69.71
Beachy, Jonas E. et al	"	79.66	79.66	129.05	.01968	92.51
"	"	5.00	5.00	8.10	.00123	5.78
Florence, Walter T.	"	4.00	4.00	9.41	.00144	6.77
Hochstettler, John M.	"	4.00	4.00	9.41	.00144	6.77
"	"	9.78	9.78	23.01	.00351	16.50
"	"	38.58	38.58	90.78	.01385	65.11
"	"	5.81	5.81	13.67	.00209	9.82
Kauffman, Moses M.	"	37.45	37.45	88.12	.01344	63.18
" Raymond R.	"	68.38	68.38	160.90	.02455	115.40
"	"	3.00	3.00	7.06	.00108	5.08
"	"	1.25	1.25	2.94	.00045	2.12
Miller, Levi & Fannie	"	55.91	55.91	131.55	.02007	94.35
"	"	14.00	14.00	32.94	.00503	23.65
"	"	12.00	12.00	28.24	.00431	20.26
"	"	1.50	1.50	3.53	.00054	2.54
"	"	32.33	10.00	23.53	.00359	16.88
Miller, John W. & Anna	"	84.66	84.66	137.15	.02092	98.34
Miller, Joseph Jr. & Edna	"	54.02	54.02	87.52	.01335	62.76
Myers, Katherine D.	"	36.00	36.00	48.60	.00741	34.83
Plank, John C.	"	55.82	55.82	131.35	.02004	94.20
"	"	7.60	7.60	17.88	.00273	12.83
Stutzman, Perry J.	"	62.25	62.25	100.84	.01538	72.30
"	"	45.35	45.35	73.47	.01121	52.70
Troyer, Daniel	"	75.50	75.50	177.66	.02710	127.39
"	"	3.00	3.00	7.06	.00108	5.08
"	"	1.50	1.50	3.53	.00054	2.54
"	"	.60	.60	1.41	.00022	1.03
Troyer, Eli M. & Malinda	"	43.72	43.72	102.87	.01569	73.76
"	"	49.96	49.96	117.56	.01794	84.33
"	"	2.85	2.85	6.71	.00102	4.79
Whitmer, Martha	"	72.06	72.06	169.55	.02587	121.61
"	"	27.94	27.94	65.75	.01003	47.15
Yoder, Abe	"	33.14	33.14	77.98	.01190	55.94
"	"	48.15	48.15	113.30	.01729	81.28
Yutzy, David	"	10.75	10.75	17.42	.00266	12.50
"	"	89.24	89.24	144.57	.02205	103.65
"	"	17.02	17.02	27.57	.00421	19.79
Yutzy, Vernon E.	"	2.60	2.60	6.12	.00093	4.37
"	"	55.73	55.73	131.13	.02000	94.02
"	"	42.17	20.00	47.06	.00717	33.70
"	"	4.72	4.72	11.11	.00169	7.94

## ELI JONES SINGLE COUNTY DITCH

## O CERTIFICATE OF UNPAID ASSESSMENTS

September 28, 1953  
London, OhioMadison County Commissioners  
London, Ohio

Gentlemen:

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

Myers, Katherine D.	\$ 34.83
Stutzman, Perry J.	125.00
Troyer, Eli M. & Malinda	162.88
Lombard, Frank E.	34.83
Morgridge, Emerson & Paul	67.50
Myers, Katherine D.	27.64
Plank, John C.	33.75
George, Edith S. (Life Estate)	125.84
Debolt, W. L.	38.75
Dellinger, Henry	66.19
George, Edith S. (Life Est. )	<u>209.42</u>
Total	\$976.63

Very truly yours,

Forrest R. Hanson  
Auditor, Madison CountyP RESOLUTION TO ISSUE NOTES IN ANTICIPATION OF THE LEVY OF SPECIAL ASSESSMENTS  
OR OF THE ISSUANCE OF BONDSIn the Matter of the Single  
County Ditch Petitioned for by  
W. J. Davis and others.Office of the Board of County Commissioners,  
Madison County, Ohio  
September 28, 1953In the Matter of the Single  
County Ditch Petitioned for  
by W. J. Davis 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

Mr. Plymell moved the adoption of the following Resolution:

Whereas, Said Board has heretofore, by Resolution duly passed on the 26th day of August, 1952, affirmed their former order finding in favor of the improvement of the County Ditch No. --, petitioned for by W. J. Davis and others; and

Whereas, It is now deemed necessary to issue and sell \$976.63 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 26th day of August 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 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 special assessments or of the issuance of bonds to issue and sell 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 Nine hundred seventy six and 63/100 Dollars (\$976.63), 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 October, 1953 and shall be in the denomination of Nine hundred seventy six and 63/100 Dollars (\$976.63) and shall be numbered 5.

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 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 Trea

suren 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. 5            October 1, 1953            Amt. \$976.63

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 2293-2 $\frac{1}{4}$  of the General Code, 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 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 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 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 County Commissioners  
Madison County, Ohio