

## A COUNTY DITCH PETITION

London, Ohio, April 27, 1951

Petition for examination, clearing, repairing, reconstruction or relocation of a portion of the Van Cleve Ditch, which was petitioned for August 7, 1897.

To the Board of County Commissioners, Madison County, Ohio:  
The undersigned hereby petition your honorable body for the examination, clearing, repairing, reconstruction or relocation of a portion of the Van Cleve Ditch, on the course hereinafter set forth.

The construction of the improvement is necessary, and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit: Commencing at a point in the East line of the West Jefferson-Kiousville Road (CH-22) and the West line of Lot #53 in the Thomas Addition to the unincorporated Village of California, Madison County, Ohio; thence in an Easterly direction, passing through the lands of Pearl C. Van Cleve, Marvin Adrian, Frederick Adrian; thence Southeasterly thru the lands of Ira Henson, Lizzie C. Miller, Rufus M. Snyder et al and Wm. J. and Iva T. Dalby to the beginning of the above mentioned Van Cleve Ditch, or far enough to obtain good and sufficient outlet. The above description covers Lateral No. 1 of said ditch and a portion of the main ditch.

The following is the nature of the work petitioned for : cleaning out, repairing and laying new tile where necessary to insure proper drainage.

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:

Albert Karn, Rt. 4, London, Ohio  
C. Herman McDaniel, Rt. 4, London, Ohio  
W. J. and Iva T. Dalby, London, Ohio  
Glen H. Young, Rt. 4, London, Ohio  
Ira Gill, Rt. 4, London, Ohio  
Violet M. Casto, Rt. 4, London, Ohio  
Edward and Anna A. Kitchen, Rt. 4, London, Ohio  
Alfred J. & Violet Irene Carter, London, Ohio  
Raymond L. & June L. Rhanor, Rt. 2, London, Ohio  
Neva Webb, Rt. 4, London, Ohio  
Wesley J. Edwards & Jennie Edwards, Rt. London, Ohio  
Rufus M. Snyder Helen Lucile Snyder, Rt. 4, London, Ohio  
Edna Merle Adrian, Rt. 4, London, Ohio  
Fred P. & Eva Elliott, Rt. 4, London, Ohio  
Fred Cummins, Rt. 4, London, Ohio  
Mary Casto et al, Rt. 4, London, Ohio  
Leonidas Johnson, Rt. 4, London, Ohio  
Clyde & Ioma Lambert, Rt. 4, London, Ohio  
Leland E. & Mary K. Edwards, Rt. 4, London, Ohio  
C. W. Fisher, Rt. 4, London, Ohio  
Louise Corder, Rt. 4, London, Ohio  
Ira Henson, Rt. 4, London, Ohio  
Wm. Murl & Richard Livingstone, 43 N. Yale Ave., Columbus, Ohio  
Nettie Beekman, London, Ohio  
Bruce & Garnet Ladley, R. F. D. London, Ohio  
Lizzie C. Miller, Rt. 4, London, Ohio  
Frederick Adreon, Rt. 4, London, Ohio  
Marvin E. Adrian, Rt. 4, London, Ohio  
Pearl C. Van Cleve, 246 S. 18th St., Columbus, Ohio  
J. W. Beekman, Rt. 4, London, Ohio

Service of notice of filing of the petition shall be obtained by Pearl C. Van Cleve petitioner.

## B BOND (TO BE FILED WITH DITCH PETITION)

Know All Men By These Presents, That we, Pearl C. Van Cleve, as principal, and Rufus M. Snyder, Fred P. & Eva L. Elliott, Marvin E. Adrian, Neva Webb, as sureties, are held and firmly bound unto the state of Ohio, in the sum of Five hundred and no/100 Dollars, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at London, Ohio, this 27th day of April, 1951

The Condition of the Above Obligation is Such, That Whereas, on the 27th day of April, 1951 the above bound Pearl C. Van Cleve filed his petition with the Auditor of Madison County, Ohio, making application to the County Commissioners for the examination, clearing, repairing, reconstruction relocation of a portion of the Van Cleve ditch petitioned for by Pearl C. Van Cleve and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at a point in the East line of the West Jefferson- Kiousville Road (CH-22) and the West line of Lot # 53 in the Thomas addition to the unincorporated Village of California, Madison County, Ohio; thence in an Easterly direction, passing through the lands of Pearl C. Van Cleve, Marvin Adrian, Frederick Adrian; thence Southeasterly through the lands of Ira Henson, Lizzie C. Miller, Rufus M. Snyder et al Wm. J. and Iva T Dalby to the beginning of the above mentioned Van Cleve ditch, or far enough to obtain good and sufficient outlet. The above description covers lateral No. 1 of said ditch and a portion of the Main Ditch.

VAN CLEVE SINGLE COUNTY DITCH

The following is the nature of the work petitioned for : cleaning out, repairing and laying new tile where necessary to insure proper drainage.

Now, if the said Pearl C. Van Cleve 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 14th day of May, 1951  
Forrest R. Hanson, County Auditor

Pearl C. Van Cleve  
Rufus M. Snyder  
Fred P. & Eva L. Elliott  
Marvin E. Adrian  
Neva Webb

C RESOLUTION ORDER FIXING TIME OF VIEW AND FIRST HEARING

In the Matter of the Single County Ditch Petitioned for by Pearl C. Van Cleve and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
May 14, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 14th day of May, 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 14th of May, 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 Pearl C. Van Cleve, petitioner, for the examination, clearing, repairing, reconstruction or relocation of a portion of the Van Cleve ditch: and

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

Resolved, By said Board of County Commissioners, that the 4th day of June, 1951, at ten A.M. at the upper terminus of the improvement, be and the same is hereby fixed as the time and place for the view thereon; and be it further

Resolved, That the 11th day of June, 1951, at ten o'clock A. M. at the office of the Board of County Commissioners of said County be and the same is hereby fixed as the time and place for the first hearing on the petition; and be it further

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

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

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

Forrest R. Hanson  
Madison County, Ohio

D RESOLUTION: COMMISSIONERS' FINDING FOR THE IMPROVEMENT

In the Matter of the Single County Ditch Petitioned for by Pearl C. Van Cleve and others.

Office of the Board of County Commissioners,  
Madison County, Ohio  
June 11, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 11th day of June, 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 in its order dated the 14th day of May 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 route, course, termini, or manner of construction described in the petition, or in any application therefor; therefore, be it

Resolved, By the Board of County Commissioners that said 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:

## VAN CLEVE SINGLE COUNTY DITCH

Commencing at a point in the East line of the West Jefferson-Kiousville Road(CH-22) and the West line of Lot #53 in the Thomas Addition to the unincorporated village of California, Madison County, Ohio; thence in an easterly direction, passing through the lands of Pearl C. Van Cleve, Marvin Adrian, Frederick Adrian; thence southeasterly through the lands of Ira Henson, Lizzie C. Miller, Rufus M. Snyder et al and Wm. J. Dalby and Iva T. Dalby to the beginning of the above mentioned outlet. The above description covers lateral no. 1 of said ditch and a portion of the Main Ditch.

The following is the nature of the work petitioned for : cleaning out, repairing and laying new tile where necessary to insure proper drainage, and be it further

Resolved, That the County Surveyor be and he is 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 23rd day of July, 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 reports 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. Rodger B. Baker	Yes
Mr. Glenn R. Daugherty	Yes

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

E 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 Office of the Board of County Commissioners,  
County Ditch Petitioned for Madison County, Ohio  
by Pearl C. Van Cleve and others. July 23, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 23 day of July, 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 23 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 11th day of June, 1951; therefore, be it

Resolved, That the 20th day of August, 1951, at 10 o'clock A. M. be and the same is hereby fixed as the time for the final hearing on said reports and schedules, on estimated assessments, on the proceedings for the improvement, and on claims for compensation or damages, which claims must be filed with the County Auditor on or before said date; and be it further

Resolved, That notice of said hearing be given at once.

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

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

In the Matter of the Single Office of the Board of County Commissioners,  
County Ditch Petitioned for by Madison County, Ohio  
Pearl C. Van Cleve and others. August 20, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 20th day of August, 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 being the day fixed by said Board, in its order dated the 24th 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

## VAN CLEVE SINGLE COUNTY DITCH

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 24th 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 the 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 24th day of July, 1951, be and the same is hereby affirmed; and

Whereas, Objections to the proposed assessment having been filed by----None---- and the Board having heard said objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the 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:----None---and be it further

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

Resolved, \$50.00 found to benefit the 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 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 17th day of September, 1951, 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 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 does not exceed one thousand dollars, the notice of said letting be given by posting at the front door of the County Court House, xxxxxx, 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. Rodger B. Baker	Yes
Mr. Glenn R. Daugherty	Yes

Mr.

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

## VAN CLEVE SINGLE COUNTY DITCH

## G RESOLUTION COMMISSIONERS ORDER AWARDING CONTRACTS

In the Matter of the Single Office of the County Commissioners,  
County Ditch Petitioned for by Pearl Madison County, Ohio  
Pearl C. Van Cleve and others. September 17, 1951

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 17th 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. Daugherty 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 Pearl C. Van Cleve and others; and

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

Bidder	For What Work or Materials	Amt. Bid	Surveyor's Est.
The Madison Tile Co,	Labor and Materials	982.20	982.20

therefore, be it

Resolved, That contracts be and the same are hereby awarded to said The Madison Tile Co. at the amounts bid by them 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 Surveyor 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 November, 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. 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

## H DITCH CONTRACT

In the Matter of the Single Work and Labor and Materials  
County Ditch Petitioned for by  
Pearl C. Van Cleve and others.

This Contract made and entered into on this 17th day of September, 1951 by and between the board of Madison County Commissioners, Party of the First Part, hereinafter designated as "First Party" and The Madison Tile Company of London, Ohio Party of the Second hereinafter designated as the "Second Party".

Witnesseth, That said Second Party, for and in consideration of the sum of Nine hundred eighty two and 20/100 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 ditch improvement petitioned for by Pearl C. Van Cleve 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 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 Nine hundred eighty two and 20/100 Dollars (\$982.20), 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, Ohio  
Rodger B. Baker First Part  
Glenn Daugherty

The Madison Tile Co,  
by Chas. F. Van Cleve Contractors, Second Party

VAN CLEVE SINGLE COUNTY DITCH

I BOND OF DITCH CONTRACTOR

In the Matter of the Single  
County Ditch Petitioned for by  
Pearl C. Van Cleve and others.

On Contract for Work and Labor  
and Materials

Know all men by these presents, That we, The Madison Tile Company, as Principal 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 Nine hundred eighty two and 20/100 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 17th day of September, 1951.

The condition of the above obligation is such that, Whereas, the above bound Madison Tile 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 Pearl C. VanCleve and others specified in said contract, to the satisfaction and acceptance of the County Surveyor, on or before the 1st day of April, 1952, for the compensation of Nine hundred eighty two and 20/100 Dollars; to the payment of which sum, well and truly to be made. 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 the 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 Madison Tile 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  
Helge Ekedahl  
Alice M. Sharpe

The Madison Tile Co.  
by Chas. F. Van Cleve Sec. Treas.  
Robert T. Phillips

The above bond being good and sufficient is approved this 17th day of Sept. 1951.

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

J CERTIFICATE OF COUNTY ENGINEER AS TO WORK COMPLETED

In the Matter of the Single  
County Ditch Petitioned for by  
Pearl C. Van Cleve and others.

Office of County Engineer,  
Madison County, Ohio  
April 1, 1952

To The Madison Tile Company, 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 Pearl C. Van Cleve and others, and I, therefore, approve said work and labor for payment in the sum of Nine hundred eighty two and 20/100 (\$982.20) less One hundred seventy and 20/100 (\$170.20) labor and material not performed on this contract as per agreement. the same being the contract price for said percentage of work and labor completed and accepted.

Helge Ekedahl  
County Engineer.

K ITEMIZED LIST OF IMPROVEMENT COSTS

Construction:

Madison Tile Co. Contract 812.00

Engineers Services:

Engineering and Inspection 480.00

Transcript, Mailing Notices and advertising:

Transcript 4.50  
Mailing Notices 5/14/51 .90  
" " 7/23/51 .90

6.30  
1298.30

## VAN CLEVE SINGLE COUNTY DITCH

## L FINAL ASSESSMENT SCHEDULE

Owner	Dist.	Acres Owned	Acres Benefi	Constr. Schedule Est.	Rate	Final Assmt. Sched.
Adrian, Marvin E.	Fairfield	.50	.50	133.24	.08420	109.32
Adrian, Edna Merle	"	Lot .48	.48	66.62	.04211	54.67
" " "	"	" .49	.49	33.30	.02104	27.32
Adreon, Frederick	"	" .24	.24	66.62	.04211	54.67
" " "	"	" .32	.32	66.62	.04211	54.67
Casto, Mary et al	"	" .31	.31	66.62	.04211	54.67
Cummins, Fred	"	" .50	.50	133.24	.08420	109.32
Edwards, Leland E. Mary K.	"	"#1	#1	33.32	.02107	27.35
Elliott, Fred P., Eva	"	Lot .39	.39	66.62	.04211	54.67
Henson, Ira	"	"pt. .13	pt. .13	33.30	.02104	27.32
" " "	"	" .14	.14	33.30	.02104	27.32
Johnson, Leonidas	"	Lot .23	.23	66.62	.04211	54.67
Ladley, Bruce & Garnet	"	" .15	.15	66.62	.04211	54.67
" " "	"	" .16	.16	66.62	.04211	54.67
Lambert, Clyde & Ioma	"	" .12	.12	66.62	.04211	54.67
" " "	"	"#1	#1	33.30	.02104	27.32
Miller, Lizzie C.	"	"pt. .13	pt. .13	33.30	.02104	27.32
" " "	"	" .14	.14	33.30	.02104	27.32
Rhanor, Raymond L. et al	"	" .97	.97	66.62	.04211	54.67
Snyder, Rufus M., Lucille	"	" .52	.52	66.62	.04211	54.67
Van Cleve, Pearl C.	"	" .40	.40	66.62	.04211	54.67
" " "	"	"pt. .49	.49	33.30	.02104	27.32
" " "	"	" .51	.51	66.62	.04211	54.67
" " "	"	" .53	.53	66.62	.04211	54.67
Webb, Neva	"	" .60	.60	66.62	.04211	54.67
Madison County				50.00	.03160	1 41.02
				1582.20	1.00000	1298.30

## M CERTIFICATE OF UNPAID ASSESSMENTS

Sept. 29, 1952  
London, Ohio

Madison County Commissioners  
London, Ohio

Gentlemen:

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

Adrian, Marvin E.	109.32
Adrian, Edna Merle	81.99
Adreon, Frederick	109.34
Casto, Mary et al	54.67
Cummins, Fred	109.32
Edwards, Leland E. & Mary K.	27.35
Elliott, Fred P. & Eva	54.67
Henson, Ira	54.64
Johnson, Leonidas	54.67
Ladley, Bruce & Garnet	109.34
Lambert, Clyde & Ioma	81.99
Van Cleve, Pearl C.	<u>191.33</u>
Total	\$1038.63

Yours very truly,

Forrest R. Hanson

Auditor, Madison County

VAN CLEVE SINGLE COUNTY DITCH

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 Office of the Board of County Commissioners, County Ditch Petitioned for by Madison County, Ohio Pearl C. Van Cleve and others. September 29, 1952

The Board of County Commissioners of Madison County, Ohio, met in regular session on the 29th 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, Said Board has heretofore, by Resolution duly passed on the 20th day of August, 1951, affirmed its former order finding in favor of the improvement of the County Ditch petitioned for by Pearl C. Van Cleve and others; and

Whereas, It is now deemed necessary to issue and sell \$1038.63 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 20th day of Aug., 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 One thousand thirty eight and 63/100 Dollars (\$1038.63) 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, 1952, and shall be in the denomination of One thousand thirty eight and 63/100 Dollars (\$1038.63) and shall be numbered 31.

Said note shall bear interest at the rate of four per centum per annum until paid, and the interest on said note shall be payable on the 1st day of April and the 1st day of October, 1953, and until the principal sum of said note is paid and as evidenced by interest coupons attached thereto. Said note 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 note and interest coupons as they respectively mature. Said note shall be due and payable as follows:

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Said note 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 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 the payment of the principal and interest as the same falls due and is payable 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. 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

Dated this 29th day of September, 1952.

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