

State of Indiana,

SS.

Tippecanoe County.

In the Superior Court,

April Term, 1909.

In the matter of the petition of :

Nellie Ball, et al for drainage. :

No. 9341. :

TO THE HON. HENRY H. VINTON, SOLE JUDGE OF SAID COURT:

The undersigned Grant Holwerda and Balser Eckhart, drainage commissioners and Alba G. Arnold, surveyor of Tippecanoe County, to whom was referred the above petition to make personal inspection of the lands described in the petition and all other lands likely to be affected by the proposed work, decided, first; that the drainage is practicable; second, that when accomplished it will improve the public health, benefit public highways in the county and will be of public utility; third, that the costs and expenses of affecting the drainage will be less than the benefits to the owners of the land.

Your commissioners then proceeded to determine definitely the best and cheapest method of drainage, the route, location and character of the proposed work fixing the same by metes and bounds; courses; distances and descriptions, grades and bench marks, including all necessary arms or branches so as to provide complete drainage of all lands to be affected by the proposed work as per order of the court in said cause set forth in order book of said court No. _____, page _____ thereof, report as follows:

That the best and cheapest method of drainage will be by the construction of a tile drain with arms or branches along the following described routes; Main

MAIN DRAIN:

Station

B.M.
0
+16
+40
1
2
3
4
5
6
7
8
9
10
x11

Beginning at a point 30 feet west of the north-east corner of the south-east quarter of the south-east quarter of Section Fourteen(14), Township Twenty-four (24) North, Range Three (3) West; thence in an easterly course following the tile drain already located to station 14 of said proposed ditch; thence following an old open drain in an easterly and southerly direction a distance of 1700 feet and terminating in an open channel by the name of little sugar creek; which point o termination is about 40 rods north and 24 rods west from the south-east corner of the south-west quarter of Section Thirteen (13), Township Twenty-four (24) North Range Three (3) West;

ROADRUCK BRANCH NO. 1,

Begins at a point on the east side of the public highway running north and south on the west side of Section Thirteen (13), Township and range aforesaid; 275 feet north of station 0 plus 40 of the main; thence south to station 0 plus 40.

ROADRUCK BRANCH NO. 2,

Begins near the south-east corner of the north half of the north-west quarter of the south-west quarter of Section Thirteen, (13), Township and range aforesaid; thence in a southerly direction following the lowest land to the right of way of the Wabash Traction Company; thence along the right of way of said traction company to the main ditch at station 14 plus 50.

WOLF BRANCH,

Begins at a point on the east side of the public highway; said public highway running north and south on the west side of Section Thirteen (13) at the outlet of the tile ditch already located; thence north and north-east ^{total} a distance of 688 feet; joining the main at station 4 plus 40.

UNDERHILL BRANCH,

Begins at a point on the west side of the Wabash Traction Company; thence along said traction company's right

12
13
14
B.M.
+50
+58
+81
15
+57
16
17
18
19
20
21
22

22	31.00	37.70	38.80	30.70	47.00	7.50	35.50
23	33.50	36.70	38.10	32.00	46.00	9.20	34.87
24	33.00	36.30	38.80	33.00	45.00	10.00	37.04
x25	32.50	35.75	36.35	32.50	3.80	7.50	28.15

of way a distance of 400 feet, joining the main at station 14 plus 50.

That the grades and bench marks of the main and branches, also the elevation of the surface of the ground, cuts from the top to bottom of proposed ditch, required width, size of tile, end areas and cubic yards of excavation for each station of 100 feet or less are as shown in "Exhibit E", which is hereto attached and made a part hereof.

That we have assessed benefits to each separate tract of land as shown in "Exhibit D" which is attached hereto and made a part hereof; that the relative situation of the lands so assessed are shown on the accompanying plat hereto attached, marked "Exhibit C"; that on "Exhibit E" hereto attached we show the dimensions of a retaining wall and location of catch basins, said retaining wall to be built at station 31, the outlet of said ditch; said catch basins are to be located where specified on "Exhibit E".

That we have adopted the specifications set forth in "Exhibit F" hereto attached for the construction and maintenance of said proposed ditch.

That there will be no damages resulting from the construction of the proposed ditch to any land or public highway; that we estimate the entire cost and expenses of construction of said proposed ditch to be \$850.00, this estimate being based on price of material and labor at the time of making this report.

Respectfully submitted.

B. Zedert

DRAINAGE COMMISSIONERS.

A. J. Arnold Eng.

SURVEYOR.

SS.

Tippecanoe County.

We, the undersigned, Galsner Eckhart and Alba G. Arnold, swear, that we have personally examined each tract of land assessed for benefits; that such ditch is in our judgment of sufficient capacity and character to carry off all the water which flows or should flow along such route; that no other lands than those described in the foregoing report will either be benefited or damaged by the construction of the said proposed ditch; that the statements herein made are true and correct, just fair and equitable as between the parties concerned, as we verily believe and to the best of our judgment.

We further swear that the expense account filed by us herewith is a true and honest statement of the services of ourselves and all persons employed by us in said behalf, and further that the services therein shown were actually and necessarily rendered by the person therein named, and we respectfully pray the court to make an order allowing said account as by us stated and sworn to, directing the same to be paid out of the county treasury as by statute directed and provided.

B. Eckhart

A. G. Arnold Eng.

Subscribed and sworn to before me this 10 day of April, 1909.

Robert Prass

CLERK.

Station	Grade	Elevation		Cuts from		Required Width		Present Width		Size of Tile	End Areas Sq. Ft.	Cubic Yards of Excavation	Notes
		Bottom	Top	Bottom	Top	Bottom	Top	Bottom	Top				
B.M.			50.10							12"			Littlecherry 120' S of Sta 0
0	43.10		46.00	3.00		18"	24"				6.00	22.22	C. Basin at 11 C. Basin at 10+40
+16 +40	C. Basin												
1	42.70		45.15	3.45							7.50	29.26	
2	42.40		45.80	3.40							6.80	25.18	
3	42.10		45.80	3.70							7.40	27.41	
4	41.80		45.45	3.65							7.30	27.04	
5	41.50		45.20	3.70							7.40	27.41	
6	41.20		45.35	4.15							8.30	30.74	
7	40.90		44.60	3.70							7.40	27.41	
8	40.60		44.10	3.50							7.00	25.93	
9	40.30		43.35	3.05							6.10	22.59	
10	43.10		40.00	3.10							6.20	22.56	
x11	39.50		43.00	3.50							7.00	25.93	
12	39.00		43.10	4.10							8.20	30.37	
13	38.50		43.00	4.50							9.00	33.33	14+37=N. Fence Trac. 15+7=S. " " Trac.
14	38.00		42.60	4.60						15"	9.20	34.07	
B.M.			44.50										Stump W. side Traction Line
+50	37.75		43.00	5.25							10.50	38.89	5 Foot of slope S. Rail Trac. Line
+68	37.65		49.85	12.20									5 Foot of slope.
+81	37.60		44.80	7.20									
15	37.50		43.10	5.60							11.20	41.48	Catch Basin at 15 15+7=N. Fence Wab.
+67	37.17		50.33	13.15									S. Rail Wab. RR. Switch
16	37.00		41.55	4.55							9.10	33.70	16+10 S. Fence Wab. RR
17	36.50		40.70	4.20							8.40	31.11	C. Basin at 16.
18	36.00		40.10	4.10							8.20	30.37	
19	35.50		40.00	4.50							9.00	33.33	
20	35.00		39.35	4.35							9.70	35.93	
21	34.50	37.50	39.35	3.00	4.85			24"	36"		9.70	35.93	
22	34.00	37.10	38.80	3.10	4.80						9.60	35.56	
23	33.50	36.70	38.10	3.20	4.60						9.20	34.07	
24	33.00	36.30	38.00	3.30	5.00						10.00	37.04	
x25	32.50	35.75	36.35	3.25	3.80						7.60	28.15	

Station	Grade	Elevation		Cuts from		Required Width		Present Width		Size of Tile	End Areas Sq. Ft.	Cubic Yards of Excavation	Notes
		Bottom	Top	Bottom	Top	Bottom	Top	Bottom	Top				
26	32.25	35.35	36.15	3.10	3.90	18"	24"	24	30	15"	6.20	22.86	
27	32.00	35.00	36.00	3.00	4.00						6.00	22.22	
28	31.75	34.50	35.00	2.85	3.25						5.70	21.11	
29	31.50	34.70	34.90		3.40						6.80	25.19	
x30	31.25		34.70		3.45						6.90	25.56	
31	30.25		32.10		1.85								
Terminus													
Retaining Wall at Sta 31.													
Length 8'													
Width { bot. 18"													
top 12"													
Height 2' below to 2' above tire.													
Road Truck Br. No 1													
0	47.35		49.35	2.00		12"	12"			7"	2.00		
1	45.10		48.10	3.00							3.00	11.11	
2	44.45		47.45	3.00							3.00	11.11	
+75	42.90			3.00							3.00	11.11	
WOLF Branch.													
0			54.60	3.00		12"	12"			7"	3.00		
1	48.30		51.90	3.00							3.00	11.11	
2	47.30		50.30	3.00							3.00	11.11	
3	46.40		49.40	3.00							3.00	11.11	
4	45.00		48.00	3.00							3.00	11.11	
5	43.60		46.60	3.00							3.00	11.11	
6	42.60		45.60	3.00							3.00	11.11	
+88	41.20		44.80	3.60							3.60	11.11	
Joins main Sta 4+40.													
Begins on E Side Road 600 Ft S of 0+40.													
Joins main Sta 4+40.													

Exhibit D

Name	Description	A	sec	T	R.	Don.	Cts.
Barr Nellie	SE ⁴ SE ⁴	40	14	24	3	150	
" "	NE ⁴ SE ⁴	40	13	24	3	125	
Swank Bertha	Pt SW ⁴ SW ⁴ West of Traction Line & North of Town of Chapman sville	20	13	24	3	150	
" "	S ² NW ⁴ SW ⁴	20	13	24	3	100	
" "	Pt S ² NE ⁴ SW ⁴ West of Traction Line	4	13	24	3	25	
Roadruck Wm. A.	N ² NW ⁴ SW ⁴	20	13	24	3	125	
" "	Pt N ² NE ⁴ SW ⁴ West of Traction Line	5	13	24	3	50	
" "	Lot No 19820 Chapmans second Addition to town of Chapmansville		13	24	3	12	
Rice Catharina							
" Charles	Pt N ² SE ⁴ SW ⁴ E. of						
" Calvin P.	Wabash R.R.		13	24	3	125	
Quick Etta							
Cavert Linda							
Peffrey Ernest	Pt NE ⁴ SW ⁴ East of Wabash, R.R.		13	24	3	50	
Peffrey Georgia							
" William H.							
" Alberta G.							
Jester Lewis N.	Lot No 21, Chapm- ans second Add. to Chapmansville		13	24	3	6	
Jester Julia B.							
" "	Lot No 3 Carneys Add. to Chapman sville		13	24	3	6	

ASSESSMENT LIST BALL ET AL DITCH

Exhibit D^y

NAME	Description	Acres	Sec.	T.P.	R.	Doll.	Cts.
WOLF Sarah C.	Lots No 16, 17, 18 Chapmans ^{2nd} Add. to Chapmanville	13	24	3		18	
" Roy	Lot No. 15 - Chapmans 2nd Add to Chapmanville	13	24	3		6	
Underhill Oza	Lot No. C. Carney's Add to Chapmanville	13	24	3		6	
Stinebaugh Frank & Heirs of Carrie C. Stinebaugh	Lots No 4 & 5 - Car neys Add. to Chapmansville	13	24	3		12	
Washington T.P. Robert H. Wagoner Trustee	Highway running N & S, W side Sec. 13.	13	24	3		60	
" "	Carney St Chapmansville	13	24	3		15	
Wabash Railroad	Right of Way through sec 13	13	24	3		100	
Wabash Valley Traction Co.	Right of Way through sec. 13	13	24	3		75	
						1191	1216

EXPENSE ACCOUNT.

ALBA G. ARNOLD AS ENGINEER.

March 20, April 5th, 6th, 7th, 8th, 9th and 10th at \$4.00 per day,	\$28.00
April 5th car fare,	.80
April 5th level book,	.50
April 5th paid rod man	1.50
April 10th Stenographer for 2 copies of report, Balser Eckhart, Services as commissioner.	\$ 21.80 2.00 <u>23.80</u>
March 20th, April 5-8-10, at \$2.00 per day,	\$12.00
April 8th, car fare .35 April 10th car fare, .30 <i>March 20 carfare 35-</i>	.70 <u>35-</u> 13.05
James Ball, services as chain man.	
April 5th	1.50
For meals furnished commissioners,	.75
	\$2.25
<i>Total</i>	<u>48.10</u>

The laying of the tile must begin at the lower end and proceed up the drain. The tile must be laid as closely together as practicable and in line, free from irregular cracks; no tile to be covered until inspected and accepted by the superintendent in charge of the work. Junctions with branch lines shall be made with "T's" or "I's" of proper dimensions.

Whenever this ditch crosses a line of private tile this contractor shall properly request the owner with his work. After tile has been laid and inspected and accepted by the superintendent of construction they shall be covered to the surface of the surface ground.

The contractor shall assume all risks from stones and cavities in of the trenches, and when the main

Specifications for the construction and maintenance
of the Nellie Ball, et al Ditch.

The main ditch and branch^{es}/thereof shall be excavated to the several depths as shown in the tabulated statement of grades etc. referred to in the report of the drainage commissioners as "Exhibit E" and shall be constructed in all respects in strict accordance therewith and as therein set forth as interpreted by the superintendent of construction in charge of said ditch.

Digging Trenches.

The digging of the trenches of the main must begin at the outlet and of the branches at their junction with the main and proceed towards the upper end; the trench shall be dug on one side of the line of survey stakes in a straight and neat manner. When a change in the direction of a ditch is made it must be done by means of a neat curve conforming to the survey stakes as set by the engineer in charge of the work; the bottom of the trenches shall be graded evenly by means of cross section strings or any other accurate device for obtaining an even and true grade in the bottom of the trench upon which to lay the tile.

Laying Tile.

The laying of the tile must begin at the lower end and proceed up the drain. The tile must be laid as closely together as practicable and in line, free from irregular crooks; no tile to be covered until inspected and accepted by the superintendent in charge of the work. Junctions with branch lines shall be made with "Y's" or "T's" of proper dimensions.

Wherever this ditch crosses a line of private tile this contractor shall properly connect the same with his work. After tile has been laid and inspected and accepted by the superintendent of construction they shall be covered to the surface of the contiguous ground.

Risk during construction.

The contractor shall assume all risks from storms and caving in of the trenches, and when the main

fits for the construction of said ditch. In case the contractor shall fail to comply with these specifications or refuse to correct faults in the work as soon as they are pointed out to the superintendent of construction in charge of the work, the superintendent of construction may declare the contract void and the contractor upon receiving a fair price for the work performed by him, such price to be determined by the court, shall release the work and the superintendent of construction shall relet the ditch to other parties, as provided by law.

The contractor shall not sub-let any part of the work in such a way that he does not remain personally responsible, nor will any other party be recognized in the payment for the work, nor shall the contractor sub-let the work or any part of it without the consent of superintendent of construction in charge of the work. The report of the drainage commissioners together with the different exhibits herein shall be considered a part of these specifications; the contractor shall furnish all materials, labor and tools necessary to be used in the construction of the ditch; in case it is necessary to use curbing and sheathing for the trenches, the contractor shall furnish said material without additional cost; the contractor must show that he paid for material used in the work and all labor employed by him on this work before receiving final payment for the ditch.

Old Tile.

Wherever this ditch follows an old ditch, the tile in such old ditch shall be renewed by this contractor and stacked up on the bank of the ditch, and such old tile shall become the property of the owner of the land on which they are found.

BOND.

A bond or certified check in the sum of \$300.00 shall accompany each bid upon the condition that if said bid be accepted the bidder- bidder will, in ten days, from the date that work was awarded to him enter into a contract and file bond for

the execution of the work and complete it to the entire satisfaction of the superintendent of construction in charge of the work within 120 days from date of awarding the contract, but in case of failure to enter into contract and file a bond, such bond or check shall thereby become forfeited to the ditch as liquidated damages.

312
 Exhibit C
 PLAT OF BALL DITCH
 WASHINGTON TWP TIPPE CO

1909

T.P. 24 N. Range 3 W. 10A

13

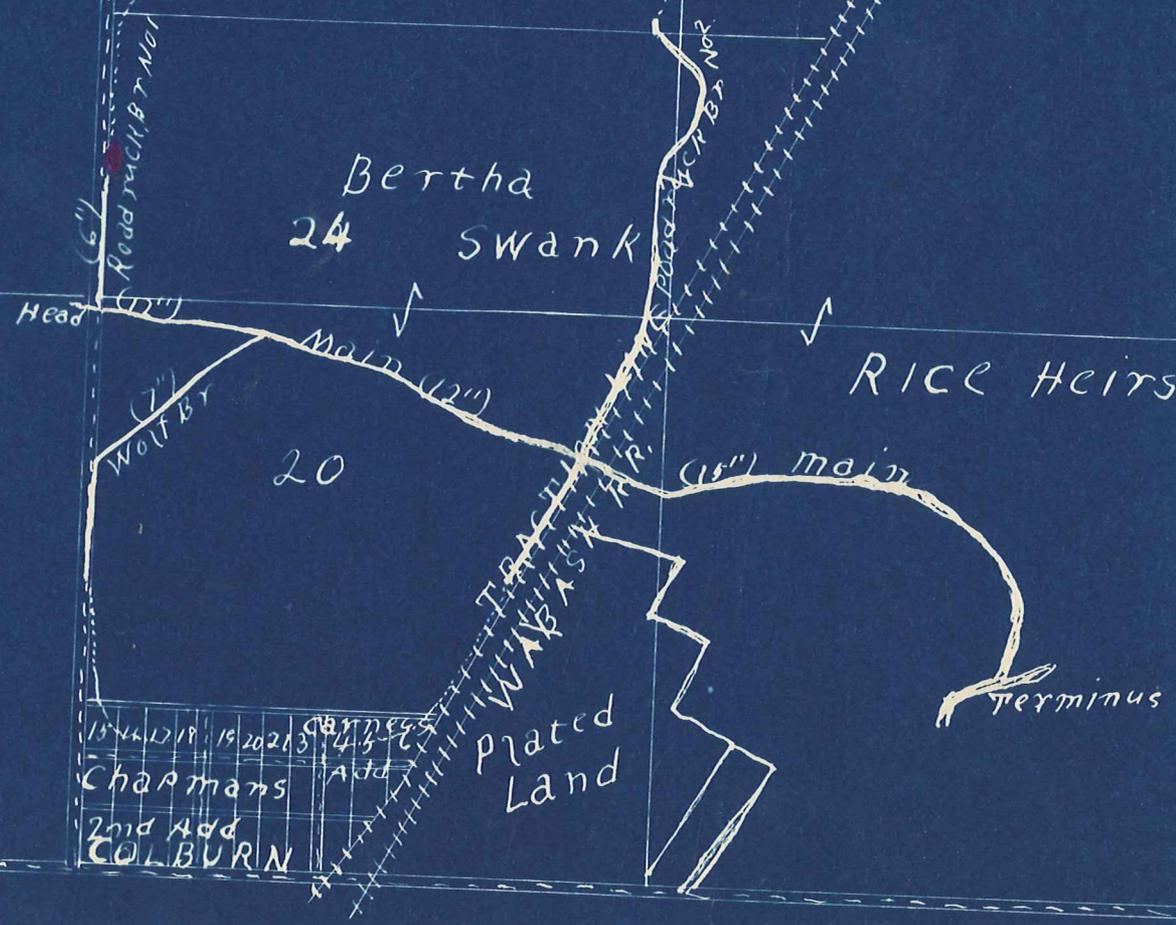
20
 Wm Roadruck 5

Bertha
 24 Swank

RICE HEIRS

20

E 2 SE 4 Sec. 14
 40 NELLIE BALL
 40



↑ N
 Scale 80 rds = 3 in.