

Blaine H. Reiser
831 Reservoir DR NE
Massillon, OH 44646-4829
330-837-1143
bkhare1428@gmail.com

March 7, 2017

Re: History of the Reservoir.

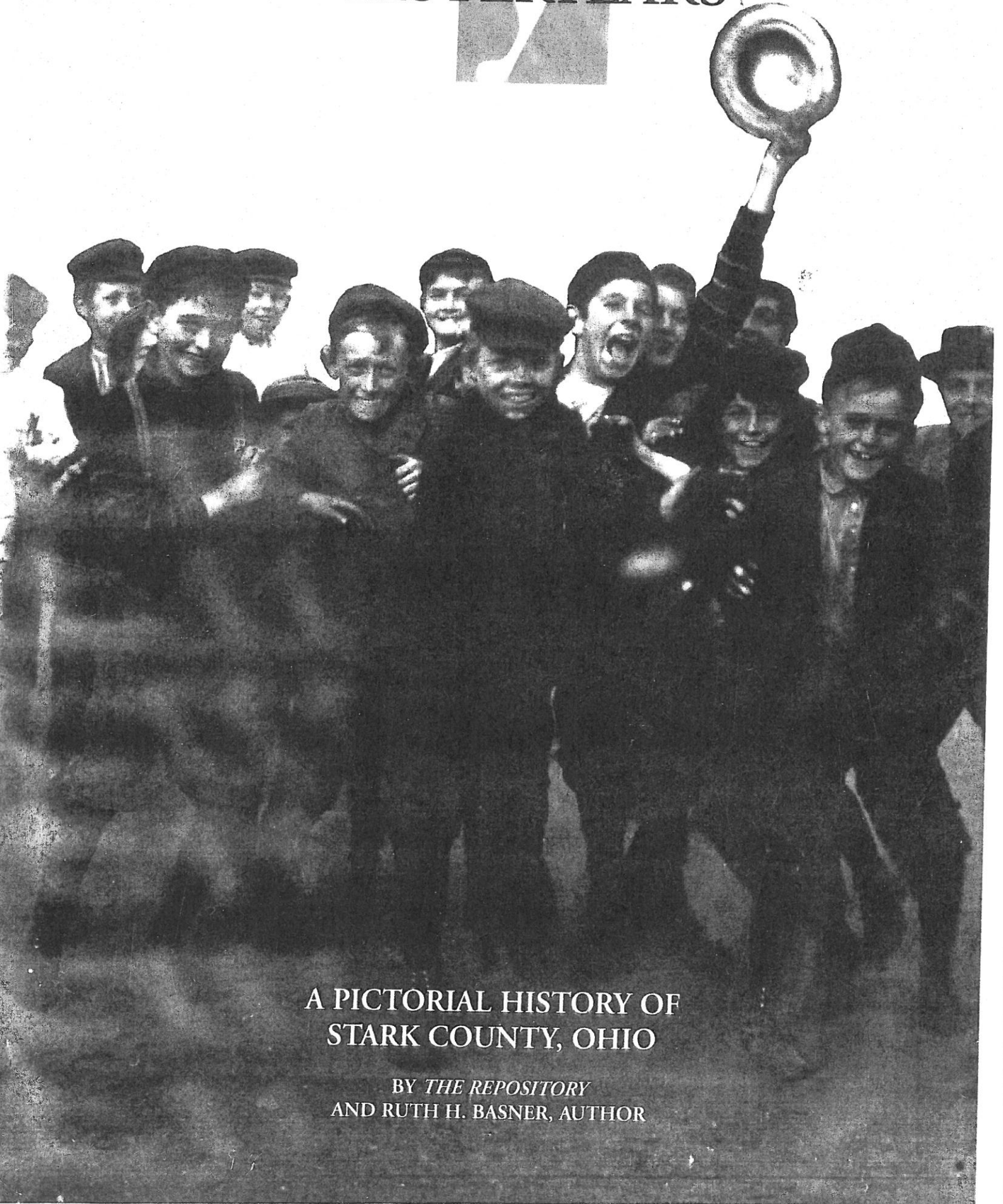
David.

The attached copies were obtained from the Massillon Library, except the information about draining the Reservoir and the removal of the standpipe. These were witnessed by me.
There may be more information but this is all I have.

Blaine Reiser

Blaine Reiser

YESTERYEARS



A PICTORIAL HISTORY OF
STARK COUNTY, OHIO

BY *THE REPOSITORY*
AND RUTH H. BASNER, AUTHOR



Top: Building the reservoir dam and spillway in 1886, now Sippo Park in Massillon. Massillon Museum Collection



The Canton Business College, where penmanship was made a specialty, was located on the southwest corner of Tuscarawas and Market Streets where Bank One is today. *Canton of Today* — 1890

WHEAT, GLASS, STONE AND STEEL



The Story of Massillon
by Ruth Kane

Columbiana County doctor before the war. He graduated from Cleveland Medical College in 1848 and came to Massillon in 1854.

In 1863 he was a Professor of Ophthalmology at Cleveland Medical College, only the second such in the state. In 1868 Dr. Metz published *Anatomy and Histology of the Eye*, the first textbook on the eye written in the U.S. by a native author. Only four copies are known to exist today, one of which is in Massillon Public Library.

The Telegraph Comes

In late 1847 the telegraph reached Massillon. Earlier that year the state legislature approved stringing telegraph lines along state highways. Two lines were set up, one from Pittsburgh to Cincinnati and the second from Wellsville to Cleveland via Massillon.

The first telegraph office was in the Pease block on West Main Street (Lincoln Way) between the canal and present First Street, N.W. It was later moved to the town's first railroad station on Erie Street, S.

On January 28, 1874, Massillon city council is on record as granting Western Union Telegraph Co. permission to use Massillon streets for its lines.

The Washington's Birthday Flood

Two projects financed by the Massillon Rolling Mill in its heyday were a Sippo dam and a hotel called The Tremont House.

In the boom year of 1836, while James Duncan was still president, the firm purchased 1,100 acres of then wild meadow land along Sippo Creek. In 1844 the firm joined with the state in building a dam across the creek, backing up the water into a reservoir just north and east of where present Hankins Road deadends into 27th Street, N.E.

The reservoir covered between nine and ten acres and was fifteen to twenty feet deep. It was intended to furnish water power for the Sippo Valley Mills and also to provide a water source for the canal south of Massillon in dry weather.

The water was led through a race on the west side of the creek to a reservoir on Wellman Avenue, S.E., between what are now Fifth and Sixth Streets. The Wellman Avenue reservoir supplied the valley industries through wooden pipes.

Even while the dam was under construction, area farmers complained that it would bring disease. Several indignation meetings were held at Bahney's Tavern in Genoa and futile appeals were made

to the state legislature. Increasing threats against the dam were reported.

Meanwhile the Massillon Rolling Mill had built a spare-no-expense hotel on the southeast corner of Tremont Avenue and Erie Streets. It was named for the brilliant Tremont House in Boston.

A gala opening night celebration was planned for Washington's Birthday in 1848. Invitations to all the right people in Massillon, Canton, Akron, Wooster and Cleveland read:

"Washington's Birth Day. A festival will be held at The Tremont House, Tuesday, 22nd at 5 o'clock P.M."

The festival was still going strong at 1:30 the next morning with dancers circling to the music of W.A. McCauley's Orchestra. Suddenly Charles K. Skinner rushed in and cried that all should run for their lives, that the dam had broken.

Even as he shouted the dull roar of an advancing flood burst upon the ears of the revelers. The reservoir and dam were ninety feet higher than Massillon's center, and the fifteen-foot wall of water from the broken dam descended upon the town with a speed estimated at 100 miles an hour.

Almost immediately the Tremont House was surrounded waist deep. Men seized their dancing partners and many managed to breast the swirling waters to the nearby American House. Many of the dancers were marooned, however, and huddled in the ballroom in constant fear the building would be swept away.

Fortunately both the new structure and The American House, withstood the onslaught. Not so the brick grocery warehouse across Erie Street from The Tremont House. Its walls caved in and half the building was carried away. Barrels of flour and pork streamed out. Some were fished out years later from the Tuscarawas near Zoar.

The canal burst its bank adding its water to the deepening lake in the town's low lying areas. A miniature tidal wave swept up and down the canal, caving in buildings and heaving canal boats into the river and strewn some along a clump of sycamore trees.

Barrels and boxes from the smashed warehouses were carried north against the usual south flowing canal current as far as Lock Four near Canal Fulton.

Arvine C. Wales, then in his early twenties, tells in a February 23, 1848, entry in his diary about riding later that morning into town where he "found the streets crowded and the folks running about in confusion . . . every cellar on Main and Erie Streets was filled. In every face was depicted horror and consternation."

"Many of the dancers were yet in the house (Tremont

House) and were cut off from communicating with the opposite side of the stream except by slips of paper tied to stones and thrown over."

Wales notes that by 5:00 p.m. that day the "creek had fallen so as to be fordable."

He also notes that, even in the confusion of that first day, immense quantities of damaged goods were being sold for whatever they would bring.

That first Massillon flood sale brought visitors flocking into Massillon from all over central Ohio. There was an unconfirmed report that when the damaged goods were sold some merchants carefully immersed new goods in the dirty canal water to keep business going.

Wales also wrote that on February 26 he went to the reservoir and found some 100 fishing there. Two fishermen claimed to have caught more than a barrel during the night.

The break in the dam was twenty to thirty feet long and dropped the water level in the lake by about six feet. There was no doubt that it had been dynamited. Arrests were made but no one was ever convicted.

The broken dam was never rebuilt.

Five years later in 1853 the Massillon Water Co. was incorporated with the familiar names of A.T. and C.K. Skinner, J.E. McLain, M.D. Wellman, and J.K. Karthaus among the incorporators. At first a reservoir between Prospect Street (present Fourth Street) and Cedar Street (Fifth Street) on Wellman Street, S.E., was used.

In 1886 the present dam at the south end of what is now Sippo Reservoir was built. The 150-foot standpipe was constructed nearby with a steam engine in a pump house to hoist 500,000 gallons of water.

In 1891 city council approved a contract with The Massillon Water Supply Co. to pipe water from this system through iron pipes to Massillon homes and industries.

In the early 1900's the standpipe was demoted to a "standby" system in favor of deep artesian wells tapping hidden water supplies under the Tuscarawas River.

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emont House

After surviving its Washington's Birthday baptism The Tremont House became the center of Massillon's social, civic and night life. Business deals affecting this entire section of the state were made in

its elegantly appointed rooms, and conventions and celebrations were common.

It continued as a meeting place for the great and the near great until 1868. It gradually declined and for four years, 1869 to 1872, operated under different management as The Zeilley House.

In 1873 it became the Sailer (pronounced Siler) Cigar factory. In 1901 it was changed back to the Sailer Hotel and in 1945 it became the Erie Hotel. Its demise in a spectacular fire on April 1, 1974, was as dramatic as its Washington's Birthday debut.

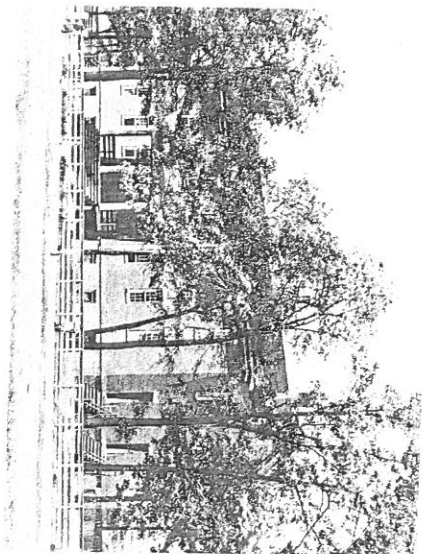
Ann Groh was the owner then and was operating an antique shop in the once magnificent foyer. The hotel, with fifty rooms and six apartments, was gutted, but no lives were lost.

The historic structure was razed, and on December 15, 1975, city council approved purchase of the site where the Washington's Birthday dancers were marooned by the raging Sippo waters, to be used as a city hall employee parking lot.

Book Learning in Massillon

The Union School, opened in October, 1848, was the beginning of the free public school system in Massillon, and is thought to have been one of the first such in the state. It was built on the lot set aside "for literary purposes" in the Duncan-Wales-Skinner expansion of 1832.

In the 1830's area parents had financed a private school on the same lot (now the site of Longfellow Junior High School). This select school operated on tuition until The Akron Act, giving authority to set



Union School, North Street,
N.E., opened 1848.

FRIDAY JUNE 29, 1888.

THE WATER

Management and Improvement of Buildings

The rain of last night was a god-send to the water works, though the necessity of economy is not yet at an end. The big reservoir has raised four inches within twenty-four hours. The water is muddy, as it passes into the pipes without being filtered. The supply pipe burst a day or two ago, and as soon as a special casting arrives the filters will again be put at work. The accident has resulted in quite a severe financial loss.

Superintendent McCallum has elaborate plans for preventing any future scarcity of water, a part of which he is now executing. There are two small lakes, one of which is forty feet deep in places that lie northeast of the reservoir, and they are being connected with it. A better channel will also be cut into Sippo lake at once. Mr. McCallum is anxious that the dam of the old water works shall be repaired and enlarged and again put in use. This in connection with the fifty million gallon

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What Two Men said on the same subject.

Governor Forsaker: "I have been faithful and true to Mr. Sherman. I cannot

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July 1889

came to tragic ends. Their untimely
death always weighed heavily on the
life of the father, and greatly depressed
his spirits.—Salem Republican.

WATER WORKS WANTED

July 5, 1889

OR THE MODEST SUM OF \$25,000.

**The Ohio Canal Commission Asserts
Alleged Dormant Rights, and
Will Soon be Here to Settle.**

The article below is in to-day's Cleve-
land Leader, and is in some respects
very faulty. Sippo lake proper is a nat-
ural body of water, and should not be
confounded with that ancient reservoir.
It was always supposed that the late Mar-
shall Wellman bought the old property,
at any rate the city of Massillon never
owned or pretended to own an acre of it.
The Water Company is, however, very
interested:

July 1.—The State Canal
as decided to go to Massil-
on to consult with the au-
thorities of that city concern-
ing the land covered
by the lake and adjacent
to an artificial body of
water works system
is an interesting
one in its construction
by building a dam
across which Sippo cre-

The dam is built between the
two hills, and is similar in many
respects to the fated dam at South Fork
which caused the disaster at Johnstown.
Its construction was authorized
in 1846, and a contract let to a rolling mill
company for \$5,000 and a perpetual water
privilege. The work was completed in
1846, and after the lapse of several years
the contractors disposed of the water
privilege to a private individual. The

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This may refer
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Birthday Flood.
See page 51 of
Ruth Kane's book

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privilege. The work was completed in 1846, and after the lapse of several years the contractors disposed of the water privilege to a private individual. The object of building the reservoir was to supply a feeder to the Ohio canal, and it was used for this purpose until 1853, when a crisis was reached. The citizens in that vicinity became possessed with the idea that the reservoir was a nuisance, and proceeded to demolish it. The bank was filled with powder, and all preparations made for its destruction. At the appointed time a horseman was placed near by to warn the people below of the coming deluge. The explosion was a success, and the Paul Revere started on his ride ahead of the flood to give the alarm. His animal, though fleet-footed, was unequal to the task, and the rider, to save himself took to the hills, and the great mass of water descended upon the unsuspecting people. The result was not disastrous, the only damage being the wrecking of two or three buildings. Sometime after this occurrence the people concluded they were mistaken as to the reservoir being a nuisance. Its supply came from a live stream and the water is pure and healthful. The dam was rebuilt and today Sippo lake is a part of Massillon's water works system. Some of the very accommodating boards of public works built a culvert under the canal to carry off the water so that it would not interfere with the lake, which, instead of being used for the purpose originally intended, was in the future to be diverted from the state to the city.

The canal commission has made a complete search of the records, finding what is regarded as indisputable evidence that the six hundred acres or more of land covered by the reservoir belonged to the state. The land was purchased by the state from private individuals prior to the construction of the reservoir in 1845, at an average cost of about thirty dollars an acre. For some

Sassoon, and Mrs. S a banquet at the which only princes and sixty others w preparations for thi of magnificence new land, and Mr. Sas over, will have to £5,000 for the exper also be entertained Berkley square, by Hatfield, by Lord ridge, by Mr. Alf Hatton, near Tri Ferdinand DeRoths Manor, near Ayle child's have, besides ply the floral decor and the Empire th are to be literally co they will spend £2, alone.

Americans Want

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LONDON, July the prominence wh sides secured in the trial their bills for s appreciably lightened The costs to each of to £10,000.

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dividuals prior to the construction of the
reservoir in 1845, at an average cost of
about thirty dollars an acre. For some
of the choicest tracts \$37.50 an acre was
paid. The deeds from the original own-
ers to the state have been found and
there is no record (at least none has
been discovered) showing that the title
has passed out of the state. The city
has, from the records so far discovered,
been enjoying the use of the property
without right or title and without pay-
ing a cent in the shape of rentals for the
privilege. The land is probably worth
\$25,000 to-day.

The commission will endeavor to make
an amicable settlement with the
city authorities on their visit, if such
a thing is possible under the circumstan-
ces. They will also look over the premi-
ses and ascertain what proportion of the
land is covered with the water of the
lake.

The Neighborhood Press.

No one will give the Republican ticket
more loyal support than Senator Conrad.
—Canton Repository.

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-CONGRESS-

Leaders Hope To Quit By Late Tonight

Barriers In Way Of Adjournment

By JOE HALL

WASHINGTON (AP) — A dwindling band of congress members makes another try today at winding up the 1955 session but formidable barriers still stand in the way of adjournment.

Weary leaders hoped to quit by late tonight. But many hours of talk and several key votes remained.

* * *

MEANWHILE, more senators and representatives were leaving for home, for Europe or on other trips long planned in anticipation of a July 30 adjournment.

It appeared that in the senate the Democrats might have lost their voting majority, which rests on only two votes with all members present. On a key vote Monday night, won by Republicans, there were 37 GOP senators and 33 Democrats on hand.

The big fight remaining in the house involves the housing bill.



ABOVE ARE PHOTOS taken recently at the Massillon reservoir. Top photo shows a large portion of the water covered with green slime, water lilies and other vegetation. Bottom photo shows debris and rubbish littering bottom of dam as water flows into Sippo creek.

By SONNY HAHN

There's a lot more to the old Massillon reservoir than the water, weeds, scum and lilies you see — and it's not all just water over the dam.

Some of the water that lately has caused a strong current of comment is right in the reservoir. And no one seems to know just what to do with it.

Employment Hits Peak In Cleveland

What seemed to bring the reservoir back into the local limelight after a long absence from the stage was the recent fishing rodeo for Massillon youngsters.

Two Take Out Petitions For School Board

Electors in the Massillon city school district apparently will select three members of the board of

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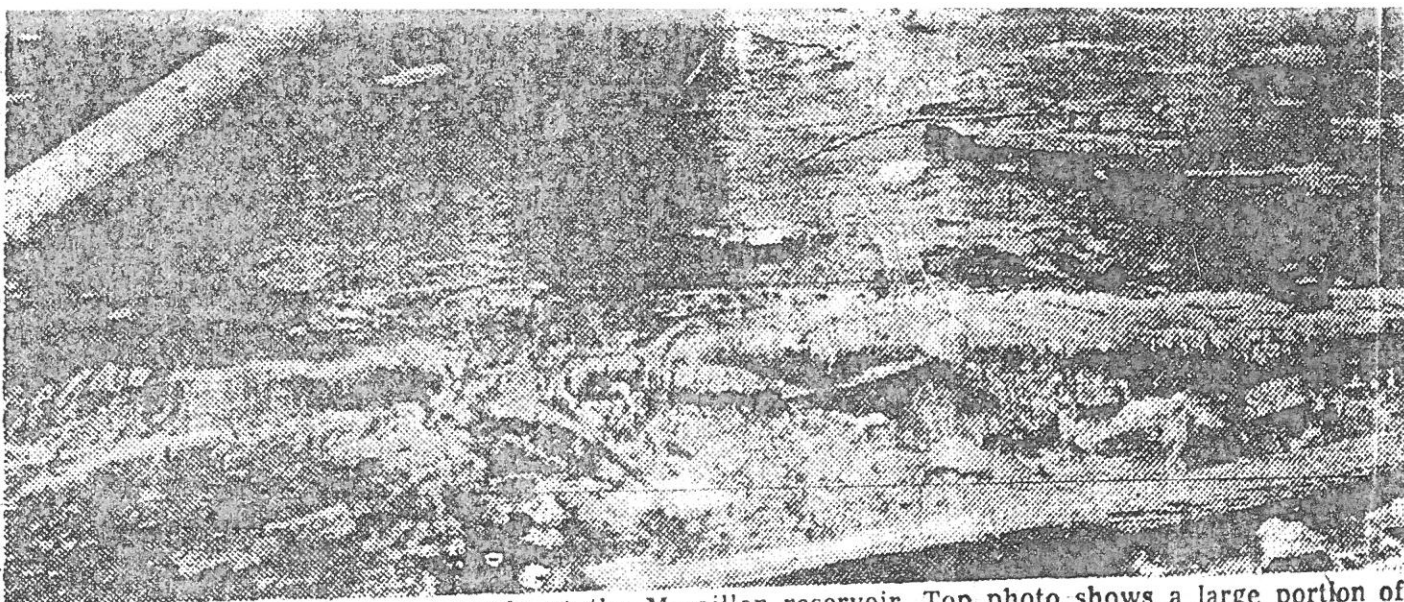
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Employment Hits Peak In Cleveland

CLEVELAND (AP)— Employment in greater Cleveland has reached its highest point in 16 months and unemployment its lowest ebb in 19 months, the state reported Monday.

Donald P. Smith, area director of the bureau of unemployment compensation, said there were 653,600 persons employed and 23,000 unemployed. He said Cleveland was now in the tightest labor market since 1955 and it would get tighter toward the end of 1955.

What seemed to bring the reservoir back into the local limelight after a long absence from the stage was the recent fishing rodeo for Massillon youngsters.

* * *

AT THAT TIME there was a lot of talk about how nice it would be if "someone or some group or organization" would clean up the reservoir and keep it stocked with fish the year 'round so kid anglers could have a place to go. There was even talk about putting a maximum age limit on fishermen.

Since that time the matter has settled somewhat, but there still is some talk about what to do with the old pool, now under lease to the city.

Perhaps, though, before going into the problem of who should do what, if and when, we'd better go into a brief history of the body of water which holds so many memories for Massillonians who no longer are barefoot boys with a cane pole thrown over their shoulders, heading off for a day at the "rezzy."

The 68-year-old reservoir was built in 1886 and 1887. At that time a completely new waterworks

(See RESERVOIR—Page 16)

NEW CUSHMAN MOTOR SCOOTERS

Trade-in accepted. Easy payments. 539 3rd st NE, Canton, GL 6-7809. —Ad.

Two Take Out Petitions For School Board

Electors in the Massillon city school district apparently will select three members of the board of education of the district from among five candidates at the general election next November.

That will be the case if two more candidates who have taken out petitions for election to the board file their petitions before the deadline for filing next Monday.

* * *

MRS. MILDRED G. Fryer of 910 17th st NE took out a petition last Friday and Dr. Robert M. Imme of 1505 Lincoln Way NW secured a petition yesterday.

Three candidates already have filed petitions, they being Mrs. Virginia Roesch and Dr. John R. Rohrbach, who currently are members of the board, and LaVerne K. Trapnager.

Mrs. Fryer is the former Miss Mildred Maughman. A native of Massillon and a graduate of Washington high school, she is president of the Mothers' Little League organization and has been an officer

(See TWO—Page 16)

BADER KINDERGARTEN

Fall enrollment now open. Good pre-school training. Transportation available. Dial TE 3-6069.—Ad.

PEACHES

Red Haven peaches are now ripe

LAR DAY SALE!!

DAY, AUGUST 4th

AINS GALORE

US RIDES DOWNTOWN

A. M. TO 12 NOON

P. M. TO 3 P. M.

ONE DAY ONLY

To McCarthy's Charges, Republican Solon Says

By JACK BELL

WASHINGTON (AP) — Sen. Goldwater (R-Ariz) said today "the American people will rebut" charges by Sen. McCarthy (R-Wis) that President Eisenhower offered "friendship to tyrants and murderers" at Geneva.

McCarthy denounced in the senate Monday what he termed Eisenhower's "profession of faith" in a statement of Russian leaders that they want peace. He said he believes a "sell-out" to the Communists in Asia is in the making and he intends to "take the issue to the American people."

Reservoir . .

(Continued From Page One)

system was constructed by the Massillon Water Supply Co., one of the forerunners of the present Ohio Water Service Co., according to a brief history on file in the office of A. A. Ulrich, vice president and manager of local system of the Ohio Water Service.

Water for the new system was taken from Sippo lake and led from the lake to the impounding reservoir, which was made by constructing a dam across Sippo creek where it is today, right at the east end of State ave NE.

* * *

THE PUMP STATION, stand-pipe and a new distribution system of cast-iron pipe also were completed at the same time. The water from the reservoir was filtered through a filter located at the bot-

Goldwater, who heads the Republican senatorial campaign committee and says he regards McCarthy as a GOP asset, said in an interview that "I think the American people themselves will rebut Joe."

* * *

HE SAID HE doesn't believe the people will "buy" McCarthy's contention that the Big Four conference at Geneva constituted a rout for the free world forces.

"I think the people are pretty well pleased with the outcome of the Geneva conference, even those who have some reservations about the matter," he said. "The people are for peace and they believe we have made a start toward getting it."

McCarthy declared "the Eisenhower administration has adopted every important plank of the Democrat party's foreign policy" and reduced the 1952 Republican platform to "a scrap of paper."

He said most Republicans "in their hearts, I think, are opposed to their policies."

east end of State ave NE.

* * *

THE PUMP STATION, stand-pipe and a new distribution system of cast-iron pipe also were completed at the same time. The water from the reservoir was filtered through a filter located at the bottom of the big pond.

Water for domestic use was taken from the reservoir only four years. Then in 1891, it was abandoned and a deep-well supply in the valley of the Tuscarawas river constructed.

The original agreement leasing about 25 acres of Ohio Water Service-owned land immediately surrounding the reservoir (not the water itself) to the city was drawn up No. 14, 1928.

Signing for Ohio Water were A. W. Cuddeback, vice president and Walter A. Culin, secretary. For the city the signers were park commissioners R. D. Demmer, president; Mrs. Arline W. Pratt, secretary, and Jacob Von Gutten.

The area covered by the lease is bounded on the north by Hankins rd; runs east nearly to 16th st NE and south to a point about 200 feet below the dam, and is bounded on the west by Reservoir dr.

* * *

THE LIFE of the lease is indefinite and can be terminated at any time either the city or the Ohio Water Service Co. chooses to do so.

The lease agreement reads, in part:

"The rights hereby granted shall not by any lapse of time ripen into a vested right on the part of said lessee (the city) . . . to continue the occupation of said premises.

"Said lessee agrees to pay as rent . . . of said premises the

McCarthy declared "the Eisenhower administration has adopted every important plank of the Democrat party's foreign policy" and reduced the 1952 Republican platform to "a scrap of paper."

He said most Republicans "in their hearts, I think, are opposed to the president's policies."

"But they have accepted the theory that they cannot return to office in 1956 without Eisenhower at the head of the ticket and they are, I am afraid, prepared to subordinate considerations of sound policy to those of political survival," he said.

He said there is "every reason to believe that concrete measures for appeasement were agreed upon at Geneva," despite Eisenhower's statement that no commitments of any kind were made.

area over to the city park commission is not feasible for many reasons. If these suggestions were followed it would be found that there would be an accumulation of muck and silt from two to five feet deep on the floor of the reservoir. This would have to be removed.

"The creek would then meander through the length of the reservoir but the pollution situation would still exist, as we are led to believe it exists at the present, making the creek unsafe and unsanitary for wading . . ."

Schott then pointed out, as have some park department employes, that the park commission already is hamstrung by a shortage of funds and could not take on any more park land or work the leased area even if the law permitted.

The present park commissioners are A. D. Wampler, Edward Hen-

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continue the occupation of said premises.

"Said lessee agrees to pay as rent for the use of said premises the sum of \$1 per year . . ."

Ulrich pointed out that the lease gives Massillon the right to use portions of the property not being used by Ohio Water Service (such as the pump house, standpipe and pipelines) for a public park.

But the rub is this: The city can't spend public money on property not owned outright by the city—state and federal laws forbid it.

During the depression years, in the days of the Public Works Administration, the city very nearly lost vital federal funds when it was discovered Massillon was using them to start improvements on the leased reservoir land. And work came to a halt.

Since then the city has done nothing to the property because it must not.

* * *

IN MAY, 1938, permission was obtained from Ohio Water Service to build a road on the east side of the reservoir, but it was never completed. In June, 1944, permission was received to build a bath house on the property for swimming purposes—that project, too, fell by the wayside.

"The Ohio Water Service Co. would be only too happy to lease the reservoir itself for park use," Ulrich said. "There is one right we must retain—the right to use the water in an emergency."

Under the present lease the city must agree to withstand any damage suits resulting from its use of the property, Ulrich pointed out, "the city must not in any manner

more park land or work the reservoir area even if the law permitted.

The present park commissioners are A. D. Wampler, Edward Henrich and Neil B. Miller. A spokesman for the commission had this to say about the reservoir property:

"They (the Ohio Water Service Co.) have saved taxes on all that property for all these years—and that's the only reason I can see for their leasing it to the city."

* * *

WHAT WOULD YOU recommend the city to do about the reservoir and the land surrounding it, neighbor?

If the problem is as muddled to you as the water and the writer, you'll probably have to give up. We have.

Two More Rubber Firms Hike Prices

AKRON (AP)—Two more rubber companies announced increases in tire prices Monday, following the lead taken Saturday by the B. F. Goodrich Co.

Firestone Tire and Rubber Co. and the Goodyear Tire and Rubber Co. boosted prices 3¼ per cent on all sizes and types of passenger, truck farm implement, motorcycle and industrial pneumatic tires, and six per cent of all sizes and types of industrial solid tires and all sizes and types of tubes.

BYERS NOMINATED

WASHINGTON. (AP) — Maj. Gen. Clovis E. Byers, a native of Columbus, Ohio, has been designated Commandant of the North At-

Ulrich said. "There is one right we must retain—the right to use the water in an emergency."

Under the present lease the city must agree to withstand any damage suits resulting from its use of the property, Ulrich pointed out, and "agrees not to in any manner to pollute the waters of said reservoir."

Making a test of the reservoir waters as ordered by city council recently, Fred Donaldson, city health department bacteriologist, found 250 to 500 coliform organisms (bacteria from human or animal excrement) per milliliter of reservoir water. This is equivalent to 250 to 500 coliforms for roughly every 20 drops.

The maximum set as a standard for safety is much less than that, Donaldson pointed out.

* * *

HARRY M. PIPER, city engineer, said the source of pollution probably is sewage from the Kendal Heights area east of Wales.

Several city officials who prefer to remain unquoted expressed the opinion that it probably would be to the city's advantage to give up its lease to the reservoir and bring action against Ohio Water Service to clean up the reservoir and the area surrounding it.

Alvin Schott, Perry township justice and an avid sports enthusiast, had this to say in a recent letter to the editor of The Evening Independent, among other things: "To knock out the dam, drain the reservoir, make a wading area, and then turn the

of industrial solid tires and all sizes and types of tubes.

BYERS NOMINATED

WASHINGTON. (AP) — Maj. Gen. Clovis E. Byers, a native of Columbus, Ohio, has been designated Commandant of the North Atlantic Treaty Organization Defense college in Paris starting in September. President Eisenhower made the announcement Monday. The president Saturday had nominated Byers for promotion to lieutenant general.

Mississippi V In Race To S

JACKSON, Miss. (AP)—Mississippi casts ballots today for a new governor after a campaign filled with promises to keep Negroes out of white schools.

The top two candidates after today's vote will enter a runoff primary Aug. 23. All five agree no one will get a majority in today's first Democratic primary election.

* * *

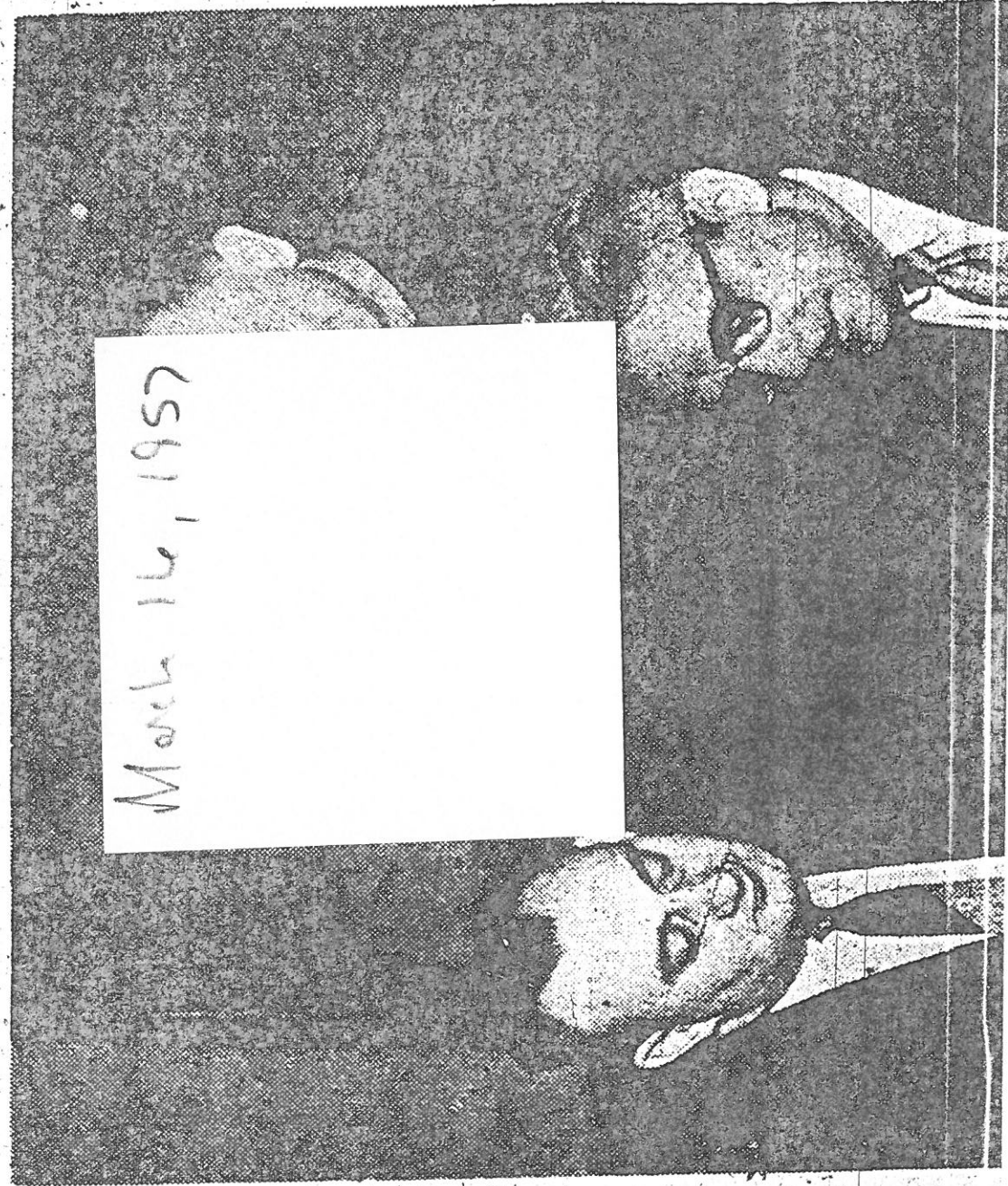
DEMOCRATIC nomination means election in Mississippi, where Republicans seldom volunteer for defeat.

All five candidates have promised to keep racial segregation despite the U. S. Supreme Court decision declaring public school

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Ohio Water Gives R



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Retains Possession

The city of Massillon today was presented with the local reservoir as a gift of the Ohio Water Service Co.

Only the execution of a deed conveying the property to the city remains to be done to make the gift legal and binding.

To all intents and purposes the reservoir was presented to this city this morning at a meeting of A. A. Ulrich, vice president and local manager of Ohio Water, with Mayor Edgar L.

Last Ma this ma to tio tor pre bor ma sun by

Set 24-Hour

Deadline For

Union Boss

Senators Plan To

Inspect Records

Reservoir To City

* * * * *

Session Of Standpipe, Former Pump House

today local Ohio deed to the make proposes ed to meet- pres- f Ohio gar L.

Lash, City Solicitor Richard F. Maier and Raymond Marchand, third ward councilman, in the mayor's office.

At that time Ulrich presented to Mayor Lash a copy of a resolution adopted recently by directors of the water company to present the reservoir to the city.

The gift includes not only the body of water covering approximately 18 acres but also all land surrounding it which is owned by the water company with the

exception of a standpipe, garage and pumphouse and the area immediately adjacent to those structures.

The entire area comprises approximately 25 acres.

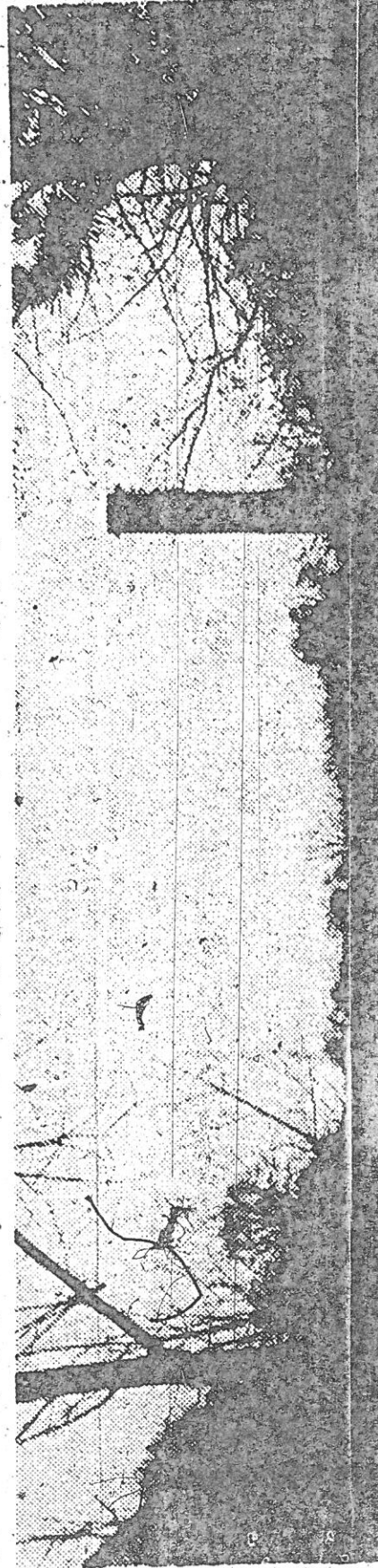
This morning's meeting provided a happy ending to lengthy negotiations extending over a period of many months which began last July when the city park commission cancelled its lease on the property.

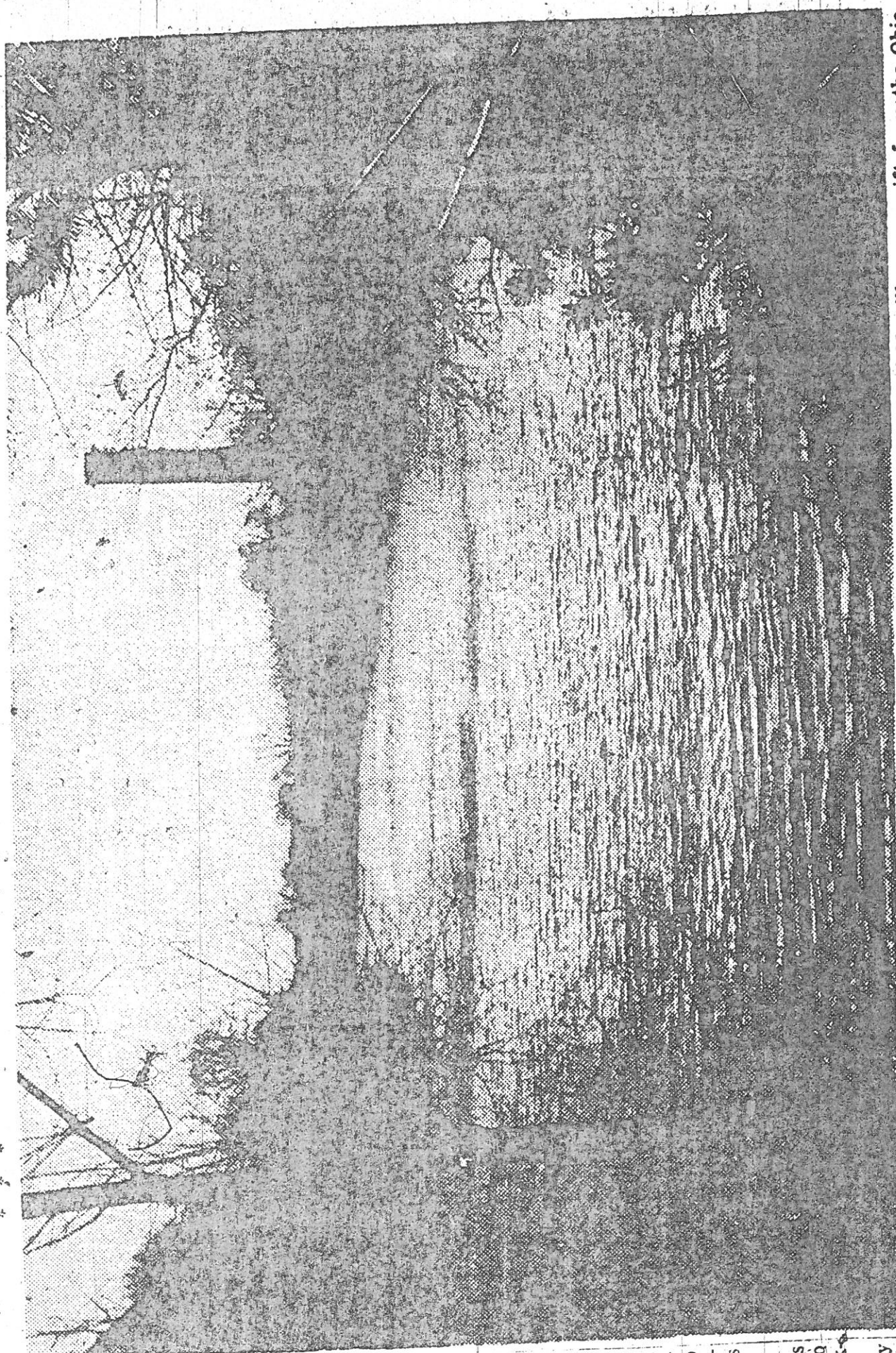
Under terms of the lease be-

tween the park commission and the water company, the reservoir property did not revert back to Ohio Water until expiration of a six-month period.

Upon expiration of that period in January officials of the water company pointed out that Ohio water had no choice but to post it against trespassing due to the fact that expiration of the lease with the city made it liable for any accidents occurring on the

(See OHIO WATER—Page 16)





THIS BODY OF WATER, THE LOCAL RESERVOIR, today became the property of the city of Massillon as a gift from the Ohio Water Service Co. under a resolution adopted by the board of directors of the water company. The picture shows the reservoir as it appears to a person looking southerly toward the dam. In the background can be seen the standpipe which has been a landmark here for many years and a building formerly used as a pump house which will be retained by the water company.

Grave Strike

New Perry School

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Ohio Water 'Pump' Is New Help In Surgery

(Continued from Page One)

property

Efforts by the city to acquire the property which were started before that time continued after the reservoir reverted back to the water company but there were no indications that a satisfactory agreement was likely until Ulrich submitted the resolution conveying the property to the city as a gift.

The resolution read as follows:

"Whereas, Ohio Water Service Co. is the owner of a tract of land comprising approximately 25 acres situated in or in the vicinity of the city of Massillon, Ohio, upon which is situated a reservoir, fed by Sippo creek, and dam originally constructed for the purpose of furnishing a water supply and at one time used for that purpose; likewise there is situated thereon a 500,000 gallon standpipe, a garage and a building formerly used as a pump house and presently used by this company as a shop, booster pump station, tool house, and for storage purposes; and this company is no longer using said reservoir and dam for their original or any other purpose; and

"Whereas, said reservoir is and has been used and suitable for recreation purposes by the citizens of Massillon, including fishing, swimming and skating, and the city of Massillon wishes to acquire said premises (excluding said standpipe, garage, pump house and the area adjacent thereto) for the aforesaid purposes; and

"Whereas, said reservoir and dam can no longer be used by the company as a source of water supply and it is the consensus of the board of directors that said reservoir and dam should be conveyed to the city of Massillon for recreational uses and purposes without cost to the latter; now therefore be it

"RESOLVED, that the execu-

COLUMBUS (AP) — A "heart pump" which halts heart action for as long as 45 minutes has been developed at Ohio State university's health center.

Ten years ago, such stoppage of the heart would have caused death and was considered impossible. Today, the "heart pump" is enabling surgeons at University and Children's hospitals here to halt heart action during major surgery cases.

* * *

IT PUMPS for the heart and breathes for the lungs.

The machine had its inception in 1950 with basic construction completed in the departments of cardiology and physiology.

The pump detours blood around the heart and lungs. Surgeons then are able to temporarily paralyze the heart muscle, open the organ and correct defects.

Blood normally entering the heart is diverted into the machine through two plastic tubes, one inserted in each of two large veins.

The heart's pumping action is simulated by a series of steel fingers, compressing and releasing a rubber tube in a sort of milking action.

* * *

THE BLOOD TAKES on oxygen and emits carbon dioxide, similar to the process that occurs in the lungs. The blood is returned to the patient's body via a plastic tube in a branch of the aorta, the major artery leading from the heart.

Incorporated in the machine is an extensive system of electrical equipment for keeping the blood warm while it is outside the body.

A great deal of blood is needed



MEMBERS OF THE Massillon symbolize the centennial celebration high school gym April 4. Seat Brandon, at right. Standing, left, worth and Mrs. Gladia Schmade

Will Obs

The Massillon Teachers association today invited the citizens of cation to join in a centennial celebration to join in a centennial celebration of founding of the National Education association April 4 in the Washington high school gym.

Dr. Glenn Hollingsworth, principal of Emerson school and general chairman of the affair, said plans for the program are practically complete.

SCHEDULED FOR the program are the Mother Singers under the direction of Mrs. L. T. Drennan and the Washington high

be conveyed to the city of Massillon for recreational uses and purposes without cost to the latter; now therefore be it

"RESOLVED, that the executive officers be directed to determine by survey or otherwise that portion of said premises reasonably needed for use by the company in connection with its use of said standpipe, garage and pump house, including access to the adjacent highway; and finally be it

"Resolved, that said executive officers be authorized and directed by suitable deed of conveyance to convey to the city of Massillon for the use and benefit of the citizens thereof the aforesaid premises, including said reservoir and dam and excluding only said standpipe, garage and pump house and the area adjacent thereto set off as aforesaid, said executive officers being authorized to do all things necessary and incident to the consummation of the purpose of this resolution."

Ulrich said this morning that a survey to determine the area to be retained by Ohio Water will be made as soon as possible and that promptly thereafter a deed conveying the remaining portion of the property to the city will be executed and delivered to the city.

Both Ulrich and Mayor Lash expressed gratification over the happy conclusion to the negotiations between the city and the water company.

"Upon behalf of the stockholders of the company, many of whom are Massillon residents, and the directors and officers of the company," Ulrich said, "it is a great pleasure to announce the transfer of the reservoir property to the city for recreational and park purposes."

"THE CITY IS very fortunate to have this body of water located at one of its parks and I believe it can be converted into a real beauty spot and made available for the pleasure and use of all the citizens of Massillon, especially the children who will derive much pleasure from fishing and skating at one of the city's old

from the heart

Incorporated in the machine is an extensive system of electrical equipment for keeping the blood warm while it is outside the body.

A great deal of blood is needed to "prime the pump." It must be fresh blood, not stored blood.

tem was constructed in Massillon with the new company known as the Massillon Water Supply Co. and a new franchise granted by the town council.

That was more than 30 years after a public water supply came into being here with incorporation of the Massillon Water Co. in 1853. That year an agreement was entered into between the president of the water company, Charles K. Skinner, and the town of Massillon, to introduce water from a reservoir into the community for the purpose of extinguishing fires. The reservoir was constructed near the south end of 4th st SE which was then known as Prospect st.

The new company organized in 1886-87 constructed the present reservoir to impound water from Sippo lake which it also owned and built a pump station, standpipe and a new distribution system of cast iron pipe. Water taken from the reservoir was filtered through a filter located at the bottom of the reservoir.

USE OF WATER from the reservoir for domestic purposes was abandoned in 1891 when wells generally about 200 feet deep were drilled in the valley of the Tuscarawas river.

For many years thereafter water from the reservoir continued to be used for other than domestic purposes and within a fairly recent period two local industrial firms and the Pennsylvania railroad used water which flowed by natural gravity through pipes laid many years ago from the reservoir to an area directly to the south of the business district.

One of those industrial consumers, the Buckeye Cereal Co., was lost when its plant was destroyed by fire in 1943 and shortly thereafter the Pennsylvania railroad stopped use of water from the reservoir as it began to convert to diesel engines.

That left only one industrial user of water from the

tically complete.

SCHEDULED FOR the program are the Mother Singers under the direction of Mrs. L. Drennan and the Washington high school a capella choir directed by Byron Griest. Dr. Robert Imm, a member of the board of education, will act as master of ceremonies.

A five-tiered model birthday cake created by the junior high

Lausche B Like Job

WASHINGTON (AP) — There are indications that Frank Lausche is getting adjusted to new role as junior U. S. senator from Ohio.

When Lausche first arrived here he startled newsmen saying:

"I would rather be governor of Ohio than a senator of United States."

LAUSCHE defeated Republican George Bender last November in the U. S. Senate race after serving five terms as Ohio's chief executive.

According to Ray White, senator's administrative aide, there is a "new enthusiasm about Lausche."

"He (Lausche) was quite patient at first, even frustrated," White said. "At the beginning

Perry...

(Continued from Page One)
nation of the standby boiler the other providing for use of different light fixtures than specified.

THE NEW BUILDING, named in honor of the first superintendent of Perry schools who suddenly last Jan. 30 of ailment after working in the district for a year and a half, be erected on an eight-acre of ground located between L

and park purposes.

"THE CITY IS very fortunate to have this body of water located at one of its parks and I believe it can be converted into a real beauty spot and made available for the pleasure and use of all the citizens of Massillon, especially the children who will derive much pleasure from fishing and skating at one of the city's oldest landmarks.

"It has been used for many years in the past by Massillonians and now under proper supervision will be a great asset to the park program and recreational program of the city. We believe due credit should be given to the committee appointed by council to negotiate for acquisition of the property for its efforts in making this gift by the Ohio Water Service Co. possible."

The committee referred to was composed of Mayor Lash, Solicitor Maier and Councilman Marchand.

Mayor Lash expressed himself as unable to completely express his gratification to Ohio Water for its gift to the city and the citizens of Massillon.

"We are deeply indebted to the Ohio Water Service Co. for its cooperation and interest in the recreational facilities that the reservoir can provide now and, more importantly, after we are able to give consideration to its development.

"I visualize much pleasant recreation for citizens of Massillon at the reservoir.

"NOW THAT it has been determined that the city is to receive the reservoir, I suggest that the administration and council direct their efforts to the development of a program of beautification of the area involved.

"In that connection we will solicit the counsel and efforts of our superintendent of parks and our recreation board in the development of a program that will provide the greatest possible benefits to our citizens."

The history of the reservoir dates back to 1886-87 when a completely new water works sys-

natural gravity through pipes many years ago from the reservoir to an area directly to the south of the business district.

One of those industrial consumers, the Buckeye Cereal Co., was lost when its plant was destroyed by fire in 1943 and shortly thereafter the Pennsylvania railroad stopped use of water from the reservoir as it began to convert to diesel engines.

That left only one industrial consumer of water from the reservoir which continued to be served until costly leaks began to develop in the pipeline, some of which was of wood. With the cost of repairing and maintaining the line prohibitive, it was abandoned and the long history of the reservoir as a source of water for, first, domestic, and later, industrial use, came to an end.

Presentation of the reservoir to the city by Ohio Water removes one major barrier against the use of public funds for its improvement.

AS LONG AS the reservoir was owned by a private concern the city could not legally spend public funds to improve it, even though it was leased to the city park commission.

Once the deed to the property is presented to the city that legal barrier will no longer exist.

Mayor Lash was not prepared this morning to state what is planned in the way of a program of improvement at the reservoir but he indicated that such a program will be developed as promptly as possible.

For many years the reservoir has been a popular fishing place for many persons, particularly youngsters and aged anglers. On occasions it has been used for swimming purposes, most of the time without suitable supervision. Undoubtedly its most popular use has been for skating purposes during the winter. Often when conditions have been suitable it has been crowded with scores of skaters.

Presentation of the reservoir to the city makes possible the development of year-round recreational activities for residents of this city and area.

nation of the standby boiler and the other providing for use of different light fixtures than those specified.

THE NEW BUILDING, named in honor of the first superintendent of Perry schools who died suddenly last Jan. 30 of a heart ailment after working in the district for a year and a half, will be erected on an eight-acre plot of ground located between Lynch rd and Clark ave a short distance north of Bailey rd in the northwestern section of Genoa.

It will contain 10 classrooms, combination auditorium-gymnasium with adjoining kitchen, office area and other necessary rooms. Plans and specifications for the school were prepared by the Canton architectural firm Lawrence, Dykes & Associates.

The building will be financed with funds from a \$1,140,000 bond issue approved by electors of the district last May. The board located \$350,000 for building and equipping it and the amount the contracts awarded last night leaves \$14,000 for purchase of equipment and a contingency fund of \$1,596.30 over and above cost of the school and the architect fees.

It is hoped to have the building completed by the end of the year.

The name chosen for the new school to be built on a nine-acre plot of ground located on Richville-Bolivar rd a short distance north of the Shepler church rd was suggested by a number of organizations and residents of the Richville area.

A NATIVE OF Richville and a resident of the area for about 25 years, Lohr generally was considered to be the community historian. He was either the organizer or a charter member of practically every organization in the community and was keenly interested in affairs of the Richville school. He was a welder by trade and also worked on a farm.

During last night's meeting the board discussed with principals its existing four elementary buildings some of the problems

Box 14-a

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P. O. A. 65
RESERVOIR AREA

WARRANTY DEED

From

OHIO WATER SERVICE COMPANY ✓

to

THE CITY OF MASSILLON ✓

From Canton Open
Source Massillon
Museum

ultimate source ?

COMPARED

OHIO WATER CO. RESERVOIR DEED DESCRIPTION

SECOND TRACT: The following described premises, situated in the Township of Perry, in the County of Stark and State of Ohio, known as and being part of the southeast quarter of Section No. 5, part of the northeast quarter of Section No. 8 and part of the southwest quarter of Section No. 4, all in Township No. 10, Perry aforesaid, in Range 9 in said Stark County, Ohio, bounded and described as follows:

Beginning at a point on the line between land formerly belonging to John Yingling, Jr. and Henry Beatty, 60 feet west of the stone at the northeast corner of what was formerly Henry Beatty's land, and running thence north $86^{\circ} 35'$ west five hundred forty-six and five tenths (546.5) feet (bounded by certain lands formerly belonging to Henry Beatty) to a point formerly designated by a post in what was known as the Mill Race, thence north 37° west 188 feet to the center line of State Street extended; thence north $81-1/2^{\circ}$ west, with the center of said State Street so extended one hundred sixty-eight and five tenths (168.5) feet; thence north $9-3/4^{\circ}$ east 30 feet to a stone at the southeast corner of Lot No. 13 in the Town of Kendall, now a part of the City of Massillon in said County; thence north $9-3/4^{\circ}$ east, with the east line of lots No. 13, 14 and 15 in Kendall aforesaid, 195 feet to a post, being the northwest corner of the lot conveyed to Samuel R. Bullock and William S. Mercer by Sebastian Fritz; thence south $81-1/2^{\circ}$ east 111 feet to a post at the northeast corner of what was the Fritz lot; thence north $4^{\circ} 50'$ west one hundred thirty-four and six tenths (134.6) feet (bounded by land formerly belonging to John Mill); thence north $11^{\circ} 40'$ west sixty-two and nine tenths (62.9) feet (bounded by what was formerly the land of Theodore Vogt); thence north $86^{\circ} 20'$ west seventy-two and five tenths (72.5) feet (bounded by certain lands formerly belonging to said Theodore Vogt) to the northeast corner of Lot No. 18 in said town of Kendall; thence north $3^{\circ} 40'$ east nineteen and eight tenths (19.8) feet (bounded by William Street); thence south $86^{\circ} 20'$ east seventy-seven and nine tenths (77.9) feet (bounded by lands formerly belonging to John Whitmore); thence north $15^{\circ} 50'$ west, ninety-six (96) feet (bounded by lands formerly belonging to John Whitmore); thence north $13^{\circ} 20'$ west one hundred nine (109) feet (bounded by lands heretofore owned by Joseph Knapp); thence north $2^{\circ} 20'$ west one hundred ninety-three (193) feet (bounded by lands formerly owned by Joseph Knapp); thence north $10^{\circ} 10'$ east one hundred forty-two (142) feet (bounded by lands formerly owned by George Fisher and J. B. Clay); thence north $21^{\circ} 10'$ east forty-nine (49) feet (bounded by lands formerly owned by J. B. Clay); thence north $39^{\circ} 10'$ east one hundred fifteen (115) feet (bounded by lands formerly owned by J. B. Clay); thence north $37^{\circ} 55'$ east two hundred seventeen and eight-tenths (217.8) feet (bounded by lands formerly owned by Elenor Moles); thence north $50^{\circ} 40'$ east one hundred forty-five and two tenths (145.2) feet

(bounded by said Moles land); thence north $21^{\circ} 40'$ east two hundred sixty-four (264) feet (still bounded by said Moles land); to a post in the center of the public road five hundred twenty-eight (528) feet east of the center of what was formerly known as Front Street, now Wales Road; thence along the center of the public road, south $86^{\circ} 48'$ east six hundred ninety-eight and four-tenths (698.4) feet to a point in the center of said road three hundred eighteen (318) feet west of the section line between said Sections 4 and 5 (bounded on the north by land formerly belonging to the estate of Arvine C. Wales, deceased); thence south $1-1/2^{\circ}$ west seventy-five (75) feet (bounded on the east by lands formerly owned by F. Bender); thence south $60-1/2^{\circ}$ east one hundred twenty-three (123) feet; thence south $75-1/4^{\circ}$ east, one hundred forty-one and nine-tenths (141.9) feet; thence north 82° east ninety-six and six-tenths (96.6) feet; thence north $63^{\circ} 55'$ east one hundred sixteen (116) feet; thence north $31-3/4^{\circ}$ east three hundred fifty-seven (357) feet to the public road; thence north $38-1/2^{\circ}$ east two hundred five (205) feet to a stone at the northwest corner of what was formerly Adam Hammersmith's land; thence south $3^{\circ} 5'$ west four hundred (400) feet (bounded on the east by what was formerly Adam Hammersmith's land); thence south $26^{\circ} 40'$ west three hundred (300) feet; thence south $57^{\circ} 55'$ west two hundred eight-five and seven-tenths (285.7) feet; thence south $85^{\circ} 55'$ west sixty (60) feet to the section line between Sections 4 and 5; thence south 87° west three hundred thirty-five (335) feet; thence north $72-1/2^{\circ}$ west two hundred ninety-nine and six-tenths (299.6) feet; thence south $75-1/4^{\circ}$ west two hundred eighteen (218) feet; thence south $46-1/4^{\circ}$ west one hundred eighty-six and two-tenths (186.2) feet; thence south $30-1/4^{\circ}$ west three hundred eighty and eight-tenths (380.8) feet; thence south $8-1/2^{\circ}$ east four hundred fifty-six (456) feet; thence south 37° east one hundred sixty and five-tenths (160.5) feet; thence south 50° east one hundred sixty-two (162) feet; and thence south $38^{\circ} 20'$ east three hundred forty-five and six-tenths (345.6) feet to the place of beginning, containing twenty-five and twenty-seven hundredths (25.27) acres of land, be the same more or less, but subject to all legal highways, upon which premises are the reservoir, stand-pipe, engine and the old pumping house and some of the water ways of the Water Works; the above described and bounded premises being or intended to be all the premises, except only the two parts heretofore conveyed by Samuel R. Bullock and William S. Mercer out of the same, one to John Yengling, Jr. and to Frank Bender, that were conveyed to said Samuel R. Bullock and William S. Mercer in their co-partnership name of Samuel R. Bullock and Company, by three deeds - one made by John Yengling, Jr. and wife, dated July 26, 1886, recorded in Vol. 223, of the Records of Deeds of said County, pp. 154-156, one made by Sebastian Fritz and wife, dated August 24, 1886, recorded in the same Volume, pp. 344-345, and one by Mary Louisa List and George A. List, her husband, dated August 25, 1886, recorded in the same Volume, pp. 341-343, and being or intended to be the same premises conveyed by Samuel R. Bullock and William S. Mercer to The Massillon Water Company by their deed dated March 22, 1888, and recorded in

Vol. 238, pp. 384-387, to all of which reference is here made, but subject, however, to the right reserved by said John Yingling, Jr. in his deed, for himself and his children, to pass over the land south of the dam and the right to water his cattle on the premises at a point south of such dam, in manner and form as such right is reserved in said deed and not otherwise; and subject further to the right reserved by said Lists in their deed, and as therein described, to flow the water of Sippo Creek and the Mill Race through and across the lands conveyed by them and herein described, and to enter upon the same for repairs, etc.

The aforesaid premises constitute the property upon which is now located the reservoir, stand-pipe and old pumping station of said The Massillon Water Supply Company.

There is reserved from any and all portions of the foregoing premises or any others which said The Massillon Water Supply Company may own, or which may be described herein, those certain premises granted for road purposes in a deed from Adam Hammersmith and The Massillon Water Company to the County Commissioners of Stark County, Ohio, dated June 3, 1880, recorded in Vol. 168, pp. 479-480, Stark County, Ohio, Deed Records, to which reference is here made for a more complete description of said road.

(The said John Yingling, Jr. is variously referred to as "Yingling", "Yengling" and "Yiungling", but the intention is to convey the premises acquired by The Massillon Water Company in the deed above referred to and by The Massillon Water Supply Company from Whiting G. Snow and wife by deed dated October 2, 1893, and recorded in Vol. 307, pp. 300-302, Stark County, Ohio, Deed Records, notwithstanding any variations, discrepancies or inaccuracies in metes and bounds or in distances which may be found to exist in the description as above set forth.)

Subject to such easements, or licenses as the City of Massillon, Ohio, may have or enjoy, with respect to the location and maintenance on the part of said City of Massillon, Ohio, of two sanitary and two storm water sewers in, upon and over the premises above described, subject to the limitations contained in the grants therefor.

11-20
RESERVOIR PARK

JAN 16 1958

RECEIVED FOR RECORD

at 1:46 o'clock P M

RECORDED JAN 17 1958

In Stark County Records

Vol 2532 Page 626

KENNETH E. MOTTS

Recorder

Fee 2.10

WARRANTY DEED

ENTERED FOR TRANSFER

JAN 16 1958

JOE YODER

AUDITOR STARK COUNTY

Deputy

KNOW ALL MEN BY THESE PRESENTS: That OHIO WATER SERVICE COMPANY, a corporation, the grantor, which claims title by or through instrument recorded in volume 899, page 452, county recorder's office, for the consideration of one dollar (\$1.00) and other valuable considerations received to its full satisfaction of THE CITY OF MASSILLON, a municipal corporation of the State of Ohio, the grantee, whose tax mailing address will be Massillon, Ohio, does give, grant, bargain, sell and convey unto the said grantee, its successors and assigns, the following described premises:

Situated in the City of Massillon, County of Stark and State of Ohio, and known as and being all of outlet number 65 in the City of Massillon, Ohio, according to the present numbering of outlots in said City, with the following EXCEPTIONS:

Exception No. 1 (Pump House)

Beginning at a point on the south line of outlet number 65, S 85°-19' E 82.7 feet from the southwest corner of said outlet; said point being the true place of beginning of the parcel herein excepted; thence N 41°-08' W 165.5 feet parallel with and 6.0 feet west of existing pump house to a point; thence N 48°-52' E 47.2 feet parallel with and 23.0 feet north of existing pump house to a point; thence S 41°-08' E 214.0 feet parallel with and 6.0 feet east of existing pump house to a point on the south line of outlet number 65; thence N 85°-19' W along the south line of outlet number 65, 67.3 feet to the place of beginning, containing 0.21 acre.

Exception No. 2

Known as and being a part of outlet number 65 in the City of Massillon, Ohio, according to the present numbering of lots in said City and being more fully described as follows:

Beginning at the true place of beginning of the tract herein excepted, said point being the southeast corner of lot number 9539 on the north line of State Avenue, N.E.; thence N 5°-46' W along the east line of lot number 9539, 196.25 feet to the northeast corner of said lot; thence S 7°-31' E 197.28 feet to a point on the north line of State Avenue extended easterly; thence N 88°-0' W 6.0 feet along the north line of State Avenue extended to the place of beginning, containing 0.01 acre.

Exception No. 3

Known as and being all of lot number 9539 in the City of Massillon, Stark County, Ohio, according to the present numbering of lots in said City, and being more fully described as follows:

Beginning at an iron pin on the north line of State Avenue, N.E., S 88°-0' E, 120.0 feet from the intersection of the north line of State Avenue, N.E. and the east

"Deed checked for tract description only"

JAN 7 - 1958

WADE SHIDLER

STARK COUNTY ENGINEER

Deputy

line of Wales Road, N. E., said point being the true place of beginning of the parcel herein described; thence N 1°-55' E 194.73 feet along the west line of lot number 9539 to an iron pin; thence S 88°-0' E along the south line of lot number 9662 a distance of 111.0 feet to an iron pin on the west line of outlot number 65; thence S 5°-46' E along the west line of outlot number 65, also being the east line of lot number 9539, a distance of 196.25 feet to a point on the north line of State Avenue, N. E., said point also being the southeast corner of lot number 9539; thence N 88°-0' W along the north line of State Avenue, N. E. a distance of 136.70 feet to the place of beginning, containing 0.554 acre. Not a part of outlot 65, but included for reference.

Subject to such easements or licenses as the City of Massillon, Ohio, may have or enjoy with respect to the location and maintenance on the part of said City of Massillon of two sanitary and two storm water sewers in, upon and over the premises above described, subject to the limitations contained in the grants therefor.

The premises herein being conveyed are intended to be all of the second tract, except the three parcels enumerated above as Exceptions 1, 2 and 3, as conveyed by The Massillon Water Supply Company to The Massillon Water Service Company (original name of Ohio Water Service Company) by deed recorded in volume 899, page 452, Stark County record of deeds.

The foregoing grant shall at all times remain subject to, and there is hereby expressly RESERVED unto the grantor, Ohio Water Service Company, its successors and assigns, the following:

- (a) A permanent easement over an existing roadway extending from the south line of said outlot number 65, as now numbered, northerly to State Avenue, N. E., with ingress and egress driveways from said road to the parcel designated as Exception No. 1.
- (b) All rights of way, pipelines, easements and licenses, now owned or used by the grantor, upon, over and in said premises, and also such as appear from the various records in the offices of Stark County, Ohio, where rights of way, easements and licenses are recorded; together with the right on the part of said grantor, its successors and assigns, to enter in and upon the premises hereby conveyed for the purpose of using, maintaining, repairing, reconstructing, enlarging, removing and operating the grantor's existing water lines, distribution facilities and appurtenances thereto, and the full enjoyment of the reservations herein described.

Subject to the assumption and payment by the grantee of all installments of taxes and special assessments payable from and after the date of these presents.

TO HAVE and TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said grantee, its successors and assigns forever; and the said grantor, for itself and its successors and assigns, hereby covenants with the said grantee its successors and assigns

of these presents, it is well seized of the above described premises, as a good and indefeasible estate in fee simple; and has good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever, save and except taxes and special assessments assumed by the grantee; and that it will warrant and defend said premises, with appurtenances thereunto belonging, to the said grantee, its successors and assigns, against all lawful claims and demands whatsoever, except taxes and special assessments assumed by the grantee.

IN WITNESS WHEREOF, the grantor has hereunto caused its corporate name to be subscribed, and its corporate seal to be affixed to these presents, by its president and secretary, this 23 day of October, A. D. 1957.

Signed and acknowledged
in the presence of:

Edmund H. Heinemann

OHIO WATER SERVICE COMPANY

By W. Taylor Evans
President

and J. Victor Carty
Secretary.

THE STATE OF OHIO,)
COUNTY OF MAHONING,) ss:

Before me, a Notary Public in and for said County and State, personally appeared G. Taylor Evans, President, and J. Victor Carty, Secretary, of Ohio Water Service Company, the corporation which executed the foregoing instrument, who acknowledged that the seal affixed to said instrument is the corporate seal of said corporation; that they did sign and seal said instrument as such President and Secretary in behalf of said corporation and by authority of its Board of Directors; and that said instrument is their free act and deed individually and as such President and Secretary and the free and corporate act and deed of said Ohio Water Service Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Massillon, Ohio, this 23rd day of October, A. D. 1957.

[Signature]
Notary Public.

Date 1-15-58

Approved by City Planning Com
of Massillon, Ohio. No plat
H. M. [Signature]

THIS INSTRUMENT PREPARED BY
Richard F. Maier,
Attorney at law,
301-305 First National Bank Building,
Massillon, Ohio.

Documentary Transfer Stamps not Necessary

WEEK 10

H.S. FOOTBALL
SCOREBOARD

TUSLAW
FAIRLESS
PERRY
GLENOK
JACKSON
HOOVER

21	NORTHWEST	27
12	ALLIANCE	21
35	ST. THOMAS	33
33	CENTRAL	13
45	DALTON	42
27	WAYNE DALE	7

• COVERAGE IN SPORTS / B-1
AND AT WWW.FRIDAYNIGHTOHIO.COM

WEEKENDER

ATURDAY, OCTOBER 30, 2010

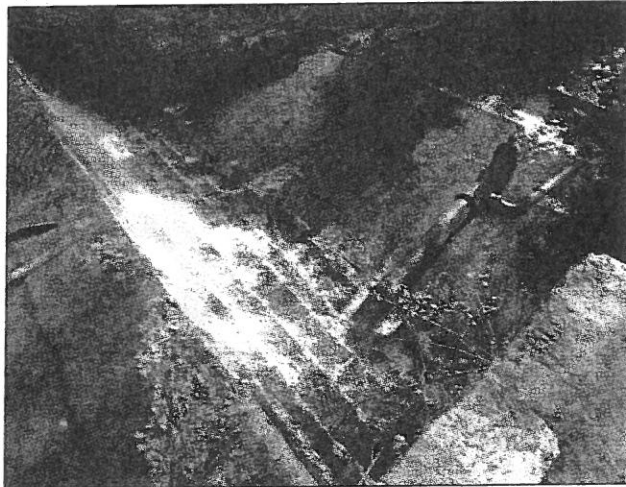
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2010 OCT 30 10:10 AM
MASSILLON, OHIO 44840
\$1 WEEKENDER

PHOTO BY
KEVIN WHITLOCK/
THE INDEPENDENT

The future
of the Sippo
Creek Reser-
voir Dam in
Massillon is in
question after
a study by the
Ohio Depart-
ment of Natur-
al Resources
found it to be
a hazard.



Rezzy dam done for?

By **MATTHEW RINK**
Matthew.Rink@IndeOnline.com

The Sippo Creek Reservoir
Dam is a hazard and a danger
to human life, according to a
study by the Ohio Department
of Natural Resources. The city
must repair it, replace it or re-
move it.

● Please see **DAM**, Page A-2

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A3

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MCKINLEY!

Team

winning everything," said.

"It's really sad that it's the last (Beat McKinley)

and we will they will have their Tiger

an opt-out electric aggregation program that would automatically enroll all residents in a buying pool that would help enrollees save as much as 6 percent on their electric bills.

Also on the ballot, and for a third November in a row, is a developer's request to rezone the south side of Lincoln Way East, between 21st and 25th streets, from residential to general business. Developer Carl Oser and his grandson, the landowner, Andrew Oser, believe the zone change will help create new business and spur job growth.

Steve Oser, believe the zone change will help create new business and spur job growth.

George W. Bush to speak in Ohio

DAYTON (AP) - Former President George W. Bush will be in Ohio to speak at a Veterans Day tribute. Bush will be at the National Museum of the U.S. Air Force in Dayton on Nov. 11. The event comes as he promotes the release of his memoir, "Decision Points." The museum will offer free tickets Monday and opportunities to pre-purchase autographed copies of the book.

DAM CONTINUED FROM PAGE 1

The dam serves as the picturesque backdrop of Reservoir Park on the city's northeast side. But it is aging and eroding to the point that the Massillon Parks and Recreation Department must spend hundreds of thousands, if not a million dollars, to improve its condition.

"We're going to do everything we can as quickly as possible to make sure we come up and meet with all the department standards that they need us to to make sure we protect the dam, obviously human life and anything in its way if it were to collapse."

But the ODNR does not consider the dam an extreme hazard and has not placed a timetable on the repairs. ODNR's Division of Soil & Water Resources conducted a safety inspection of the dam in May. The bricks and subwall are eroding and vegetation

is growing through some of the masonry. The dam is 18 feet in height. It has a storage capacity in excess of 50 acres per foot. It was given a first-class hazard rating during the inspection, meaning that it poses a risk of "probable loss of human life."

Any repairs made to the dam must first be approved by the division chief. If the repairs are not made, the division chief can take legal action. Ohio Revised Code requires dam owners to monitor, maintain and operate their dams safely.

The city may qualify for a loan through the Ohio Water Development Authority's Ohio Dam Safety Loan Program.

It is unknown by the ODNR when the dam was constructed. ODNR inspected it in 1991, 2001, 2006 and again on May 25. In 2000, repair plans and a hydrologic and hydraulic



PHOTO BY KEVIN WHITLOCK/THE INDEPENDENT

Massillon Parks and Recreation Director Kenn Kaminski talks about the options for the dam in Reservoir Park.

study was submitted to the ODNR, but it was never resubmitted to the agency after it made comments to the plans and study.

Massillon Parks and Recreation Director Kenn Kaminski said the work was put on the backburner by previous department directors. He said removing

the dam altogether is the "last option." Doing so would dramatically alter Reservoir Park. It would basically mean that the lake - or reservoir - would be filled in and that a creek would flow in its place.

"That would be the last option we would want to explore," he said.

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Repairs needed at Rezzy dam

By **MATTHEW RINK**

The Independent

Posted Oct 29, 2010 @ 10:34 PM

Recommend

20 people recommend this.



MASSILLON, OH — The Sippo Creek Reservoir Dam is a hazard and a danger to human life, according to a study by the Ohio Department of Natural Resources. The city must repair it, replace it or remove it.

The dam serves as the picturesque backdrop of Reservoir Park on the city's northeast side. But it is aging and eroding to the point that the Massillon Parks and Recreation Department must spend hundreds of thousands, if not a million dollars, to improve its condition.

"We're going to do everything we can as quickly as possible to make sure we come up and meet with all the department standards that they need us to to make sure we protect the dam, obviously human life and anything in its way if it were to collapse."

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Massillon Parks and Recreation Director Kenn Kaminski said the work was put on the backburner by previous department directors. He said removing the dam altogether is the "last option." Doing so would dramatically alter Reservoir Park. It would basically mean that the lake — or reservoir — would be filled in and that a creek would flow in its place.

"That would be the last option we would want to explore," he said.

Kaminski had to reschedule a Tuesday meeting with an ODNR official due to a death in the family. The department must submit to ODNR guidelines for operations, maintenance and inspection, as well as an emergency action plan.

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