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ROAD RECORD NO. 7

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COUNTY ROAD Noe-Bixby Road

Alteration to the existing road between Livingston Avenue and East Broad Street

BY J. C. NOE et al

ROW = 60'

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To the Commissioners of Franklin County, The undersigned petitioners would Respectfully petition the Commissioners to have the Road leading from the Southern part of Truro Township to the Newark Road Vacated and another established as follows To Commence at and leave the Bixby Road so called where it crosses the Hebron Road near Baldwins Mill, thence northward along or as near as practicable to the high Bank of Big Walnut past the House of Thos. Inlows to the National Road at or near Benjamine Sells House at Hibernia then after following the National Road a few Rods east to leave the Same and turn on the nearest and best ground to Jonathan Noes Saw Mill and from there on the nearest and best ground to David Pughs lane and through it to the Newark Road They therefore pray that the necessary Viewers may be appointed and such other measures taken as may be lawful and necessary for altering the present Road agreeably to the above points or vacating the old and establishing a new Road upon or as near the ground above named as may be found practicable Very Respectfully Submitted Nov. 1835 Johnathan C. Noe, David Pugh Richard Roads Daniel Whitsel Gilbert Green John Robinson John Lang Jonathan M Conel, F. N. Sprague John M. Cracken John Patterson Wm Patterson Littleton R. Gray B. Bronson Shriah Man I, Rees Abraham Smith Jacob Smith Jr. Joshua W. Selby John Hughs Whereupon it is ordered by the Commissioners of Franklin County that Jerimah Ney Cornelius Lynch Jacob Shafer be and they are hereby appointed to View Said Road and F. Cole be and he is hereby appointed Surveyor of the same and that they meet at the office of Isaac Painter Esq. in Jefferson Township on the Eleventh Inst or within five days thereafter and after being duly qualified according to law proceed to View Survey Mark and locate Said Road or alteration and a true platt and Survey thereof along with their Report Return to this office on or before the 1st Monday in March 1836

Dec. 8th 1835

John C. Brodrick Clk.

The State of Ohio Franklin County

Personally appeared before me the Subscriber a Justice of the piece for Jefferson Township the above named Viewers and the Surveyor who were severally sworn according to law before they entered on the duties of their office given under my hand and Seal this 11th day of Dec. 1835

Isaac Painter J. P. (Seal)

To the Hon. the Commissioners of Franklin County agreeably to an order to us directed of the 8th ult by your Honorable body in answer to a petition of J. C. Noe and others for a new Road we on the 11th and 12th ult proceeded to an examination and Survey of the graound and location of the same as follows Big'g at a point at the intersection of the Hebron and Bixby Roads from which the S. W. Corner of Wm Baldwins House bears N. 32 30 E. distant 5 Rods from thence N. 30 W. 23 P. N. 31 15 E. 30 P N. 14 E 38 Poles N 2 30' E 114 P. N 13 E. 52 P to the Center of the National Road 8 Rods West of B. Sells house in Hibernia thence with the Road N 88 30 E 43 1/2 P thence N 20 W 18 1/2 Poles to the 1 mile post Same Course Continued 46 Poles N. 24 15 W. 128 Poles N. 6 30 W. 30 Poles N 18 30 W 28 1/2 Poles N 36 65 W 67 1/2 Poles to a point from which the S. E. Corner of Noe Saw Mill bears N 24 W distance 4 Poles 10 Lks- thence N 28 30 E 18 1/2 Poles to the 2 mile post Same Course Continued and passing through David Pughs lane 182 1/2 Poles to the Newark Road making the total distance 2 miles and 182 1/2 Rods we believe that the Establishment of Said Road would add to the public Convenience and utility Dec. 15th 1835

J. Ray )  
 J. Shafer)Viewers  
 C. Lynch )

J. Nay	each	2.00	pd
C. Lynch	2 day	2.00	pd
J. Shafer	Viewers	2.00	pd
P. Rhoades	C. C	1.50	
D. Pugh	2 days each	1.50	
J. C. Noe	Marker 2 days	1.50	
F. Cole	Surveyor 2 days	3.00	
		<u>\$ 13.50</u>	

Whereupon afterwards Towit on the 7th day of March 1836 John Hanson Thos Enlows Thos Armstrong filed the following petition for damages (Towit)

To the Honorable the Commissioners of Franklin County the Undersigned freeholders in and for Said County represent to your Honorable body that they feel themselves much Injured by the Location of a County Road as petitioned for by J. C. Noe and others from or near Baldwins Mill to the old Turnpike road leading from Columbus to Granville We therefore pray your honors to appoint Suitable men to View So Much of Said Road as passes through our lands and estimate the damages if any that we may Sustain and in duty bound we Shall ever pray Feb 9th 1837

J. Hanson  
 Thos Enlow  
 Thos Armstrong

Whereupon the Commissioners of Franklin County appointed John Steinbaugh John Courtwright and Solomon Shultz as Viewers and that they Meet at the Office of J. M. Comb in Truro Township on the Twenty fifth day of February 1837 and after being duly qualified according to law proceed to View premises of said petitioners aforesaid and estimate the damages if any and that they may Sustain in Consequence of the location of Said Road as petitioned for by J. C. Noe and others and Make Report thereof to this board on or before the first Monday in the month of March 1837

Commissioners office  
 Franklin County Dec. 7th 1836

Attest  
 J. C. Brodrick Clk to  
 County Commissioners

State of Ohio Franklin County S S

Before me the Subscriber one of the Justices of the piece in and for Said County Personally appeared the above named John Sternbaugh John Courtwright and Solomon Shultz Viewers aforesaid and were duly qualified according to law in Such case made and provided Given under my hand and Seal this 25th day of Feb. 1837

Jonathan McComb  
 Justice of Peace (Seal)

To the Commissioners of Franklin County Gentlemen in Compliance with the within Order we proceeded to View the premises of the within Named petitioners and to estimate the damages to each as follows (Towit) John Hanson the Sum of \$00.00 Thos Armstrong the Sum of \$40.00 Thos Inlows the Sum of \$40.00 In testimony Whereof we have hereunto Set our hand this 25th day of Feby 1837

Pd John x Sternbaugh)Viewers  
 mark  
 Pd John Courtwright ) of  
 Pd Solomon Shultz ) Damages

It is therefore Ordered by the Commissioners of Franklin County that the petitioners in the Original petition for the location of foresaid County Road as petitioned for by J. C. Noe et. al. go hence without day and that the Obligion in the land for costs pay all damages unless the aforesaid damages be paid by said petitioners as they are of the Opinion that Said road is not of Sufficient Public benefit to Justify their paying the same out of the County funds but if Said damages be paid by said

petitioners then and in that case Said road is hereby declared a publick highway and do hereby order the Same to be of Record agreeably to the plot and field Notes thereof and that the Same be opened Sixty feet wide and made in all other respects according to Law, and that Notice of this Order be given to the Trustees of the Township through which the Same may pass Whereupon the petitioners for damages aforesaid (To wit) John Hanson Thos Armstrong and Thos Enlows gave Notice of their intention to appeal from the decision of the Commissioners aforesaid to the Court of Common pleas for Franklin County and afterwards (To wit) on the 13th day of March 1837 the Said John Hanson Thos Armstrong and Thos Enlows appeared before the Auditor and entered into bond in the penal Sum of Two hundred dollars with approved Security for Costs in Said appeal

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