

ROAD RECORD NO.9

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PAGE NO.I77

JOHN HEIL'S ROAD:

ROAD NOTICE..

NOTICE IS HEREBY GIVEN, That a Petition will be presented to the Commissioners of Franklin County, Ohio, at their next regular meeting, to be held on the first Monday of March, A.D.1875, praying for the location and establishing of a County road, on the south line of the Refugee tract, commencing where said line crosses the county road, running south through the farms of S.Eberly and J.S.Burkey at or near what is known as the Eberly School house in Hamilton Township in said County; thence east with said line and on the line between Jos.Burkey and Samuel Eberly, to and crossing Alum Creek on the line between Madison & Truro Townships until it meets a county road already established. Thence commencing again at the point where Columbus and Winchester pike crosses the said Refugee line; thence eastwardly with said Refugee line, until it meets the county road now established on said Refugee line between the land of Howard Gray and the heirs of Elias Chester..

January, 23, 1875

Petitioners..

STATE OF OHIO,) I, S.W. Gale being duly sworn, depose and say, that the road Notice of Petitioners of Franklin County, ss.) which a true copy, is hereunto annexed, was published for five consecutive weeks and immediately prior to the 1st day of March, A.D.1875, the day of hearing therein mentioned in the Ohio Statesman a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein..

S.W.Gale,

Sworn to before me, and signed in my presence, this 27th day of February, 1875

Printer's Fees \$ 6.75 Paid.
This Affidavit .40

J.L.Parcels, Notary Public..

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COMMISSIONERS MEETING,
March, 1st. 1875

In the matter of the John Heil's Road. The following petition was presented.;

To the Commissioners of Franklin County, Ohio;

Gentlemen: The undersigned petitioners, respectfully represents that the public interests & convenience requires the opening and establishing of a county road, commencing at what is known as the Eberly school house in Marion Township, Franklin County, Ohio, in the public Road on the line between Joseph Burkey & Samuel Eberly; thence East on what is known as the Refugee line to and a cross Alum Creek at a point where said Creek crosses the line between Truro & Madison Townships until it meets the County road now established thence commencing again at the point where the Columbus & Winchester turnpike crosses the said Refugee line; thence eastwardly with said refugee tract & on said Township line on the line between the lands of Alex. Clickenger & Richard Suddick & Louis Slippie, Philip Schwartz, John Heil, H.C.Gray & the heirs of Elias Chester to a point where a public road passing north & south through the lands of said Gray & Chester crosses said Refugee & Township line & there meeting another County road already layed out on said line. And your petitioners respectfully ask your honorable body to take such steps as will cause said road to be opened & established..

NAMES....

John Heil,
Joseph Burkey,
Jacob Zimmer,
Christian Finger,
James Carson,
Jacob Zettler,
Alexander Clickenger,
Jas.M.Montgomery,

Samuel Eberly,
William Baird,
M. Jones,
Samuel Brown,
James Taylor,
M.G.Brown,
Peter Spingler,
J.M.Bennett,

John G.McGuffy,
Peter E.Swartz,
John McGuffy,
Z. Vesey,
Mathew Brown,
John Byllen,
T.J.Bennett,
Louis Zettler,

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NOTICE TO LAND OWNERS OF THE TIME AND PLACE OF HOLDING VIEW...

TO Samuel Eberly, Joseph Burkey, Wm.Bullen, R.Seddick, Louis Slippy.
Philip Swartz, Howard Gray & the heirs of Elias Chester.

You are hereby notified that the Viewers and Surveyor's appointed by the Commissioners of Franklin County, Ohio, on their order of March 3rd 1875, to lay out & survey the new road petitioned for by the undersigned & others, will meet at Eberly's School House on 3rd day of May 1875, for the purposes set forth in said order, dated this 15 day of March, 1875

John Heil Principle Petitioner.

STATE OF OHIO,) John Heil above named petitioner, being first duly sworn says that on the 15 day of Franklin County, ss.)

March, 1875, he delivered a true Copy of the above Notice to each of the landowners above named & he also gave a Copy to each of the Viewers in said order,

John Heil

Sworn to before me, & subscribed in my presence, by said John Heil, this 26 day of March, 1875

Joseph G. McGuffey, Notary Public,
Franklin Co., Ohio...

COMMISSIONERS MEETING. M.
March, 1st. 1875

In the matter of the road petitioned by John Heil the following petition was presented---,
To the Commissioners of Franklin County, Ohio;

The undersigned respectfully remonstrate against the establishment and opening of so much of the road as prayed for in said petition, as is situate east of the Columbus & Winchester and respectfully represent that so much of said road will not be advantageous to the public interest....

NAMES..

| | | |
|--------------------|------------------|---------------------|
| Philip Schwartz, | E. B. Lassion, | Louis, Shleppy, |
| H. C. Gray, | M. F. Thompson, | Jno. W. Kile, |
| Peter E. Schwartz, | Peter Spangler, | Jacob Schleppe, |
| S. R. Helsel, | Richard Suddick, | Joseph Myers, |
| Joseph Behm, | A. Gray, | A. J. Taylor, |
| Gilbert Barrett, | Peter Zimmer, | E. B. Livingston... |

TO THE VIEWERS ON THE ROAD PETITIONED FOR BY JOHN HEIL AND OTHERS ON THE LINE BETWEEN MADISON & TRURO TOWNSHIPS.. Page 180

Gentlemen: I claim compensation for the land sought to be appropriated for said road as prayed for, the sum of One hundred & fifty (\$150.) Dollars and I claim the sum of Fifty Dollars for the lessening in value of the remainder of said tract.

May 3rd. 1875

H. C. Gray...

To the Honorable Viewers appointed by the County Commissioners of Franklin County, State of Ohio, on the road petitioned for by John Heil & others on the line between Truro and Madison Townships.

The undersigned respectfully represent that he is the owner of lands on the line of said proposed road and that if said road is established one half of said road will be upon his premises for the distance of 114 1/2 rods, commencing at the east line of Lewis Schleppe's farm and ending on the west line of C. H. Gray's farm in Madison Township and that he claims damages for the appropriation of said land and for the location of said Road the sum of Two hundred Dollars.

Philip Schwartz...

To the Viewers appointed by the County Commissioners on the road petitioned for by John Heil and others on the line between Truro & Madison Townships;

The undersigned respectfully represent that he is the owner of land on the line of said proposed road & that if said road is established one half of said road will be upon his premises for the distance of 107 Rods. Commencing on the east line of Richard Suddick & extending to the west line of Philip Schwartz in Madison Township and that he claims damages for the appropriation of said land & for the location of said Road thereon, the sum of \$ 200.

Louis Schlappe

TO THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

I, Richard Suddick respectfully represent that in case a road is put through and located under the proceedings now pending before said Commissioners, on the line between Alex. Clickenger and myself between Madison & Truro Tp., in said County, it will damage in the sum of two Hundred Dollars for which amount I claim damage.

April 28, 1875

R. Suddick...

APPOINTMENT OF VIEWERS..

COM'RS. RECORD, P. 259

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Mr. John Heil and twenty three others presented their petition praying for the establishing of a County road, commencing at what is known as the Eberly School House in Merion Township in the in the public road on the line between Jos. Burkey & Samuel Eberly; thence east on what is known as the Refugee line to and across Alum Creek and through lands of Alex Clickenger, R. Suddick, Louis Slippi, Philip Schwartz, John Heil, H. C. Gray and the heirs of Elias Chester etc., to the County road already laid out on said line.

In the matter of the Road petitioned for by John Heil and others, the Board appointed as Viewer, G. M. Tussing of Truro Tp., J. K. Lowe of Franklin Tp., James H. Wilson of Mifflin Tp., and R. F. Brown as Surveyor to meet at Eberly's School House on May 3rd 1875. Mr Heil one of the petitioners being qualified as to the legal proceedings in the above road, and, the Board found them all correct, Mr Philip Schwartz and others presented a remonstrance against the establishing of the above said road...

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 3rd day of May, A. D. 1875, personally appeared before, Franklin County, ss.) B. F. Bowen, a Notary Public in and for said County, G. M. Tussing, James H. Wilson and J. K. Lowe Viewers, J. M. Bennett and Wm. Bullen Chain Carriers and Mathew Brown marker of a road petitioned for by

John Heil and others and were by me duly sworn to the faithful and impartial performance of their respective duties...

B.F.Bowen, Notary Public, Franklin Co., Ohio..

VIEWERS REPORT..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, O..

In obedience to your order issued at your March session, A.D. 1875, we, the undersigned, Viewers, appointed under said order, met with B.F. Bowen Surveyor, at Eberly's School House on the County Road in Merion Tp., and were severally sworn to discharge faithfully and impartially the duties required of us in said order, J.M. Bennett and Wm. Bullen were selected by us as chain carriers, and Mathew Brown as Marker, who were also duly sworn..

We then proceeded to view said proposed road on the line described in your order, and caused the same to be surveyed, "as prayed for in the petition, or as near the same as in our opinion a good road can be made at a reasonable expense, taking into consideration the utility, convenience and inconvenience, and expense which will result to individuals as well as to the public," by the establishment of said road, as follows:

Beginning at a point in the County road in Merion Tp., at Eberly's School House; thence eastwardly on the line between the lands of Sam Eberly, William Bullen & Joseph Burkey 3/10 of a mile to the east Bank of Alum Creek connecting with the County road now located on the line between the Township of Truro and Madison. Then again commencing where the said township line crosses the Columbus and Winchester Turnpike; thence easterly on said Township line to the County road, now located on the line between the Chester Farm & the Gray Farm so called making the distance of 1 10/100 miles from the Winchester pike.

We would respectfully report that the said roads ought to be located for the following reasons: That the public will be benefited thereby..

We have also determined that the public convenience requires that roads shall be established forty feet in width.. All of which is respectfully submitted,)

J.H. Wilson,)
G.N. Tussing,) VIEWERS.
J.K. Lowe,)

FEEES..

Table with 4 columns: Name, Role, Days, Amount. Rows include J.H. Wilson (Viewer, 2 days, \$3.00), G.H. Tussing (Viewer, 2 days, \$3.00), J.K. Lowe (Viewer, 2 days, \$3.00), and B.F. Bowen (Surveyor, 4 days, \$20.00).

SEPARATE REPORT OF VIEWERS..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN CO., OHIO:

The undersigned Viewers of the road petitioned for by John Heil and others, make the following report of the Compensation and Damages assessed and awarded by them to persons entitled thereto. The parties named below have filed their written applications for the said allowances, according to Law, and the same are hereto appended and returned with this report.

Compensation for Land taken for said road has been _____ in the following sums:

Each of---

Table with 2 columns: Recipient, Amount. Rows include Richard Suddick (\$30.), Louis Schlappi (\$45.), Philip Schwartz (\$53.), Howard Gray (\$42.), and Total (\$170.).

Each of the above sums has been assessed "without deduction for benefits to any property of the owners, which would accrue by the opening of said road..

J.K. Lowe,) VIEWERS AND
G.N. Tussing,) JURORS TO
J.H. Wilson,) AWARD DAMAGES.

SURVEYOR'S REPORT..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN CO., OHIO:

The undersigned in obedience to your order dated March 3rd 1875, proceeded, on the 3rd day of May to survey and mark the road described in said order, under the direction of the Viewers therein named and respectfully submit the following return of said survey:

Beginning at a stake in the public road at Eberly's School House in Merion Township. Thence on the line between the lands of Sam Eberly & Jos. Burkey S. 88° 15' E. 57 81/100 poles to the south east corner of said Eberly's land, also the southwest corner of Truro Township and Northwest corner Madison Tp., continue same course on the line between said townships and between the lands of said Burkey and Wm. Bullen 38 19/100 poles to the east side of Alum Creek where said line meets the county road now established. Distance 3/10 miles from beginning. Then commencing at a point in the center of Columbus & Winchester and Turnpike road where the line between Truro & Madison & Townships crosses said road; thence with said township line S. 87° 30' E. between the land of Richard Suddick and Alex. Clickenger 53 57/100 poles to the Northeast corner of said Suddick land & Northwest corner of Lewis Schlippi land. Then 12 16/100 poles to the southeast corner of said Clickenger, also another corner to Lewis Schlippi. Then 45 21/100 poles to another corner of said Schlippi and Southwest corner to Jno. Heil.

Then 36 33/100 poles to another corner of Lewis Schlippl. Also Northwest corner of Philip Schwartz. Then I2 88/100 poles to the Southeast corner of John Heil land, also southwest corner of land owned by Samuel Brown and John Helsel. Then IOI 54/100 poles to the northeast of Philip Schwartz, also northwest corner to Howard Gray's land. Then IO3 88/100 poles to a stake in county road. Distance from Winchester pike on line surveyed I 16/100 miles..

* See plat at end of record *

I CERTIFY that the above is a correct plat and return of the survey of the proposed road named in the petition of John Heil and others..

B.F.Bowen, Surveyor,
Franklin Co., Ohio...

COMMISSIONERS OFFICE, FRANKLIN CO., O.
June, 7th 1875

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Com'rs. Record, P. 292

The Viewers report for a road petitioned for by John Heil and others was read the first time..

COMMISSIONERS OFFICE, FRANK. CO., O.
June, 8th 1875

Com'rs. Record. Page 292

The Viewers report for the county road petitioned for by John Heil & others was taken up and read the 2nd time...

COMMISSIONERS OFFICE, FRANKLIN CO., O.
June, 9th 1875.

Com'rs. Record. Page 293.

The Viewers report for a road petitioned for by John Heil and others was read the 3rd time. The Commissioners being satisfied the law had been complied with, and that the road was of public good, and much needed, on motion of F. Riely the same was ordered established, according to the report of Viewers & Surveyor, the petitioners to pay all damages.

Order issued to Tp. Trustees to open Road.

L.T. Strader, Auditor...

*SEE PLAT ON NEXT PAGE..

PLAT OF JOHN HEIL ROAD

Marion Tp., Madison Tp.
Truro Tp.

