

PETER SCHWARTZ ROAD.

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY PETER SCHWARTZ AND OTHERS IN FRANKLIN TP.FRANKLIN COUNTY,OHIO.

Deckebach Road - from Stimmel Road to Greenlawn Avenue

ROW = 40'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin county,at the next session MARCH A.D. 1877,praying for the establishment of a County Road on the following line,to-wit:

Beginning at the John Stimmel road in Franklin Township,west of the levee at the Moler road, at Samuel Stimmel's south line,running north on the west side of said levee on Samuel Stimmel's land to said Samuel Stimmel's north line,thence north through Wm.Miner's heirs land to the Green Lawn Ave.Road, in all about one hundred and thirty rods long.

January 25th, A.D. 1877.

AFFIDAVIT THAT COPIES OF THE ABOVE NOTICE WERE DULY POSTED UP.

THE STATE OF OHIO,) Peter Schwartz having been first duly sworn states that on the Franklin County,ss.) day of February A.D. 1877,and at least thirty days before the first Monday of March A.D.1877,he set up copies of the foregoing notice at the Auditor's Office,in said County,and at three public places in the township of Franklin;at toll gate on Jackson Pike;one corner Jackson & Harrbg. Pike & one bet.the two pts.in which said road is proposed to be laid out and established.

(Signed) Peter Schwartz
Sworn to and subscribed before me,this 5th day of March A.D.1877.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, F.A. Brodbeck being duly sworn,depose and say,that the foregoing notice Franklin County,ss.) was published one time a week for four consecutive weeks prior to Mar.A.D.1877, in the Sunday Morning News,a newspaper printed in said County of Franklin,State of Ohio,and of general circulation therein,and that the first publication was made January 28th A.D.1877.

Sworn to before me,and signed in my presence,this _____ day of _____ A.D.18____
F.A. Brodbeck
E.C.Briggs, Notary Public
Franklin Co.

ROAD PETITION.

FOR A COUNTY ROAD IN FRANKLIN TOWNSHIP.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY,OHIO:

The undersigned petitioners,resident freeholders of said County,respectfully represent that the public convenience requires the location of a County road on the line hereinafter described; and pray that your body will institute and order the proper proceeding@ in the premises to locate such road,to-wit:

Beginning at John Stimmel road in Franklin Township,west of the levee,at the Moler road,at Samuel Stimmel's south line running north on the west side of said line on Samuel Stimmel's land to said Samuel Stimmel's North line, thence north through Wm.Miner's Heir's land to the Green Lawn Avenue Road in all about one hundred and thirty rods long.

DATED THIS 25th day of January A.D.1877.

PETITIONER'S NAMES.
Peter Schwartz,
John W.Silley,
John Stimmel,
C.Siebert.

PETITIONER'S NAMES.
F.A.Sesquereux
C.Eberly,
L.Siebert,
Nicholas Schwarz,

PETITIONERS' NAMES.
G.Distlehorst
Geo.Doaple
Henry Noltemeyer,
John Rader,Sen.

PETITIONERS NAMES
Philip Koetz Sen
John Sailer

COLUMBUS,OHIO,March 6th 1877

The Commissioners met in Regular Session at the Auditor's Office,and the following proceedings were had,to-wit:

NOW COMES Peter Schwartz one of the signers of the foregoing petition,and files his bond which is in the words and figures following,to-wit:

KNOW ALL MEN BY THESE PRESENTS,

THAT WE,Peter Schwartz and Philip Koetz,Sen. are held and firmly bound unto the State of Ohio,for the use of Franklin County,in the penal sum of One hundred(100)Dollars,for the true and faithful payment of which,well and truly to be made,we bind ourselves jointly and severally,our heirs,executors and administrators,by these presents.

Sealed with our seals,and dated at Columbus,Ohio,this 25th day of January A.D.1877

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, That whereas application has been made to the Board of Commissioners of said Franklin County for the location of a County road on the following line,to-wit:

Beginning at the John Stimmel road in Franklin Township,west of the levee,at the Moler road at Samuel Stimmel's south line running north on the west side of said levee on Samuel Stimmel's land to said Samuel Stimmel's north line; thence north through Wm.Miner's Heirs' land to the Green Lawn Ave.Road,in all about one hundred and thirty(130)rods long.

Now, if the applicant shall pay into the treasury of the said County, the amount of all costs and expenses accruing thereon, in case the prayer of said petitioners shall not be granted, or when the proceedings had in pursuance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to be in full force in law.

ATTEST:)
_____))
_____)

Peter Schwartz, (SEAL)
Philip Koetz, Sen. (SEAL)
_____ (SEAL)

Which bond is accepted and approved. And it appearing that the foregoing petitioners have fully complied with the law in regard to said petition, it is ordered that J.C. Edwards, John Lisle and Hugh Jones three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Benjamin F. Bowen Surveyor of said proposed County Road and that they meet at residence of P. Schwartz on the 10th day of April A.D. 1877, at ten o'clock A.M. and after being duly sworn, proceed to the discharge of the duties of their several appointments, according to law. It is further ordered, that the County Auditor issue the necessary order to the said Viewers and Surveyor, and that said Viewers and Surveyor report their proceedings in the premises to this Board, at its next regular session.

Whereupon the County Auditor issued to said Viewers and Surveyor the following order, viz:

AUDITOR'S OFFICE, FRANKLIN COUNTY, OHIO.
Columbus, _____ 18__

John G. Edwards,)
John Lisle,) VIEWERS.
Hugh Jones.)

Benj. F. Bowen, Surveyor.

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view and lay out a proposed County Road on the following route, as petitioned for by Peter Schwartz and others, to-wit: Beginning at the John Stimmel road in Franklin Township west of the levee, at the Moler road, at Samuel Stimmel's south line, running north on the west side of said levee on Samuel Stimmel's land to said Samuel Stimmel's north line; thence north through Wm. Miner's Heirs land to the Green Lawn Ave Road, in all about one hundred and thirty rods long.

You will therefore meet on the 10th day of April, 1877, at P. Schwartz residence, the place designated as the beginning of said road or alteration, and after taking an oath or affirmation, faithfully and impartially to discharge the duties of your appointments respectively, you shall take to your assistance two suitable persons as Chain-Carriers and one Marker, and proceed to view, survey and lay out said road, or alteration, as prayed for in the above petition, or as near the same as in your 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. And said Viewers shall in addition to their duties as Viewers, also at the same time assess and determine the compensation to be made to the owners of the land across which the road is to be located, and the damages sustained by any person or persons through whose premises the road is proposed to be established; and the said Viewers shall make and sign a report in writing, stating their opinion in favor or against the establishment or alteration of said road, or any part thereof, and set forth the reasons of the same; which report, together with the plan and survey of said road or alteration, shall be delivered to the County Auditor by one of the Viewers on or before the first day of our Session in June next. Said Viewer shall also determine the width of said road, which cannot be more than 60 feet wide.

AND FURTHER, it shall be the duty of the Viewers aforesaid, at the same time at which they are required to make their report of the view, to make a separate report in writing, stating the amount of the compensation to be made to the owners of the land across which the road is to be located, and the damages, (if any), and to whom, which by them have been assessed, and be further governed in their proceedings under this order by the provisions of the statute in such case made and provided.

By Order of the Commissioners.

L.T. Strader, County Auditor.

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

TO Samuel Stimmel and Sarah Miner.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of March 1877, to lay out and survey the road petitioned for by the undersigned and others, will meet at the residence of P. Schwartz on the 10th day of April, A.D. 1877, for the purpose set forth in said order.

Dated this 17th day of March A.D. 1877.

Peter Schwartz, Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) Peter Schwartz having been first duly sworn, states, that on the 18th day of March, Franklin County, ss.) A.D. 1877, (being not less than six days before the time appointed for the meeting of said Viewers and Surveyor,) he served a copy of the foregoing notice upon Samuel Stimmel, and Sarah Miner _____

(signed) Peter Schwartz.

Sworn to and subscribed before me, this 31st day of May A.D. 1877.

L.T. Strader, Co. Auditor.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 10th day of April A.D. 1877, personally appeared before Franklin County, ss.) me, B.F. Bowen a Notary Public in and for said County. John G. Edwards and John Lisle and Hugh Jones, Viewers, James Caren and Lawrence House Chain Carriers, and _____ Marker, of a road petitioned for by Peter Schwartz 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.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 10th day of April A.D. 1877, personally appeared before Franklin County, ss.) me, L.T. Strader, an Auditor in and for said County, Benjamin F. Bowen Surveyor of a road

PETITIONED BY Peter Schwartz and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

L.T. Strader. County Auditor.

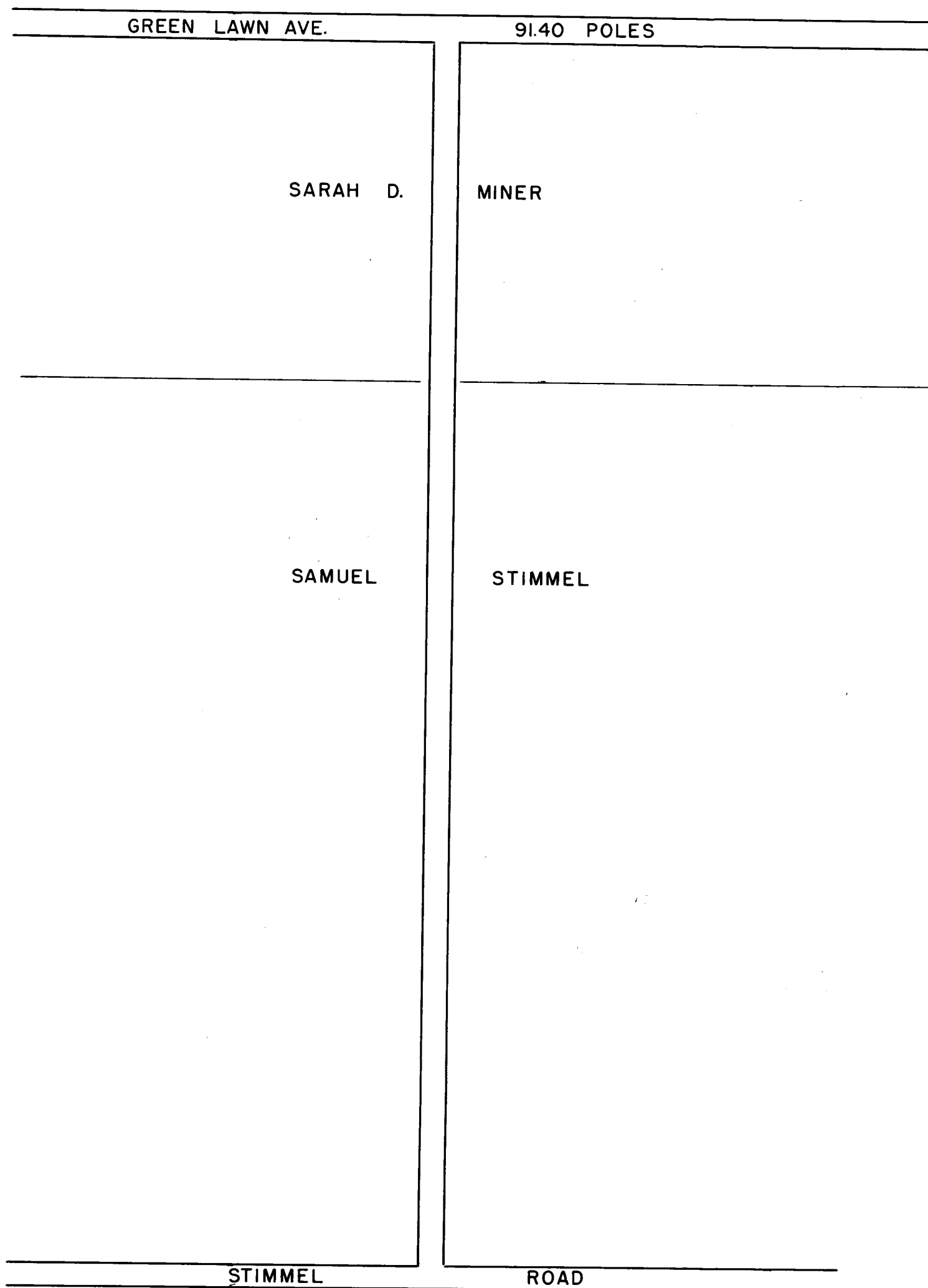
SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated March 1877, proceeded, on the 10th day of April to survey and mark the Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at a point on the south line of Green Lawn Avenue, and 91 40/100 poles west from the face of the west abutment of the Green Lawn Ave, Bridge in Franklin Township; thence through the lands of Sarah D. Miner and Samuel Stimmel S. 1 15' W. (passing the south line of Sarah D. Miner land at 27 58/100 poles); thence continue same line 76 02/100 poles to the south line of said Samuel Stimmel's land at the Stimmel road, making the whole distance 103 60/100 poles or 32/100 of a mile. Reference being had to the plat attached.

PLAT
**



I CERTIFY that the above is a correct plat and return of the survey of the Road named above _____.

B.F. Bowen, Surveyor of said Road.

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your March Session, A.D. 1877, we, the undersigned, Viewers appointed under said order, met with Benjamin F. Bowen Surveyor, at P. Schwartz's residence on April 10th A.D. 1877. And were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

(if any Viewer is unable to attend, herestate by whom the vacancy was filled)

James Caren and Lawrence House were selected by us as chain-carriers and _____ 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 the public," by the location of said road, as follows:

Beginning at a point on the south line of Green Lawn Ave Road at a point 91 40/100 poles west from the face of the west abutment of the bridge over the Scioto River in Franklin Township; thence S. 1 15' W. through the lands of Sarah D. Miner and Samuel Stimmel 103 6/10 poles to the Stimmel road.

We would respectfully report that the said Road ought to be established for the following reasons: That a road can be made on the line surveyed at a very reasonable cost; and it will be of public convenience, (We the undersigned Viewers would suggest, that; inasmuch as the location of the Green Lawn Bridge at its present site has diverted the line of travel and will probably cause an abandonment of the old moler road; therefore we would respectfully recommend that the compensation and damages be paid by the County)

We have also determined that the public convenience requires that such Road shall be established forty (40) feet in width.

All of which is respectfully submitted,
April 21st, 1877.

John Lisle,)
Hugh E. Jones,) VIEWERS.
J.G. Edwards.)

		FEES.					
John G. Edwards,	Viewer,	2 Days,	\$ 3.00	*****Jas. Caren	Chairman	1 Days,	\$ 1.25
John Lisle,	"	2 "	\$ 3.00	*****L. House	"	1 "	\$ 1.25
Hugh E. Jones.	"	2 "	\$ 3.00	*****	Marker	"	\$
		B.F. Bowen Surveyor, 2 days,				\$ 10.00	

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Road petitioned for by Peter Schwartz and others, make the following separate 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 awarded in the following sums:

TO	Sarah D. Miner	(Paid Aug. 17, 1877)	\$ 126.00	DOLLARS;
TO	_____			DOLLARS;
TO	_____			DOLLARS;
TO	_____			DOLLARS;
TO	_____			DOLLARS;
TO	_____			DOLLARS;

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

The following sums are allowed as damages to be paid to claimants whose premises will be rendered less valuable by the opening and construction of said road through the same:

TO	Sarah D. Miner	(Paid Aug. 17, 1877	\$ 55.00	DOLLARS;
TO	Samuel Stimmel	Paid	\$ 152.00	DOLLARS;
TO	_____		\$	DOLLARS;
TO	_____		\$	DOLLARS;
TO	_____		\$	DOLLARS;

John Lisle,) Viewers and
Hugh E. Jones.) Jurors to
John G. Edwards.) Award Damages.

April, 21st A.D. 1877.

COLUMBUS, OHIO, June 4th. 1877.

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the foregoing petition, was read for the first time.

ATTEST:)
L.T. Strader.)
County Auditor.)
I.S. Beekey,) Commissioners.
D.B. Strait.)

COLUMBUS, Ohio, June 5th, 1877

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the foregoing petition, was read for the second time.

ATTEST:)
L.T. Strader,)
County Auditor.)

I.S. Beekey)
D.B. Strait) Commissioners.

COLUMBUS, Ohio, June 6th, 1877

The Commissioners met in regular session, and in the matter of the petition of Peter Schwartz and others. The report of the Viewers in relation to the establishment of the said road was this day publicly read being the third reading of the same, and said Viewers having filed a separate report in writing of the amount of compensation and damages which they have assessed to land owners by reason of the location of the road through their several premises; said report was also, publicly read, and the Board being of the opinion that the compensation and damages awarded by said Viewers to the several Claimants, to-wit: Sarah D. Miner, \$126.00 Compensation and \$55.00 damages, and Samuel Stimmel \$152.00 Damages, is reasonable and just; but that said road is not of sufficient importance to the public to warrant the payment of said compensation and damages out of the County Treasury. It is order that the petitioners pay or tender to pay the several claimants the amounts so as aforesaid assessed to them and that no further proceedings be had in the premises, until such payment or tender shall have been made.

I.S. Beekey) Co. Coms.

August 22nd 1877.

In the matter of the petition of Peter Schwartz and others for a County Road, in Franklin Township. The several claimants having been paid the amounts as assessed by the Viewers, for compensation and damages.

It is therefore ordered that the several Reports of the Viewers together with the Survey and plat, be recorded and that said road be established a public highway.

It is further ordered that the County Auditor issue in the name of the Board, an order to the Trustees of Franklin Township directing them to cause to be opened according to law.

ATTEST:
L.T. Strader,
Auditor.

I.S. Beekey,) County
D.B. Strait.) Commissioners.

(Notice to Trustees Sent
Aug. 25th 1877)