

ROAD RECORD NO.10

ROAD RECORD NO.10

PAGE NO.33

FREDERICK WEBER ROAD.

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY FREDERICK WEBER AND OTHERS
IN CLINTON TOWNSHIP, FRANKLIN COUNTY, OHIO.

Indianola Avenue - from Oakland Park Avenue to Arcadia Avenue

ROAD NOTICE.

ROW = 40'

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next Session in September A.D. 1877, praying for the establishment of a County road on the following line, to-wit: _____

Beginning in the center of the road running from Clintonville to the Harbor Road; thence south on the section line through the land belonging to John Fretwell, Paul Smith, Fred'k. Weber, Lewis Legg, Thompson Bull, Lucy Hall, Amelia Brevoort, Andrew Wilson, Bailey & Baker, Celia Shattuck, Hutcheson & Bliss, intersecting the Mock road on the section line, and also corporation line of the City of Columbus.

F. Weber and others.
Petitioners.

August 1st, A.D. 1877.

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

THE STATE OF OHIO,) Frederick Weber having been first duly sworn states that on the _____
Franklin County, ss.) day of August 1877, and at least thirty days before the first Monday of September 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 Clinton in which said road is proposed to be laid out and established.

(signed) Frederick Weber
Sworn to and subscribed before me, this 31st day of August A.D. 1877

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, _____ being duly sworn, depose and say, that
Franklin County, ss.) the foregoing notice was published one time a week for four consecutive weeks prior to _____ A.D. 18____, in _____, a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein, and that the first publication was made _____ A.D. 18____.

Sworn to before me, and signed in my presence, this _____ day of _____ A.D. 18____

ROAD PETITION.

FOR A COUNTY ROAD IN CLINTON 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 establishment of a County road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to establish such road, to-wit:

Beginning in the center of the road running from Clintonville to the Harbor Road; thence south on the section line through the lands belonging to John Fretwell, Paul Smith, Fredk Weber, Lewis Legg, Thompson Bull, Lucy Hall, Amelia Brevoort, Andrew Wilson, Bailey & Baker, Celia Shattuck, Hutcheson & Bliss, intersecting the Mock Road on the section line, and also Corporation line of the City of Columbus.

Dated this 1st day of August A.D. 1877.

PETITIONERS' NAMES.
FREDK WEBER
MARY N. BLISS
M. HELEN HUTCHISON
JOSIAH KINNEAR.

PETITIONERS' NAMES.
W.C. BAKER & S.C. BAILEY
HENRY BREVOORT
SAMUEL MAIZE
E.W. PEGG.

PETITIONERS' NAMES.
AMELIA H. YOUNG
F.M. KINER
Wm. SHATTUCK
F.M. HESS.

PETITIONERS' NAMES.
H.D. BREVOORT
CHARLES MOON
C.E. BATTERSON
T.R. WILLIAMS.

COLUMBUS, OHIO, September 3rd, 1877

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

Now comes Frederick Weber 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, Fredk Weber, E.W. Pegg and Samuel Maize 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 this 28th day of September 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 establishment of a County road on the following line, to-wit:

Beginning in the center of the road running from Clintonville to the Harbor Road; thence south on the section line through the lands belonging to John Fretwell, Paul Smith, Fredk Weber, Lewis Legg, Thompson Bull, Lucy Hall, Amelia Brevoort, Andrew Wilson, Bailey & Baker, Celia Shattuck, Hutcheson & Bliss intersecting the Mock Road on the section line and also corporation line of the City of Columbus.

NOW, if the said 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:

_____)
_____)

Frederick Weber) SEAL
E.W. Pegg) SEAL
Samuel Maize.) 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.M. Allen, John Horlocker and William Earl 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 _____ on the 26th day of September 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, September 7th 1877.

J.M. Allen)
John Horlocker) VIEWERS.
William Earl.)

Benjamin 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 Fredk Weber and others, to-wit: Commencing in the center of the road running from Clintonville to the Harbor Road; thence on the section line through the lands belonging to John Fretwell, Paul Smith, Fredk Weber, Lewis Legg, Thompson Bull, Lucy Hall, Amelia Brevoort, Andrew Wilson, Bailey & Baker, Celia Shattuck, Hutcheson & Bliss, intersecting the Mock Road on the section line, and also Corporation line of the City of Columbus.

You will therefore meet on the 26th day of September 1877 at 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 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 December 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 _____

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order _____ 18____, to lay out and survey the _____ petitioned for by the undersigned and others, will meet at _____ on the _____ day of _____ 18____, for the purpose set forth in said order.

Dated this _____ day of _____ A.D. 18____

Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO) _____ having been first duly _____, states,
Franklin County, ss.) that on the _____ day of _____ 18____, (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 _____

(signed) _____
Sworn to and subscribed before me, this _____ day of _____ A.D. 18____

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 26th day of September A.D. 1877, personally
Franklin County, ss.) appeared before me, Benjamin F. Bowen a Notary Public in and for said County, of Franklin John Horlocker, Wm. Earl and D.V. Moore Viewers, James Caren and James Hathaway Cahin Carriers, and J. Samuel Maize Marker, of a County road petitioned for by Fred'k Weber 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.O.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 9th day of November A.D. 18____, personally
Franklin County, ss;) appeared before me, John M. Pugh a Probate Judge in and for said County, B.F. Bowen, a Surveyor appointed by the Commissioners of said County, to survey a road petitioned for by Fred'k Weber and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John M. Pugh
Probate Judge.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated September 5, A.D. 1877, proceeded, on the 26 day of September 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:

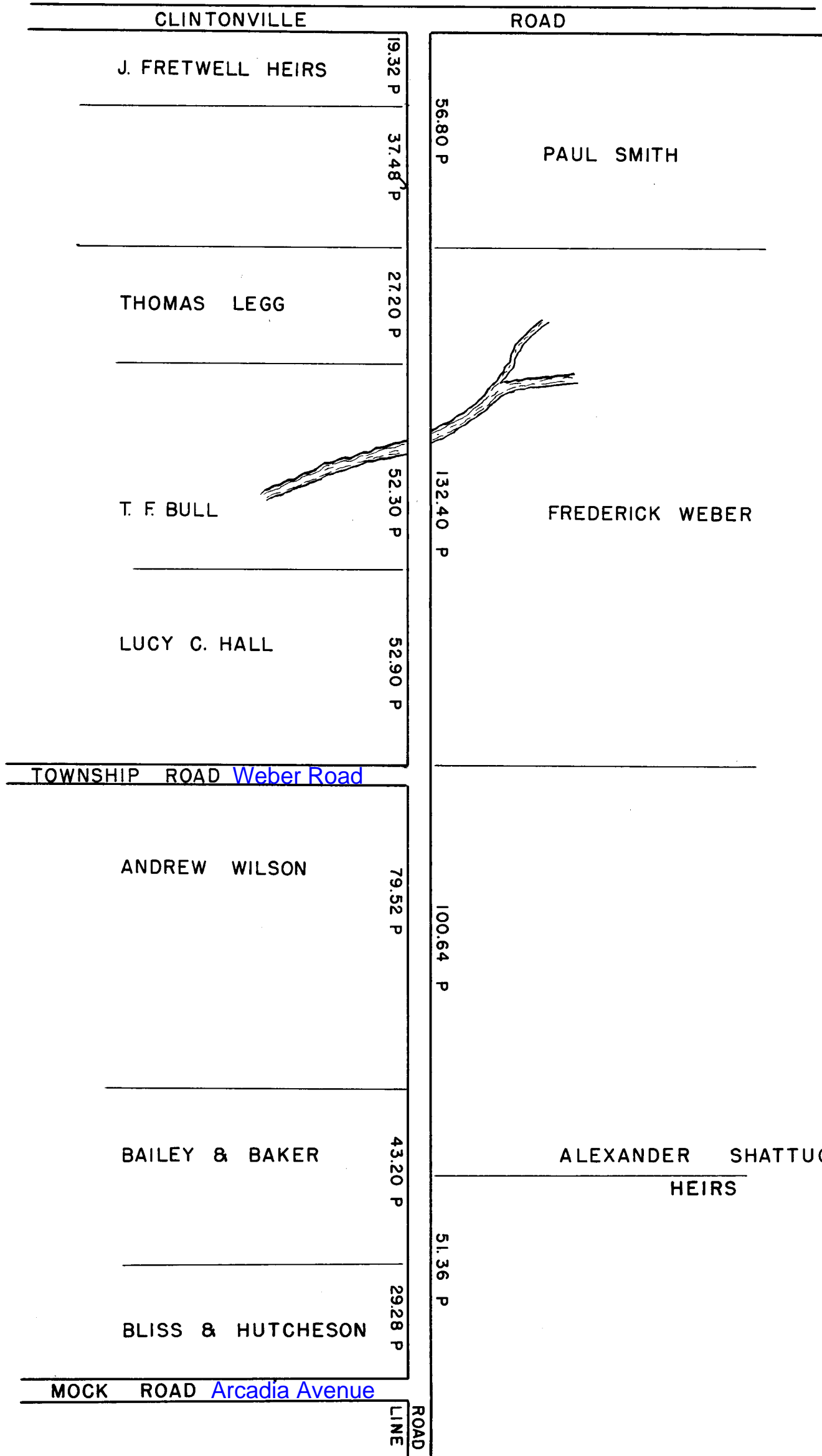
Beginning at the southeast corner of land owned by M.N. Bliss and M.H. Hutchinson, and on the north line of the corporation of the City of Columbus, also on the section line in Clinton Township; thence with the section line between the lands Bliss & Hutcheson, Bailey & Baker; Andrew Wilson, Lucy C. Hall, T.F. Bull, Thos. Legg, Paul Smith and John Fretwell on the west; and the Heirs of Alexander Shattuck, Frederick Weber and Paul Smith on the east. N. 2 30' E 341.60 poles to the center of the Clintonville Road.

1 mile, 21 6/10 rods.

(SEE PLAT ON OTHER SIDE)

PLAT ROW = 40'

Oakland Park Avenue



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.

(CON'T. ON NEXT PAGE)

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your September session, A.D. 1877, we, the undersigned, Viewers appointed under said order, met with Benjamin F. Bowen Surveyor, at North Columbus on the 26th day of Sept. 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, here state by whom the vacancy was filled)

James Caren and James Hathaway were selected by us as chain-carriers and Samuel Maize 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 the north corporation line and at a turn in the street known as the old Mock Road, also on the section line, and west line of land owned by the heirs of Alex Shattuck in Clinton Township; thence with said line N 2° 30' E 341.60 poles to the center of the Clintonville Road.

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

Nov. 3d. 1877.

V.D. Moore,)
William Earl,) VIEWERS.
John Horlocker.)

FEEES.

John Horlocker	Viewer,	2	Days,	\$ 3.00	****	James Caren	Chainman,	I	Days,	\$	_____
V.D. Moore	"	2	"	\$ 3.00	****	James Hathaway	"	I	"	\$	_____
Wm. Earl	"	2	"	\$ 3.00	****	Samuel Maize	Marker	I	"	\$	_____

B.F. Bowen, Surveyor, 3 days, \$ 15.00.

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Road petitioned for by Fred'k Weber 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 Andrew Wilson	Thirty five	(\$35) DOLLARS;
TO L.C. HALL	Twenty five	(25) DOLLARS;
TO T.F. Bull	Twenty	(20) DOLLARS;
TO Paul Smith	Forty	(40) DOLLARS;
TO John Fretwell Heirs	Twenty five	(25) DOLLARS;
TO Thos Legg	Fifteen	(15) 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 _____	DOLLARS;
TO _____	DOLLARS;
TO _____	DOLLARS;
TO _____	DOLLARS;
TO _____	DOLLARS;

COLUMBUS, OHIO, December 3rd, 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)

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

COLUMBUS, OHIO, December 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 the second time.

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

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

COLUMBUS, OHIO, December 5" 1877

The Commissioners met in regular session, and in the matter of the petition of Fred'k Weber and others for a County Road the report of the Viewers in favor of the establishment of said road was this day publicly read being the third reading of the same.

And said Viewers having filed separate reports in writing of the amount of compensation and damages which they have assessed to land owners by reason of the location of said road, and the Board being of the opinion that the compensation and damages awarded by said Viewers to the several claimants, to-wit: Andrew Wilson \$35.00; Lucy C. Hall \$25.00; T. F. Bull, \$30.00; Thos Legg, \$15.00; Paul Smith, \$40.00; John Fretwell, Hrs. \$25.00; Total amount \$ 160.00, 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 Treasury, it is ordered that the petitioners pay or tender to pay, the several claimants forthwith; 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.

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

D.B. Strait,)
I.S. Beekey.) Coms'

Saturday, December 29, 1877.

The Commissioners met:

In the matter of the road petitioned for by Frederick Weber and others, it appearing that the petitioners have paid Andrew Wilson, L.C. Hall, F.F. Ball, Thos Legg, Paul Smith, and John Fretwell Hrs. the claimants the amount awarded to them respectively by the Viewers and the Board being of the opinion that said road will be of public utility, and no petition for review being filed, it is ordered that the several reports of Viewers, with survey and plat of said road be recorded, and that said road be established a public highway 40 feet in width.

It is further order that the County Auditor issue in the name of the Board, an order to the Trustees of Clinton Tp. directing them to open said road according to law.

The Board Adjourned.

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