

CHAS. BUSH ROAD.

Bowen Road - establishment of the section on the County line

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY CHAS. BUSH AND OTHERS ON THE LINE BETWEEN FAIRFIELD AND FRANKLIN COUNTIES, OHIO.

ROW = 33'

***** ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session June A.D. 1879, praying for the establishing of a County Road on the following line, to-wit: Beginning at a point on the County line where a road known as the Winchester and Pickerington road crosses the same between the North east quarter section 19 & North west quarter Section of 20. Thence north on the County line between said quarter Sections and sections No.17 & 18 to a point where a branch of said Winchester and Pickerington road crosses the County line, and there terminate.

April 19" A.D. 1879

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

THE STATE OF OHIO,) H.B. Albery & C. Bush having been first duly sworn states that on the 19 day of April Franklin County, ss.) 1879, and at least thirty days before the first Monday of June 1879, 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 Madison in which said road is proposed to be laid out and established.

(signed) H.B. Albery--signed C. Bush.

Sworn to and subscribed before me, this 2 day of June A.D. 1879 H.B. Albery posted notice in Auditor's Office) E. Kiesewetter Auditor. Chas. Bush " " " Township)

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, James Heffley being duly sworn, depose and say, that the foregoing notice was published one time a week for four consecutive weeks prior to June A.D. 1879, in The Winchester Times, a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein, and that the first publication was made April 24 A.D. 1879.

J. Heffley

Sworn to before me, and signed in my presence, this 3 day of June A.D. 1879

J. B. Evans, J.P.

***** ROAD PETITION.

FOR A LOCATION ROAD IN MADISON TOWNSHIP. ON THE LINE BETWEEN THE COUNTIES OF FAIRFIELD & FRANKLIN.

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 proceedings in the premises to locate such road, to-wit: Beginning at a point on the said County line where the road known as the Winchester & Pickerington road crosses the same, between the northeast quarter of Sec 19 & the northwest quarter of Sec 20. Thence north on the County line between said quarter Sec's & Sections No. 17 & 18 to a point where a branch of said Winchester & Pickerington road crosses said County line and there terminate.

Dated this _____ A.D. 18

Table with 4 columns: PETITIONERS' NAMES. Thos. G. Bowen, Amos Rush, J.E. Stevenson, Chas. Bush, Adam Werner, Noah Lehman, Lewis Boyd, Wm. Bott, O.L. Bott, John A. Fowble, Benton Caslow, George Francisco, Jno. McCracken, Jonathan Ruse, A.B. Holbert, Joseph McCracken, A.C. McCracken, A. Bowman, G.W. Miller AND 10 others.

COLUMBUS, OHIO, June 5th 1879

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

Now comes Chas. Bush 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 Chas. Bush and Amos Bush 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 2 day of June 1879.

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 a point on the said County line where the road known as the Winchester & Pickerington road crosses the same between the northeast quarter Sec 19 & the northwest quarter of Sec 20. Thence north on the County line between said quarter sec's & between Sec's 17 & 18 to a point where a branch of said Winchester &

Pickerington road crosses said County line and there terminate.

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:)
_____)

Chas.Bush (SEAL)
Amos Bush (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 W.L.Reese & John Lisle two disinterested freeholders of Franklin County,Ohio,be and they are hereby appointed Viewers,and of said Road and that they meet at Thos.Bowen on the 17 day of June 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, June 5" 1879

W.T.Reese)
John Lisle)VIEWERS.

_____) 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 Chas Bush. Beginning at a point on the said County line where the road known as the Winchester & Pickerington road crosses the same, between the northeast quarter of section 19 & northwest quarter of section 20. Thence north on the County line between said quarter sec's & between sec's 17 & 18 to a point where a branch of said Winchester & Pickerington crosses said County line a there terminate.

You will therefore meet on the 17" day of June 79 at Thos.Bowen's Viloet Tp.Fairfield Tp.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 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 Sept.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,
E.Kiesewetter County Auditor.

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

TO Henry Shaffer,Chas.Bush,Amos Bush & J.E.Stevenson.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County,Ohio,in their order of June 5" 1879,to lay out and survey the County Road petitioned for by the undersigned and others,will meet at Thos. Bowen's on the 17 day of June 1879,for the purpose set forth in said order.

Dated this 5 day of June A.D.1879

Chas.Bush Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) Amos Bush having been first duly sworn,states,that on the 6th & 7th days of Franklin County,ss.) June 1879,(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 Henry Shaffer,Charles Bush,Amos Bush & J.E.Stevenson.

(signed) Amos Bush

Sworn to and subscribed before me,this 13 day of June A.D.1879

E.Kiesewetter.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 17 day of June A.D. 1879,personally appeared Fairfield County,ss.) before me,Chas.W.Borland a Surveyor in and for said County. John Lisle and J.S. Stephenson and Van H.Ginder Viewers,Adam Werner Chain Carriers,and Chas.Bush Marker,of a County Road petitioned for by Chas.Bush and others,and were by me duly sworn to the faithful and impartial performance of their respective duties.

Chas.W.Borland. S.Fairfd.Co.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 17 day of June A.D.1879,personally appeared Fairfield County,ss.) before me,S.F.Shafer a Probate Judge in and for said County,Chas.W.Borland Surveyor of a County petitioned by Chas Bush and others,and were by me duly sworn to the faithful and imp-

artial performance of their respective duties.

S.Theodore Shaeffer P.Judge.

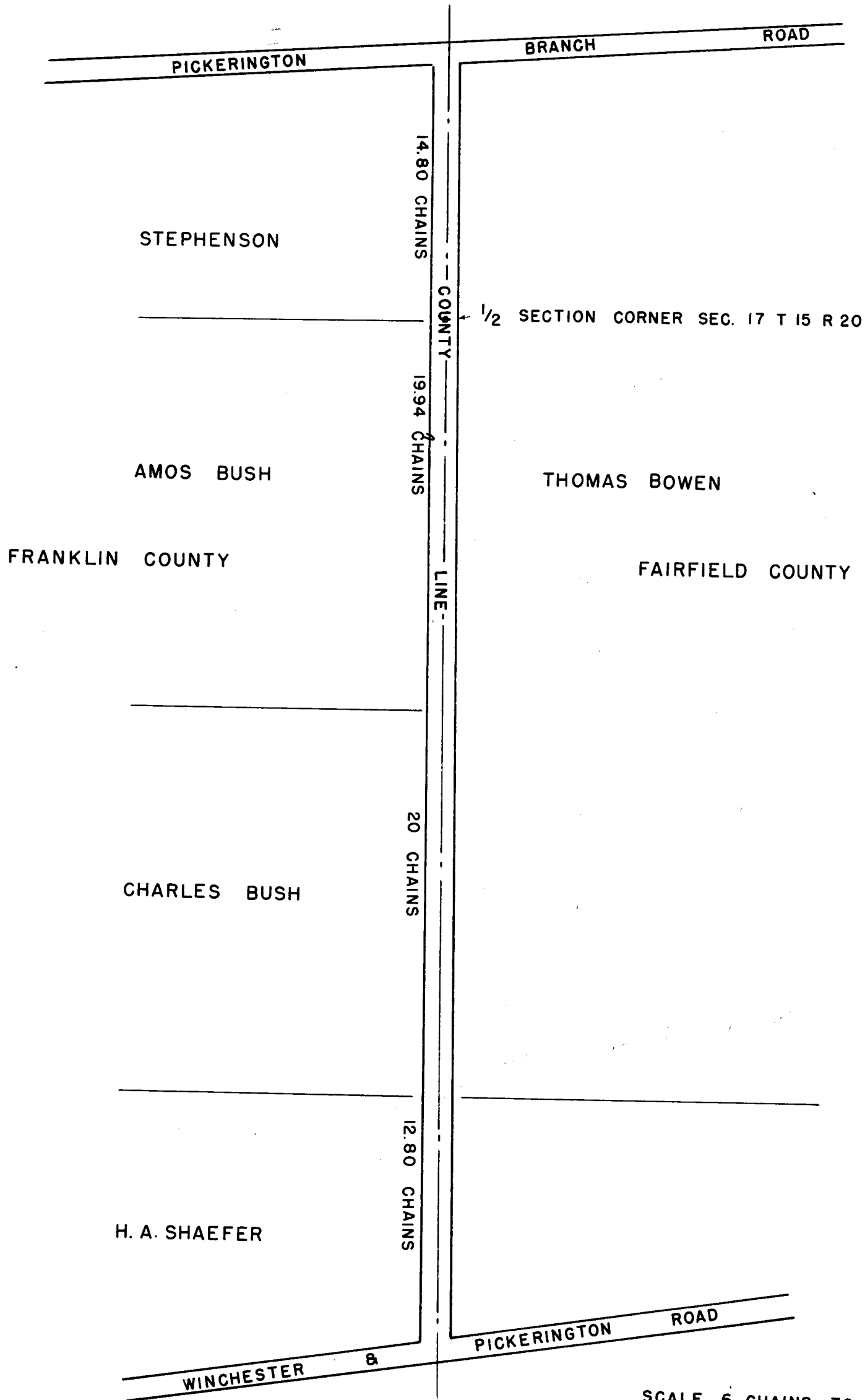
SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated June 1879, proceeded, on the 17 day of June to survey and mark the County Road described in said order, under the directions of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at a stone in the Winchester and Pickerington road where said road crosses the County line between Fairfield and Franklin 12.80 Chains south from the N W corner of section No.20 Tp 15 Range 20 Thence north on the County line 12.80 Chains, through the lands of Chas & Amos Bush in Fairfield Co. and H. A. Shaefer in Franklin Co. to the N W cor of said Sec 20; Thence North on the County line 20 Chains, through the lands of Chas Bush in Franklin Co & Thos Bowen in Fairfield Co., to the line between Chas & Amos Bush. Thence north on the said line 19.94 Chains through the land of Amos Bush in Franklin Co. & Thos Bowen in Fairfield Co. to the line between Amos Bush & Stevenson. Thence north on said line 14.80 Chains through said Stevenson's land in Franklin Co. and Thos Bowen's in Fairfield Co. to the intersection of the Winchester & Pickerington Branch road, and there terminate.

PLAT OF CHAS BUSH ROAD.



SCALE 6 CHAINS TO 1 INCH

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

Chas W. Borland Surveyor of said Road.

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your June session, A.D. 1879, we, the undersigned, Viewers appointed under said order, met with Chas. W. Borland Surveyor, at Thos Bowen's on June 17th 1879 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

W.T. Reese one of the appointed viewers being absent on account of sickness, J.S. Stephinson was elected to fill the vacancy.

Van H. Ginder and Adam Werner were selected by us as chain-carriers and Chas Bush 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 stone in the Winchester & Pickerington Road, where said road crosses the County line between Fairfield and Franklin Counties 12.80 Chains south from the N W corner of Sec No. 20. Tp 15. Range 20. Thence north on the County line 12.80 Chains through the land of Chas and Amos Bush in Fairfield Co. and H.A. Shaefer in Franklin Co. to the Northwest corner of said Sec 20. Thence north on the County line 20 Chains through the lands of Chas Bush in Franklin Co. and Thos Bowen in Fairfield County to the line between Chas and Amos Bush. Thence north on the said line 19.94 Chains through the lands of Amos Bush in Franklin Co. and Thos Bowen in Fairfield Co. to the line between Amos Bush & Stephinson. Thence north on said line 14.80 Chains through said Stephinson's land in Franklin Co. and Thos Bowen's in Fairfield Co. to the intersection of Winchester & Pickerington road and there terminate.

We would respectfully report that the said Road ought to be established for the following reasons: A good road can be easily and cheaply made and will be a public benefit.

We have also determined that the public convenience requires that such Road shall be established Thirty three--33--feet in width.

All of which is respectfully submitted,
June 17th 1879

John Lisle)
J.S. Stephinson) VIEWERS.
Chas W. Borland)

FEEES

John Lisle	Viewer,	I	days,	\$ 1.50	Van H. Ginder	Chainman,	I	days	\$ 1.00
J.S. Stepherson	"	I	"	\$ 1.50	Adam Werner	"	I	"	\$ 1.00
Chas W. Borland	"	I	"	\$ 1.50	Chas Bush	Marker	I	"	\$ 1.00
					Chas W. Borland	Surveyor,			\$ 20.00

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the County petitioned for by Chas Bush 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 Henry A. Shaefer \$ 17.75/100 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."

(No Damages)

John Lisle) Viewers and
J.S. Stephinson) Jurors to
Chas W. Borland) Award Damages.

June 17th 1879.

COLUMBUS, OHIO, Sept. 1st 1879

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 first time.

ATTEST:)
County Auditor.

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

COLUMBUS, OHIO, Sept. 2nd 1879

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:)
County Auditor.

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

COLUMBUS, OHIO, Sept. 3rd 1879

The Commissioners met in regular session, and in the matter of the petition of Chas Bush and others for a County road on the County line, 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 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 said road through their several premises said report was also publicly read. And the Board being of the opinion that the amount of compensation and damages awarded by said viewers to the several claimants, to-wit: To Henry Shaefer, \$17.75 for compensation for land taken, is reasonable and just, but that said road is not of sufficient importance to the public to warrant the

payment of said compensation & damages out of the County 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.

It appearing that the petitioners have paid H.W.Shaeffer the claimant the amount awarded to him 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 viewers reports of the viewers with the Survey and plat of said road be recorded and that said road be established a public highway 33 ft in width. It is further ordered that the County Auditor issue in the name of the Board and order to the Township Trustees of Madison Tp., directing them to cause said road to be opened according to law.

D.B.Strait)Co Com'rs
I.S.Beekey) Franklin Co

AUDITOR'S OFF. LANCASTER, OHIO. Sept 3rd 79
Fairfield County.

In the matter of the petition of Chas Bush and others for a County road on County line between Fairfield and Franklin Co.

The report of the Viewers in the relation to the establishment of said road having been this day publicly read, being the third reading of the same, and no objections being filed nor damages claimed, nor petition for review filed. And the Board being of the opinion that said road as laid out and survey will be of public utility. It is ordered that the reports of said viewers with the survey & plat of said road be recorded and that said road be established a public highway thirty three(33)ft in width.

It is further ordered that the County Auditor issue an order in the name of the Board directing the Trustees of Violet Tp to cause said road to be opened according to law.

) Co
) Com'rs.
) Fairfield Co.

I hereby certify that the above is a true copy of the proceedings had by the Com'rs. of Fairfield Co. in the above matter.

Aud of Fairfield Co.