

ROAD RECORD NO.10

ROAD RECORD NO.10

PAGE NO.161

JACOB K.DOHERTY ROAD. PRAIRIE TP.

Doherty Road - from US 40 to Feder Road

ROW = 30'

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY JACOB K.DOHERTY AND OTHERS IN PRAIRIE FRANKLIN COUNTY,OHIO.

ROAD NOTICE

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session May A.D.1880,praying for the location of a County Road on the following line,to-wit: Beginning at the County road known as the Brown road on the east side of Mary J.Ogilvies land; thence to Jacob Doherty's land. Thence southwardly to B.F.Elliott's line;thence eastwardly across the line on the land of John Geier,thence southwardly to the land of Mary J.Ogilvie,Thence southwardly to J.K.Doherty's land,thence southwardly about 52 rods,thence eastwardly through J.F.Dougherty's land to the line of Daniel and J.F.Doherty's land,thence southwardly along the line of Malinda Bookman's land,thence along the line of the L.M.R.R. Thence eastwardly to the road running southwardly along the line between H.Howard & Levina Emery,thence southwardly to the road dedeed by Saml Galloway to ther Trustees Prairie Tp. Thence along said road to the National road. Mch 23 A.D.1880.

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

THE STATE OF OHIO,) T.Howard having been first duly sworn states that on the day of Franklin County,ss.) 18, and at least thirty days before the first Monday of 18, 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 in which said road is proposed to be laid out and established.

(signed)

Sworn to and subscribed before me,this day of A.D. 18

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I,J.H.Putnam being duly sworn,depose and say,that the foregoing notice was pub- Franklin County,ss.) lished one time a week for four consecutive weeks prior to May A.D.1880,in The Ohio Statesman,a newspaper printed in said County of Franklin,State of Ohio,and of general circulation therein, and that the first publication was made Mch.23,A.D.1880.

J.H.Putnam

Sworn to before me,and signed in my presence,this I day of May A.D.1880.

(signed) J.D.Sullivan,Notary Public.

ROAD PETITION

FOR A COUNTY ROAD IN PRAIRIE 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 proceedings in the premises to locate such road,to-wit: Beginning at the County road known as the Brown road,on the east side of Mary J.Ogilvie's land,thence to Jacob Doherty's land,thence southwardly to B.F.Elliott's line,thence eastwardly across the line on the land of John Geier,thence southwardly to the land of Mary J.Ogilvie,thence southwardly to J.K.Doherty's land,thence southwardly about 52 rods,thence eastwardly through J.F.Doherty's land to the line of Daniel and J.F.Doherty's land,thence southwardly along the line of Malinda Bookman's land,thence along the line of L.M.R.R. Thence eastwardly to the road running southwardly along the line between H.Howard & Levenia Emery,thence southwardly to the road dedeed by Saml Galloway to Trustees Prairie Tp.thce along said road to the National road.

Dated this A.D. 18

PETITIONERS' NAMES.

Joshua Doherty
J.K.Doherty
Jas. Doherty
L. Emery
Linda Bookman

PETITIONERS' NAMES.

J.M.Koerner
Geo Geier
Daniel Doherty
Mary A.Howard
D.S.Elliott

PETITIONERS' NAMES.

M.J.Elliott
Brown and Bigelow
H. Fritz
J.C.Young
Z.F.Postle

PETITIONERS' NAMES.

J.D.Kinnaid
Peter Yeager
E.Hopper

COLUMBUS, OHIO, Apr. 21, 1880

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

Now comes J.K.Doherty 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 J.K.Doherty, D.S.Elliott and Mary A.Howard are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of One Hundred 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 21 day of Apr. 1880

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 at the Brown road on the east side of Mary J.Ogilvie's land, thence to Jacob K.Doherty's land, thence south to B.F.Elliott's line, thence across the line of John Geier, thence south to the land of Mary J.Ogilvie, thence south to J.K.Doherty's land, thence south about 52 rods, thence east through J.F.Doherty's land to the line of Daniel Doherty and J.K.Doherty. Thence south along the line to Malinda Bookman's land, thence along the line to the L.M.R.R. Thence east to the road running south along the line between H.Howard & Levina Emery, thence south to the road deeded by Saml Galloway to Prairie Tp. Thence along said road to the National Road.

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.

J.K.Doherty (SEAL)
D.D.Elliott (SEAL)
Mary A.Howard (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 Jos Bower, Jos Armstrong and Jas. R. Walcutt three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and B.F.Bowen Surveyor of said Road and that they meet at Jas.Doherty's on the 20 day of May 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, May, 6" 1880

Jos. Bower)
Jos. Armstrong) VIEWERS
Jas. R. Walcutt)

B.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 Jacob K.Doherty.

Beginning at the County Road known as the Brown road on the east side of Mary J.Ogilvie's land, Thence to Jacob K.Doherty's land, thence southwardly to B.F.Elliott's line, thence eastwardly across the line on Jno Geier's land, thence southwardly to the land of Mary J.Ogilvie, thence southwardly to J.K.Doherty's land, thence southwardly about 52 rods. Thence eastwardly through J.F.Doherty land to the line of Daniel & J.F.Doherty's land, thence southwardly along the line of Malinda Bookman's land, thence along the line of the L.M.R.R. Thence eastwardly to the road running southwardly along the line between H.Howard & Levenia Emery. Thence southwardly to the road deeded by Saml Galloway to the Trustees of Prairie Tp., thence along said road to the National Road.

You will therefore meet on the 20" of May at Jas Doherty's 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 June next. Said Viewer shall also determine the width of the 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 Mary J.Ogilvie, Jacob K.Doherty, B.F.Elliott, Jno Geyer, J.F.Doherty, Daniel Doherty, Malinda Bookman, H.Howard, Levenia Emery, L.M.R.R., D.S.Elliott, Brown & Biglow Trustees of Prairie Tp.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of May I 1880, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Jas.Doherty's on the 20 day of May 1880, for the purpose set forth in said order.

Dated this 6 day of May A.D.1880.

Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) T.Howard having been first duly sworn, states, that between the 7 and 13 days Franklin County, ss.) of May 1880, (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 L.M.R.R.Co., L.Emery, D. Doherty, Mary A.Howard, J.F.Doherty, J.K.Doherty, Mary J.Ogilvie, Henry Wills Tp.Trustee, F.Postle & Jas.Cummins Trustees, Jno.Geyer, D.S.Elliott, B.F.Elliott, Brown and Bigelow.

(signed) T.Howard.

Sworn to and subscribed before me, this 19 day of May A.D.1880

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 20 day of May A.D.1880, personally appeared before me, B.F.Bowen a Notary public in and for said County, Jos Armstrong, Jas R.Walcutt and J.T.Bower Viewers, Jas R.Walcutt and J.T.Bower Chain Carriers and T.Howard Marker, of a Road petitioned for by J.K.Doherty and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 19 day of May A.D.1880, personally appeared before me, Jno T.Gale a probate Judge in and for said County, B.F.Bowen Surveyor of a County Road petitioned by J.K.Doherty and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John T.Gale, P.J.
Franklin Co.O.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated May 1880, proceeded, on the 20 day of May to survey and mark the County Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey.

Beginning in the County road known as the Brown road and 15 ft West from the Northwest corner of John Geyer's land in Prairie Tp. Thence through the land of Mary J.Ogilvie & J.K.Doherty, parallel to & fifteen west from the line between the land of the said Ogilvie and Doherty on the west and the said John Geyer S 3°W 48. poles to a Stake 30 ft North from the North line of B.F.Elliott land. Thence S 87° E 1.82 poles to a stake, 15 ft E from the line of Geyer's land. Thence through the land of said Geyer, Ogilvie & J.K.Doherty, S 3° 15' W. and parallel to & 15 ft E from the line between the above named parties on the East & B.F.Elliott on the West 116.62 poles to a stake, then through the lands of J.K.Doherty S.83° 15' E. 75. 75 poles to a stake on the line between the land of J.K.Doherty & Daniel Doherty. Thence on their S.3° W. 17.50 poles to the North West corner of Linda Bookman's. Thence same course on the line between the said Bookman and J.K.Doherty 27.25 poles to a Stake 15 ft North from the N line of the L.M.R.R., Thence parallel to said R.R. N 85° E. 7 poles to a Stake. Thence crossing the R.R. on line between H.Howard Hrs & Levenia Emery's land S 0° 45' W. 86 poles to a Stake on the North End of the Township Road. Thence with the center line of said Tp road and on the line between Brown & Bigelow on the East and D.S.Elliott on the West S 7° E 171.60 poles to the National Road, making the whole distance 549.60 poles or 1.72 Miles. The above described line is intended for the center of the road.

(SEE PLAT AT END OF RECORD.)

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your May session, A.D.1880, we, the undersigned, Viewers appointed under said order, met with B.F.Bowen Surveyor, at Jas Doherty's on 20th of May and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

James R.Walcutt and J.T.Bower were selected by us as chain-carriers and T.Howard 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 in the Brown Road so called in Prairie Tp and on the North line of Mary J.Ogilvie's land. Thence southwardly across the east side of Mary J.Ogilvie, J.K.Doherty and adjoining Jno Geyer to the North line of B.F.Elliott land. Then set over to the East 30 ft and run through the land of Jno Geyer Mary J.Ogilvie & J.K.Doherty to a line between J.K.& Daniel Doherty. Then on the East line of J.K.Doherty to the North side of the L.M.R.R.Co., Then east to the line between L.Emery & H.Howard hrs., Then with said line southwardly to the north end of the Tp road on the line between Brown & Bigelow on the East & D.S. Elliott on the west, to the National road.

We would respectfully report that the said Road ought to be established for the following rea-

sons: That the route is a good one for a road and that the said road can be built at a reasonable expense that it would be of great convenience to individuals and of public utility.

We have also determined that the public convenience requires that such Road shall be established Thirty (30) feet in width.

All of which is respectfully submitted,
 May 29, 1880

Jas.R.Walcutt)
 Jos. Armstrong)VIEWERS.
 J.T.Bowers)

FEEES

Jas.R.Walcutt	Viewer,	2	days,	\$ 3.00	J.T.Bower	Chainman,	I	days	\$ 1.00
Jos. Armstrong	"	2	"	\$ 3.00	J.R.Walcutt	"	I	"	\$ 1.00
J.T.Bower	"	2	"	\$ 3.00	T.Howard	Marker	I	"	\$ 1.00

Surveyor, _____ days, \$ _____

 SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Road petitioned for by J.K.Doherty, 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 application 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 John Geyer. 15/100 A @ \$80 Twelve \$ 12.00 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."

J.T.Bower) Viewers and
 Jos. Armstrong) Jurors to
 _____) Award Damages.

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COLUMBUS, OHIO, June 7" 1880

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.

I.S.Beekey)
 _____)Commissioners.

COLUMBUS, OHIO, June 8" 1880

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.

I.S.Beekey)
 _____)Commissioners.

COLUMBUS, OHIO, June 9" 1880

The Commissioners met in regular session, and in the matter of the petition of Joshua Doherty and others for a County Road in Prairie Tp. 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 by reason of the location of said road through their several premises. Said report was also read. And the Board being of the opinion that the compensation & damages of said viewers as awarded by them to the several claimants, to-wit; To John Geyer \$ 12.00 Compensation is reasonable & just. But that said road is not of sufficient importance to warrant the payment of such compensation out of the County Treasury. It is therefore ordered that the petitioners pay or tender to pay the several claimants forthwith the amounts so as a foresaid 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
 _____) Com'rs.

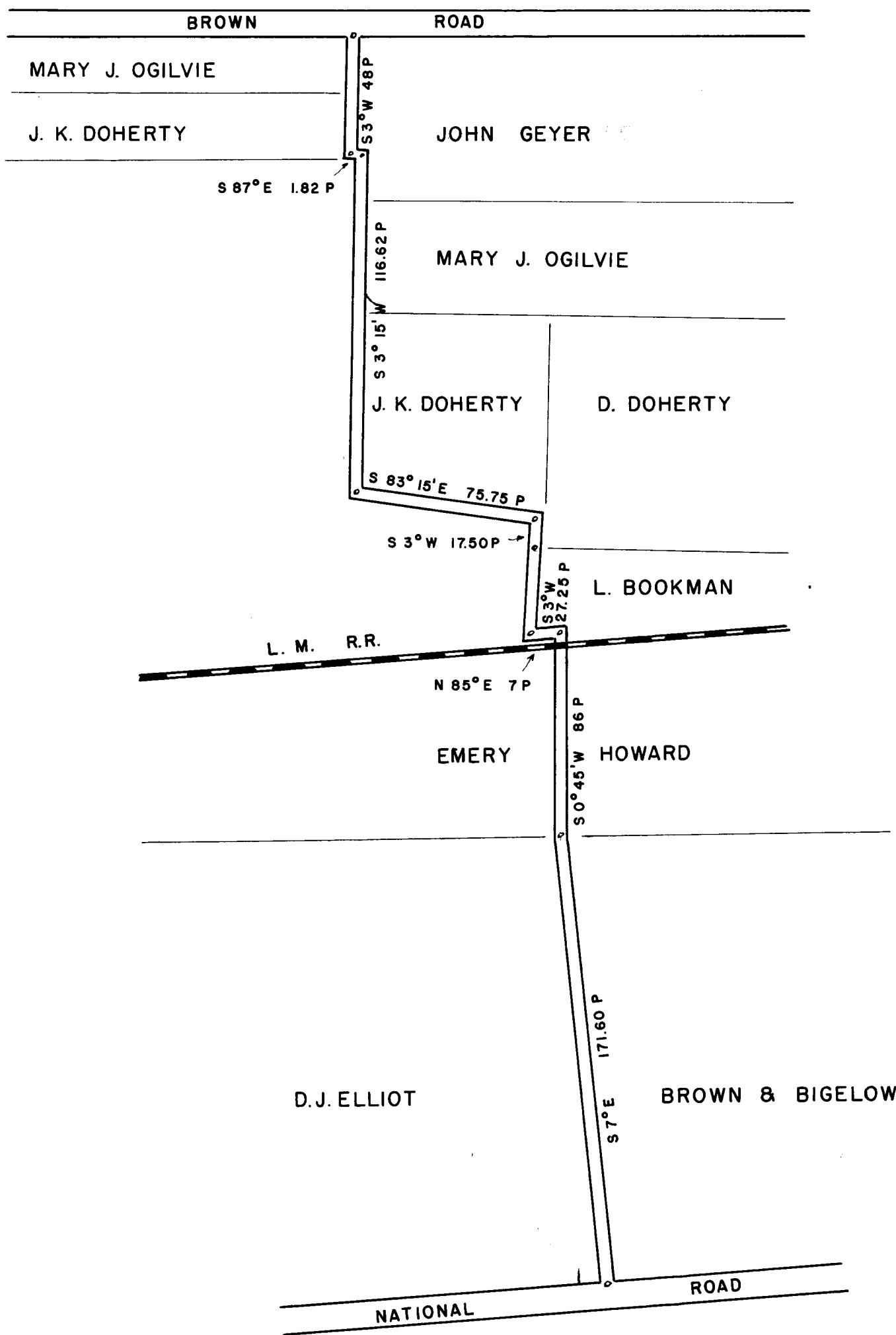
Commissioners Proceedings. July 1" 1880

In the matter of the petition of Jacob K.Doherty and others for a County Road. It appearing that the petitioners have paid John Geyer the claimant the amount awarded to him by said viewers. And the Board being of the opinion that said road will be of public utility and no petition for review having been filed. It is ordered that the several reports of the viewers, with the plat and survey of said road be recorded and that said road be established a public highway, thirty in width. It is further ordered that the Auditor issue in the name of the Board an order to the Trustees of Prairie Tp. directing them to cause said road to opened according to law.

I.S.Beekey) Co
 _____) Com'rs.

" PLAT OF JACOB DOHERTY ROAD"

PRAIRIE TP...



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....