

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY
R.B.DEMOREST AND OTHERS IN FRANKLIN TP.FRANKLIN
COUNTY,OHIO.

Derrer Road - from Sullivant Avenue to West Broad Street

ROW = 40'

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.1881,praying for the location of a County Road on the following line,to-wit: Beginning at the Avenue Road on the division line between lands of R.C.Hoffman and James Watson on the one side and Sarah C.Ross on the other running thence northwardly on the said division line. and between Anne H.Scott and Michael Derrer to the National Road. Being in Franklin Tp. in said County. Said road to be forty feet in width.

R.C.Hoffman
James Watson
R.B.Demorest.

May 3 A.D. 1881.

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

THE STATE OF OHIO,) R.C.Hoffman & R.B.Demorest having been first duly sworn states that on Franklin County,ss.) the 3d day of May 1881,and at least thirty days before the Monday of June 1881,they 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 in which said road is proposed to be laid out and established.

(signed) R.C.Hoffman & R.B.Demorest

Sworn to and subscribed before me,this 6 day of June A.D.1881

E.Kiesewetter Co.Auditor.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, Samuel S.Peters being duly sworn,depose and say,that the foregoing Franklin County,ss.) notice was published one time a week for four consecutive weeks prior to June A.D.1881,in The Columbus Gazette,a newspaper printed in said County of Franklin,State of Ohio,and of general circulation therein,and that the first publication was made May 6" A.D.1881.

Samuel S.Peters

Sworn to before me,and signed in my presence,this 6 day of June A.D.1881

E.B.Jewett, Notary Public.

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 proceedings in the premises to open such road,to-wit: Beginning at The Avenue Road on division line between lands of R.C. Hoffman & Fas.Watson on the one side and Sarah C.Ross on the other,running thence northwardly on the said division line and between lands of Ann H.Scott and Michael Derrer to the National Road,being in Franklin Tp.,in said County,said road to be forty feet in width.
Dated this 30th of April A.D.1881

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
O.P.Hott	R.C.Hoffman	Wm. Cline	
Jas.Filipin	Jas. Watson	H. Briggs	
Ben Jenny	R.B.Demerest	Jno. Jenney	
N.P.Mid	Jno.H.Bell	Jueob Ruffing	

COLUMBUS,OHIO, June 7,1881

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

Now comes R.B.Demerest 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 R.C.Hoffman,R.B.Demerest and George L.Converse 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 7 day of June 1881.

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 Avenue Road on the division line between lands of R.C.Hoffman and James Watson on the one side and Samah C.Ross,on the other running thence northwardly on the said division line and between lands of Ann H.Scott and Michael Derrer to the National Road,being in Franklin

Tp., in said County, said road to be 40 feet in width.

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.

R.C.Hoffman (SEAL)
R.B.Demerest (SEAL)
Geo.L.Converse (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.R.Walcutt, W.F.Delashmutt, C.W.Hess, three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and B.F.Bowen Surveyor of said County Road and that they meet at 10 o'clock A.M. on the 12 day of Aug at ten 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, July 21, 1881

J.R.Walcutt)
W.F.Delashmutt) VIEWERS.
C.W.Hess)
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 R.B.Demorest and others. Beginning at the Avenue Road on the division line between lands of R.C.Hoffman and James Watson on the one side and Sarah Ross on the other, running thence northwardly on the said division line and between lands of Ann H.Scott and Michael Derrer. To the National Road, being in Franklin Tp., in said County. Said road to be forty feet in width.

You will therefore meet on the 12th day of Aug. 1881, at 12 O'clock A.M. 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 of 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.

TO R.C.Hoffman, James Watson, Sarah C.Ross, Ann H.Scott, Michael Derrer, Annie D.Derrer, Minnie Derrer.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of June 7 1881, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Mr Flinn's house on the 12 day of Aug 1881, for the purpose set forth in said order.

Dated this 21 day of July A.D. 1881
R.B.Demerest Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) R.B.Demerest, having been first duly sworn, states, that on the 31 day of July Franklin County, ss.) 1881, (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 R.C.Hoffman, James Watson, Sarah C.Ross, Ann H.Scott, Michael Derrer, Annie D.Derrer and Minnie Derrer.

(signed) R.B.Demorest.

Sworn to and subscribed before me, this 3 day of Aug A.D. 1881
E.Kiesewetter.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 17th day of Aug A.D. 1881, personally appeared Franklin County, ss.) before me, B.F.Bowen a County Surveyor in and for said County. Wm.Delashmutt and J.R.Walcutt and J.W.Montgomery Viewers, C.A.Zollinger and Henry Gable Chain Carriers, and Marker, of a County Road petitioned for by R.B.Demerest and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

B.F.Bowen

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 16th day of Aug A.D.1881, personally appeared Franklin County, ss.) before me, James Caren a Notary in and for said County, B.F. Bowen Surveyor of a County Road petitioned by R.B. Demorest and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

James Caren, Notary Public.

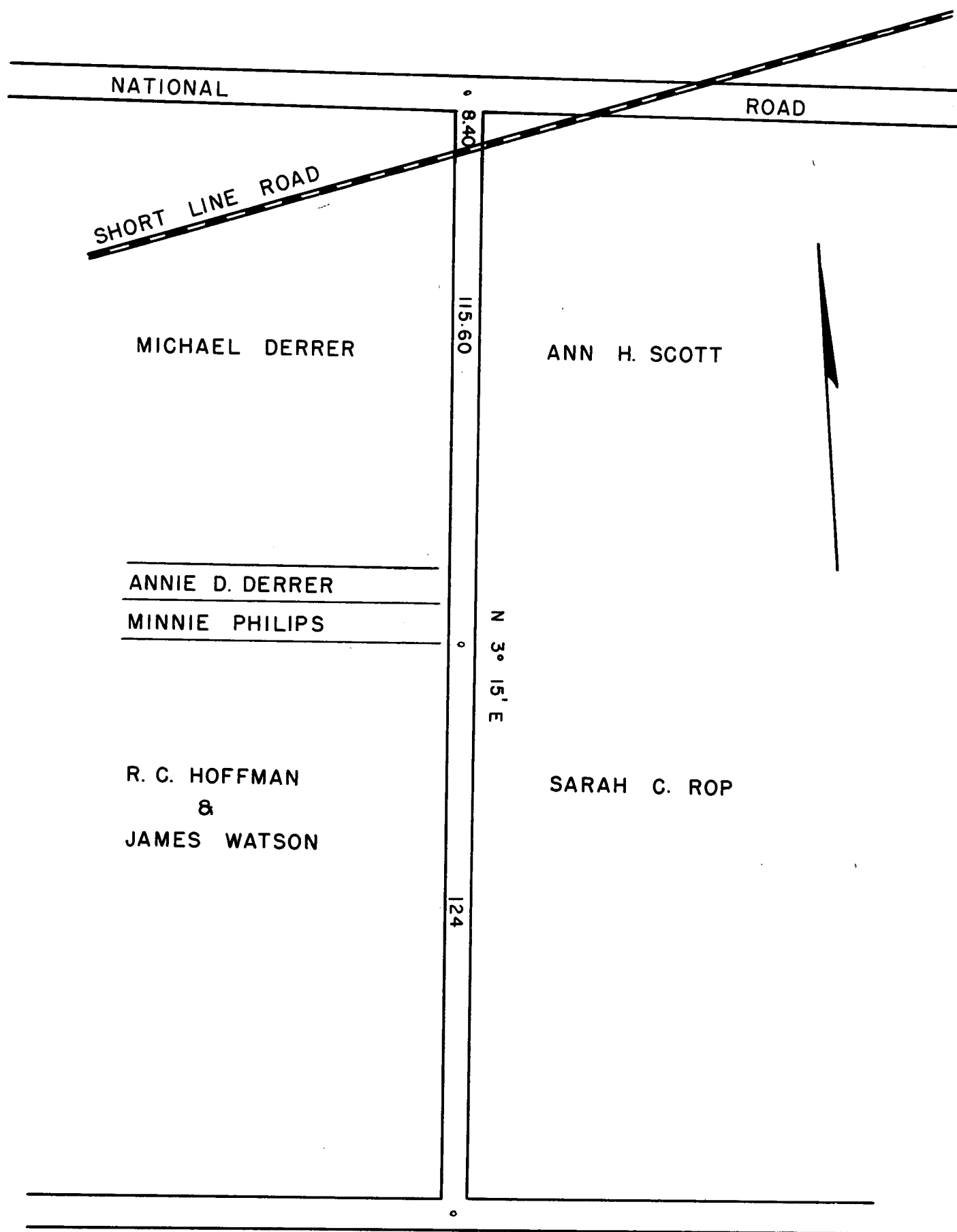
SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated June 7 1881, proceeded, on the 17 day of Aug 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 at a point in the center of the Avenue Road, so called, and south east corner of land owned by R.C. Hoffman and James Watson and south west corner of Sarah C. Ross's land in Franklin Tp. Thence on the line between said lands and the land of Ann H. Scott and Minnie Philips, Annie D. Derrer and Michael Derrer, N. 3 15' E 248 poles to the center of the National Road. See plat of Survey.

(PLAT)



I CERTIFY that the above is a correct plat and return of the survey of the County 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 June session, A.D. 1881, we, the undersigned, Viewers appointed under said order, met with B.F. Bowen Surveyor, at Mr Flinn's on Aug 12th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

B.F. Bowen the Surveyor of the proposed County Road failing to appear, the Viewers adjourned to meet at the same place on Wednesday the 17th Aug 1881. Jas. Montgomery was chosen in place of C.W. Hess, who was unable to attend.

A. Zollinger and Henry Gable were selected by us as chain-carriers, who were also duly sworn.

We then proceeded to view said proposed County 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 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 the public, by the location of said road, as follows:

Beginning at the Avenue Road on the division line between R.C. Hoffman and James Watson on the west and Sarah C. Ross on the east and Michael Derrer on the west and Ann H. Scott on the east, to the National Road.

We would respectfully report that the said County Road ought to be established for the following reasons: That a good road can be made on the line above described at a reasonable expense, and that a road so made would be a great public convenience.

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,)
Aug 18 1881) Jas. M. Montgomery)
Wm. F. Delashmutt) VIEWERS.
Jas R. Walcutt)

				FEES.					
Wm. F. Delashmutt	Viewer,	2	days,	\$ 3.00	A. Zollinger	Chainman,	1	days	\$ 1.00
J. R. Walcutt	"	2	"	\$ 3.00	Henry Gable	"	1	"	\$ 1.00
James M. Montgomery	"	1	"	\$ 1.00					
C. W. Hess	"	1	"	\$ 1.00					
					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 County Road petitioned for by R. B. Demorest 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 Sarah C. Ross	Compensation & Damages	136.00	DOLLARS;
TO Ann H. Scott	"	153.00	DOLLARS;
TO Michael Derrer	"	81.00	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."

Jas. M. Montgomery)	Viewers and
Wm. T. Delashmutt)	Jurors to
Jas R. Walcutt)	Award Damages.

Aug 18th 1881.

COLUMBUS, OHIO, Sept. 5, 1881

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.

J. M. Briggs) Commissioners.

COLUMBUS, OHIO, Sept. 6, 1881

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.

J. M. Briggs) Commissioners.

COLUMBUS, OHIO, Sept. 7, 1881

The Commissioners met in regular session, and in the matter of the petition of R. B. Demorest and others for the location of a County Road in Franklin Tp. The report of the Viewers in favor of the location 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 compensation and damages awarded to said Claimants by the Viewers, to-wit: To Sarah C. Ross \$136.00 To Ann H. Scott \$153.00 Compensation for land taken is reasonable and just, whereupon the Board adjourned all further proceedings in the matter until Saturday Sept 17/81 at 10 A.M.

J. M. Briggs) Co Com'rs.

Saturday Sept 17/81

In the matter of the road petitioned for by R. B. Demorest et al in Franklin Tp. ordered that all further proceedings in the matter be adjourned until this Board by actual view determine who is to pay assessment and damages for land taken by the location of said road.

J. M. Briggs) Commissioners.

Oct. 14/81

The Board after fully considering the public utility of said road and that it will warrant and is just, that a part of said compensation and damages be paid out of the County Treasury, it is ordered that the County Auditor draw his warrant on the County Treasurer for \$179.00 in favor of said Claimants. For such a part of said compensation and damages so awarded them respectively and that no further proceedings be had in the premises until the petitioners shall have made a tender of the balance of said compensation and damages to the amount of \$179.00 to the persons to whom it was awarded by said Viewers.

J.M. Briggs)Commissioners.

Friday Dec. 6/81

In the matter of the R.B. Demorest Road.

It appearing that the petitioners have paid Sarah C. Ross, Ann H. Scott and Michael Derrer the several claimants the amount of compensation and damages awarded them by said 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 the viewers, with the survey and plat of said road be recorded, and that said road be established a public highway 40 feet in width. It is further ordered that the County Auditor issue in the name of the Board an order to the Trustees of Franklin Tp., directing them to cause said road to be opened according to law.

J.M. Briggs)Commissioners.