

IN THE MATTER OF THE VACATION OF PART OF A COUNTY ROAD PETITIONED FOR BY P.W.HUNTINGTON AND OTHERS IN FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO.

Greenlawn Avenue - Vacation of the section of the road running along the east line of the Greenlawn Cemetery

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session, March 1st, A.D. 1886, praying for the Vacation of a part of a Road on the following line, to-wit: Beginning at a point in the Green Lawn Avenue Road. At the gate over the eastern entrance to GreenLawn Cemetery. And running along the eastern line of said Cemetery to the intersection of the Stimmel road with said Green Lawn Avenue road, being about Eleven hundred and fifty (1150) feet.

Columbus, O. January, 29, A.D. 1886

P.W.Huntington et.al. Petitioners.

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

THE STATE OF OHIO,) I, P.W.Huntington having been first duly sworn states that on the 20th day of January 1886, and at least thirty days before the first Monday of March 1886, 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 in which said road is proposed to be vacated.

(signed) P.W.Huntington

Sworn to and subscribed before me, this 25 day of January A.D. 1886

Frank J.Reinhard Co.Auditor. H.Clk.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, Jacob Boeshaus being duly sworn, depose and say, that the foregoing notice was published one time a week for four consecutive weeks prior to March 1st. AD. 1886, in Daily Journal, a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein, and that the first publication was made Jany.30, A.D. 1886

Jacob Boeshaus

Sworn to before me, and signed in my presence, this 27th day of February A.D. 1886

Printers Fees \$ 2.50
This Affidavit 0
\$ 2.50

(SEAL)

George B.Hische Notary Public in and for Franklin Co.O.

ROAD PETITION.

FOR A VACATION OF PART OF A 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 vacation of part 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 vacate such road, to-wit: Beginning at a point in the Green Lawn Avenue Road at the gate over the eastern entrance to Green Lawn Cemetery and running along the eastern line of said Cemetery to the intersection of the Stimmel road with said Green Lawn Avenue road. Being about Eleven hundred and fifty feet. (1150)

Dated this March 1st. A.D. 1886

PETITIONERS' NAMES.

- Chas.S.Woodrow
J. Searles
A.A.Gibson
Evan Humphreys
John Schumacker
James A.Wilcox
Geo.M.Parsons
Wm.H.Slade
Ralph Lazarus

PETITIONERS' NAMES.

- Wm.Koebel
Geo.Douple
Sam'l Stimmel
Mary Wharton
J.O.B.Renick
R.H.Platt
Wm.G.Deshler
Chas.E.Burr

PETITIONERS' NAMES.

- J.C.Adams
Morris Yardley
Henry D.Drand
F. Bluhm
H.C.Johnson
William B.Hayden
B.F.Martin
Fred Lazarus

PETITIONERS' NAMES.

- James H.Barcus
E. Barcus
P.W.Huntington
James S.Abbott
F.Feiser
Geo.W.Gibson
H.O'Kane
Amelia Lazarus

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

Now comes P.W.Huntington 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 P.W.Huntington and J.S.Abbott 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, O. this 1st. day of March 1886.

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 Vacation of part of a County road on the following line, to-wit:

Beginning at a point in the Green Lawn Avenue road at the gate over the eastern entrance to Green Lawn Cemetery and running along the eastern line of said Cemetery to the intersection of the Stimmel road with said Green Lawn Avenue Road. Being about Eleven hundred and fifty (1150) feet.

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:) P.W.Huntington (SEAL)
Frank J.Reinhard) James S.Abbott (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 John Kiner, G.Diemer and Albert Hymrod three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Josiah Kinnear Surveyor of said County and that they meet at County Auditor's Of. on the 20th day of April /86 at ten o'clock A.M., and after being duly sworn, proceed to the discharge 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, March 3rd. 1886

Jno. Kiner)
Gabriel Diemer) VIEWERS. Josiah Kinnear SURVEYOR.
Albert Hymrod)

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view a proposed vacation of part of a County Road on the following route, as petitioned for by P.W.Huntington, et.al.

Beginning at a point in the Green Lawn Avenue road at the gate over the eastern entrance to Green Lawn Cemetery. And running along the eastern line of said Cemetery to the intersection of the Stimmel road; with said Green Lawn Avenue Road. Being about Eleven hundred and Fifty (1150) feet.

You will therefore meet on the 20th day of Apr'l /86 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 _____ 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,
Frank J.Reinhard County Auditor.

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

Samuel Stimmel and Green Lawn Cemetery Association, Sarah D. Miner and Geo. Distlehorst.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of Mch. 31 1886, and survey the vacation of part of County road petitioned for by the undersigned and others, will meet at County Auditor's Of. on the 20 day of April 1886, for the purpose set forth in said order.

Dated this 20 day of March A.D. 1886

P.W.Huntington Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) P.W.Huntington having been first duly sworn, states, that on the 20th day of March Franklin County, ss.) 1886, (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 Green Lawn Cemetery Association, Sarah D. Miner and Geo Distlehorst.

(signed) P.W.Huntington

Sworn to and subscribed before me, Mch. 24th A.D. 1886

Frank J.Reinhard County Auditor.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 20th day of April A.D. 1886, personally appeared before Franklin County, ss.) me, Josiah Kinnear a County Surveyor in and for said County Edgar F. Kinnear Surveyor and Jno Kiner, G. Diemer and Albert Hymrod Viewers, James Legg and E. E. Legg Chain Carriers, and _____ marker, of a vacation of part of a County road petitioned for by P. W. Huntington and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Josiah Kinnear Surveyor
of Franklin County, Ohio.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 20th day of April A.D. 1886, personally appeared before Franklin County, ss.) me, E. F. Kinnear a Deputy County Surveyor in and for said County, Jno Kiner, G. Diemer and Albert Hymrod, Viewers, and James Legg and E. E. Legg, Chain carriers, of a vacation of road petitioned by P. W. Huntington and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

E. F. Kinnear
Deputy County Surveyor.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated March 3rd 1886, proceeded, on the 20th day of April 1886 to survey and mark the vacation of a County road described in said order, under the direction of the viewers therein named, and respectfully submits the following return of said survey.

(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 March Session, A. D. 1886, we, the undersigned, Viewers appointed under said order, met with E. F. Kinnear Surveyor, at Auditor's Office on April 20/86 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

James Legg and E. E. Legg were selected by us as Chain-carriers, who were also duly sworn.

We then proceeded to view said proposed vacation 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 vacation of said road, as follows:

Beginning at a stake in the center of said road in the south line of said road, or that part of it running in an easterly and westerly course from the eastern entrance to Green Lawn Cemetery. Thence S 3° E eleven hundred and forty eight (1148) feet to a stake in the north line of the Stimmel road or that part of it running in an easterly and westerly course.

We would respectfully report that the said vacation ought to be made for the following reasons:

1st. The part of the road vacated is of no public benefit.

2nd. The vacation of the part of said road would be a great benefit to Green Lawn Cemetery, and improve their road way. Providing the petitioners of said vacation grade and gravel 1148 feet of the Stimmel road and put in as good condition as that part vacated by said viewers.

All of which is respectfully submitted, \dagger
April 21st. 1886)

Jno. Kiner)
Gabriel Diemer) VIEWERS.
Albert Heymrod)

FEEES.

Jno. Kiner	Viewer,	2	days,	\$ 3.00	James Legg	Chainman,	1	days,	\$ 1.00
G. Diemer	"	2	"	\$ 3.00	E. E. Legg	"	1	"	\$ 1.00
Albert Heymrod	"	2	"	\$ 3.00					

E. F. Kinnear Surveyor, 2 days, \$ 10.00

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Vacation petitioned for by P. W. Huntington 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.

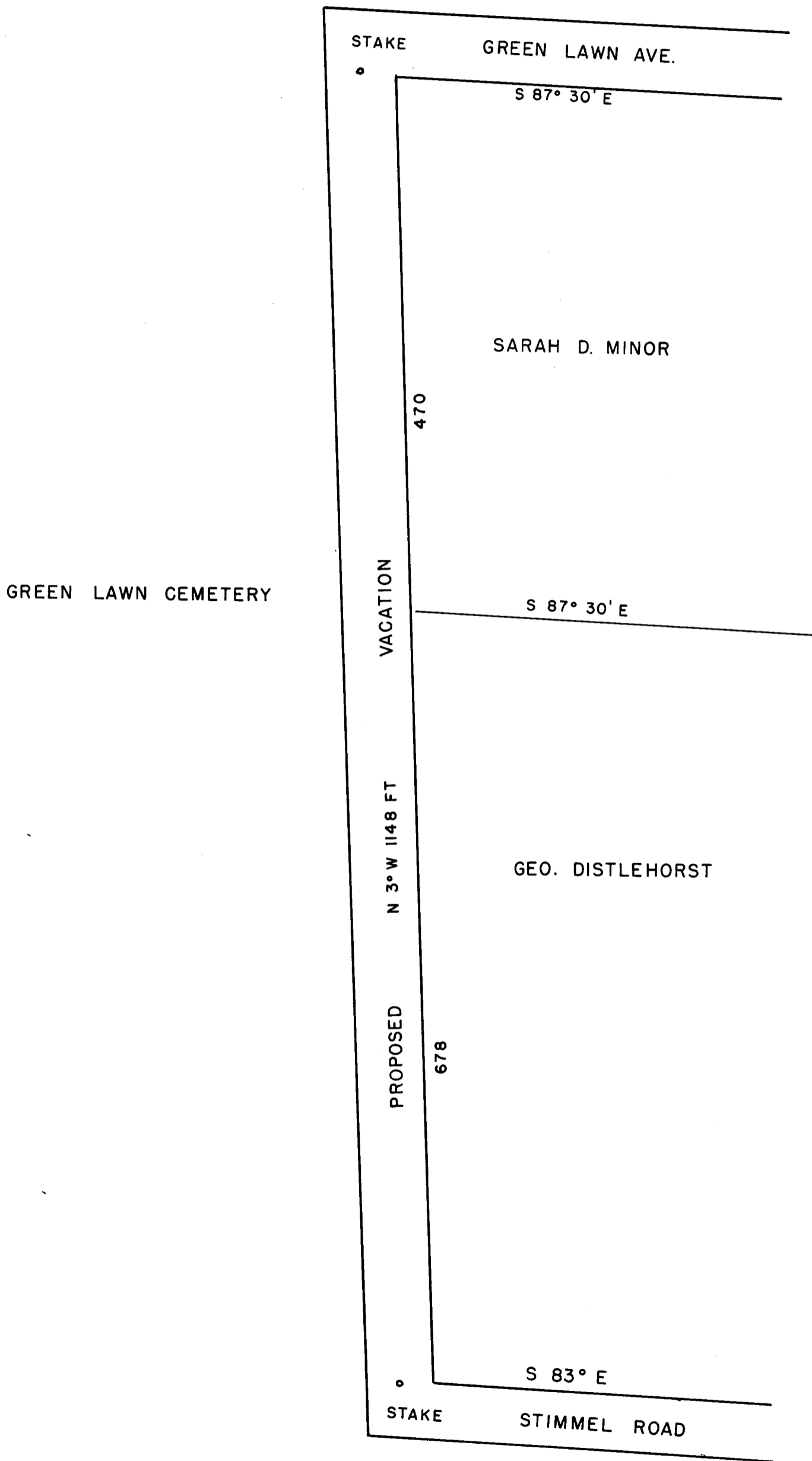
Compensation for Land taken for said road has been awarded in the following sums:

Their being no compensation, we assess none.

There being no damages asked, we assess none.

Cols. O. April 21st. 1886.

" PLAT OF VACATION OF PART OF A COUNTY ROAD "



I CERTIFY that the above is a correct plat and return of the survey of the Vacation of a part of a county road named above. Green Lawn Avenue Road.

E. F. Kinnear Surveyor of said Vacation.

COLUMBUS, OHIO, June 7th. 1886

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.

COLUMBUS, OHIO, June 8th 1886

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.

COLUMBUS, OHIO, June 9th 1886

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view said road, said report was this day publicly read, being the third reading of the same, and further consideration of the same was postponed until Saturday June 26/86.

Co. Comm'rs.

Attest:

County Auditor.

Friday. June 26, 1886

Regular Session.

In the matter of the petition of P.W. Huntington, et al, for the vacation of part of the Green Lawn Avenue County Road in Franklin Township.

The matter having been postponed until this date and the viewers having reported in favor of said vacation and no objection having been filed, said report was this day publicly read, being the third reading of the same. And the Board being of the opinion that the same is just and reasonable. It is ordered that the County road: Beginning at a stake in the center of said road in the south line of said road, or that part of it running in an easterly and westerly course from the eastern entrance to Green Lawn Cemetery. Thence S 3° E eleven hundred and forty eight feet (1148) to a stake in the north line of the Stimmel road or that part of it running in an easterly and westerly course be and the same is hereby vacated.

Providing the petitioners of said vacation, grade, and gravel 1148 feet of the Stimmel road and put it in as good condition as that part vacated.

It is further ordered that the County Auditor issue an order in the name of this Board, instructing the Trustees of Franklin Township to cause the above mentioned part of said Green Lawn Avenue Road to be vacated according to law.

ATTEST;

County Auditor.

Commissioners of Franklin County, Ohio.