

ROAD RECORD NO.10

PAGE NO.441

CASE ROAD.

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY  
ENGENE CASE AND OTHERS IN PERRY TOWNSHIP,FRANKLIN  
COUNTY,OHIO.

West Case Road - from Godown Road to Sawmil Road

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ROW = 40'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County,  
at the next session September 3d. A.D. 1888,praying for the establishing of a County Road on the following  
line,to-wit:

Beginning at the northeast corner of lands owned by John Hard; in the center of the County road,  
known as the "Hard" road; thence in a westerly direction along the line of the Township road to the Perry  
Township Free Turnpike. A distance of about two miles. Said road to be forty (40) feet wide.

July,20,1888.

Engene Case and others.  
Petitioners.

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

THE STATE OF OHIO, ) Engene Case having been first duly sworn states that on the 27" day of July,1888,  
Franklin County;ss.) and at least thirty days before thr first Monday of September 1888,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  
Perry in which said road is proposed to be laid out and established.

(signed) Engene Case

Sworn to and subscribed before me,this 20th day of July A.D. 1889

Frank J.Reinhard Aud't.  
Harmon Dp'y.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO, ) I, Peter Sevebeck,Foreman being duly sworn,depose and say,that the foregoing not-  
Franklin County,ss.) ice was published one time a week for four consecutive weeks prior to Sept. A.D. 1888,  
in Columbus Record,a newspaper printed in said County of Franklin,State of Ohio,and of general circulation  
therein,and that the first publication was made July 27/88.

Peter Sevebeck

Sworn to before me,and signed in my presence,this 3d. day of September A.D.1888

Printers fee. \$4.00 paid.

William P.Brown Notary Public,  
Franklin Co.,O.

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ROAD PETITION.

FOR A COUNTY ROAD IN PERRY 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 establishing 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 at the northeast corner of lands owned by John Hard,in the center of the County road  
known as the "Hard" road. Thence in a Westerly direction along the line of the township road to the Perry  
Township Free Tpke. A distance of about Two miles. Said road to be forty (40) feet.

Dated this Sept.3, A.D. 1888

PETITIONERS' NAMES  
Engene Case  
John Snouffer  
J.W.Wood  
E.R.Delashmutt  
John Wilcox

PETITIONERS' NAMES.  
E.W.Tuller  
L.T.Lane  
Elizabeth Bristol  
J.M.Wood  
G.W.Wood

PETITIONERS' NAMES.  
J.H.Snouffer  
Currillar Wood

Olentangy,Ohio,November 16,1888  
The Commissioners met in regular session at the Auditor's Office,and the following proceedings were  
had,to-wit:

Now comes Engene Case 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 Engene Case and J.W.Wood 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 Olentangy, O. this 16th day of November 1888.

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

Beginning--- (SEE PETITION)

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: Engene Case (SEAL)  
 F.J.Reinhard Auditor. ) J.W.Wood (SEAL)  
 Harmon Dpy. )

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 Jacob Reab, Timothy Ryan and Geo.W.Huffman three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Josiah Kinnear Surveyor of said County Road and that they meet at County Surveyor's Of. on the 15th day of August/89 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, O., July, 20th. 1889

Jacob Reab )  
 Timothy Ryan ) VIEWERS. Josiah Kinnear SURVEYOR.  
 George W.Huffman )

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 Engene Case, et, al.

You will therefore meet on the 15th day of August/89 at 10 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 September 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.  
 by B.H.Harmon Dpy.Aud.

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

TO Jno.Hard, John Snouffer, Engene Case, Lewis Lane, Wilson Wood, Geo. L.Converse, Agent Edward Delashmutt, Eli Tuller and J.H.Miller.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of July 8th 1889, to lay out and survey the County road petitioned for by the undersigned and others, will meet at Co.Surveyor's Of. on the 15th day of August 1889, for the purpose set forth in said order.

Dated this 20th day of July A.D.1889

Engene Case Principal Petitioner.

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PROOF OF SERVICE.

THE STATE OF OHIO, ) Engene Case having been first duly sworn, states, that on the \_\_\_\_\_ day of Franklin County, ss.) July and Aug't. 3d 1889, (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 above mentioned parties.

(signed) Engene Case

Sworn to and subscribed before me, this 3d day of August A.D.1889

Frank J.Reinhard.

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CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 8th day of July A.D. 1889, personally appeared Franklin County, ss.) before, G.S. Innis a Notary Public (Josiah Kinnear Surveyor) in and for said County, Jacob Reab and Timothy Ryan and Geo. W. Huffman Viewers, and R.Z. Dawson Jr., Marker, of a County Road petitioned for by Engene Lane and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

G.S. Innis Notary Public Franklin Co., O.

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 15th day of July A.D. 1889, personally appeared Franklin County, ss.) before me, Josiah Kinnear, Surveyor in and for said County, the above mention Viewers, etc., of a County Road petitioned by Engene Case and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Josiah Kinnear Surveyor Franklin Co., O.

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SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated July 8th 1889, proceeded, on the 15th day of Augt. /89 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:

\*SEE PLAT AT END OF RECORD.

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REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your July 8th session, A.D. 1889, we, the undersigned, Viewers appointed under said order, met with Josiah Kinnear Surveyor, at Surveyor's Ofs. on Aug't. 15/89 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

G.W. Huffman, one of the appointed viewers failed to appear, and we selected Wm. Shattuck to fill the vacancy.

R.Z. Dawson, (as marker) who were also duly sworn.

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

Beginning at the northeast corner of land owned by John Hard in the center of the County Road, known as the Hard Road in Perry Tp., thence N 86°40' W 3639 feet to a stone, passing over the lands of John Hard, John Snouffer, Engene Case and Lewis Lane; thence N 4° east 154.44 feet to a stone; over the lands of Lewis Lane and Mar'g'l Everett; thence N. 87° W. 6696 feet to a stone in the Dublin free pike passing over the lands of J.W. Wood, Mary Everett, E.W. Tuller, Ed. Delashmutt and James L. Miller. We further report that the said road as widened much in no case interfere with the Stock wells on the lands of James T. Miller and Edward Delashmutt.

We would respectfully report that the said Case Road ought to be established for the following reasons:

It is now a township road 30 feet wide and very much traveled, and by the establishment of a County road 40 feet wide it will serve the public to a much better advantage.

We have also determined that the public convenience requires that such Case Road shall be established forty (40) feet in width.

All of which is respectfully submitted, August 24th. 1889 )

Jacob Reab ) Timothy Ryan ) VIEWERS. Wm. Shattuck )

FEES.

Jacob Reab, pd Viewer, 2 days, \$ 3.00 Timothy Ryan " " 2 " \$ 3.00 Wm. Shattuck " " 2 " \$ 3.00

R.Z. Dawson, Jr. Pd. Marker,

Josiah Kinnear Surveyor, Pd. 2 days, \$ 10.00

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SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

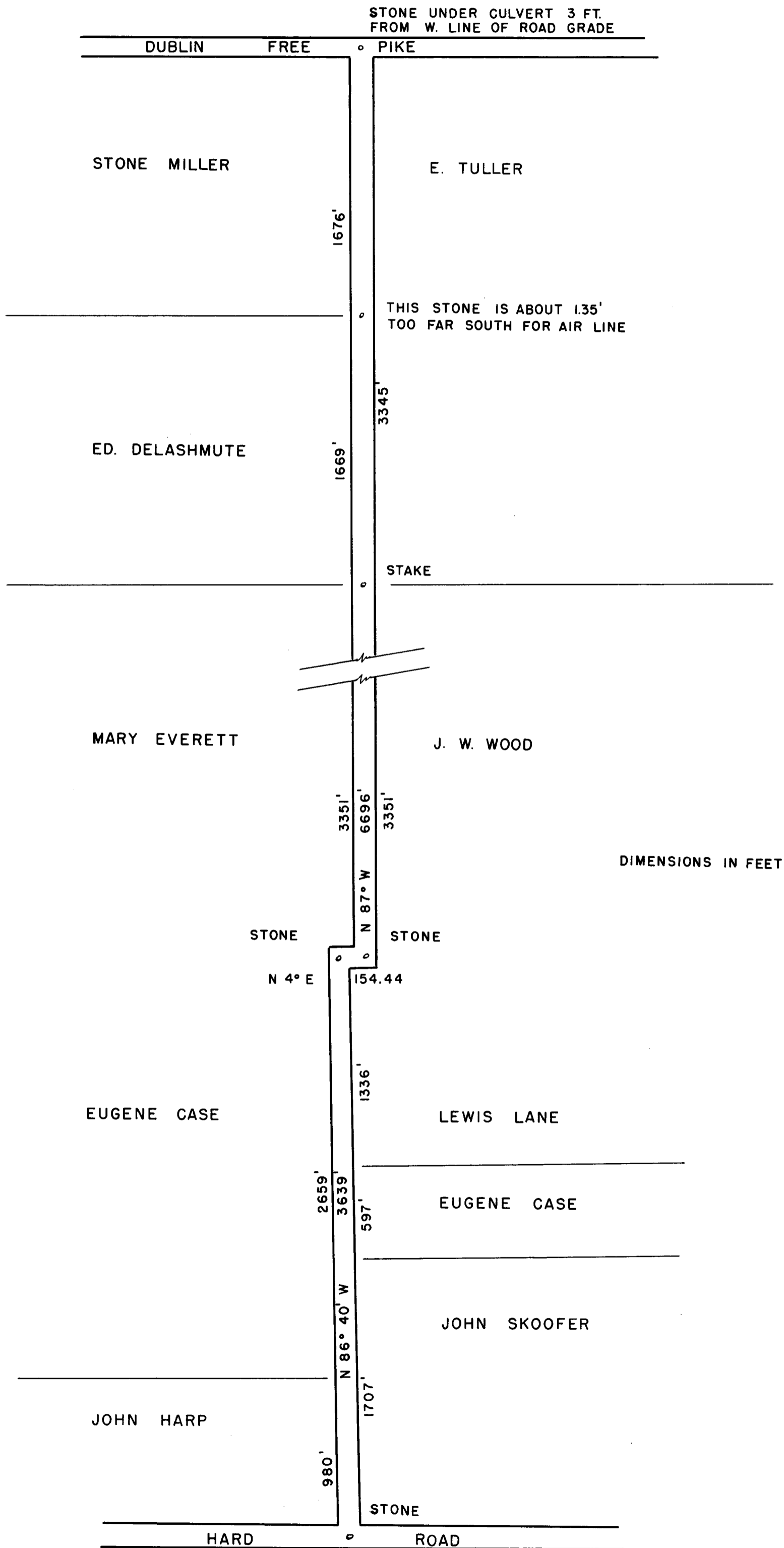
The undersigned Viewers of the County Road petitioned for by Engene Case and others, make the following separate report of the compensation and damages assessed and awarded by them to persons entitled thereto.

There being no damages claimed along the line, we therefore assess none.

Cols. O., Aug't. 1889.

Jacob Reab ) Viewers and Timothy Ryan ) Jurors to Wm. Shattuck ) Award Damages.

PLAT OF CASE ROAD IN PERRY TWP.



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

Josiah Kinnear Surveyor of said Case Road.

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COLUMBUS, OHIO, September, 2d. 1889

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: )  
 Frank J. Reinhard )  
 County Auditor )  
 Harmon Dpy.

COLUMBUS, OHIO, September, 3d. 1889

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: )  
 Frank J. Reinhard )  
 County Auditor. )  
 Harmon Dpy.

COLUMBUS, OHIO, September, 4<sup>th</sup> 1889

The Commissioners met in regular session, Present: Morehead, Dawson and Cassady.  
 The Viewers heretofore appointed having reported in favor of said improvement the said report was this day publicly read, being the third reading of the same, and further action in said matter is hereby postponed until Saturday, Sept. 7/89

Saturday, Sept. 7/89

In the matter of the petition of Engene Case, et, al, for the location of a County Road in Perry Tp.

The report of the survey and the report of the viewers having previously been read for the third time, and said matter having been postponed until this day and the viewers having reported in favor of said improvement, and the Board being of the opinion that the same is just and reasonable it is therefore ordered that the County road beginning at the northeast corner of land owned by John Hard, in the center of the County road known as the Hard Road in Perry Tp. Thence N. 86° 40' W 3639 feet to a stone, passing over the lands of John Hard, Jno. Snouffer Engene Case and Lewis Lane. Thence N 4° East 154.44 ft. to a stone, over the lands of Lewis Lane and Mar'g. Everett. Thence N. 87° W. 6696 ft. to a stone in the Dublin Tpke. passing over the lands of J.W. Wood, Mary Everett, E.W. Tuller, Ed. Delashmutt and James L. Miller, be and the same is hereby established as the Case County Road to be 40 ft. in width.

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

Yeas. Morehead, Dawson and Cassady.

County Commissioners, Franklin Co. O.

ATTEST: Frank J. Reinhard, Aud't.  
 Harmon Dpy.