

ROAD RECORD NO.10

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FRANK P.WALKER. CHANGE OF DARBY CREEK ROAD.

IN THE MATTER OF THE CHANGE OF DARBY CREEK ROAD
PETITIONED FOR BY FRANK P.WALKER IN BROWN TOWN-
SHIP,FRANKLIN COUNTY,OHIO.

Hayden Run Road - Alteration from Creek Road going south 443'

ROW = 40'

ROAD PETITION.

FOR A CHANGE OF ROAD IN BROWN TOWNSHIP.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY,OHIO:

The undersigned petitioners, resident freeholders of said county, respectively represent that the public convenience requires the change of a County (Darby Creek) Road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to change such road, to-wit: Beginning at the intersection of the said Darby Creek Road with the West Hayden and Darby Creek road, running thence south through the lands of said Frank P.Walker to intersect said Darby Creek road and your petitioner hereby request that three viewers may be appointed to view and locate said proposed road.

Granted under Sec.II5 of Duties and Powers of County Commissioners.

PETITIONERS' NAMES.

Frank P.Walker.

COLUMBUS, OHIO, April, 1st 1890

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

Now comes Frank P.Walker on 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 Frank P.Walker and Cornelins Beyer 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 April 1890

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 change of (Darby Creek) County road on the following line, to-wit: Beginning at the intersection of the said Darby Creek road with the the west Hayden and Darby Creek road, running thence south to the said Darby Creek 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.

F.J.Reinhard CO.Aud.
Harmon Dpy.

Frank P.Walker (SEAL)
Cornelins Beyer (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 Robert Reece, Jacob High and Levi Helser three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Jno. J.Dun Surveyor of said change of road and that they meet at residence of F.P.Walker on the 16th day of April /90 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, April, 1st 1890

Robert Reece)
Jacob High)VIEWERS. Jno.J.Dun Surveyor.
Levi Helser)

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view the proposed change of the Darby Creek Road, as petitioned for by Frank P.Walker.

You will therefore meet on the 16th day of Ap'l. 1890 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.

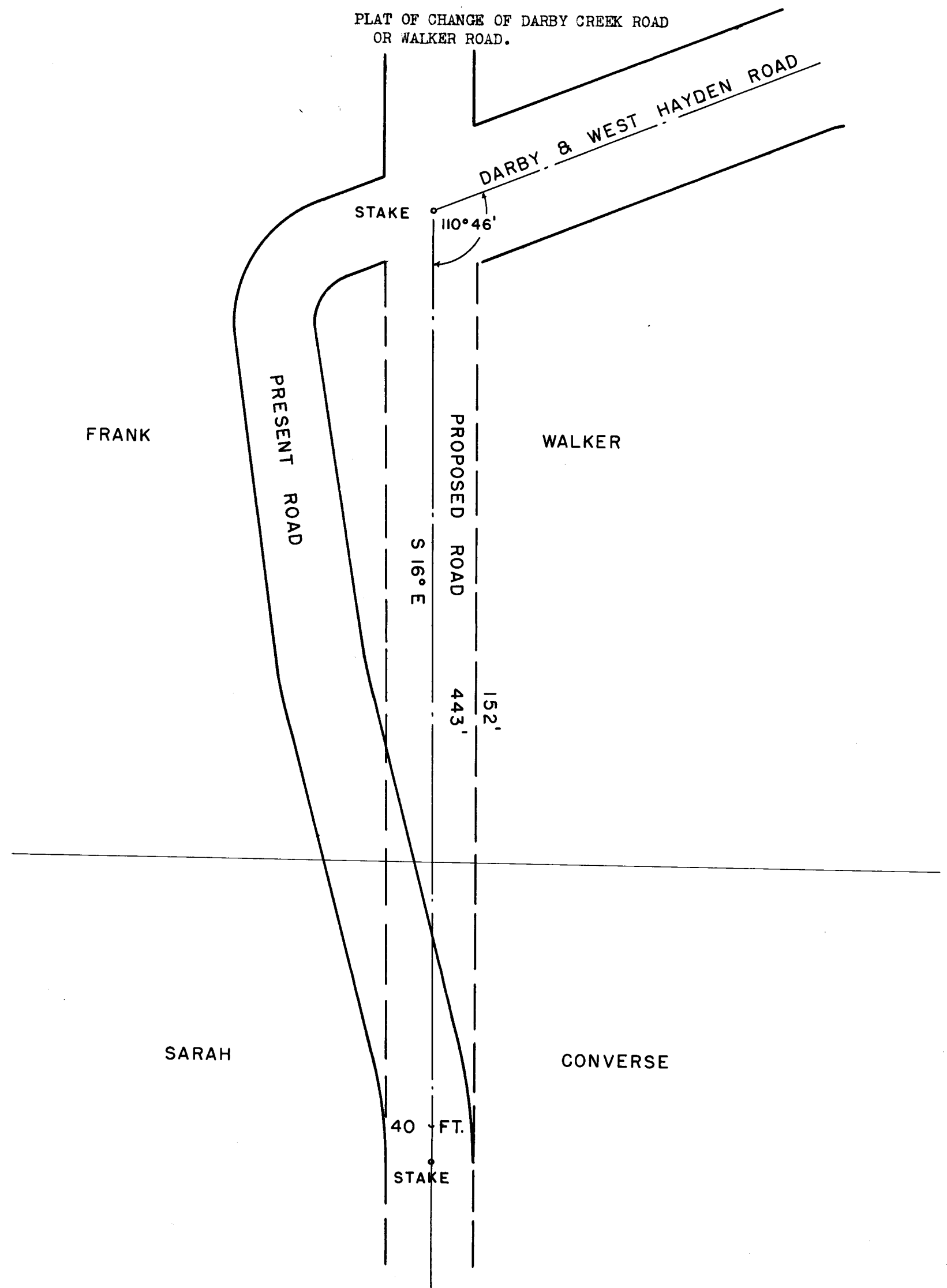
AND FURTHER, it shall be the duty of the Viewers aforesaid, at the same time at which they are required to make their report of the view, to make a separate report in writing, stating the amount of the compensation to be made to the owners of the land across which the road is to be located, and the damages, (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.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned in obedience to your order dated April 1st 1890, proceeded, on the 16 day of April /90 to survey and mark the change of Darby Creek road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:



I CERTIFY that the above is a correct plat and return of the change of Darby Creek Road.
Jno. J. Dun Surveyor of said Road.

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your April session, A.D. 1890, we, the undersigned, Viewers appointed under said order, met with Jno. H. Dun (by Walter Braun Dpy Surveyor, at residence of Frank Walker on Ap'l. 16/90 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

F.E.Linn and D.C.Linn were selected by us as chain-carriers and Herbert Knopf as marker, who were also duly sworn.

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

Beginning at a stake at the intersection of the Darby and West Hayden road, with the road running north and south on the east side of Big Darby Creek; thence S 16° E. 443 feet to a stake in the centre of said road running north and south on the east side of Big Darby Creek.

We would respectfully report that the said Walker road ought to be granted for the following reasons: That it would better accommodate the public convenience.

We have also determined that the public convenience requires that such road shall be established 40 feet in width.

All of which is respectfully submitted,
April, 19, 1890)

R.K.Reece)
Levi W.Helser)VIEWERS.
Jacob High)

FEEES.

Pd. Levi Helser	Pd	Viewer, 2 days,	\$ 3.00	D.C.Linn	Pd	Chainman, 1 days,	\$ 1.00
" Jacob High	Pd.	" 2 "	\$ 3.00	F.E.Linn	Pd.	" 1 "	\$ 1.00
Pd Robert Reece	Pd	" 2 "	\$ 3.00	Herbert Knopf	Pd	Marker, 1 "	\$ 1.00
				Walter Braun	Paid	Surveyor, 3 days,	\$ 15.00

Thursday, September, 25th. 1890

The Board Met:

Present: Dawson, Cassady and Morehead.

In the matter of the petition of Frank P. Walker for the vacation of a portion of the Darby Creek Road, and the location of a new road through his farm in Brown Township.

The Viewers having reported in favor of the vacation of said portion of road. And the location of a new road through said farm in order to straighten said road. And the Board being of the opinion that the same is just and reasonable, it is ordered that the old road be vacated and the new road located as returned by the Viewers.

ATTEST:

Frank J. Reinhard
County Auditor.
by B.H. Harmon Dpy.

)County Comm'rs.
) of
)Franklin County, O.