

ROAD RECORD NO.II

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PAGE NO.9

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY
AND OTHERS IN MARION,FRANKLIN
COUNTY,OHIO.

Nelson Road - alteration from Maryland Avenue going south 1283'

ROW = 60'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session July 19 A.D. 1890,praying for the opening of a County Road on the following line,to-wit: Beginning in the center of the old Alum Creek or Nelson road,on the South line of Anne E.Nelson's land in Marion township,Franklin County,Ohio,and running thence in a northwesterly direction through the lands of Anne E.Nelson and William Shepard to where the Run or Children's Home road intersects said Alum Creek or Nelson Road.

Anne E.Nelson
William Shepard
A.E.Breckenridge et al
Petitioners.

June 4th. A.D. 1890

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

THE STATE OF OHIO,) William Shepard having been first duly sworn states that on the 5th day of June
Franklin County,ss.) 1890,and at least thirty days before July 19,1890,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 Marion in which said road is proposed to be laid out and established.

(signed) William Shepard.

Sworn to and subscribed before me,this 19th day of July, A.D. 1890

Frank J.Reinhard Audr.
Harmon Dpy.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, Claude K.Seibert being duly sworn,depose and say,that the foregoing notice
Franklin County,ss.) was published one time a week for 5 consecutive weeks prior to July 14th. A.D. 1890 ,in The Ohio State Journal a newspaper printed in said County of Franklin,State of Ohio,and of general circulation therein,and that the first publication was made June 5th. A.D. 1890

Sworn to before me,and signed in my presence,this 14th day of July, A.D. 1890

(SEAL)

Geo.B.Hische Notary Public
Franklin Co. Ohio.

ROAD PETITION.

FOR A COUNTY ROAD IN MARION TOWNSHIP.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY,OHIO.

The undersigned petitioners,resident freeholders of said County,respectfully represent that t he public convenience requires the establishment 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 and establish such road,to-wit: Beginning at the center of the old Alum Creek or Nelson road on the south line of Anne

E.Nelson's land in Marion township, Franklin County, Ohio, and running thence in a northwardly direction through the lands of Anne E. Nelson and William Shepard to where the Run or Childern's Home road intersects said Alum Creek or Nelson Road.

Said Road to be 80 feet wide.

Dated this 12th day of June, A.D. 1890

PETITIONERS' NAMES.

William Shepard
A.E. Breckenridge
F.S. Montgomery
H.J. Robbins

PETITIONERS' NAMES.

O.N. Wolcott
Leonard Care
Chas McLeish
Augustus Dietzel

PETITIONERS' NAMES.

T.W. Jones
John Sheridan
Rachel Sherman
William Culbertson

PETITIONERS' NAMES.

Samuel Culbertson
Celia Quinn
O.F. Greenman
A.E. Nelson

COLUMBUS, OHIO, July, 18th. 1890

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

Now comes William Shepard 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 William Shepard and Chas McLeish 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 Ohio this 18th day of July 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 establishment of a County road on the following line to-wit:

Beginning at the center of the old Alum Creek on the south line of Anna E Nelson's land in Marion township, Franklin County, Ohio, and running thence in a southwardly direction to the north line of said Nelson's land to where the Reese or Childern's Home intersects said Nelson or Alum Creek road. Being the highway now traveled by the the public through the lands of Anne E. Nelson and William Shepard, said road being 80 feet wide.

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:)
B.H. Harmon)
Dpy. Co. Audr.)

William Shepard (SEAL)
Chas. McLeish (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 A. Sarber, I.S. Beekey and Thodore Leonard three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and John J. Dun Surveyor of said Road and that they meet at Co. Surveyor's Office on the 30th day of December 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, July, 18th 1890

John A. Sarber)
I.S. Beekey) VIEWERS.
Theo. Leonard)

John J. Dun, 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 William Shepard et al.

Beginning at the center of the old Alum Creek road on the south line of Anne E. Nelson's land in Marion township, Franklin County, Ohio, and running thence in a northwardly direction to the north line of said Nelson's land to where the Reese or Childern's Home intersects said Nelson or Alum Creek road. Being the highway now traveled by the public through the lands of Anne E. Nelson and William Shepard, said road to be 80 ft. wide.

You will therefore meet on the 30th day of December 1890, at the place designated as the beginning of said road, or alteration, and after making 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 Viewers 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.
B.H. Harmon Dpy.

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

TO Anne Eliza Nelson and Dr. William Shepard.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of Dec. 17, 1890, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Co. Surveyor's Office on the 30th day of December 1890, for the purpose set forth in said order.

Dated this 18th day of December, A.D. 1890

Dr. William Shepard Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) Dr. William Shepard having been first duly sworn, states, that on the 18 to 19 day of December 1890, (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 Anne Eliza Nelson, Dr. William Shepard, Jno J. Dun Co. Engr.

John A. Sarber Viewers.
Isaac S. Beekey "
Theodore Leonard "

(signed) William Shepard

Sworn to and subscribed before me, this 22nd day of December, A.D. 1890

B.H. Harmon Dpy. Co. Auditor.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 30th day of December, A.D. 1890, personally appeared Franklin County, ss.) before me, John J. Dun a Surveyor in and for said County John A. Sarber and Theodore Leonard and Isaac S. Beekey Viewers, of a County Road petitioned for by William Shepard and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John J. Dun.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 30th day of December, A.D. 1890, personally appeared Franklin County, ss.) before me, John J. Dun a Surveyor of William Shepard, in and for said County, John Sarber, Theodore Leonard and Isaac S. Beekey of a County Road petitioned for by William Shepard and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John J. Dun.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO.

The undersigned, in obedience to your order dated December 18th 1890, proceeded, on the 30th day of December 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)

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO.

In obedience to your order, issued at your December session, A.D. 1890, we, the undersigned, Viewers, appointed under said order, met with John J. Dun Surveyor, at Co. Surveyor's Office on Dec. 30th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Walter Braun and Frank Brink were selected by us as chain-carriers, and William Shepard as marker, 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 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 and establishment of said road, as follows:

Beginning at the South line of Alum Eliza Nelsons land; thence north 19° East 1278 ft to the intersection of the road from the Children's Home and there to terminate.

We would respectfully report that the said County Road ought to be established for the following reasons: It is for the benefit of the public travel, it makes a better road and is a cheaper road to maintain than the one heretofore in use.

We have also determined that the public convenience requires that such County Road shall be established Sixty feet in width.

All of which is respectfully submitted,)

John A. Sarber)
I. S. Beekey) VIEWERS.
Theodore Leonard)

FEEES.

John A. Sarber	Viewer,	2	days,	\$ 3.00	W. Braun	Chainman,	1	days,	\$ 1.00
Theodore Leonard	"	2	"	\$ 3.00	Frank Brink	"	1	"	\$ 1.00
Isaac S. Beekey	"	2	"	\$ 3.00	William Shepard Marker,		1	"	\$ 1.00
					John J. Dun Surveyor,		3	days,	\$ 15.00

SEPARATE REPORT OF VIEWERS.

To the BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO.

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

There were no claims for damages and none have been allowed.

No Assessments Made.

J.A. Sarber)	VIEWERS AND
Isaac S. Beekey)	JURORS TO
Theodore Leonard)	AWARD DAMAGES.

COLUMBUS, OHIO, Mch. 2, 1891

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.
 B.H. Harmon Dpy.

COLUMBUS, OHIO, Mch. 3, 1891

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.
 B.H. Harmon Dpy.

COLUMBUS, OHIO, March 4th 1891

The Commissioners met in regular session, and in the matter of the petition of William Shepard et al, for the location of a County road in Marion township.

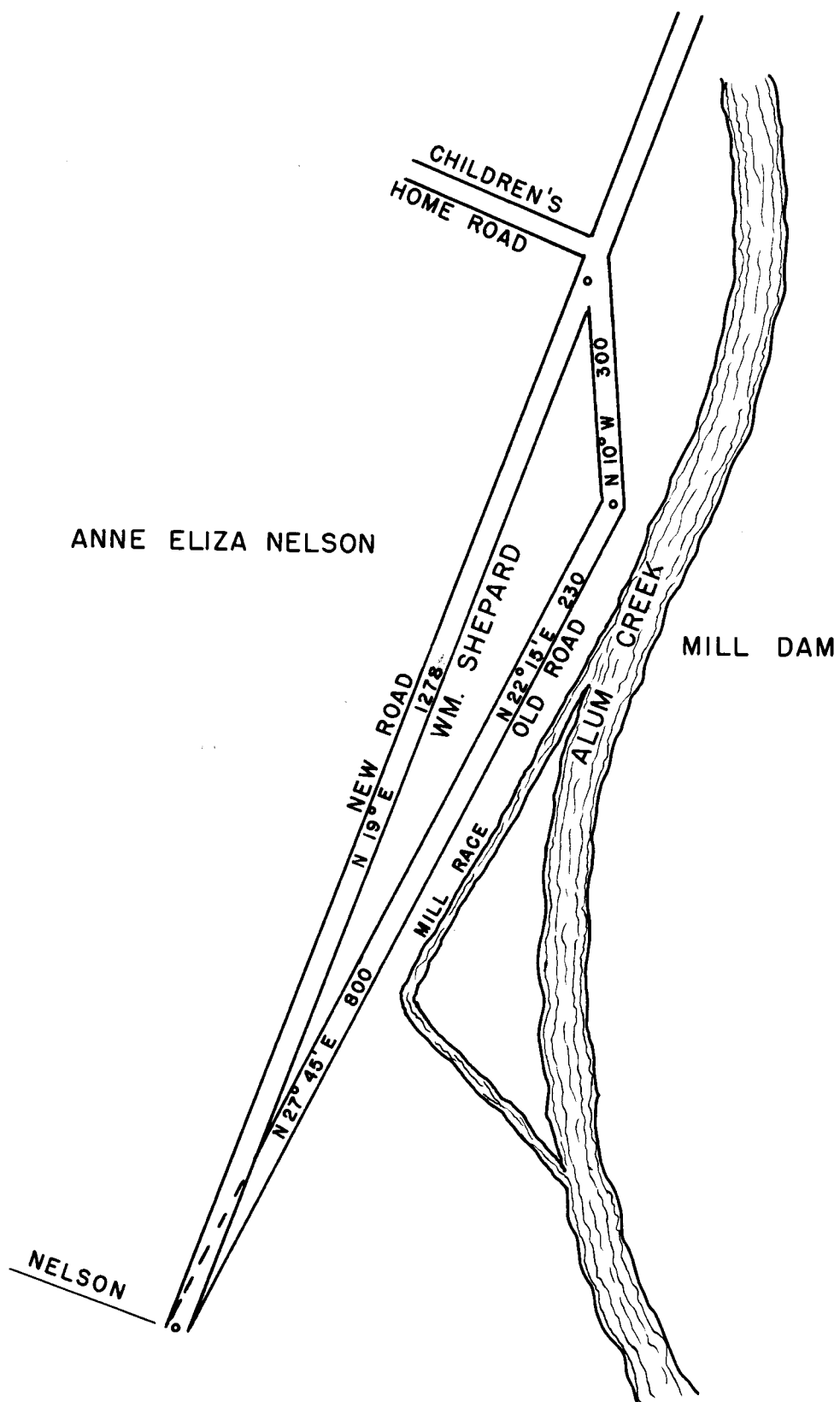
The report of the viewers in relation to the establishment of said road having been this day publicly read for the third time and being in favor of said road, and no objections being made, or damages claimed nor assessed nor petition for review filed and the board being of the opinion that said road as laid out and surveyed will be of public utility, it is ordered that the reports of said viewers, with the survey and plat of said road be recorded and that said road be established a public highway 60 ft in width.

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

ATTEST:		
Frank J. Reinhard)	County Commissioners
County Auditor.)	of
by B.H. Harmon)	Franklin County, Ohio.
Dpy.		

(SEE PLAT ON NEXT PAGE)

PLAT



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

John J. Dun Surveyor of said Road.