

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.4I

IN THE MATTER OF THE DeVORE COUNTY ROAD PETITIONED
FOR BY MANY PETITIONERS AND OTHERS ON THE LINE BE-
TWEEN MARION & CLINTON TP.FRANKLIN COUNTY,OHIO.

Fifth Avenue - from Cleveland Avenue to St. Clair Avenue

ROW = 50'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session 1st Monday in Sept. A.D. 1890, praying for the Establishment of a County Road (50 ft.wide) on the following line, to-wit:

On the line between Clinton and Marion Townships in said County, from the Columbus and West-erville free turnpike (extension of North Eight St., as Cleveland Ave.) east to St. Clair Avenue formerly Shoemaker Lane.

Many Petitioners.

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

THE STATE OF OHIO,) Geo.W.DeVore having been first duly sworn states that on the 4th day of July
Franklin County, ss.) 1890, and at least thirty days before September 1st 1890, he set up copies of the foregoing notice at the Auditor's Office, in said County, and at three public places each in the townships of Clinton and Merion in which said road is proposed to be laid out and established.

(signed) Geo.W.DeVore

Sworn to and subscribed before me, this 1st day of September, A.D. 1890

F.J.Reinhard, Co. Audr'.
Harmon, Depy.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, Jas.Finley Brown being duly sworn, depose and say, that the foregoing notice
Franklin County, ss.) was published one time a week for four consecutive weeks prior to Sept. 1st. A.D. 1890, in The 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 4th A.D. 1890

James Finley Brown

Sworn to before me, and signed in my presence, this 22 day of August, A.D. 1890

N.W. Dick.

ROAD PETITION.

FOR A COUNTY ROAD ON THE LINE BETWEEN CLINTON & MERION 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 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 such road, Fifty feet wide, on the line between Clinton and Merion Townships in said Franklin County, Ohio, from the intersection of Fifth Avenue with the Columbus and Westerville (formerly the Columbus and Lockwin) Free Turnpike Road, to St. Clair Avenue (formerly Shoemaker Lane)

We; the undersigned owners of land bounding on the Section line between Marion and Clinton Townships, and between Shoemaker Lane (or St. Clair St.) and the Harbor road, hereby give or dedicate to the County Com's for public use as a highway, a strip of land twenty five (25) feet wide off of our respective tracts for the purpose of making a St. or road fifty (50) ft wide as shown on the annexed plat.

A.J. Bidleman, Sallin F. Bidleman
J.R. Bidleman J.P. Bidleman
Emma B. Munore

PETITIONERS' NAMES. PETITIONERS' NAMES. PETITIONERS' NAMES. PETITIONERS' NAMES.
Geo. W. DeVore John H. Peters Benjamin Duboe H.S. Atcheson
F.M. Kingry William Miller Wm. S. Ides Thomas Knouse
Crom Ury John H. Luft Martin Heib'k Jas. S. Ricketts
M. Kingry Sam'l Stevens Co. J.W. Hamilton F.R. Winget
Pat Hagan Wm F. Kingry Iva F. Hunt Jacob S. Roloson
James Henry Jacob Atthauser T. Longstreth Cornelia F. Davis
Adam Schneider E. Hamilton F. Peirans W.R.C. Davis
S.J. Woodley James Painter William Fish W.C. Robison
Charles McGinn James Kelly Devoien Shoemaker
T.D. McFann Theo. Leonard Ex. M.H. Neil (Executor)

COLUMBUS, OHIO, _____ 18

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

Now comes G.W. DeVore 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 G.W. DeVore and Thos. M. Kingry 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 1st day of September 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 50 ft. wide, on the line between Clinton and Merion Townships in said County from the Columbus and Westerville Free Turnpike (Extension of North 8th St or St. Clair Avenue) East to St. Clair Avenue, formerly Shoemaker Lane.

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.

George W. DeVore (SEAL)
Thomas M. Kingry (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 F. Kaiser, John Zimmer and Albert Hymrod three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and John J. Dun Surveyor of said County Road and that they meet at the Surveyor's Office on the 24th day of December at 9 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, December, 10th 1890

John F. Kaiser)
John Zimmer) VIEWERS.
Albert Hymrod) 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, as petitioned for by Geo. W. DeVore et al, 50 feet wide. On the line between Clinton and Merion Townships in said County, from the Columbus and Westerville Free Turnpike (extension of North 8th St., or Cleveland Avenue) east to St. Clair Avenue, formerly Shoemaker Lane.

You will therefore meet on the 24th day of December 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 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.

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

TO J. Bidleman, J.R. Bidleman, A.J. Bidleman, M. Kingry, Thomas M. Kingry, J.H. Peters and F. Winget.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of December 10th 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 24th day of Dec. 1890, for the purpose set forth in said order.

Dated this 10th day of December, A.D. 1890

Geo. W. DeVore Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) Geo. W. DeVore having been first duly sworn, states, that on the 13, 15 & 17 day of Franklin County, ss.) 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 J. Bidleman, J.R. Bidleman, A.J. Bidleman, M. Kingery, Thos M. Kingery, J.H. Peters and F. Winget.

(signed) George W. DeVore.

Sworn to and subscribed before me, this 17th day of December, A.D. 1890

Frank J. Reinhard Aud'r.
H.J. Caren Depty Aud'r.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 30th day of December, A.D. 1890, personally Franklin County, ss.) appeared before me, John J. Dun a Surveyor in and for said County John F. Kaiser and John Zimmer and Albert A. Hymrod Viewers of a County Road petitioned for by Geo. W. DeVore and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John J. Dun, Surveyor

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 30th day of December, A.D. 1890, personally Franklin County, ss.) appeared before me, John J. Dun a Surveyor in and for said County, John F. Kaiser, John Zimmer, Albert A. Hymrod of a County Road petitioned for by Geo. W. DeVore and others, and were by me, duly sworn to the faithful and impartial performance of their respective duties.

SURVEYOR'S REPORT.

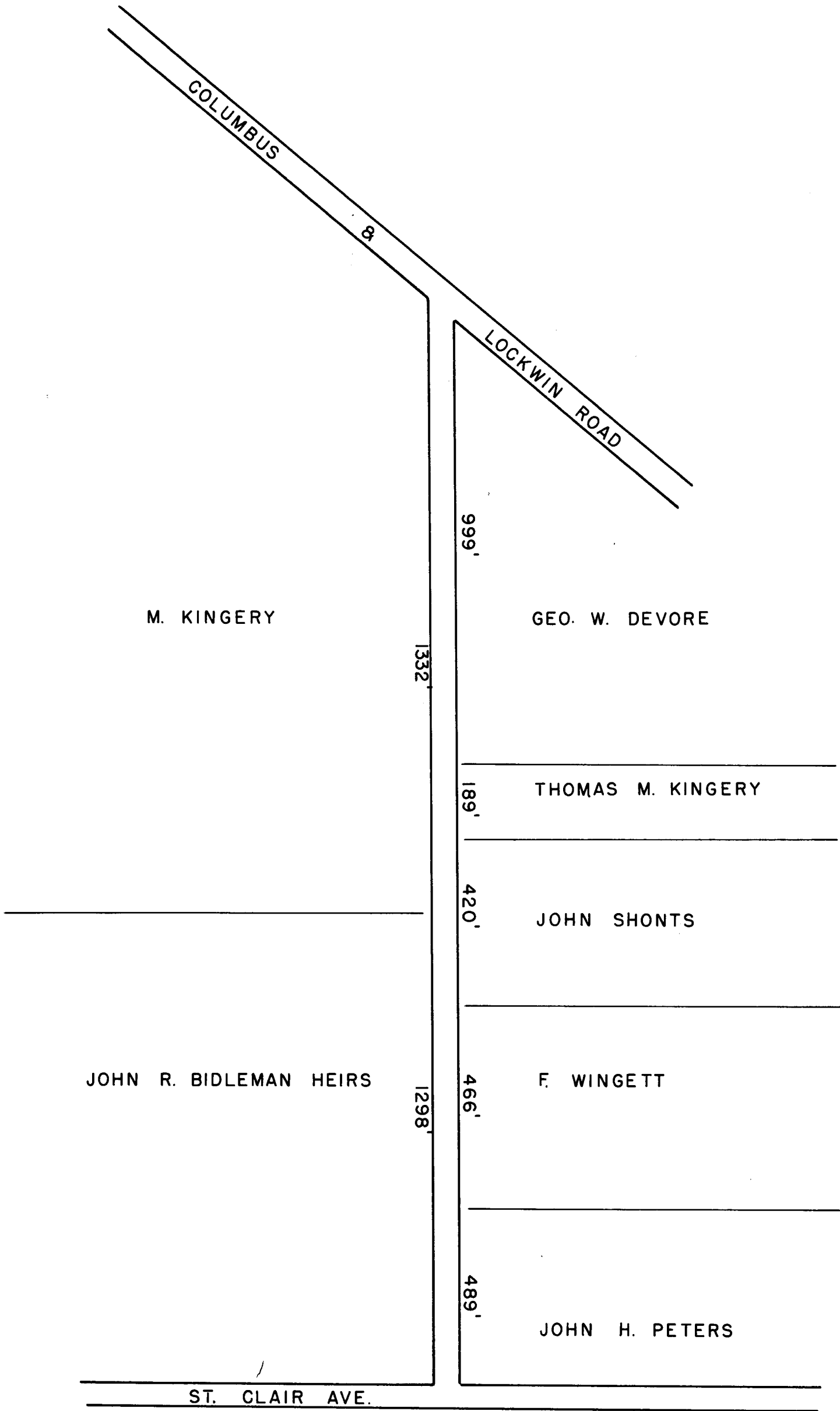
TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated _____ 18____, proceeded, on the 29th day of December to survey and mark the Fifth Avenue Road as described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

(SEE ON REVERSE SIDE)

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

John J. Dun Surveyor of said County
H.K. Knopf Deputy.



REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your _____ session, A.D. 18 ____, we, the undersigned, Viewers, appointed under said order, met with John J. Dun Surveyor, at the site of said road, on December 29th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

We then proceeded to view said proposed Extention of 5th Avenue 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 _____ of said road, as follows:

Being Fifty(50)feet in width and on the line between Clinton and Merion Townships and extending from the intersection of Fifth Avenue with the Columbus and Westerville, formerly the Columbus and Lockwin Road, Easterly to the intersection with St, Clair Avenue.

We would respectfully report that the said Road ought to be established for the following reasons: The public convenience demands it.

We have also determined that the public convenience requires that such Road shall be established Fifty(50)feet in width.

All of which is respectfully submitted,)
December 30th. 1890) Albert Hymrod)
John F. Kaiser) VIEWERS.
John F. Zimmer)

FEES.

John F. Kaiser Viewer, 2 days, \$ 3.00
John Zimmer " 2 " \$ 3.00
Albert Hymrod " 2 " \$ 3.00

John Dun Surveyor, 3 days, \$ 15.00

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Fifth Ave., Road petitioned for by Geo. W. DeVore 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:

TO J.P. Bidleman	I/8 A	\$ 300. per A	\$ 37.50	DOLLARS;
TO J.R. Bidleman	I/8 A	300. per A	37.50	DOLLARS;
TO A.J. Bidleman	I/8 A	300. per A	37.50	DOLLARS;
TO Sallie Bidleman	I/8 A	300. per A	37.50	DOLLARS;
TO Emma Munroe	I/8 A	300. per A	37.50	DOLLARS;
TO Hannah Bidleman	I/8 A	300. per A	37.50	DOLLARS;
			Total---	\$ 215.00

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."

December, 30th. 1890
Albert Hymrod) VIEWERS AND
John F. Kaiser) JURORS TO
John F. Zimmer) AWARD DAMAGES.

COLUMBUS, OHIO, March, 2nd. 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.

COLUMBUS, OHIO, March, 3rd. 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.

COLUMBUS, OHIO, March, 4th. 1891
The Commissioners met in regular session, and in the matter of the petition of George W. DeVore et al for the location of a County road on the line between Marion and Clinton Tps'. The report of the Viewers in favor of the establishment of said road was this day publicly read for the third time, and said Viewers having filed a separate report in writing of the amount of compensation, which they have assessed to land owners by reason of the location of said road which report was also publicly read. And the Board being of the opinion that the compensation awarded by said Viewers, to-wit: J.P. Bidleman, \$37.50 Comp'n. J.R. Bidleman \$ 37.50 Comp'n. A.J. Bidleman \$ 37.50 Comp'n. A.J. Bidleman \$ 37.50 Compensation. Sallie Bidleman \$ 37.50 Compensation. Emma Munroe \$ 37.50 Comp'n. and Hannah Bidleman \$ 37.50 Comp'n. is reasonable and just but that said road is not of sufficient importance to the public to warrant the payment of said Compensation out of the County Treasury. It is ordered that the petitioners pay or tender to pay said Compensation assessed by said Viewers to the several parties and in case the same is accepted it is further ordered that the County Auditor issue in the name of the Board an order to the Trustees of Marion

and Clinton Twps. directing them to cause said road to be opened, according to law.

Tuesday, May, 19th. 1891

The Board Met:

Present: Cassady, Morehead and McDonald.

In the matter of the petition of George W. DeVore et al for the location of a County Road on the line between Marion and Clinton Tps. It is ordered that the order made Wednesday, Mch. 4th 91 be reconsidered as to payment of compensation and damages and that the petitioners pay the sum of One Hundred Dollars and the County of Franklin the sum of One hundred and twenty five Dollars being the total amount of compensation and damages awarded by the Viewers.

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

County Commissioners.