

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.81

IN THE MATTER OF THE CHAS.FRANK COUNTY ROAD PETITIONED
FOR BY CHAS.FRANK AND OTHERS IN MARION & FRANKLIN
TWPS' FRANKLIN COUNTY, OHIO.

Frank Road - from S High Street west to Harmon Avenue;
from Harmon Avenue west to Brown Road South

ROW = 60'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session March A.D.1891, praying for the Location of a County Road on the following line, to-wit: It is proposed that this road shall commence at a point on South High Street about 30 rds north of a road that leads east from High St just north of Adam Fornoff's house; thence west to the Scioto river, on the line between J.Becker on the North, A.Holmes and A.Fornoff on the south; thence across the river and west to Jackson pike, through Miller's land; thence south on Jackson pike to a point that divides the farms of Jacob Miller and Chas Frank; thence west along the south line of Jacob Miller, till intersects the road that traverses the west line of Green Lawn Cemetery, at which point the Clime Free pike now terminates.

January 17th. A.D.1891

Petitioners.

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

THE STATE OF OHIO,) John Becker having been first duly sworn states that on the 23d day of January
Franklin County, ss.) 1891, and at least thirty days before March 2r 1891, he set up copies of the foregoing notice at the Auditor's Office, in said County, and at three public places in the townships of Merion & Franklin in which said road is proposed to be laid out and established.

(signed) John Becker

Sworn to and subscribed before me, this 2r day of March, A.D.1891

F.J.Reinhard Co. Aud't.
Harmon Depty.

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 March A.D.1891, 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 January 23d A.D. 1891

James Finley Brown

Sworn to before me, and signed in my presence, this 28th day of February, A.D.1891

Robt. A.Lovell

ROAD PETITION.

FOR A COUNTY ROAD IN MARION AND FRANKLIN TOWNSHIPS.

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 Establish such road, to-wit:

1st: That the proposed road will directly connect with the entire system of roads in the eastern portion of the County with system of roads that traverse the westerly portion, and thus be a very great convenience to a large share of the Tax of the County.

2d: That the point at which it will cross the Scioto River is about equally distant from Columbus and the new bridge at the Kelly Farm and that the location is very favorable for the construction of the road the bottom land not being of great width and comparatively high. It is proposed that this road shall commence at a point on South High Street, about Thirty rods north of a road that leads east from High St., just north of Adam Fornoff's house; thence west to the Scioto River on the line between J. Becker on the north, A. Holmes and A. Fornoff on the south; thence across the river and west to Jackson Pike to a point that divides the farms of Jacob Miller and Chas Frank; thence west along the south line of Jacob Miller till it intersects the roads that traverses the west line of Green Lawn Cemetery at which point the Cline Free Turnpike now terminates. Your petitioners earnestly ask your favorable consideration of this our petition for said road and trust it will receive early attention.

PETITIONERS' NAMES.

Chas. Frank
John Becker
Andrew Commerson
Frank Barthman
L.S. Ward

PETITIONERS' NAMES.

Henry Weisborker
John S. Reed
Wm. Hunt
Joseph Sauer
Daniel Born

PETITIONERS' NAMES.

T.F. Wacker
G. Drobisch
Andrew Hahn
G.S. Innis
Adam Fornoff

PETITIONERS' NAMES.

Julia Otto
John Wellenthal
Peter Fornoff Jr.
G. Baner
Peter Schwartz
(and others)

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

COLUMBUS, OHIO, March, 2d. 1891

Now John Becker 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 John Becker and Chas. Frank 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 2d day of March 1891

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

In Franklin and Marion Tps. It is proposed that this road shall commence at a point on South High St., about 30 rods north of a road that leads east from High St just north of Adam Fornoff's house; thence west to the Scioto river on the line between J. Becker on the north, A. Holmes and A. Fornof on the South; thence across the river and west to Jackson pike, through Miller's land; thence south on Jackson pike to a point that divides the farms of Jacob Miller and Chas. Frank. Thence west along the south line of Jacob Miller till it intersects the road that traverses the west line of Green Lawn Cemetery, at which point the Cline Free Turnpike now terminates.

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)

John Becker (SEAL)
Charles Frank (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 Peter Miller, John B. Schuman and Philip Schmitt 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 11th day of March 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, March, 2d. 1891

Peter Miller)
John B. Shuman) VIEWERS.
Philip Schmitt)

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 Chas. Frank, et al.

In Franklin and Marion Twps. It is proposed that the road shall commence at a point on South High St., about 30 rods north of a road that leads east from High St, just north of Adam Fornof's house; thence west to the Scioto river on the line between J. Becker on the north, A. Holmes and Adam Fornof on the South; thence across the river and west to Jackson pike, through the Miller land. Thence south on Jackson pike to a point that divides the farms of Jacob Miller and Chas Frank; thence west along the south line of Jacob Miller till it intersects the road that traverses the west line of Green Lawn Cemetery at which point the Cline Free Turnpike now terminates.

You will therefore meet on the 11th day of March 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 indiv-

iduals, 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 June 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.

TO John Becker, Adam Fornof, A. Holmes, Fisher Miller, Daisy & Mabel Miller, Children of Fisher Miller. Jacob Miller (Bertha, May, Adam Francis, George, Claude & Clarence Miller, Children of Jacob Miller) Frank Wolf, Walton, Charles Frank. Mathilda Jane Wife of Fisher Miller.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of March 2d 1891, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Co. Surveyor's Office on the 11th day of March 1891, for the purpose set forth in said order.

Dated this 2d day of March, A.D. 1891

John Becker and Chas. Frank Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) John Becker and Chas. Frank having been first duly sworn, states, that on the 3
Franklin County, ss.) to 5 day of March 1891, (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 John Becker, Adam Fornof, A. Holmes, Fisher Miller, Jacob Miller, Frank Wolf, Walton, Chas Frank, Children of Jacob Miller, Bertha, May, Adam, Francis, George, Claude & Clarence Miller.
" " Fisher " Daisy & Mabel Miller, Mathilda Jane Miller, Wife of Fisher Miller.

(signed) John Becker and Chas. Frank

Sworn to and subscribed before me, this 7th day of March, A.D. 1891

Frank J. Reinhard Co. Aud'r.
Ben H. Harmon, Depty.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 22nd day of June, A.D. 1891, personally appeared
Franklin County, ss.) before me, John J. Dun, per Depty a Surveyor in and for said County, Peter Miller and John B. Shuman and Philip Schmitt Viewers, _____ and _____ Chain Carriers, and
_____ Marker, of a _____ petitioned for by _____
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 22nd day of June, A.D. 1891, personally appeared
Franklin County, ss.) before me, John J. Dun a Surveyor in and for said County, Peter Miller, John B. Shuman and Philip Schmitt of a Proposed County Road petitioned for by Chas Frank et al and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

John J. Dun
Earl Lathrop, Depty.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated March 2d 1891, proceeded, on the 11th day of March to survey and mark the line of said Frank Road as 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 June session, A.D. 1891, we, the undersigned, Viewers, appointed under said order, met with Earl Lathrop Depty Surveyor, at Co. Surveyor's Office on Day June and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Frank Brink and _____ were selected by us as Chain-carriers, and Chas Jennings 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 _____ of said road, as follows:

Beginning in the center of High St on the line between John Becker on the north and Mrs Amanda Holmes on the south; thence with said line N. 86 1/2° W. 619 feet to Mrs Holmes' west line; thence with same course crossing the east bank of the Columbus Feeder of the Ohio Canal at 935 feet; thence with same line (J. Becker on the north and Adam Fornoff on south) crossing east bank of Scioto River at 3885 feet and 4230 ft to the top of the levee on West side of Scioto River. Thence N. 77° W. 1559.16 feet to center Jackson Pike. Thence with said pike S 26 1/4° W 1737 feet to line between Chas Frank on the South and Jacob Miller on North, passing Jacob Miller N line at 395.8 ft. Thence N. 26° W with line between Jacob Miller's on the north and Chas Frank and Jacob & Fisher Miller on south, 4662 feet to Green Lawn Avenue passing line between Jacob & Fisher Miller and Chas Frank. Total length of Road 12189 feet.

We would respectfully report that the said County Road ought to be Established for the following reasons: There being no road crossing the Scioto River between Green Lawn Avenue and Clickinger Bridge a distance of 6 miles. A road crossing the river on the proposed route will afford ready and easy communication between the Western & Southwestern and East and Southeastern parts of the Co. It will also be a great convenience and short route to the City.

We have also determined that the public convenience requires that such Road shall be established Sixty (60) feet in width.

All of which is respectfully submitted,)

John B. Shuman)
 Peter Miller) VIEWERS.
 Philip Schmitt)

FEEES.

Peter Miller	Viewer,	3	days,	\$ 4.50	Frank Brink	Chainman,	2	days,	\$ 2.00
John B. Shuman	"	3	"	\$ 4.50	Chas. Jennings	Marker	1	"	\$ 1.00
Philip Schmitt	"	3	"	\$ 4.50					
					John J. Dun	Surveyor,	3	days,	\$ 15.00
					E. Lathrop,	Depty.			

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Frank Road petitioned for by John Becker 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 John Becker	\$ 238.50	DOLLARS;
TO Mrs Amanda Holmes	147.00	DOLLARS;
TO The Wife of Fisher Miller for life estate	135.00	DOLLARS;
TO Daisy Miller	67.50	DOLLARS;
TO Mabel Miller	67.50	DOLLARS;
TO Chas. Frank	168.00	DOLLARS;
TO Frank Wolf	56.00	DOLLARS;
TO Daisy Miller and Mabel Miller, \$14. Each.		
TO Bertha, May, Adam, Francis, Geo, Claude and Clarence Miller \$7.00 Each.		
TO Jacob Miller \$140.00 life estate. TO Bertha, May, Adam, Francis, Geo., Claude & Clarence Miller \$35.00 Each.		
TO Adam Fornoff	\$ 166.50	DOLLARS;

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."

The following sums are allowed as damages to be paid to claimants whose premises will be rendered less valuable by the opening and construction of said road through the same:

TO Mathilda Jane Miller, Wife of Fisher Miller	\$ 25.00	DOLLARS;
TO Daisy Miller	1.00	DOLLARS;
TO Mabel Miller	1.00	DOLLARS;

John B. Shuman) VIEWERS AND
 Peter Miller) JURORS TO
 Philip Schmitt) AWARD DAMAGES.

July, 11th. 1891

COLUMBUS, OHIO, June, 1st. 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, June, 2d, 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, June, 3rd. 1891

The Commissioners met in regular session, and in the matter of the petition of Chas. Frank, et al, for the location of a County road in Marion and Franklin Townships.

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 and damages which they have assessed to land owners by reason of the location of said road through their several premises which report was also publicly read, and the board being of the opinion that said route as determined by said Viewers is not practicable nor just and that certain irregularities exist in said award of compensation and damages. It is hereby ordered that said report be set aside under Section (465I A) R.S. of Ohio. Further ordered that Peter Miller, John B. Shuman & Philip Schmitt three disinterested free holders of the Co. be and they are hereby appointed Viewers and John J. Dun Surveyor of said road and that they meet at the Co. Surveyor's Office on the 22d day of June 1891 at ten o'clock A.M., and after being duly sworn proceed to the discharge of their several appointments, according to law. It is therefore ordered that the Co. Auditor issue in the name of the Board the necessary order to the Viewers and Surveyor, and that said Viewers and Surveyor report their proceedings in the premises to this Board at its next session.

THE BOARD MET:

Friday, Oct. 2d. 1891

In the matter of the Chas. Frank County road improvement.

The report of the Viewers in favor of the establishment of said road having been previously read for the third time and action postponed until this day. And said Viewers having filed a separate report in writing of the amount of compensation and damages which they have assessed to land owners by reason of the location of said road through the several premises, which report was also publicly read. And the Board being of the opinion that the Compensation and Damages awarded by the Viewers to the said Claimants, to-wit: Compensation, John Becker 238.50. Mrs Amanda Holmes \$147.00, wife of Fisher for Life estate \$135.00. Daisy Miller \$67.50. Mabel Miller \$67.50. Chas Frank \$168.00. Frank Wolf \$56.00. Daisy Miller & Mabel Miller \$14. each, Bertha, May, Adam, Francis, Geo., Claude and Clarence Miller, \$7.00 each. Jacob Miller \$140.00 life estate. Bertha, May, Adam, Francis, Geo., Claude and Clarence Miller \$35.00 each. Adam Fornoff \$166.50 and damages, Viz: Mathilda Jane Miller, wife of Fisher Miller \$25.00, Daisy and Mabel Miller each \$1.00 is reasonable and just that said road will be of public utility and of sufficient importance to the public to justify the payment of said compensation and damages out of the County Treasury, and no petition for review being filed, it is ordered that the County Auditor draw his order upon the County Treasurer in favor of said Claimants for the amount of compensation and damages so awarded them, that the several reports of the Viewers with the survey and plat of said road be recorded and that said road be established a public highway.

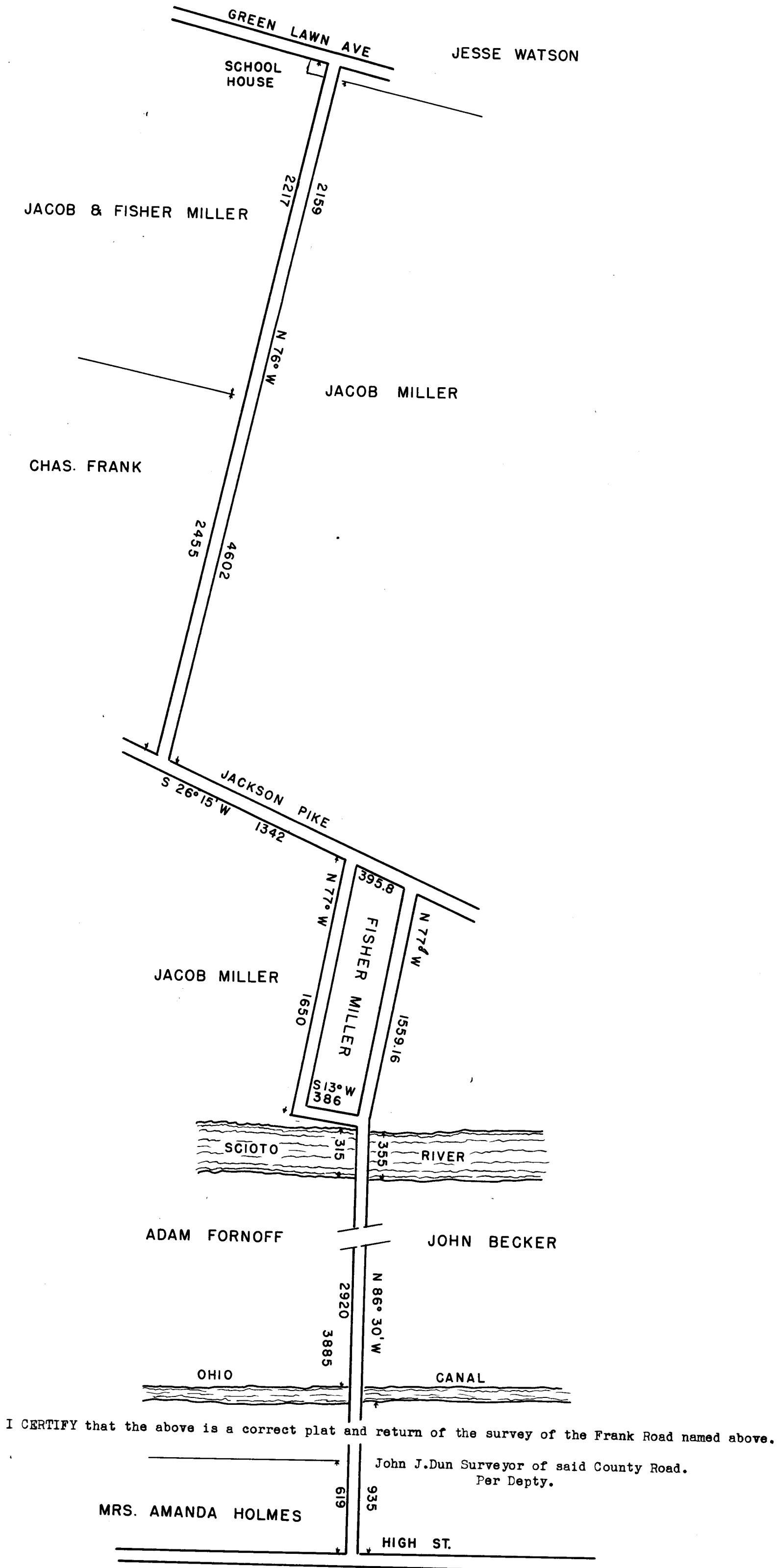
It is further ordered that the County Auditor issue in the name of the Board an order to the Trustees of Marion and Franklin Townships directing them to cause said road to be opened according to law.

ATTEST: H. J. Caren, Co. Aud'r.
Harmon, Depty.

Carried; Yeas: Cassady, Morehead and McDonald.
County Commissioners.

SEE PLAT ON REVERSE SIDE

* PLAT OF FRANK ROAD.



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

John J. Dun Surveyor of said County Road.
Per Depty.

MRS. AMANDA HOLMES