

Fifth Avenue - from Taylor Avenue to Leonard Avenue along the Township line;  
from Leonard Avenue east to Sunbury Road

ROW = 30' and 60'

ROAD RECORD NO.II

ROAD RECORD NO.II

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IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY  
WM.SHEPARD AND OTHERS IN MARION,MIFFLIN AND CLINTON  
TP'S.,FRANKLIN COUNTY,OHIO.

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ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session March 25,A.D.1892,praying for the establishing of a County Road on the following line, to-wit: Beginning at Reab Ave.,at the intersection of the Township line between Marion and Clinton,at the residence of the late Theo Leonard. Thence east on the line between said Townships to the center of Leonard Ave. Thence on Leonard Ave north east to a point due west of a bridge located and to be built over Alum Creek in said County,near the residence of Dr.Wm.Shepard in Mifflin Tp; thence through lands of Robert J.Leonard and Mrs A.B.Buttles to the center of the Johnstown pike and there to terminate.

Petitioners pray that said road way be laid & established 60 ft.wide.

Wm.Shepard et al.  
Petitioners.

Columbus,Ohio, Feby. 18, A.D.1892

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

THE STATE OF OHIO, ) Theodore Leonard having been first duly sworn states that on the 19<sup>th</sup> day of  
Franklin County,ss.) February 1892,and at least thirty days before March 25 1892,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 Marion,Clinton and Mifflin in which said road is proposed to be laid out and established.

(signed) Theodore Leonard

Sworn to and subscribed before me,this 22d day of March,A.D.1892

Ivon Hughes, Notary Public.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO, ) I, James 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 25,A.D.1892,  
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 February 19<sup>th</sup> A.D.1892

James Finley Brown

Sworn to before me,and signed in my presence,this 19<sup>th</sup> day of March,A.D.1892

Wm.F.Cozman Notary Public.

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ROAD PETITION.

FOR A COUNTY ROAD IN MARION,CLINTON AND MIFFLIN 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 location and construction 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 Reab Avenue at the intersection of the township line between Marion and Clinton at the residence of the late Theodore Leonard; thence east on the line between said townships to the centre of Leonard Avenue. Thence on Leonard Avenue north east to a point due west of a bridge located and to be built over Alum Creek in said County near the residence of Dr.William Shepard in Mifflin Tp. Thence due east through lands of Robert J.Leonard and Mrs A.B.Buttles to the centre of the Johnstown pike and there to terminate.

Your petitioners pray that said road may be laid out and established 60 feet wide.

Dated this 11<sup>th</sup> day of February, A.D.1892

PETITIONERS' NAMES.  
William Shepard  
A.E.Breckenridge  
Wm. Culbertson  
O.F.Greenman

PETITIONERS' NAMES.  
John McLeish  
G.E.Roberts  
Matilda Leonard  
Effie M.Leonard

PETITIONERS' NAMES.  
Olive C.Roberts  
Henry J.Robbins  
Chas. McLeish  
A.V.Gray.

PETITIONERS' NAMES.  
F.S.Montgomery

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

COLUMBUS,OHIO, Mch. 1892

Now comes Theodore Leonard 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 Theodore Leonard, Robert J. Leonard and Geo E. Roberts 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 II day of March, 1892

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 at Reab Avenue at the intersection of the township line between Marion & Clinton at the residence of the late Theodore Leonard. Thence east on the line between said townships to the centre of Leonard Avenue. Thence on Leonard north east to a point due west of a bridge located and to be built over Alum Creek in said County, near the residence of Dr. Wm. Shepard in Mifflin Township. Thence East through lands of Robert J. Leonard and Mrs A.B. Buttles to the center of the Johnstown pike and there to terminate.

Petitioners pray that said Road may be laid and established sixty(60) 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:

John L. Engle )  
Lee Fink )

Theodore Leonard (SEAL)  
Robert J. Leonard (SEAL)  
G.E. Roberts (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 Edward Denmead, Frank C. Maxwell and Felix A. Jacobs 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 4th day of April (1892) 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, 25th. 1892

Edward Denmead )  
Frank C. Maxwell ) VIEWERS.  
Felix A. Jacobs )

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 Wm. Shepard et al.

Beginning at Reab Avenue at the intersection of the township line between Marion and Clinton at the residence of the late Theodore Leonard. Thence east on the line between said townships to the center of Leonard Avenue; thence on Leonard Avenue north east to a point due west of a bridge located and to be built over Alum Creek in said County, near the residence of Dr. Wm. Shepard in Mifflin Township; thence east through lands of Robert J. Leonard and Mrs A.B. Buttles to the center of the ~~Johnstown~~ Johnstown pike and there to terminate.

Petitioners pray that said road may be laid and established sixty(60) feet wide.

You will therefore meet on the 4th day of April (1892) at 10 o'clock 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 March 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,

Henry J. Caren County Auditor.

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

TO Mrs A.B. Buttles, Robert J. Leonard, Matilda Leonard,  
Effie M. Leonard, Theo Leonard, Jr., and George E. Roberts.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of March 25th 1892, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Co. Surveyor's Office (9 A.M.) on the 4th day of April 1892, for the purpose set forth in said order.

Dated this 25th day of March, A.D. 1892

Wm. Shepard Principal Petitioner.

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PROOF OF SERVICE.

THE STATE OF OHIO, ) Theodore Leonard having been first duly sworn, states, that on the 26th day of  
Franklin County, ss.) March 1892, (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 Mrs A.B. Buttles, Robert J.  
Leonard, Matilda Leonard, Effie M. Leonard, Theodore Leonard Jr., and George E. Roberts.

(signed) Theodore Leonard

Sworn to and subscribed before me, this <sup>26</sup> day of March, A.D. 1892

Ben H. Harmon Depty Co. Aud'r.

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CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 19th day of July, A.D. 1892, personally appeared  
Franklin County, ss.) before me, \_\_\_\_\_ a \_\_\_\_\_ in and for said County, Felix  
A. Jacobs and George H. Lee and Frank Maxwell Viewers, Frank Brink and Theodore Leonard Chain Carriers, and  
Marker, of a Road petitioned for by Wm. Shepard and others, and were by me duly sworn  
to the faithful and impartial performance of their respective duties.

Albert Rickenbacker, Notary Public.

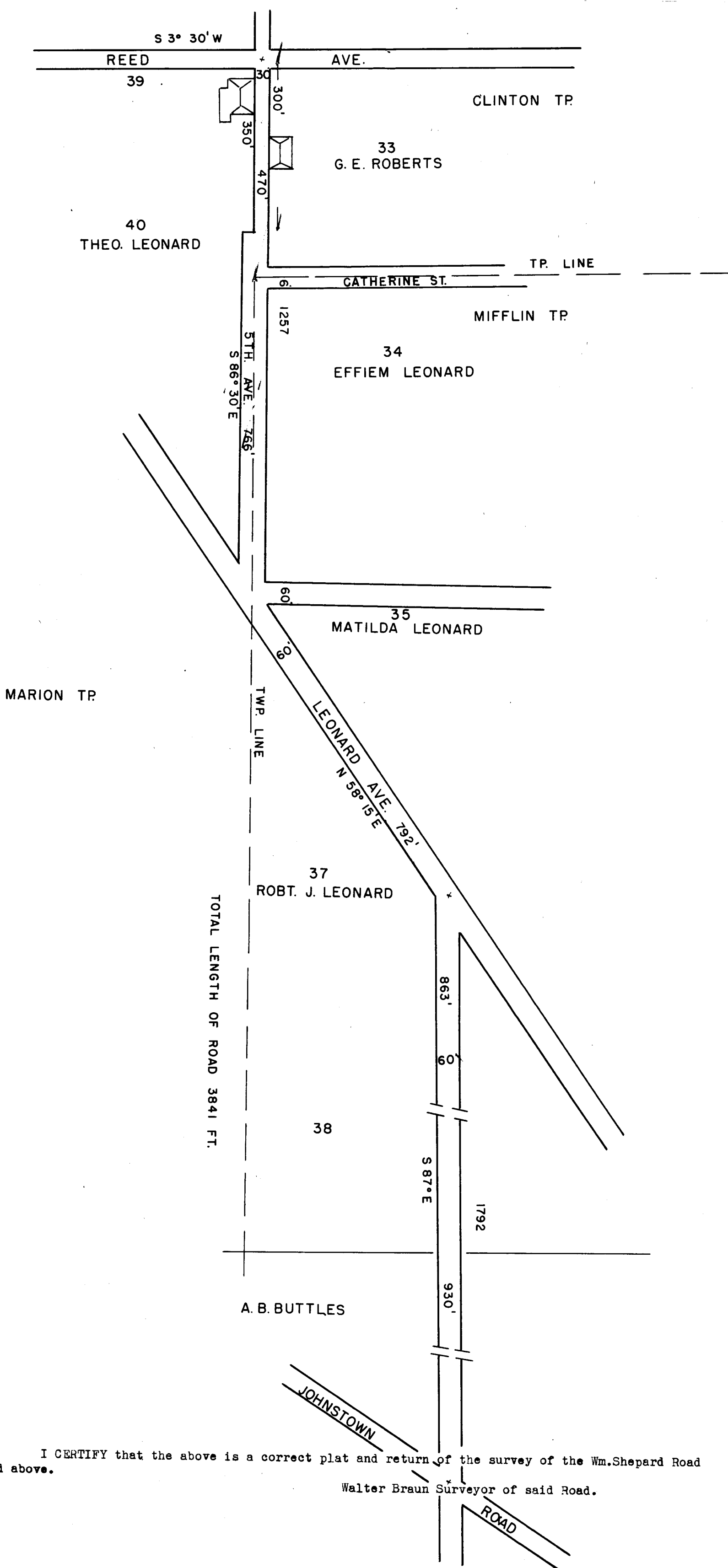
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SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated July 12th 1892, proceeded, on the 19th day of July to survey and mark the Wm. Shepard Road described in said order, under the direction of the Viewers therein named, and respectfully submit the following return of said survey.

PLAT OF WM. SHEPARD ROAD.



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

Walter Braun Surveyor of said Road.

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REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your March session, A.D. 1892, we, the undersigned, Viewers, appointed under said order, met with Walter Braun Deputy Surveyor, at The Co. Surveyor's Office, and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Edward Denmead not being present, Geo H. Lee was chosen in his place.

Frank Brink and Theodore Leonard were selected by us as chain-carriers, and \_\_\_\_\_ 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 Establishing and location of said road, as follows:

Beginning at a stone at the center of Reab Avenue and Fifth Avenue on the line between Clinton and Marion Townships; thence S 86° 30' E 300 ft. to stone, N.E. corner to Homestead tract of the Theo Leonard's Estate, passing center of Catherine St. (line between Clinton and Mifflin townships) at 500 ft to center of Leonard Avenue 1256.9 ft. Thence with center of Leonard Avenue N 58° 15' E 792 ft. Thence S 87° E passing line between Leonard and Buttles at 863 ft. Thence with same course 930 ft to intersection of Buttles Avenue and Johnstown road, total length of road 3841.0 ft.

Above described road passes through lots, 33, 34, 35, 37, 38, 39 and 40 of Theo Leonard's Hr's Sub-division of lands in Marion, Clinton and Mifflin Townships and land owned by A.B. Buttles.

We would respectfully report that the said Shepard Road, E. 5th Ave., extension ought to be established for the following reasons: ( Convenience requires the same.)

We have also determined that the public convenience requires that such road shall be established 60 feet in width. Except from the beginning to a point 300 ft east of the same where the road shall be 30 ft in width as shown upon the plat hereto attached.

All of which is respectfully submitted,  
July, 19th. 1892 )

Frank C. Maxwell )  
Geo H. Lee and ) VIEWERS.  
Felix A. Jacobs )

FEEES.

Felix A. Jacobs	Viewer,	2	days,	\$ 3.00	Frank Brink	Chainman,	1	days,	\$ 1.00
Geo. H. Lee	"	2	"	\$ 3.00	Theo Leonard	"	1	"	\$ 1.00
Frank C. Maxwell	"	2	"	\$ 3.00	Arthur Beck	Marker	"	"	\$ 1.00
					Walter Braun	Surveyor,	1	days,	\$ 5.00
					Earl Lathrop	"	2	"	\$ 10.00

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SEPARATE REPORT OF VIEWERS.

No Damages claimed.  
No Damages claimed.

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COLUMBUS, OHIO, June, 6th. 1892

The Commissioners met in regular session, and the report of the Surveyor and Viewer appointed to survey and view the road, as described in the foregoing petition, was read the first time.

ATTEST:  
H. J. Caren )  
County Auditor. )  
L. Morehead )  
J. B. McDonald ) COMMISSIONERS.  
T. D. Cassady )

COLUMBUS, OHIO, June, 7th. 1892

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:  
H. J. Caren )  
County Auditor. )  
L. Morehead )  
J. B. McDonald ) COMMISSIONERS.  
T. D. Cassady )

COLUMBUS, OHIO, June, 8th. 1892

The Commissioners met in regular session, and the Viewers having reported in favor of the establishment of said road, said report was this day publicly read for the third time, and further action postponed till Monday, June 20/92 at 10 O'clock A.M.

\* In the matter of the County road petitioned for by William Shepard et al, in Franklin County, Ohio, Beginning at Reab Avenue at the intersection of the Townships line between Marion and Clinton Township at the residence of the late Theodore Leonard, thence East on the line between said Townships to the center of Leonard Avenue, thence on Leonard Avenue North East to a point due west of a bridge located and to be built over Alum Creek in Franklin County near the residence of Dr. Wm. Shepard, in Mifflin Township; thence due east through lands of Robert J. Leonard and Mrs A.B. Buttles to the center of the Jonstown Pike and there to terminate.

To the Board of County Commissioners of Franklin County, O.

Your petitioners, resident free holders, of said County residing in the vicinity of said proposed improvement, respectfully petition your honorable body for an alteration in the line of said road as located by the report of the Viewers thereon heretofore appointed and filed herein in this, to-wit: they pray that said road be so altered at the point of beginning as not to take any part of the buildings of Theo-

dore Leonard Jr., situated upon the south side of said road as reported by said Viewers; and establishing the same thirty feet in width to a point Three Hundred feet east of the point of beginning as to clear the said buildings of the said Leonard.

Your petitioners represent that the public convenience will be subserved by making said change and a large amount of Compensation and damages will be saved to the County and the petitioners for said road by making said alteration.

William Shepard,	A.E. Breckinridge,
Theodore Leonard,	O.F. Greenman,
L.F. Kidner,	F.S. Montgomery,
R.J. Leonard,	Olive C. Roberts,
G.E. Roberts,	Effie M. Leonard by G.E. Roberts.
Matilda Leonard	Chas McLeish,

COLUMBUS, O. June, 20th. 1892

In the matter of the County Road petitioned for by Wm. Shepard et al, (known as 5th Ave.) said matter was this day postponed until Friday, July 12th at 10 o'clock A.M.

COLUMBUS, Ohio, July 12th. 1892

In the matter of the petition of Wm. Shepard et al, for the location of a County Road. (5th Avenue)

Theodore Leonard et al, having filed a petition for the alteration of said proposed County Road and said matter having been postponed until this day it is ordered that further proceedings on said original petition be set aside and that G.H. Lee, Frank C. Maxwell and Felix A. Jacobs be appointed Viewers and John J. Dun County Engineer under said petition for said Alteration and that they meet at County Surveyor's Office on July 19th 1892, at 10 o'clock A.M., and after being duly sworn proceed to discharge their duties severally as such Viewers of said proposed Alteration and report their proceedings to this Board at its next regular session.

Yeas: McDonald and Cassady  
County Commissioners.

COLUMBUS, O. July 22d. 1892

In the matter of the 5th Ave' County Road petitioned for by Wm. Shepard et al, in Clinton and Mifflin Townships.

The report of the Viewers being in favor of said road, and having been publicly read as required by law, and the reviewers being also in favor of said road as altered and no damages being claimed nor assessed, and the Board being of the opinion that said road 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 as altered by said viewers. It is further ordered that the County Auditor issue and order in the name of the Board, directing the Trustees of said Twp's to cause said road to be opened, according to law.

ATTEST:

H.J. Caren Co. Auditor.  
B.H. Harmon Depty.

) County  
) Commissioners.