

ROAD RECORD NO.II

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PAGE NO.121

In the matter of the county road petitioned for by Theodore Leonard and others in Mifflin Twp., Franklin County, OHIO.

Woodland Avenue - from Leonard Avenue to Mock Road

ROW = 60'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session April 15th A.D.1892, praying for the Establishment of a County Road on the following line, to-wit: Beginning at a stone in Leonard Avenue on the line between lands of Matilda Leonard and Effie M. Leonard; thence north between the lands of Matilda Leonard, Effie Leonard, Olive C. Roberts and Theodore Leonard Jr.; thence continuing north through the lands of Alfred K. Mitcheson and Mrs Martin H. Ranck to the center of the County road, commonly called Mock Road, in Mifflin township and there to terminate. Said proposed road is on Woodland Avenue as shown upon the plat, into lots of the farm of the late Theodore Leonard, Deceased, so far as the same extends through the said Leonard lands. Your petitioners pray that said road may be laid out and established (60) feet wide.

Dated this 23rd day of February, 1892

Theodore Leonard Jr. et al.
Petitioners.

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

THE STATE OF OHIO,)
Franklin County, ss.) Theodore Leonard having been first duly sworn states that on the 11th day of March 1892, and at least thirty days before April 15th 1892, 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 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

Ivor 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 April 15th, 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 March 11th. A.D. 1892

James Finley Brown

Sworn to before me, and signed in my presence, this 2d day of April, A.D. 1892

J.D. Walker, Notary Public.

ROAD PETITION.

FOR A COUNTY ROAD IN MIFFLIN 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 Location and Establishment of a County road on the line hereinafter des-
cribed; 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 a stone in Leonard Avenue on the line between lands of Mat-
ilda Leonard, Effie M. Leonard; thence on the line between the lands of Matilda Leonard, Effie M. Leonard,
Olive C. Roberts and Theodore Leonard Jr.; thence continuing north through the lands of Alfred K. Atcheson
and Mrs Martin H. Ranck to the center of the County road commonly called the Mock Road, in Mifflin town-
ship and there to terminate, said proposed is on Woodland Avenue as shown upon the plat into lots of the
farm of the late Theodore Leonard Deceased, so far as the same extends through the said Leonard Lands.

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

Dated this 23d day of February, A.D. 1892.

PETITIONERS' NAMES.

Theodore Leonard Jr.
Effie M. Leonard
Olive C. Roberts
George E. Roberts

PETITIONERS' NAMES.

Rob't. J. Leonard
Matilda Leonard
F. B. Dean
M. A. Decker

PETITIONERS' NAMES.

Samuel (his X mark) Howland
Geo. W. Fink
Jacob (his X mark) Schirzinger
Theo Leonard (Witness)

PETITIONERS' NAMES.

Chas McLeish
E. Denmead

* TO LEWIS MOREHEAD, THOMAS CASSADY AND JOSEPH McDONALD, COUNTY COMMISSIONERS
OF FRANKLIN, COUNTY:

GENTLEMEN:

You are respectfully requested to strike the name of Margaret Decker
from the petition of Theodore Leonard and others, requesting a road through the
lands of A. K. Atcheson and Martin Ranck in Mifflin Township, Franklin County,
Ohio, for the reason that the same was obtained by misrepresentation.

G. D. Decker. *

COLUMBUS, OHIO, June, 15th. 1892

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

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, Rob't 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 (\$100.00) 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 _____ 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 a stone in Leonard Avenue on the line between lands of Matilda Leonard and Effie
M. Leonard. Thence north between the lands of Matilda Leonard, Effie M. Leonard, Olive C. Roberts and Theo-
dore Leonard Jr., thence continuing north through the lands of Alfred K. Atcheson and Mrs Martin H. Ranck to
the center of the County road, commonly called the Mock Road in Mifflin township and there to terminate.
Said proposed road is on Woodland Avenue as shown upon the map into lots of the farm of the late Theodore
Leonard, Deceased, so far as the same extends through the said Leonard lands.

Your petitioners pray that said road way may be laid out 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 pro-
ceedings 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 Slyh, R.Z. Dawson and William Earl three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and John J. Dun Surveyor of said proposed County road and that they meet at Co. Surveyor's Office on the 27th 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, June, 15th. 1892

Edward Slyh)
R.Z. Dawson) VIEWERS. John J. Dun SURVEYOR.
William Earl)

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 Theodore Leonard Jr. et al.

Beginning at a stone in Leonard Avenue on the line between lands of Matilda Leonard and Effie M. Leonard, thence north between the lands of Matilda Leonard, Effie M. Leonard, Olive C. Roberts and Theodore Leonard, Jr., thence continuing north through the lands of Alfred Atcheson and Mrs Martin H. Ranck to the center of the County road commonly called Mock in Mifflin township and there to terminate, said proposed road is on Woodland Avenue as shown upon the plat into lots of the farm of the late Theodore Leonard, deceased. So far as the same extends through the said Leonard's lands.

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

You will therefore meet on the 27th 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 of 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 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.

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

TO Matilda Leonard, Effie M. Leonard, Olive C. Roberts, Joseph J. Doran, H.S. Atcheson Guardian Alfred K. Atcheson and Martin Ranck.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of April 15th 1892, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at Co. Surveyor's Office on the 27th day of April 1892, for the purpose set forth in said order.

Dated this 15 day of April, A.D. 1892 Theodore Leonard Principal Petitioner.

PROOF OF Service.

THE STATE OF OHIO,) Theodore Leonard having been first duly sworn, states, that on the 21st day of Franklin County, ss.) April 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 Matilda Leonard, Effie M. Leonard, Olive C. Roberts, Joseph J. Doran, H.S. Atcheson Gd'n of Alfred K. Atcheson and Martin Ranck.

(signed) Theodore Leonard Jr.

Sworn to and subscribed before me, this 22 day of April, A.D. 1892 Henry J. Caren Co. Auditor.

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 27th day of April, A.D. 1892, personally appeared Franklin County, ss.) before me, Earl Lathrop a Deputy County Surveyor in and for said County, F. Momelly and Leonard Chain Carriers, petitioned for by Theodore Leonard and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Earl Lathrop Deputy Co. Surveyor.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 27th day of April, A.D. 1892, personally appeared Franklin County, ss.) before me, Earl Lathrop a Deputy County Surveyor in and for said County, Frank Maxwell,

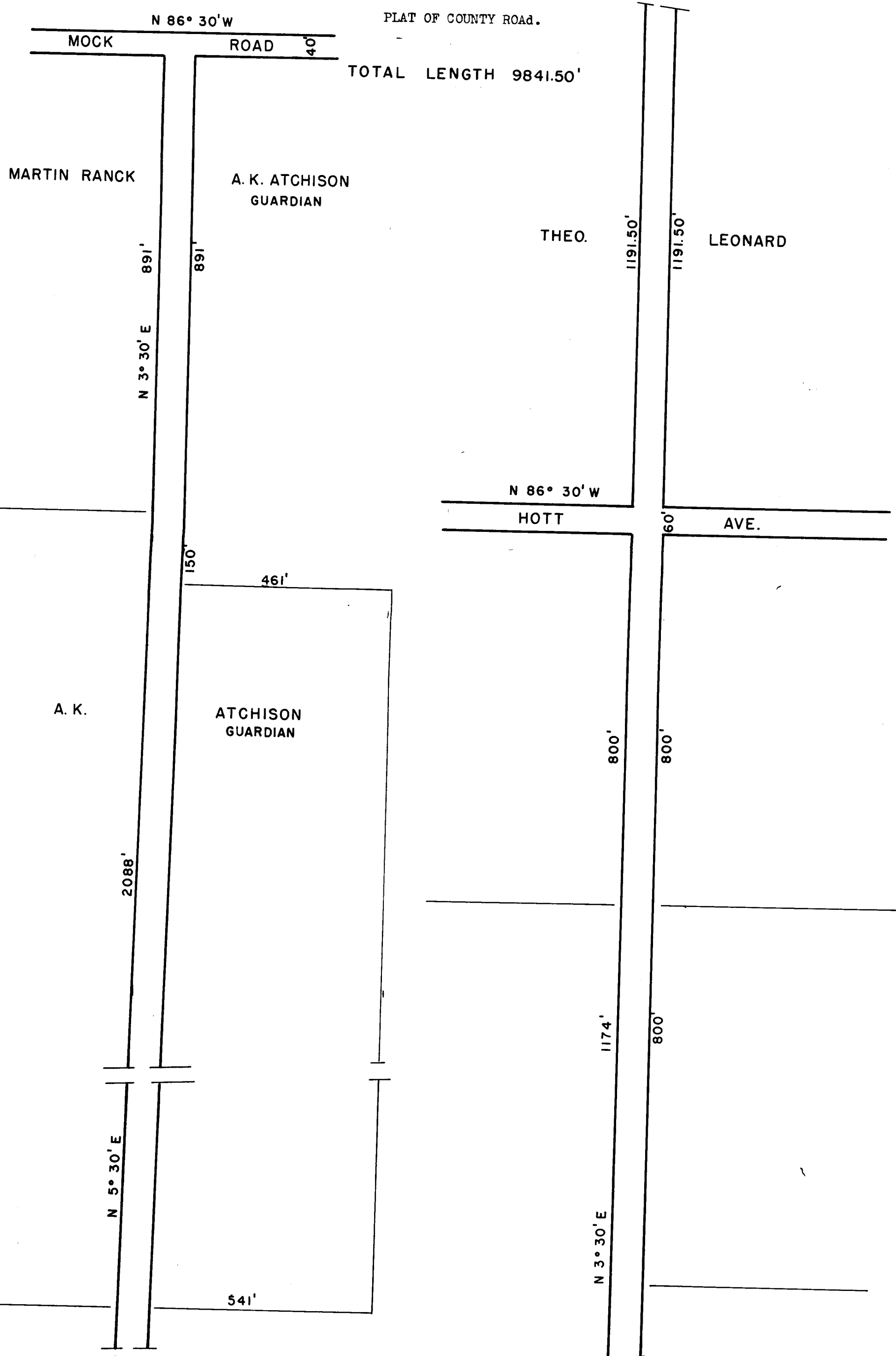
William Earl and J.E.Slyh, (Viewers) of a County Road petitioned for by Theodore Leonard and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Earl Lathrop Depty Co.Surveyor.

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated April 15th 1892, proceeded, on the 27th day of April to survey and mark the Woodland Avenue County Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:



REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your June session, A.D. 1892, we, the undersigned, Viewers, appointed under said order, met with Earl Lathrop Depty Surveyor, at Woodland and Leonard Ave on the _____ and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

R.Z. Dawson Viewer having been detained, Frank Maxwell was substituted by of Surveyor.

Leonard and F. Momilly were selected by us as chain-carriers, who were also duly sworn.

We then proceeded to view said proposed Woodland 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 establishment of said road, as follows:

Beginning at intersection of E. 5th Avenue on township line between (Mifflin and Marion) and Leonard Ave and Woodland Ave. Thence N. 30° 30' E. through lands owned by Theodore Leonard Jr. N and W R.R., R.J. Leonard, Olive C. Roberts, Matilda Roberts and Effie M. Leonard, as same are designated on annexed plat 6862 1/2 ft. Thence N. 5° 35' E 2088 ft through lands owned by A.K. Atcheson Guardian. thence 3° 30' E 891 ft through lands owned by M. Ranck on W and A.K. Atcheson Guardian on E to center of Mock Road.

A total distance of 9841.50 ft.

We would respectfully report that the said Road ought to be established for the following reasons: Increases value of surrounding lands and etc.

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

All of which is respectfully submitted,)
April, 30th. 1892)

F. Maxwell)
J.E. Slyh) VIEWERS.
William Earl)

FEEES.

F. Maxwell Viewer, 2 days, \$ 3.00 F. Manilly Chainman, 1 days, \$ 1.00
J.E. Slyh " 2 " \$ 3.00 Leonard " 1 " \$ 1.00
William Earl " 2 " \$ 3.00
Earl Lathrop Depty Surveyor, 3 days, \$ 15.00

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of Woodland Ave petitioned for by Theodore Leonard 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 Martin Ranck \$100.00 DOLLARS;
TO A.K. Atcheson 300.00 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."

No Damages.

F. Maxwell) VIEWERS AND
William Earl) JURORS TO
J.E. Slyh) AWARD DAMAGES.

April, 30th. 1892.

COLUMBUS, OHIO, June, 6th. 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 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 until Monday, July, 22d 1892.

Columbus, Ohio,
July, 22d. 1892

The Board Met:

Present: McDonald and Cassady;

In the matter of the Woodland Avenue County Road petitioned for by Theodore Leonard in Mifflin township.

The report of the Viewers in favor of the establishment of said road having been previously 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 reasons of the location of said road through their several premises which report was also publicly read, and the Board being of the opinion that the compensation awarded by said Viewers to the several claimants, to-wit:

Martin Ranck \$ 100.00 H.S. Atcheson Gd'n \$ 300.00 are 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 out of the County Treasury and no petition for review being filed, it is ordered that the County Auditor draw his warrant upon the Co. Treasurer in favor of said claimants for the amount of compensation so awarded to 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 Mifflin Twp. directing them to cause said road to be opened, according to law.

ATTEST:

H.J. Caren.
B.H. Harmon, Depty.

Yeas: McDonald and Cassady,
County Commissioners.