

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.I37

IN THE MATTER OF THE ALTERATION OF A COUNTY ROAD
PETITIONED FOR BY E.A.PETERS AND OTHERS IN MADISON
TOWNSHIP,FRANKLIN COUNTY,OHIO.

Richardson Road - alteration from Groveport Road
southeast for 1122' to the bridge over Little Walnut Creek

ROW = 60'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session September,5th.A.D.1892,praying for the Alteration of a County Road on the following line, to-wit: Beginning at the north end of the bridge across Walnut Creek near the residence of Wm.V.Decker in Madison Township,Franklin County,Ohio. Thence in a northerly direction across lands of Wm.V.Decker and intersects with the Groveport and Winchester turnpike at a point most convenient to subserve the public welfare. August,2nd.

E.A.Peters et al,
Petitioners.

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

THE STATE OF OHIO,) E.A.Peters having been first duly sworn states that on the Second day of August, Franklin County,ss.) 1892,and at least thirty days before September 5th,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 Madison in which said road is proposed to be Altered.

(signed) E.A.Peters

Sworn to and subscribed before me,this 6" day of September,A.D.1892

H.J.Caren,Co.Aud'r.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I,James Finley Brown being duly sworn,depose and say,that the foregoing notice was Franklin County,ss.) published one time a week for four consecutive weeks prior to September 5th.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 August 11th.A.D.1892

James Finley Brown

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

W.R.Dunlap

ROAD PETITION.

FOR THE ALTERATION OF A COUNTY ROAD IN MADISON 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 Alteration 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 the improvement of such road,to-wit:

Beginning at the north end of the Bridge across Walnut Creek near the residence of Wm.V.Decker in Madison Township, Franklin County, Ohio. Thence in a northerly direction across lands of Wm.V.Decker and intersects with the Groveprt and Winchester turnpike at a point most convenient to subserve the public welfare.

Dated this Second day of August, A.D. 1892

PETITIONERS' NAMES.
E.A.Peters
Geo. Koebel
B. Schieser
C.W.Dill
M.J.Newberry
Thomas Black

PETITIONERS' NAMES.
John A. Leigh
S. Leigh
Thomas Dolby
C. Black Jr.
M. Corbett
M.L.Moon

PETITIONERS' NAMES.
Marion Corwin
B.F.Dildine
E.P.Dildine
R.A.Straw
J.M.Kelly
J.K.Rarey

PETITIONERS' NAMES.
E.V.Adell
M.H.Kelly
W.R.Smith
Fred Klamfoth
L.W.Berger
Josiah Flattery
L.M.Newberry
Geo.Seymour.

COLUMBUS, OHIO, August, 4th. 1892

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

Now comes E.A.Peters 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 M. Corbert, E.A. Peters and George Korbel, S. Leigh et al are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of Two 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 ~~Groveport~~ this 4th day of August 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 Alteration of a County road on the following line, to-wit:

Beginning at the north end of the Bridge across Walnut Creek near the residence of Wm.V.Decker in Madison Towndhip, Franklin County, Ohio. Thence in a northerly direction across lands owned by Wm.V. Decker and intersects with the Groveport and Winchester turnpike at a point most convenient to subserve the public welfare.

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.

E.A.Peters, M. Corbert (SEAL)
George Korbel, S. Leigh (SEAL)
et al (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 Chas. Obetz, Ed. S. Tussing and O. D. Harris three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and John J. Dun Surveyor of said County and that they meet at Township House on the 17th day of September 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 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, Wednesday, Sept. 7th 1892

Chas Obetz)
Ed. S. Tussing) VIEWERS.
O. D. Harris)
John J. Dun SURVEYOR.

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view and lay out a proposed Alteration of a County Road on the following route, as petitioned for by E.A. Peters et al.

Beginning at the north end of the Bridge across Walnut Creek near the residence of Wm.V.Decker in Madison Township, Franklin County, Ohio. Thence in a northerly direction across lands owned by Wm.V.Decker and intersects with the Groveport and Winchester Turnpike at a point convenient to subserve the public welfare.

You will therefore meet on the 17th day of September 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,

Henry H. Caren County Auditor.

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

TO Wm.V.decker.

You are notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County Ohio, in their order of September 6" 1892, to lay out and survey the Alteration petitioned for by the undersigned and others, will meet at Groveport O on the 19" day of September 18__ , for the purpose set forth in said order.

Dated this 6" day of September, A.D. 1892

E.A.Peters Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) E.A.Peters having been first duly sworn, states, that on the ___ day of ___ 18__ Franklin County, SS.) (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 Wm.V.Decker

(signed) E.A.Peters.

Sworn to and subscribed before me, this 5" day of October, A.D. 1892

Henry J.Caren, "Co. Aud'r."

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 19th day of September, A.D. 1892, personally appeared Franklin County, ss.) before me, Sam H. Martin a Deputy County Surveyor in and for said County, Ed.S. Tussing, C.H. Obetz and O.D. Harris Viewers, for the alteration of a County Road petitioned for by E.A. Peters and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Sam H. Martin

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated September 6" 1892, proceeded, on the 19th day of September to survey and mark the E.A. Peters 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 September session, A.D. 1892, we, the undersigned, Viewers, appointed under said order, met with Sam H. Martin Surveyor, at Groveport, O. on September 19th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Clark Baumgartner and _____ were selected by us as chain-carriers, and _____ as marker, who were also duly sworn.

We then proceeded to view said proposed alteration 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 Alteration of said road, as follows:

Beginning at the North end of Bridge across Little Walnut Creek near the residence of Wm.V. Decker in Madison Township, Franklin County, Ohio. Thence north 16 W 68 rods to the center of the Winchester and Groveport pike and there to terminate.

We would respectfully report that the said road ought to be altered for the following reasons: First: In our opinion because of the location it would be impossible to make a good road on the present site. 2d. The public demands it, and for their welfare and convenience are entitled to it.

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

All of which is respectfully submitted, September, 22d. 1892)

Ed.S. Tussing) O.D. Harris) VIEWERS. C.H. Obetz)

FEES.

Ed.S. Tussing Viewer, 2 days, \$ 3.00 O.D. Harris " 2 " \$ 3.00 Chas.S. Obetz " 2 " \$ 3.00

C. Baumgartner Chainman, _____ days, \$ 1.50

Sam H. Martin Surveyor, 2 days, \$ 10.00

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Alteration of road petitioned for by E.A.Peters and others, make the following separate report of the compensation and damages assessed and awarded by them to persons entitled thereto. The parties named blow have filed their written applications forthe 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 eums:

TO Wm.V.Decker, 1.54/100 acres Land \$110.00 per A \$ 169.40 DOLLARS;
TO Do 136 Rods fencing 1.25 " Rod. 160.00 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."

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 Wm.V.Decker Damagaes \$ 200.00 DOLLARS;
Ed.S.Tussing) VIEWERS AND
O.D.Harris) JURORS TO
C.H.Obetz) AWARD DAMAGES.

September, 22d 1892

COLUMBUS, OHIO, Dec. 5" 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, December, 6" 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, December, 7" 1892

The Commissioners met in regular session, and In the matter of the petition of E.A.Peters and others for the alteration of a County Road in Madison Township:

The report of the Viewers in favor of the alteration 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 premises which report was also publicly read, and the Board being of the opinion that the Compensation and damages awarded by said Viewers, to-wit: Wm.V.Decker \$520.40 is reasonable and just, that said Alteration will be a 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 on the County Treasurer in favor of said claimant for the amount so awarded to him. That the several reports of the Viewers with the survey and plat of said alteration be recorded, and said alteration of 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 Madison Twp. directing them to cause said road as altered to be opened, according to law.

Yeas: Morehead, McDonald and Cassady.

Wm.V.Decker gives notice of appeal from the location of the road and the assessments of compensation and damages.

ATTEST: Henry J.Caren,) County
Co.Aud'r.) Commissioners.

