

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.I6I

IN THE MATTER OF THE ALTERATION OF THE COUNTY ROAD PETITIONED FOR BY M.G.PALMER AND OTHERS IN TRURO TOWNSHIP,FRANKLIN COUNTY,OHIO.

Palmer Road - alteration north of the old road from Graham Road east 1864'

ROW = 30'

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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 December, A.D. 1892, praying for the Alteration of a County Road on the following line, to-wit:

Beginning at a point about ten rods east of lands owned by Robert Barb in Truro Tp., on the road known as the Hebron road. Thence northwesterly to the northeast corner of lands of said Robert Barb; thence west to intersect the Graham road and between the lands of Robert Barb and J.L.Graham.

Also to vacate such road, to-wit: Beginning at a point about ten rods east of lands owned by Robert Barb in Truro township on the road known as the Hebron road. Thence southeasterly through M.G.Palmer's lands and between the lands of J.Ashton and R.Barb and between said Ashton and N.Orcutt to the Graham road and Pickerington road.

M.G.Palmer et al Petitioners.

August, 18, A.D. 1892

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

THE STATE OF OHIO, ) M.G.Palmer having been first duly sworn states that on the 18 day of August 1892, Franklin County, ss.) and at least thirty days before the first Monday of December 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 Truro in which said road is proposed to be laid out and established.

(signed) M.G.Palmer

Sworn to and subscribed before me, this 13 day of December, A.D. 1892

B.H.Harmon Dpty. Co., Aud'r.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO, ) I, Wm.H.Rible being duly sworn, depose and say, that the foregoing notice was published one time a day for four consecutive days prior to Dec. 5<sup>th</sup> A.D. 1892, in The Ohio State Journal a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein and that the first publication was made August, 19, A.D. 1892

Wm.H.Rible

Sworn to before me, and signed in my presence, this 5<sup>th</sup> day of December, A.D. 1892

Geo.B.Hische Notary Public.

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ROAD PETITION.

FOR A COUNTY ROAD IN TRURO 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 Altering 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 Alter such road, to-wit: Beginning at a point about ten rods east of lands owned by Robert Barb in Truro township on the road known as the Hebron road. Thence northeasterly to the northeast corner of lands of said Robert Barb. Thence west to intersect the Graham road and between the lands of Robert Barb and J.L.Graham.

Dated this 18<sup>th</sup> day of December, A.D. 1892

PETITIONERS' NAMES. M.G.Palmer C. Krafft F.E.Evans E.W.Badabaugh W. Young

PETITIONERS' NAMES. E.E.Evans Joseph McCray F.G.Taylor Stewart Wilson Sam Chamberlain

PETITIONERS' NAMES. Hiram Dysart D.L.Graham J.R.Lunn R.D.Jones J.M.Connell.

PETITIONERS' NAMES. Tunis McNaghten J.W.Graham B.V.Lunn Jr. J.S.Wolf

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

Now comes M.G.Palmer one of the signers of the foregoing petition, and files his bond which is in the words and figures following, to-wit:

COLUMBUS, OHIO, December, 5<sup>th</sup> 1892

## KNOW ALL MEN BY THESE PRESENTS:

That we M.G.Palmer and C.Krafft and A.P.Henderson 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, be these presents.

Sealed with our seals, and dated at Reynoldsburg this 18<sup>th</sup> 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 Altering of a County road on the following line, to-wit:

Beginning at a point about ten rods east of lands owned by Robert Barb in Truro township on the road known as the Hebron road; thence northwesterly to the northeast corner of lands of said Robert Barb; thence west to intersect the Graham road and between the lands of Robert Barb and J.L.Graham.

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.

M.G.Palmer (SEAL)  
C.Kraft (SEAL)  
A.P.Henderson (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 Wm.Earl, T.J.Swope and Hugh Evans 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 15<sup>th</sup> day of December at nine 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, 5<sup>th</sup> 1892

Wm. Earl )  
Hugh Evans ) VIEWERS.  
T.J.Swope )

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 M.G.Palmer et al.

Beginning at a point about ten rods east of lands owned by Robert Barb in Truro township on the road known as the Hebron road; thence northwesterly to the northeast corner of lands of said Robert Barb. Thence west to intersect the Graham road and between the lands of Robert Barb and J.L.Graham.

You will therefore meet on the 15<sup>th</sup> 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,

Henry J.Caren County Auditor.

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

TO Robert Barb and J.L. Graham.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of Dec. 5<sup>th</sup> 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 15<sup>th</sup> day of December 1892, for the purpose set forth in said order.

Dated this 5<sup>th</sup> day of December, A.D. 1892

M.G.Palmer Principal Petitioner.

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## PROOF OF SERVICE.

THE STATE OF OHIO, ) M.G.Palmer having been first duly sworn, states, that on the 5 and 6 day of  
Franklin County, ss.) December 1892, (being not less than six days before the time appointed of said Viewers and Surveyor,) he served a copy of the foregoing notice upon Robert Barb and J.L.Graham Land owners, John J.Dun Engineer and Wm.Earl, Hugh Evans and T.J.Swope Viewers.

(signed) M.G.Palmer

Sworn to and subscribed before me, this 13<sup>th</sup> day of December, A.D. 1892

B.H. Harmon, Depty. Co. Aud'r.

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CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 15<sup>th</sup> day of December, A.D. 1892, personally appeared Franklin County, ss.) before me, Sam H. Martin a Deputy County Surveyor in and for said County, Hugh Evans and Wm. Earl and T.J. Swope Viewers, and Frank Brink Chain Carrier, of a County road petitioned for by M.G. Palmer and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Sam H. Martin

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 15<sup>th</sup> day of December, A.D. 1892, personally appeared Franklin County, ss.) before me, Sam H. Martin a Deputy Co. Surveyor in and for said County, Hugh Evans, Wm. Earl and T.J. Swope Viewers appointed on the alteration of a part of the Hebron Road petitioned for by M. G. Palmer et al and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Sam H. Martin,

HEBRON  
N 90° W

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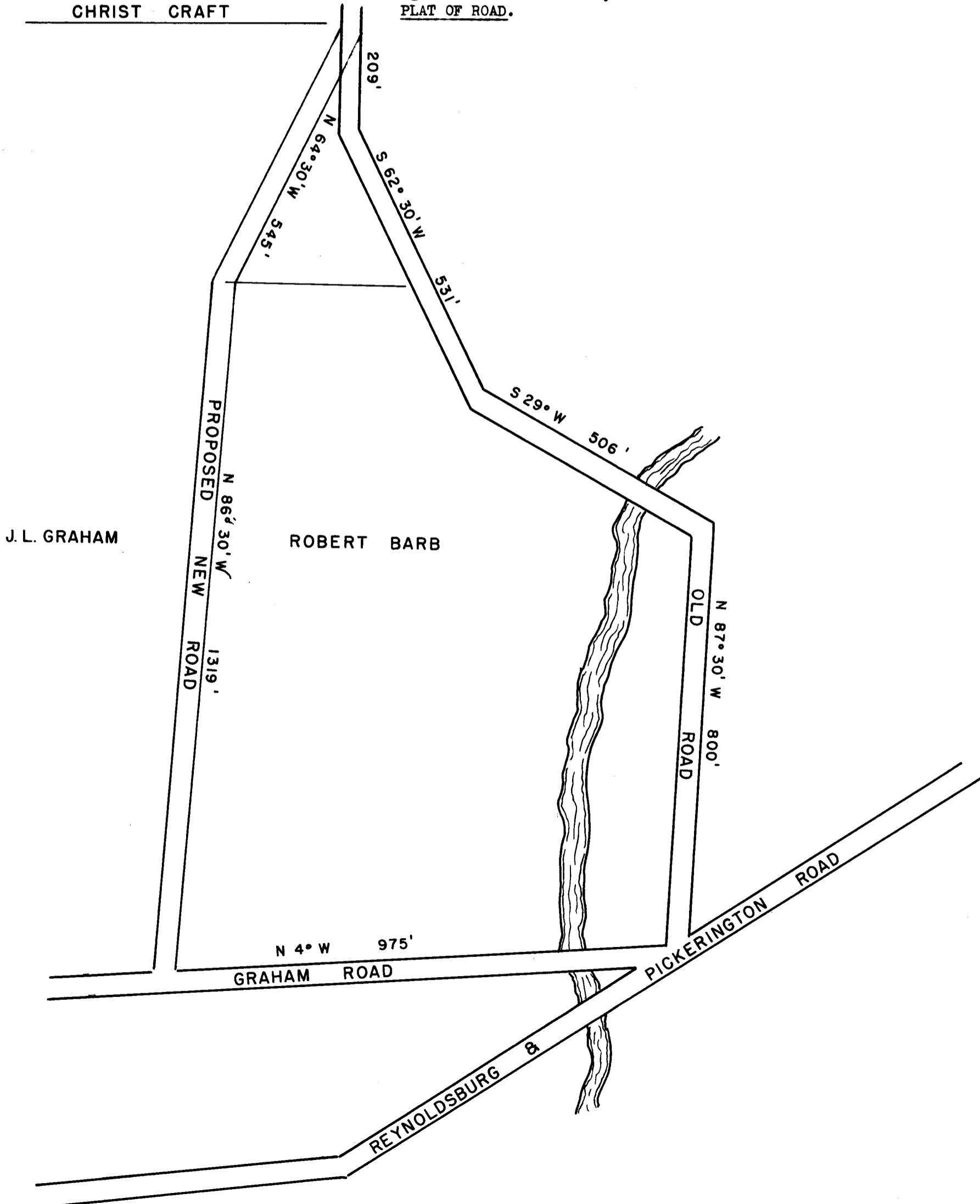
SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated December 5, 1892, proceeded, on the 15<sup>th</sup> day of December to survey and mark the County road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

CHRIST CRAFT

PLAT OF ROAD.



I CERTIFY that the above is a correct plat and return of the survey of the Alteration of the Hebron Road named above, John J. Dun,  
per Sam H. Martin 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 December session, A.D. 1892, we, the undersigned, Viewers, appointed under said order, met with Sam H. Martin Surveyor, at M.G. Palmer's Residence on site of road and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

Frank Brink was selected by us as Chain-carrier, who were also duly sworn.

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

Beginning at the line between Craft and Graham. Thence N 64 $\frac{1}{2}$ ° W 545 ft through the lands of J. L. Graham to the north line of Robert Barb. Thence N 68 $\frac{1}{2}$ ° W on the line between Barb and Graham 1319 ft. to the center of the Graham road, there terminating.

We would respectfully report that the said road ought to be altered for the following reasons: For the general benefit and convenience of the public, the location as to the land is better and will save the County the expense of building one bridge, 28 ft span.

We have also determined that the public convenience requires that such road altered shall be established forty feet in width.

All of which is respectfully submitted,  
December, 17, 1892 )

Wm. Earl )  
Hugh Evans ) VIEWERS.  
T.J. Swope )

See next page for amended ROW width

FEEES.

Wm. Earl	Viewer, 2 days,	\$ 3.00	Frank Brink	Chainman, 1 day,	\$ 1.50
Hugh Evans	" 2 "	\$ 3.00			
T.J. Swope	" 2 "	\$ 3.00			
			John J. Dun	Surveyor, 2 days,	\$ 10.00

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SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Hebron road petitioned for by M.G. Palmer 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.L. Graham	1 $\frac{33}{100}$ Acres	100 Dollars;
TO Robert Barb	$\frac{1}{2}$ Acre	38 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 J.L. Graham	Fencing 140 rods	140 Dollars;
TO do	Cutting 1 $\frac{1}{4}$ acres	60 DOLLARS;
To Robert Barb	Fencing	80 Dollars;
TO Do	Damage to trees and garden	50 Dollars;

Wm. Earl )  
Hugh Evans ) VIEWERS AND  
T.J. Swope ) JURORS TO  
AWARD DAMAGES.

December, 17<sup>th</sup> 1892

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COLUMBUS, OHIO, March, 6, 1893

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:

Henry J. Caren )  
County Auditor.

J.B. McDonald )  
T.D. Cassady ) COMMISSIONERS.  
S.B. Biggert )

COLUMBUS, OHIO, March, 7, 1893

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:

Henry J. Caren )  
County Auditor.

J.B. McDonald )  
T.D. Cassady ) COMMISSIONERS.  
S.B. Biggert )

COLUMBUS, OHIO, March, 8, 1893

The Commissioners met in regular session, The Viewers having reported in favor of said alteration said report was this day publicly read being the third reading of the same, and it appearing to this Board

that all parties interested in said matter have agreed that a 30 ft road way will answer instead of a 40 ft. road as found by the viewers(said Viewers at the time of making this report being of opinion that nothing less than a 40 ft road could be located under road laws)said 30 ft road would also not interfere with buildings and orchards of Messr's Graham and Barb. It is hereby ordered that the county Auditor notify the Viewers in the above matter to meet at the County Auditor's Office Saturday, March, 18/93 at 10 o'clock A.M. to amend their report the same where so amended be left with the County Auditor to be redelivered to this Board for final action.

ATTEST:  
Henry J.Caren, Co.Aud'r.  
per Harmon Dpy.

YEAS:  
McDonald, Cassady and Biggert.

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COLUMBUS, OHIO, March, 18/93  
STATE OF OHIO, ) S.S. C.Kraft having been first duly sworn states that on the 11th day of March 1893,  
Franklin County,) served notice on Viewers, Engineer and property owners affected by said proposed alteration of County Road as petitioned for by M.G.Palmer et al.

Said Viewers having been notified as per Order of the Board of Co.Commr's of Franklin Co. for the purpose of amending their report.

Sworn to before me this 18th day of March, 1893 Signed. C.Kraft.  
Ben H.Harmon Dpty.Co.Aud'r.

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AMENDED REPORT OF VIEWERS.

We have assessed and determined the compensation to be paid in money for the property sought to be appropriated in the following sums as changed from original report on account of change from a 40 ft road to a 30 ft road.

TO J.L.Graham .9975 Acres \$ 75.71. TO Robert Barb .375 Acres \$ 28.50

Wm. Earl )  
Hugh Evans ) VIEWERS.  
T.J.Swope )

Sam H.Martin, Surveyor.

COLUMBUS, O. June, 5, 1893

The Board Met in regular session; The Viewers having amended their report and further proceedings on same having been postponed from March Session 1893 until this day and said Viewers having reported in favor of said alteration, said report was this day publicly read for the first time.

COLUMBUS, Ohio, June, 6, 1893

The Board Met in regular session: The Viewers having reported in favor of said alteration said amended report was this day publicly read for the second time.

COLUMBUS, OHIO, June, 7, 1893

The Board met in regular session:

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 alteration of said road, which report was also publicly read, and the Board being of opinion that the compensation and damages awarded by said Viewers to the several claimants, to-wit:

J.L.Graham \$ 75.71 compensation and \$ 200. damages. Robert Barb \$ 28.50 compensation and \$ 130 damages 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 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 amounts so awarded them, that the several reports of the Viewers with the survey and plat of said road be recorded and that said road as altered 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 Truro township directing them to cause said road to be opened according to law.

ATTEST:  
Henry J.Caren Co.Aud'r.  
By B.H.Harmon Dpty.

Yeas: McDonald, Cassady and Biggert  
County Commissioners.