

ROAD RECORD NO.II

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PAGE NO.I69

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY JAMES KEYES AND OTHERS IN MARION TOWNSHIP, FRANKLIN COUNTY, OHIO.

Clifton Avenue - from Nelson Road east across Alum Creek to the west line of Bullitt Park Subdivision

ROW = 60'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session May, 15, A.D. 1893, praying for the establishing of a County Road on the following line, to-wit:

Beginning at the west end of Platt Avenue, Bullit Addition, Marion township, and from thence extending in a westerly direction through the lands of James Keyes and Wife, Charles E. Markeson and Wife, Larkin Lowe, John N. Eldridge and Martha E. Nelson, crossing Alum Creek, and terminating at the east side of Nelson Avenue, or Alum Creek Road. Said road way to be sixty feet in width, top surface being on extension of Clifton Avenue.

James Keyes et al Petitioners.

April 13" A.D. 1893

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

THE STATE OF OHIO,) James Keyes having been first duly sworn states that on the 13th day of April Franklin County, ss.) 1893, and at least thirty days before May 15" 1893, 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 Marion in which said road is proposed to be laid out and established.

(signed) James Keyes

Sworn to and subscribed before me, this 15" day of May, A.D. 1893

B. H. Hramon Dpty Co. Aud'r.

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 May 15" A.D. 1893, 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 April, 13, A.D. 1893

James Finley Brown

Sworn to before me, and signed in my presence, this 12th day of May, A.D. 1893

I. S. Walker Notary Public Franklin Co. Ohio.

ROAD PRITITION.

FOR A COUNTY ROAD IN MARION 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 establishing 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 the west end of Platt Avenue, Bullit Addition, Marion Township. And from thence extending in a westerly direction through the lands of James Keyes and Wife, Chas. E. Markeson and Wife, Larkin Lowe, John N. Eldridge and Martha E. Nelson, crossing Alum Creek. And terminating at the east side of Nelson Avenue or Alum Creek road and establishing said road way 60 feet wide. Top surface being on extenison and completion of Clifton Avenue.

Dated this 13th day of April, A.D. 1893

PETITIONERS' NAMES. James Keyes Eugene Powell O.P. Baker Chas McLeish

PETITIONERS' NAMES. John Calender Edward Denmead C.E. Markeson A.E. McCalla

PETITIONERS' NAMES. J.C. Lunn Thos B. Van Horne Henry C. Taylor Wm. Schleyer

PETITIONERS' NAMES. Larkin Lowe T.W. Jones

COLUMBUS, OHIO, May, 15" 1893

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

Now comes James Keyes 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 James Keyes and B.H.Harmon 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 15th day of May 1893

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:

Beginning at the west end of Platt Avenue,Bullit Addition,Marion township,and from thence extending in a westerly direction through the lands of James Keyes and wife,Chas E.Markeson and wife,Larkin Lowe,John N. Eldridge and Martha E.Nelson,crossing Alum Creek and terminating at the east side of Nelson Avenue,or Alum Creek road,said road way to be 60 ft. in width,top surface being on extension of Clifton Avenue.

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:
H.J.Caren)
County Auditor.

James Keyes (SEAL)
Ben H.Harmon (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 A.D.Heffner,Geo F.O'Harra and Wm.Earl 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 26th day of May 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, May,15, 1893

A.D.Heffner)
Geo.F.O'Harra) VIEWERS. John J.Dun SURVEYOR.
Wm. 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 James Keyes et al.

Beginning at the west end of Platt Avenue,Bullit Addition,Marion township and from thence extending in a westerly direction through the lands of James Keyes and wife,Charles E.Markeson and wife,Larkin Lowe, John N.Eldridge and Martha E.Nelson,crossing Alum Creek and terminating at the east side of Nelson Avenue,or Alum Creek Road,said road way to be 60 ft in width. Top surface being on extension of Clifton Avenue.

You will therefore meet on the 26th day of May 1893 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.

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

TO Rachel Keyes,Mary A.P.Markeson,Larkin Lowe,John N.Eldridge and Martha E.Nelson.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County,Ohio,in their order of May 15th 1893,to lay out and survey the County road petitioned for by the undersigned and others,will meet at Co.Surveyor's Office on the 26th day of May 1893,for the purpose set forth in said order.

Dated this 15th day of May,A.D.1893

James Keyes Principal Petitioner.

PROOF OF SERVICE.

THE STATE OF OHIO,) James Keyes having been first duly sworn,states,that on the 15th day of May,1893,
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 Rachel Keyes,Mary A.P.Markeson,Larkin Lowe,John N.Eldridge and Martha E.Nelson.

(signed) James Keyes

Sworn to and subscribed before me,this 23d day of May,A.D.1893

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

CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 26th day of May, A.D. 1893, personally appeared before me, John J. Dun a County Surveyor in and for said County, A.D. Heffner and Geo. F. O'Harra and Wm. Earl Viewers, J. McDonald and John Wolf Chain Carriers, and Frank Smith Marker, of a County Road petitioned for by James Keyes 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 26th day of May, A.D. 1893, personally appeared before me, John J. Dun a County Surveyor in and for said County, A.D. Heffner, Geo. F. O'Harra and Wm. Earl Viewers, of a County Road petitioned for by James Keyes et al and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

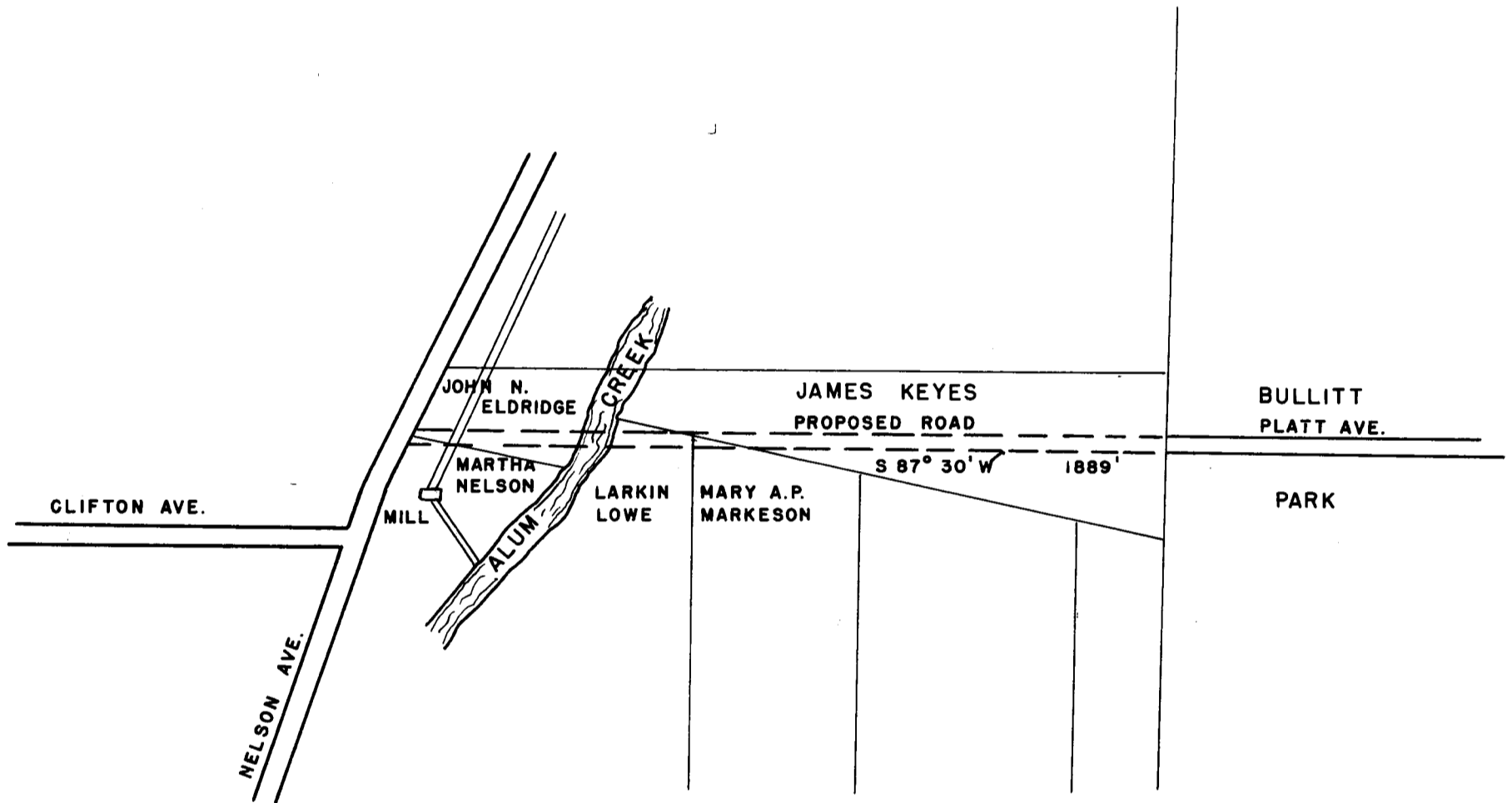
John J. Dun

SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated May 15, 1893, proceeded, on the 26 day of May 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:

PLAT OF JAMES KEYES COUNTY ROAD.



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

John J. Dun Surveyor of said Road.

REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your May session, A.D. 1893, we, the undersigned, Viewers, appointed under said order, met with John J. Dun Surveyor, at Road on May 26" 1893 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

John McDonald and John Wolf were selected by us as chain-carriers, and Frank Smith as marker, 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 establishment of said road, as follows:

Beginning at a point in the west end of Platt Avenue, Bullit Addition, Marion township and running S 87° 30' W through the lands of James Keyes, C.E. Markeson and wife and Larkin Lowe, to Alum Creek. Thence in the same direction across Alum Creek and through the lands of Martha L. Nelson and John Eldridge to Nelson Avenue and there terminate. Being 1889 ft. Said road being Platt Avenue produced.

We have also determined that the public convenience requires that such Road shall be established sixty feet in width.

All of which is respectfully submitted,)	Wm. Earl)
June 1st. 1893	Geo. F. O'Harra) VIEWERS.
	A. D. Heffner)

FEEES.

A. D. Heffner	Viewer, 3 days,	\$ 4.50
Geo. F. O'Harra	" 3 "	\$ 4.50
Wm. Earl	" 3 "	\$ 4.50

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the County petitioned for by James Keyes 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 N. Eldridge One Hundred 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."

COLUMBUS, OHIO, June, 5" 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:		J. B. McDonald)
Henry J. Caren,)	T. D. Cassady) COMMISSIONERS
County Auditor.		S. B. Biggert)

COLUMBUS, OHIO, June, 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 second time.

ATTEST:		J. B. McDonald)
Henry J. Caren)	T. D. Cassady) COMMISSIONERS.
County Auditor.		S. B. Biggert)

COLUMBUS, OHIO, June, 7" 1893

The Commissioners met in regular session, and The Viewers having reported in favor of the establishment of the same, said report was this day publicly read for the third time, and further action postponed.

COLUMBUS, OHIO, July, 19- 1893

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, which report was also publicly read, and the Board being of opinion that the compensation and damages awarded by said Viewers: to-wit: John N. Eldridge \$ 100.00 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 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 him. That the several report of the Viewers with the survey and plat of said road be recorded and that said road be established a public highway 60 ft wide.

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

ATTEST:		Yeas, McDonald, Cassady and Biggert.
H. J. Caren County Auditor		County Commr's.
per B. H. Harmon Dpty.		

John N.Eldridge by his Attorney gives notice of appeal from the location of the road and the assessment of Compensation and damages and the Board fix the amount of appeal bond at \$200.which is to be filed with the County Auditor.

COLUMBUS,OHIO, August,2d.1893

In the matter of the petition of James Keyes et al for a County road. John N.Eldridge this day filed his appeal bond approved by the Auditor of the County.

COLUMBUS,OHIO,Dec. 21/93

In the matter of the location of the County road petitioned for by James Keyes et al.

This matter having been appealed by John N.Eldridge to the Probate Court of this County,and the said appeal having been dismissed by the consent and at the costs of said John N.Eldridge,and the matter having been remanded and papers transferred to this body with direction to proceed according to law,the establishment of said road is here now reaffirmed by consent of said John N.Eldridge and the amount heretofore allowed him,to-wit;\$100 id hereby ordered and directed to be paid to him and the bill for the same being now presented is approved and the County Auditor is directed to draw a warrant in favor of said John N.Eldridge on the County Treasurer for said sum of \$100.

Yeas: Cassady and McDonald
Co.Commr's.