

ROAD RECORD NO. II

ROAD RECORD NO. II

PAGE NO. 201

CHARLES HAMILTON ROAD. TRURO. TP.

IN THE MATTER OF THE COUNTY ROAD PETITIONED FOR BY
CHARLES HAMILTON AND OTHERS IN TRURO TOWNSHIP,
FRANKLIN COUNTY, OHIO.

Hamilton Road - from E Main Street north to E Broad Street

ROW = 30'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session September, 27, A.D. 1894, praying for the location of a County Road on the following line, to-wit: Beginning at a point in the North line of the National Road in Truro Township, Franklin County, Ohio, where it intersects a township or private road running North to the lands formerly owned by Eli Mitchell and James Enlow; thence Northerly along the center of said road to the Northern terminus; thence Northerly on the same line, through the lands of Chas Hamilton and the lands of James Lamp and G. Thum to a point in the south line of the road running East and West, and known as East Broad Street. Where said lines intersect. (said road to be thirty (30) feet wide.)

August, 28, A.D. 1894

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

THE STATE OF OHIO,) Walter B. Page having been first duly sworn states that on the 27 day of August 1894, Franklin County, ss.) and at least thirty days before the first Monday of _____ 18____, 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 three (3) public places in which said road is proposed to be laid out and established.

(signed) Walter B. Page

Sworn to and subscribed before me, this 27th day of September, A.D. 1894

E.E. Corwin, Notary Public.

AFFIDAVIT OF PRINTER.

THE STATE OF OHIO,) I, W.H. Rible being duly sworn, depose and say, that the foregoing notice was published one time a week for four consecutive weeks prior to September 27th, A.D. 1894, 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 28, A.D. 1894

W.H. Rible

Sworn to before me, and signed in my presence, this 25th day of September, A.D. 1894

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 laying out 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, establish and open said road, to-wit: Beginning at a point in the North line of the National Road, in Truro Township, Franklin County, Ohio, where it intersects a township or private road running North to the lands formerly owned by Eli Mitchell and James Enlow; thence Northerly along the center of said road, to its Northern terminus; thence Northerly on the same line through the lands of Chas Hamilton and the lands of James Lamp and G. Thum, to a point in the South line of the road, running East and West and known as East Broad Street, where said line intersects. Said road to be thirty (30) feet wide.

Dated this 30th day of June, A.D. 1894

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Chas. Hamilton	Joseph Krumm	Joseph Jones	
Ed. B. Black	S. D. Doney	N. M. C. Hilton	
Wilbias Shell	W. B. Page	H. C. Taylor	
William H. Harrison	John Conroy		

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COLUMBUS, OHIO, September, 27th, 1894.

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

Now comes Chas. Hamilton 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 Chas. Hamilton and W. B. Page are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of _____ 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 28th day of August 1894

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, That whereas application has been made to the Board of Commissioners of said County for the Location of a County road on the following line, to-wit:

Beginning at a point in the North line of the National Road in Truro Township, Franklin County, Ohio, where it intersects a township or private road running North to the lands formerly owned by Eli Mitchell and James Enlow; thence Northerly along the center of said road to its Northern terminus; thence Northerly on the same line, through the lands of Chas. Hamilton and the lands of James Lamp and G. Thum, to a point in the South line of the road running East and West and known as East Broad Street, where said line intersect. Said road to be thirty (30) 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.

Charles Hamilton (SEAL)
W. B. Page (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 William Earl, James H. Wilson and James Jones 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 County Surveyor's Office on the 19th day of November 1894 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, September, 27, 1894

William Earl)
James H. Wilson) VIEWERS.
James Jones)

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 Chas. Hamilton et al.

Beginning at a point in the North line of the National Road in Truro Township, Franklin County, Ohio, where it intersects a township or private road running North to the lands formerly owned by Eli Mitchell and James Enlow; thence Northerly along the center of said road to its Northern terminus; thence Northerly on the same line through the lands of Chas Hamilton and the lands of James Lamp and G. Thum to a point in the South line of the road running East and West, and known as East Broad Street, where said lines intersect. Said road to be thirty (30) feet wide.

You will therefore meet on the 19th of November 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 John J. Dun, William Earl, James H. Wilson Viewers, and (G) Christopher Thum, James Lamp and Amenz Mitchell.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of September 27, 1894, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at County Surveyor's Office on the 19th day of November 1894, for the purpose set forth in said order.

Dated this 8th day of November, A.D. 1894

Chas. Hamilton Principal Petitioner.

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PROOF OF SERVICE.

THE STATE OF OHIO,) W.B. Page having been first duly sworn, states, that on the 10th day of November, 1894, 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 (G) Christopher Thum, James Lamp and Amenz Mitchell Owners and John J. Dun, William Earl, James H. Wilson and William Jones.

(signed) W.B. Page

Sworn to and subscribed before me, this 19th day of November, A.D. 1894

Albert Rickenbacker Notary Public.

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CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 19th day of November, A.D. 1894, personally appeared before me, Robert S. Blackford a Deputy County Surveyor in and for said County, Jas. H. Wilson, Jas H. Jones and Wm. Earl Viewers of a County Road petitioned for by Charles Hamilton and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Robert S. Blackford.

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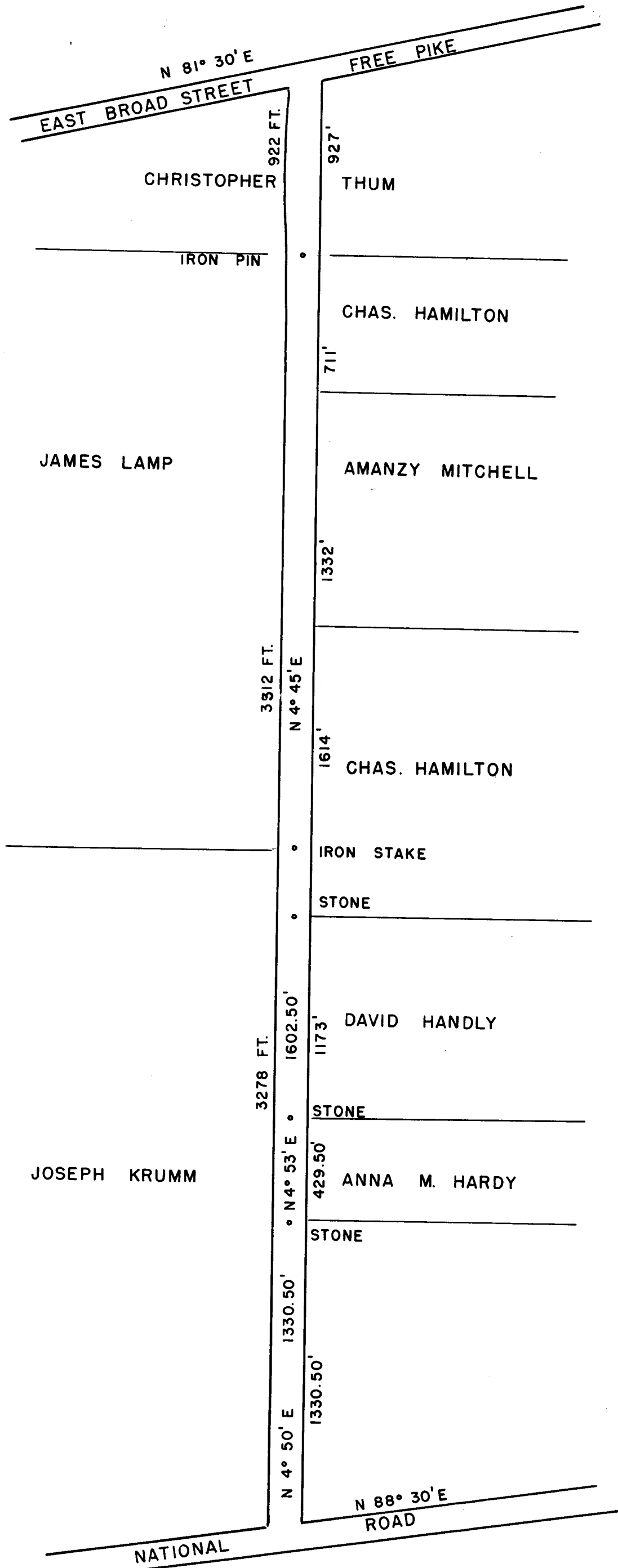
SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated _____ 18 ___, proceeded, on the 19th day of November to survey and mark the Chas Hamilton County Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

(SEE PLAT ON NEXT PAGE.)

PLAT OF CHAS. HAMILTON ROAD.



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

Robert S. Blackford Surveyor of said County 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 _____ session, A.D. 1894, we, the undersigned, Viewers, appointed under said order, met with R.S. Blackford Surveyor on the ground on November 19th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

J.H. Jones
William Earl
J.H. Wilson

Frank Brink and John Wolf were selected by us as chain-carriers, and Jasper D. Ennis 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 of said road, as follows:

Beginning at a point in the centre of the National Road (31 feet N. of a stake set in the south line of said National Road); thence N-4° -50' E 1330.50 feet to a stone. The North line of S.D. Doney and south line of Anna M. Hardy on E; thence N 4° 53' E 1760 feet to stone corner of Anna M. Hardy and David Handley; thence on same course 2933 feet to stone corner to David Handley and Chas Hamilton; thence N 4° 50' E 3278 feet to an iron pin Joseph Krumm, N & James Lamp's S line on the West. Thence N 4° 45' E 4547 feet to the S line of Amanzy Mitchell's (12 A off Chas Hamilton tract) 4565 feet to stone. A division line of Lamp tract (Enlow farm) Thence with same bearing 5879 feet to N line of Amanzy Mitchell's 12 Acre 6590 ft to iron pin in S line of Christopher Thum; thence N.E. corner of James Lamp and N.W. corner of Chas Hamilton; thence on same course through the lands of Christopher Thum 7577 feet to the center of the East Broad Street Free Pike to an Iron pin, and there to terminate.

We would respectfully report that the said County Road ought to be established for the following reasons: That it will be a benefit to the general public.

We have also determined that the public convenience requires that such County Road shall be established and open thirty (30) feet in width.

All of which is respectfully submitted,
November, 24, 1894)

J.H. Jones)
William Earl) VIEWERS.
J.H. Wilson)

#FEES#

Wm. Earl, Dec. 22/94	Viewer, 2 days,	\$ 3.00	Frank Brink	Chainman,	1 day,	\$ _____
Wm. H. Wilson, Paid Dec. 4/94	" 2 "	\$ 3.00	John Wolf	"	1 "	\$ _____
J.H. Jones do " 14/94	" 2 "	\$ 3.00	Jasper D. Ennis	Marker,	1 "	\$ _____
			R.S. Blackford Surveyor,	3 days,	\$ 15.00	

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SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the County Road petitioned for by Chas. Hamilton 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 Amanzy Mitchell	23 rods new fencing 85c	19.55	
	51 - old " moved	14.25	
	25/100 Acres and at 80.00 per 20.00		53.80 DOLLARS;
TO James Lamp	45 rods new fencing 55	38.25	
	45 " old " to be moved		
	25c	11.25	
	11/10 Acres land at 100.00		
	per acre 110.00		159.50 DOLLARS;
TO Christopher Thum	108 Rods new fencing 85	91.80	
	64/100 Acres land at		
	200.00 per acres 128.00	219.00	do.

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 Christopher Thum, Damages to land \$ 20.00 DOLLARS;

J.H. Jones)
J.H. Wilson) VIEWERS AND
William Earl) JURORS TO
AWARD DAMAGES.

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COLUMBUS, OHIO, _____ 18

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.

S.B. Biggert) Commissioners.

COLUMBUS, OHIO, _____ 18____
 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.

S.B. Biggert) Commissioners.

COLUMBUS, OHIO, September, 25, 1894
 The Commissioners met in regular session, and in the matter of the petition of Chas Hamilton and others for the establishment of a County Road in Truro Township, appointed J.H. Jones, J.H. Wilson and William as Viewers with John J. Dun Surveyor to meet at the County Surveyor's Office on November 19, 1894 for the purpose set forth in said order. Said petition filed with the County Auditor.

S.B. Biggert
 County Commissioners.

COLUMBUS, O. Dec. 3, 1894

The Board Met;
 Present; McDonald, Cassady and Biggert.

In the matter of the County Road petitioned for by Charles Hamilton and others, Truro Township. The Viewers and Surveyor having been appointed at regular Session Sept. 27, 1894. Have made their report together with the County Surveyor's Report embracing plat of said road. The report of said Viewers and Surveyor was read for the first time.

ATTEST; W.H. Halliday, S.B. Biggert) County
 Co. Auditor.) Commissioners.

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COLUMBUS, O. Dec. 4, 1895

The Board Met;
 Present: Cassady, Biggert & McDonald.

In the matter of the County Road petitioned for by Chas. Hamilton and others. The report of the Viewers and Surveyor was taken up and read the second time.

ATTEST: W.H. Halliday S.B. Biggert County Commissioners.
 Co. Auditor.

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COLUMBUS, O. Dec. 5, 1894

The Board Met;
 Present: Cassady, Biggert & McDonald.

In the matter of the County Road petitioned for by Chas. Hamilton and others. The report of the Viewers and Surveyor was taken up and read the third time. On motion the same was postponed to Dec. 12th for final action.

ATTEST: W.H. Halliday, S.B. Biggert,) County
 Co. Auditor.) Commissioners.

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COLUMBUS, O. April, 4, 1895

Commissioners Met;
 Present: Biggert, McDonald and Bellows.

In the matter of the County Road petitioned for by Chas. Hamilton and others, in Truro Township. The Viewers having reported favorable to said Road and awarded damages that would accrue by the opening of said road. The compensation to be paid in money for property sought to be appropriated in the following sums:

Amanzey Mitchell,			
23 Rods New Fencing @ 85		19.55	
57 " Old "		14.25	
25/100 Acres @ 80.00 per Acre		<u>20.00</u>	53.80
James Lamp,			
45 Rods New Fencing @ 85		38.25	
45 " Old " 25		11.25	
11/10 Acre Land 100.00 per acre		<u>110.00</u>	159.50
Christopher Thum,			
64/100 Acres land 200.00 per acre		128.00	
108 Rods New Fencing 85		<u>91.80</u>	219.80

This day the same was taken up for further consideration and upon motion of Wm. McDonald. That the report of the Viewers and Surveyor be accepted by this Board and that the Separate report of the Viewers awarding damages and compensation be accepted and that the amount named in said report be paid out of the County Treasury after twenty days.

Yeas; Biggert, McDonald & Bellows.
 ATTEST: W.H. Halliday, S.B. Biggert) County Commissioners.
 Co. Auditor.