

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.24I

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

Marion Road - from 230' east of Parsons Avenue east to Lockbourne Road

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ROW = 50'

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session March,A.D.1897,praying for the location of a County Road on the following line,to-wit:

Beginning at an iron stake in the east line of the City of Columbus,Ohio,and in the North line of the Elijah Marion farm and also 3.48 chains south 85 3/4 degrees east from the center of Parsons Avenue and west line of Half Section No.4I, Township 5,and Range 22, Refugee Lands; thence South 85 3/4 degrees east 36.97 chains to an iron stake in the east line of said Half Section and west line of Half Section No.40,and same course 40.82 chains to a stone in the center of the Lockbourne Road and east line of said Half Section No.40,and there ending.

Louis C.Marion et al, Petitioners.

February, 15th. A.D. 1897

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

THE STATE OF OHIO, ) Louis C.Marion having been first duly sworn states that on the 15th day of February,1897,and at least thirty days before the first Monday of March 16,1897,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) Louis C.Marion

Sworn to and subscribed before me, this 22d day of March, A.D.1897

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AFFIDAVIT OF PRINTER.

THE STATE OF OHIO, ) I,Otto Kemmler being duly sworn,depose and say,that the foregoing notice was published one time a week for four consecutive weeks prior to Mon.Mch.15th.A.D.1897,in Daily "Westbate" a newspaper printed in said County of Franklin,State of Ohio,and of general circulation therein,and that the first publication was made February,15th. A.D.1897

Sworn to before me,and signed in my presence,this 16th day of March, A.D.1897

A. Neydon, Notary Public.

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ROAD PETITION.

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 location 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 an iron stake in the east line of the City of Columbus,Ohio and in the North line of the Elijah Marion farm and also 3.48 chains S.85 3/4 degrees E.from the center of Parsons Avenue and west line of Half Section No.4I,Township 5,and Range 22, Refugee Lands. Thence S.85 3/4 degrees E. 36.97 chains to an iron stake in the east line of said Half Section and west line of Half Section No.40 and same course 40.82 chains to a stone in the east line of said Half Section No.40 and in the centre of the Lockbourne Road and there ending.

Dated this 13th day of February,A.D.1897

PETITIONERS' NAMES.

John Koenig Anton Witteler Frederick Koenig G.S.Innis

PETITIONERS' NAMES.

E. Marion A.L.Marion Mrs L.C.Pease Martha Marion Reinhard

PETITIONERS' NAMES.

Louis C.Marion Clinton Marion Lot.L.Smith John S.Eichner

PETITIONERS' NAMES.

Max Waibel John Gatterdam Christian Muller F.H.C.Wiechers

COLUMBUS,OHIO,February,15th,1897

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

Now comes Louis C.Marion 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 Louis C. Marion and Frank J. Reinhard 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 February, 1897

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 an iron stake in the east line of the City of Columbus, Ohio, and in the North line of the Elijah Marion farm and also 3.48 chains S. 83 3/4° E. from the centre of Parsons Avenue and west line of Half Section No. 41, Township 5, Range 22, Refugee Lands, Thence S. 85 3/4° E. 36.99 chains to an iron stake in the east line of said Half Section and west line of Half Section No. 40 and same course 40.82 chains to a stone in the centre of the Lockbourne Road and east line of said half section No. 40 and there ending.

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.

Louis C. Marion (SEAL)
Frank J. Reinhard (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 Isaiah Breckenridge, John W. Warner and Charles Johnson three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Henry Maetzel Surveyor of said Road, and that they meet at Co. Surveyor's Office on the 8th day of April 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, March, 1897

Isaiah Breckenridge )
Charles Johnson ) VIEWERS. Henry Maetzel SURVEYOR.
John Warner )

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 Louis C. Marion et al.

Beginning at an iron stake in the east line of the City of Columbus, Ohio and in the North line of the Elijah Marion farm and also 3.48 chains south 85 3/4° east from the center of Parsons Avenue and west line of Half Section No. 41, Township 5, Range 22, Refugee Lands. Thence south 85 3/4° east 36.99 chains to an iron stake in the east line of said Half Section and west line of Half Section No. 40, and same course 40.82 Chains to a stone in the center of the Lockbourne Road and east line of said Half Section No. 40 and there ending.

You will therefore meet at the County Surveyor's Office 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 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 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,
W.H. Halliday, County Auditor.

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

TO Mary J. Hubbard, Andreas Baehr, Clinton L. Marion, Louis C. Marion,
Clara Alice Long, Martha M. Reinhard, Lucy Pease, Caroline Marion, Adeline Marion.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of March 1897, to lay out and survey the proposed County Road petitioned for by the undersigned and others, will meet at County Surveyor's Office on the 8th day of April 1897, for the purpose set forth in said order.

Dated this 27th day of March, A.D. 1897

Louis C. Marion Principal Petitioner.

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PROOF OF SERVICE.

THE STATE OF OHIO, ) Louis C.Marion having been first duly sworn,states,that on the 27th day of March,  
Franklin County,ss.) 1897,(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 Mary J.Hubbard,Andreas Baehr,Clinton  
L.Marion,Louis C.Marion,Clara Alice Long,Martha M.Reinhard,Lucy Pease,Caroline Marion and Adeline Marion.

(signed) Louis C.Marion

Sworn to and subscribed before me,this 27th day of March,A.D.1897

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CERTIFICATE OF MAKING OATH.

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 8th day of April,A.D.1897,personally appeared before  
Franklin County,ss.) me,T.F.Hane a Notary Public in and for said County,Isaiah Breckenridge and John W.  
Warner and Charles Johnson Viewers,Henry Maetzel,County Surveyor,of a Road petitioned for by Louis C.Marion  
and others,and were by me duly sworn to the faithful and impartial performance of their respective duties.

Thos.F.Hane,Notary Public.

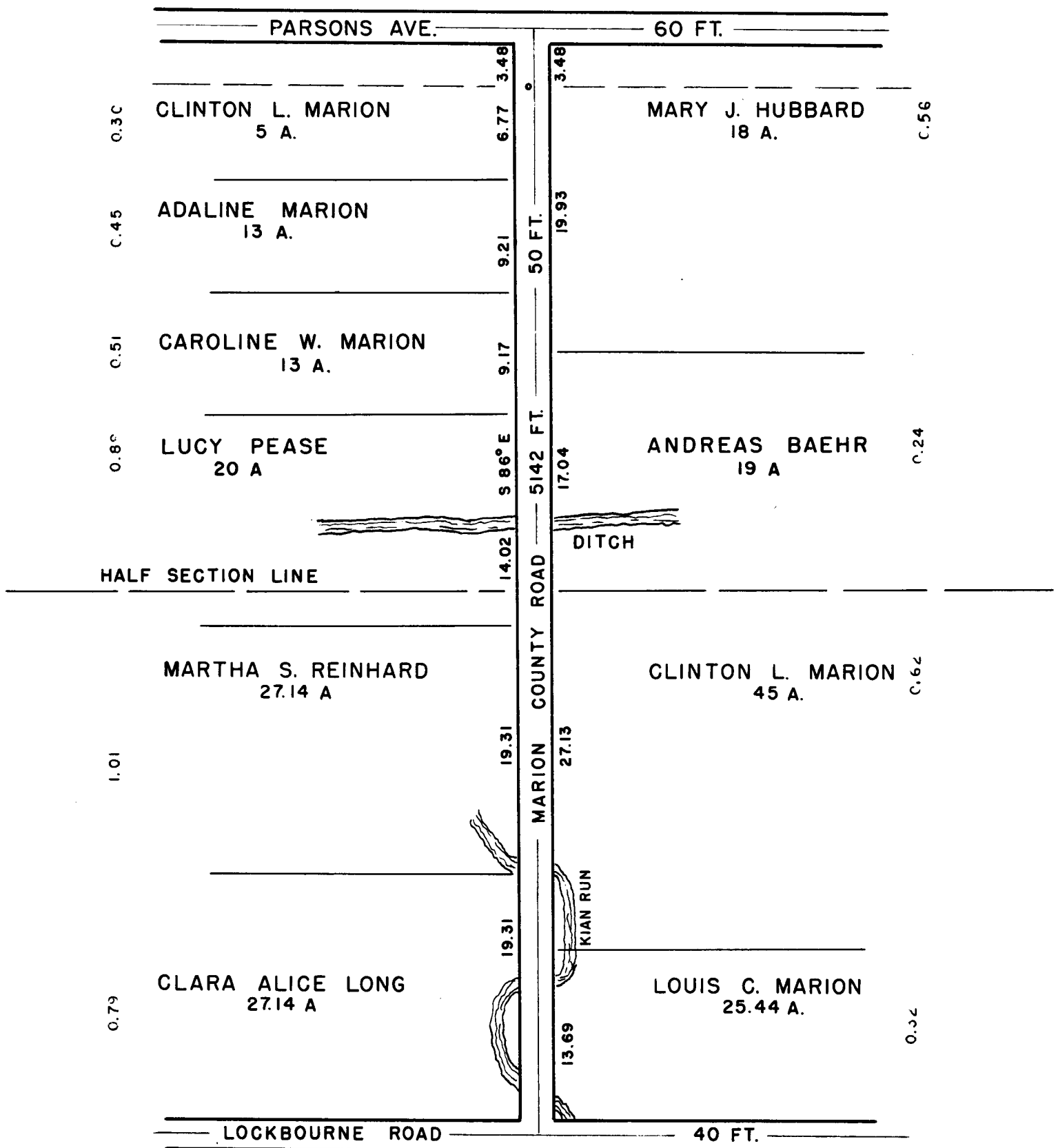
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SURVEYOR'S REPORT.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY,OHIO:

The undersigned,in obedience to your order dated March 1897,proceeded,on the 8th day of April 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 MARION ROAD ##



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

Henry Maetzel Surveyor of said Co.Road.  
by Walter Braun Depty.

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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. 1897, we, the undersigned, Viewers, appointed under said order, met with Henry Maetzel Surveyor, at Surveyor's Office on April 8th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

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 \_\_\_\_\_ of said road, as follows:

Beginning at the corporation line of the City of Columbus 5 ft. South of the North line of Elijah Marion's land. Thence S. 86° E. 5142 ft. to a stone in the center of the Lockbourne County Road as petitioned for and so shown on the annexed plat. (see Page \_\_\_\_\_)

We would respectfully report that the said road ought to be established for the following reasons: The public requires it, there having been a lane there for years which the public have been constantly using, it will be a benefit to the public in general and to those immediately interested by petition.

We have also determined that the public convenience requires that such road shall be established Fifty (50) feet in width.

All of which is respectfully submitted,  
April, 17, 1897 )

John W. Warner )  
Chas. S. Johnston ) VIEWERS.  
Isaiah Breckenridge )

# FEES. #

Chas. Johnson Viewer, 2 days, \$ 3.00  
John Warner " 2 " \$ 3.00  
Isaiah Breckenridge " 2 " \$ 3.00  
Paid, April, 17, 1897.

Henry Maetzel Surveyor, \_\_\_\_\_ days, \$ \_\_\_\_\_  
By Walter Braun, Deputy.

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SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the Marion Co. Road petitioned for by L.C. Marion et al 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 Andreas Baehr  
Paid Nov. 16<sup>th</sup> 1897  
C.F. Clark Atty. for Baehr. Fifty-----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 Andreas Baehr  
Paid November 16th, 1897  
C.F. Clark, Atty. for Baehr. Twenty-----DOLLARS;

\_\_\_\_\_) VIEWERS AND  
\_\_\_\_\_) JURORS TO  
\_\_\_\_\_) AWARD DAMAGES.

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COLUMBUS, OHIO, June, 7, 1897

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:  
W.H. Halliday )  
County Auditor.

Joseph B. McDonald )  
Geo. Bellows ) COMMISSIONERS.  
John R. Brown )

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COLUMBUS, OHIO, June, 8, 1897

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:  
W.H. Halliday )  
County Auditor.

Joseph B. McDonald )  
Geo. Bellows ) COMMISSIONERS.  
John R. Brown )

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COLUMBUS, OHIO, June, 9, 1897

The Commissioners met in regular session; Present: McDonald, Bellows, Brown.

In the matter of the road petitioned for by Louis C. Marion et al. Was this day put upon the 3rd reading. On motion the final hearing of said road was postponed until Saturday the 19th day of June at 10 A.M. and the Viewers were instructed to go over their findings in their matter of compensation and damages allowed to Mr. Baehr.

Yeas: McDonald, Bellows, Brown.

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COLUMBUS, OHIO; June, 19, 1897

In the matter of the Road petitioned for by Louis C. Marion et al. Marion Tp. This is the day set for hearing the report. And on motion further consideration was postponed until June 29, 1897,

Yeas; McDonald, Bellows, Brown.

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COLUMBUS, OHIO, June, 29, 1897

The Commissioners Met;  
Present; McDonald, Bellows, Brown.

In the matter of the County Road petitioned for by Louis C. Marion et al, Marion Tp. This is the set for hearing by postponement from June 19". The original Viewers ordered to review their findings in the matter of damages, reported verbally to this Board confirming their previous report. And on motion of Mr. Brown the report was accepted and the damages paid out of the County Treasury,

Yeas; McDonald, Bellows & Brown.

ATTEST;  
W.H. Halliday,  
Clk. of Board.

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