

ROAD RECORD NO.II

ROAD RECORD NO.II

PAGE NO.32I

IN THE MATTER OF THE WIDENING OF A COUNTY ROAD
PETITIONED FOR BY THOS.D.CASSADY AND OTHERS IN
MIFFLIN TP.,FRANKLIN COUNTY,OHIO..

Stelzer Road - widening of the Stelzer Township Road to 40' from
Fifth Avenue to Johnstown Road

ROW = 40'

ROAD NOTICE..

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session December 4" A.D.1899,praying for the establishment of a County Road in Mifflin Township, Franklin County,Ohio; by widening and changing what is now the Stelzer Township Road into a County Road on and along the following line; to-wit: Beginning at a point where the said Stelzer Township Road intersects with Fifth Avenue Extension; thence Northwardly along the line of the said Stelzer Township Road through and past the lands of Christina Adelmann,Philip Wotring,James White,Jr.,Christian Krauze,C.A.Wolf,Wm.Roberts,Geo.Hanna, Daniel Stelzer,John Reeb,David Krumm,Fred A.Seydler,Sarah Ranney,James T.Williamson,Elain Drake,David Flemming, Meriam D.Webster,John Stelzer and the Mifflin Township School property on the said Stelzer Township Road,to the point where the said Stelzer Township Road intersects with the Johnstown Road and there to terminate,being a-
bout one and three fourths miles in length.

Oct. 31, 1899

Thomas D.Cassady,et al,
Petitioners.

AFFIDAVIT THAT COPIES OF THE ABOVE NOTICE WERE DULY POSTED UP..
(NONE)

AFFIDAVIT OF PRINTER..

THE STATE OF OHIO,) I, Charles F.Fisher 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 December 4" A.D.1899,in
The Columbus Dispatch a newspaper printed in said County of Franklin,State of Ohio,and of general circulation
therein,and that the first publication was made October,31, A.D.1899

Charles F.Fisher

Sworn to before me,and signed in my presence,this 4th day of December, A.D.1899

Edwin G.Deming, Notary Public..

ROAD PETITION..

FOR THE WIDENING OF A ROAD IN MIFFLIN 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 establishment 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 establish,locate and change such road, to-wit: Beginning at a point on the South line of East Fifth Avenue roadway where the Stelzer Township road intersects the same in Quar.Sec.4.Tp.I.Range 17.U.S.M.Lands,Mifflin Tp.Franklin County,Ohio; thence Northwardly forty feet in width with the center line of said Stelzer Tp.Road which is now thirty (30) feet wide,About _____ rods to the intersection of the Columbus and Johnstown Turnpike.

The object of this petition is to obtain the approval of this,The Board of County Commissioners of Franklin County,Ohio,to the widening of said Stelzer Tp.Road between the points above named,then (10) feet, five (5) feet in width to be taken off the land of the following property owners abutting on the east line said Stelzer road,30 ft. wide and five (5) feet in width to be taken off the land of property owners abutting on the west line of said Stelzer road 30 ft.wide,extending from E.5th Ave.,road way to the Columbus & Johnstown Turnpike.

Said Petition will be for hearing on Monday before your Honorable Board. December,4, A.D.1899.

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
William Roberts,	John Reeb,	John W.Ranney,	Frank Stelzer,
Daniel Stelzer,	Christian Krauze,	Mrs Sarah Ranney,J.W.R.	C. Aley
Fred A.Seydler,	James T.Williamson,	James White,Jr.	Meriam D.Webster,
David Krumm,	Elan Drake,	T.D.Cassady,	Chas.W.Ranney,
John Stelzer,	S:E.Ramsey,	A.D.Krumm,	Ellsworth Ranney,
			Carrie Snyder.

COLUMBUS,OHIO,December,4,1899

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

Now comes The Columbus,New Albany and Johnstown Traction Company 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 The Columbus,New Albany and Johnstown Traction Company & L.P.Stephens are held and firmly

bound unto the State of Ohio, for the use of Franklin County, in the penal sum of Two Hundred (\$ 200.00) 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, Ohio this 4th day of December, 1899

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 Change of a Township road on the following line, to-wit:

From Fifth Avenue to the Johnstown Pike on Stelzer Township Road.

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.

The Columbus, New Albany and Johnstown Traction Company (SEAL)
By Chas. E. Carter Atty. (SEAL)
S. P. Stephens (SEAL)
T. D. Cassady (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 George D. Ulry, Thomas Ingham and W. W. Bickett three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Henry Maetzel Surveyor of said County and that they meet at T. D. Cassady's residence on the 13th day of December, 1899 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, December, 4, 1899

Geo. D. Ulry)
Wm. W. Bickett) VIEWERS, Henry Maetzel SURVEYOR.
Thomas A. Ingham)

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view and lay out a proposed widening of the Stelzer Road on the following route, as petitioned for by Thos. D. Cassady et al.

Beginning at a point on the South line of East Fifth Avenue roadway, where the Stelzer Township road intersects the same in Quar. Sec. 4, Tp. 1., Range 17, U.S.M. Lands, Mifflin Tp., Franklin County, Ohio; thence Northwardly forty feet in width with the center line of said Stelzer Township Road, which is now thirty (30) feet wide, about _____ rods, to the intersection of the Columbus and Johnstown Turnpike,

The object of this petition is to obtain the approval of this, The Board of County Commissioners of Franklin County, Ohio, to the widening of said Stelzer Township Road between the points above named ten (10) feet--Five (5) feet in width to be taken off of the land of the property owners abutting on the East line of said Stelzer Road, 30 ft. wide and five (5) feet in width to be taken off of the land of the property owners abutting on the West line of said Stelzer road 30 ft. wide. Extending from East Fifth Avenue roadway to the Columbus and Johnstown Turnpike.

You will therefore meet on the 13th day of December, 1899, 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 lateration, 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 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,
County Auditor.

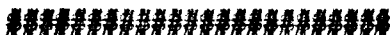


NOTICE TO LAND OWNERS OF THE TIME AND PLACE OF HOLDING VIEW..

TO John Stelzer, M.D. Webster, David Krumm, F.A. Seydler, Philip Wotring, Daniel Stelzer, John Reeb, John Ranney's Heirs, John Williamson's heirs, Geo. W. Hanna, Wm. Roberts, Elan Drake, Christena Wolf, C. Krause, Annie Fleming, Henry Adelman, James White, School Board of Mifflin Tp...

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of December 4, 1899, to lay out and survey the Stelzer Road petitioned for by the undersigned and others, will meet at Residence of T. D. Cassady on the 13th day of December 1899 at 10 o'clock A.M., for the purpose set forth in said order. You are also notified that claims for compensation must be filed with the Viewers by the 13th day of December 1899

Dated this 5th day of December, A.D. 1899
T. D. Cassady, Principal Petitioner...



PROOF OF SERVICE..

THE STATE OF OHIO,) Thomas D.Cassady having been first duly sworn, states, that on the 6th
Franklin County, ss.) day of December 1899, (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 John Stelzer,
M.D.Webster, David Krumm, F.A.Seydler, Philip Wotring, Daniel Stelzer, John Reeb, John Ranney's Heirs., John William-
son's Heirs, Geo.W.Hanna, Wm.Roberts, Elan Drake, Christian Wolf, C.Krause, Annie Fleming, Henry Adelman, James White,
School Board of Mifflin Township....

(signed) T.D.Cassady

Sworn to and subscribed before me, this 13th day of December, A.D.1899

Chas.E.Carter, Notary Public,
Franklin Co., Ohio...

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CERTIFICATE OF MAKING OATH..

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 13th.day of December, A.D.1899, personally appeared
Franklin County, ss.) before me, Henry Maetzel a County Surveyor in and for said County, Thomas Ingham, Viewer of
a road petitioned for by T.D.Cassady and others, and was by me duly sworn to the faithful and impartial perform-
ance of their respective duties...

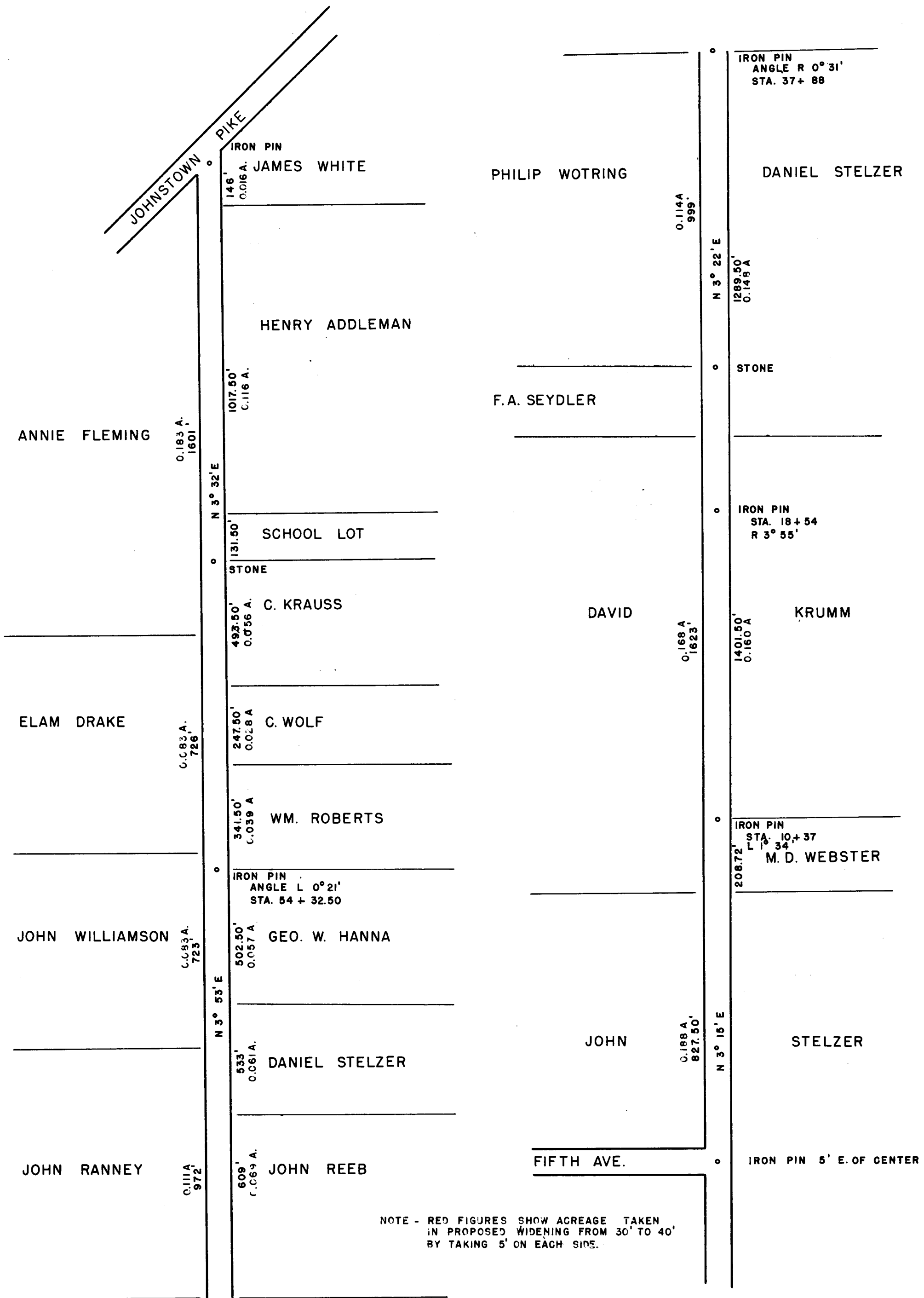
Henry Maetzel Co. Surveyor.
Franklin Co., Ohio...

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 9th day of December, A.D.1899, personally appeared
Franklin County, ss.) before me, T.F.Hane a Notary Public in and for said County, Henry Maetzel, County Surveyor;
as Surveyor on widening Stelzer road in Mifflin Township, Franklin Co., Ohio. W.W.Bickett and Geo.D.Ulry Viewer
on widening same road aforsaid petitioned for by T.D.Cassady and others, and were by me duly sworn to the faith-
ful and impartial performance of their respective duties...

T.F.Hane, Notary Public...

PLAT OF STELZER ROAD, MIFFLIN TOWNSHIP

3rd & 4th Quarter.
Tp.I. Range 17, U.S.M.Lands.



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

Henry Maetzel County Surveyor of said Franklin Co., Ohio...

REPORT OF VIEWERS...

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your Dec. 9th session, A.D. 1899, we, the undersigned, Viewers, appointed under said order, met with Henry Maetzel Surveyor, at T.D. Cassady's residence on Dec. 13, 1899 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Henry Maetzel and C. Baumgartner were selected by us as chain-carriers, and Charles Paul as marker, who were also duly sworn.

We then proceeded to view said proposed widening of said 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," by the widening of said road, as follows:

Beginning at a point on the South line of East 5th Avenue roadway, where the Stelzer Township Road intersects the same in Quar. Sec. 4, Tp. I, Range 17, U.S.M. Lands, Mifflin Township, Franklin County, Ohio. Thence Northwardly forty feet in width with the center line of said Stelzer Township Road, which is now thirty (30) feet wide, about 473.33 rods to the intersection of the Columbus and Johnstown Turnpike..

We would respectfully report that the said Road ought to be widened to 40 feet for the following reasons: The present road being entirely too narrow for the accommodation of the travel between 5th Avenue and the Johnstown road..

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

All of which is respectfully submitted,
December, 15, 1899)

Geo. D. Ulry,)
Wm. W. Bickett,) VIEWERS.
Thomas A. Ingham,)

FEES..

Geo. D. Ulry, Viewer, 3 days, \$ 4.50 Paid..
Wm. W. Bickett, " 3 " \$ 4.50 Paid..
Thos. A. Ingham, " 3 " \$ 4.50 Paid..
Viewers paid Dec. 15, 1899
W. H. Halliday, Co. Auditor...

TO Geo. D. Ulry et al, Viewers of the proposed widening and improvement of the Stelzer Road in Mifflin Township, Franklin Co., Ohio. The undersigned Christina Adelman respectfully represents that she is the owner of the following premises, to-wit: Being lot No. 1 in a subdivision of John K. Powell's land. Commencing at the N.W. corner of said land in the center of the County Road; thence running S. 1 1/4 deg. W. with the center of said road, 69 poles and 2 links to a stake; thence E. 54 poles to a stake; thence N. 15 poles and 2 links to a stake in the North line; thence W. 34 poles 14 links to a stake; thence N. 56 poles & 16 links; thence W. 10 poles & 4 links to the place of beginning, containing 10 Acres and one pole, excepting one half Acre deeded to the Mifflin Tp. School Board, being in Tp. 4, Range 17, U.S.M. Lands, and being the same premises conveyed to Christina Adelman by Dwight F. and Elizabeth Drake, by deed dated Oct. 12, 1897 and (30) recorded in Deed Book 299, page 421, and following;

The undersigned further represents that said widening will require a strip of ground 5 ft in width and 69 rods and 2 links in length off of the west side of the above described premises. That said improvemnet and widening will further necessitate the destruction of seven shade trees, to road crossings and the removal of a frame building thereon and fence along said road, and she claims damages and compensation therefore as follows:

For strip of ground and fence, \$ 250.00 For destruction of (7) shade trees, \$ 350.00
For destruction of road crossings \$ 50.00 For removal of frame building \$ 50.00
Total Compensation and damages. \$ 700.00

Respectfully Submitted,
Christina Adelman....

TO Geo. D. Ulry et al, Viewers of the proposed widening and improvement of the Stelzer Road in Mifflin Township, Franklin County, Ohio. The undersigned Philip Wotring respectfully represents that he is the owner of the following premises, to-wit:

Being the 3rd Quarter, Township 17th Range, U.S.M. Lands, being part of Lot No. 2 of the partition between Reed's Heirs. Beginning at a stake N.E. corner of Alex Lackey's land from which a beech 19 inches diameter bears S. 3d deg. E. Nine feet and an Oak six inches in diameter bears N. 16 deg. W. 14 feet; thence S. 61 1/4 poles to said Lackey's S.E. corner; thence E. along the S. line of said Lot No. 2, 119 poles to the E. line of Section 3, Township 1, Range 17, U.S.M. Lands; thence N. on said Section line 61 1/4 poles to the N. line of said Lot 2; thence West along the N. line of said Lot 2, 119 poles to the place of beginning, containing 45 56/100 Acres of land, more or less, and conveyed to the said Philip Wotring by David B. Peters et al by Deed dated February 2, 1886, and recorded in Deed Book, Vol. 177, page 126. Recorder's Office, Franklin County, Ohio...

The undersigned further represent that said widening and improvemnet will require a strip of ground 5 feet in width and 60 rods in length off of the East side of said described premises, That said widening and improvemnet will necessitate the destruction of nine shade trees, two road crossings, as well as the removal of the fence along the said road. And he claims damages and compensation therefore, as follows:

For said strip of ground and fence-----\$ 300.00
For nine shade trees----- 450.00
For two road crossings----- 50.00
Total compensation and damages \$800.00

Respectfully Submitted,
Philip Wotring.....

Commissioners Met;-

Present; Pinney, Amlin...

COLUMBUS, OHIO, March, 10, 1900

In the matter of the County Road petitioned for by Thos.D.Cassady and others,in Mifflin Township, the Viewers and Surveyor report read and Accepted by Commissioners Dec.19,A.D.1899.

It appearing that the petitioners have paid Philip Wotring,Christena Adelman and George W.Hanna three of the claimants,the amounts awarded to them,by the Viewers,have each received the amount awarded to them and have receipted for the money.

And the Board being of the opinion that said road will be of public utility,and no petition for review being filed,it is ordered that the several reports of the Viewers,with the survey and plat be recorded,and that said 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 Mifflin Township,directing them to cause said road to be opened,according to law.

Yeas; Pinney,Amlin....

SEPARATE REPORT OF VIEWERS....

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY,OHIO:

The undersigned Viewers of the Widening of the road petitioned for by Thos.D.Cassady 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 application 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 Philip Wotring----- Seven-----DOLLARS;
TO Christina Adelman---- Ten-----DOLLARS;Paid Jan.30
TO Geo.W.Hanna----- Three and 50/100-----DOLLARS;

Rec'd \$85.00 for Am't. Viewers Award.
Jan.30,1900 Christina Adelman

Rec'd \$82.00 Am't.Viewers Award,March 5,1900 Philip Wotring

Rec'd \$23.50 Am't.Viewers Award,March 10,1900 Geo.W.Hanna

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 Philip Wotring Seventy-five-----DOLLARS;
TO Christina Adelman Seventy-five-----DOLLARS;Pd.Jan.30,1900
TO Geo.W.Hanna Twenty-----DOLLARS;

Geo.D.Ulry,) VIEWERS AND
Wm.W.Bickett) JURORS TO
Thomas A. Ingham) AWARD DAMAGES.

December,15,1899
January 30,1900.W.J.Dusenbury,for the Petitioners Certified in Co.Treasury \$ 190.50

COLUMBUS,OHIO,December,15,1899

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.)
Wm. Pinney,)
J.Nick Ackerman) Commissioners.
Z.E.Amlin)

COLUMBUS,OHIO,December,16,1899

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.)
William Binney)
J.Nick Ackerman) Commissioners.
Z.E.Amlin)

COLUMBUS,OHIO,December,18,1899

The Commissioners met in regular session. Present; Pinney,Ackerman,Amlin.

In the matter of the County road petitioned for by Thos.D.Cassady et al,Mifflin Township,and being for the establishment,location and change of Stelzer Township road,as set forth in petition,from the intersection of said Stelzer Township road with E.Fifth Avenue roadway northerly to the Columbus and Johnstown Turnpike. The Viewers and Surveyor report was placed on its third reading,and on motion,further hearing was postponed until Tuesday,December 19,1899.

Yeas; Pinney,Ackerman,Amlin.

TUESDAY, December 19,1899

Commissioners Met;
Present..Pinney,Ackerman,Amlin..

In the matter of the location,change and establishment of a County road,Mifflin Township,petitioned for by Thomas D.Cassady and others,from the intersection of Stelzer Township road with E.Fifth Avenue roadway northerly to the Columbus and Johnstown Turnpike as set forth in said petition. The report of the Viewers in favor of the establishment of said road was this day publicly read,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 several premises,which report was also publicly read; and the Board being of the opinion that the Compensation and Damages awarded by said Viewers,to the several claimants,to-wit:

Philip Wotring	Compensation for land appropriated,	\$ 7.00
Christena Adelman,	" " " "	10.00
Geo.W.Hanna,	" " " "	3.50
Philip Wotring,	Damages to property	75.00
Christena Adelman	" " "	75.00
Geo.W.Hanna,	" " "	20.00

Are reasonable and just, but that said road is not of sufficient importance to the public to warrant the payment of said compensation and damages out of the County Treasury, it is ordered that the petitioners pay or tender to pay the several claimants, forthwith, the amounts as aforesaid assessed to them, and that no further proceedings be had in the premises, until such payment or tender shall have been made.

Yeas; Pinney, Ackerman, Amlin...

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In the matter of the changing of the Stelzer Township Road into a County Road.

Waiver of Compensation for Damages.

For and in consideration of the advantages which will result to the public in general, and to the undersigned in particular, from the widening and changing of the Stelzer Township Road from 5th Ave., to the Johnstown Pike, as petitioned for by Thomas D. Cassady and others, through Mifflin Tp., Franklin Co., Ohio, as the same is now surveyed and used as a Tp. Road, and as the same may be finally located and changed into a County Road and for the purpose of aiding in the changing and completion of said road, we, the undersigned, do each severally hereby waive and relinquish all compensation and damages that may accrue, or that might be claimed by us, or any of us by reason of the widening and changing of said Township Road into a County Road, or by reason of the same passing over, through, or by our lands in the said Tp., of Mifflin, Franklin Co. Ohio.

In consideration of this Waiver The Cols. New Albany and Johnstown Traction Co., its successors and assigns, hereby agree, in case said road be changed and widened as aforesaid, to move back, rebuild and put in as good condition as they now are, all fences along the side of said road now bordering upon or along the lands of the undersigned;

John Stelzer, Remove fence at Company's cost. David Krum remove own fence at Company's cost. Daniel Stelzer remove at Co's Cost. C. Krause Removed at Co.'s cost. Jas Williamson at Co's cost. Elan Drake at Co's cost. Wm. Roberts, at Co's Cost. Mrs Sarah Hanney, J.W.R. at Exp. of Company. Mirian D. Webster at Exp. of Company.

The above is hereby accepted.

The Columbus, New Albany and Johnstown Traction Co.
 Will J. Dusenbury, Secy & Treas.
 L.P. Stephens, Gen. Manager.....

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