

ROAD RECORD NO. 11

ROAD RECORD NO. 11.

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IN THE MATTER OF THE VACATION OF PART OF
STIMMEL ROAD NEAR GREEN LAWN CEMETERY PE-
TITIONED FOR BY MARY A. WHITE AND OTHERS
IN FRANKLIN TP. FRANKLIN COUNTY, OHIO.....

See RR 11 page 337
for the establishment of
a new section of road

Stimmel Road - vacation of a section from Brown Road going
east for 1387.5'

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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 April 21, A.D. 1900, praying for the Vacation of part of a County Road on the following line, to-wit: Being the road immediately South of Green Lawn Cemetery, Franklin County, Ohio, and commencing at the South-west corner of Green Lawn Cemetery, where said road joins the Brown Road, and extending thence East to a point about 1350 feet from the East line of the said Brown Road. The prayer of the petition is that the said Commissioners will institute and order proper proceedings in the premises to vacate and abandon above described portion of said road....

Mary A. White and twenty others,
Petitioners....

March, 20, A.D. 1900

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

THE STATE OF OHIO,) John M. Reaver having been first duly sworn states that on the 20th day of March, 1900,
Franklin County, ss.) and at least thirty days before April 20, 1900, 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 Franklin, State of Ohio, in which said road is proposed to be laid out and established.

(signed) John M. Reaver

Sworn to and subscribed before me, this 4th day of June, A.D. 1900

T. F. Hane, Notary Public,
Franklin Co., Ohio...

THE STATE OF OHIO,) I, J.O. Philbrick being duly sworn, depose and say, that the foregoing notice was published in Franklin County, ss.) lished one time a week for four consecutive weeks, March 21-28 April 4-II prior to April 21, A.D. 1900, in the Evening Press-Post, a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein, and that the first publication was made March 21, 1900

J.O. Philbrick

Sworn to before me, and signed in my presence, this 14th day of April, A.D. 1900

E.L. Pollock, Notary Public,
Franklin Co., Ohio....

ROAD PETITION..

FOR THE VACATION OF PART OF A ROAD IN FRANKLIN 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 abandonment of a section of the road running along the S. side of Green Lawn Cemetery on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to vacate & abandon a portion or section of such road, to-wit: Beginning at the Southwest corner of Green Lawn Cemetery, where the said road intersects the road known as the Brown Road; extending from thence East to a point about 1350 feet from the East line of the said Brown Road...

Dated this 20th day of April, A.D. 1900

<u>PETITIONERS' NAMES.</u>	<u>PETITIONERS' NAMES.</u>	<u>PETITIONERS' NAMES.</u>	<u>PETITIONERS' NAMES.</u>
John M. Reaver, Wm. H. Albery, Mary A. White, Emanuel White, Cathaline H. Johnson,	Fred Gerlacker, M. C. Colagan, Adam White, Yovrs Hornly, Chas. Reiser,	Fred'k. Schmidt, Wm. Green, Joseph Garling, Augusta L. Stephens, Christ Roth.	H. Falter, L. A. Wotts, John G. Drayer, (The Green Lawn Cemetery Assm. By R. H. Platt, President. John Bluhm, Samuel Ruby, S. R. O'Day.

COLUMBUS, OHIO, April, 21, 1900

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

Now comes John M. Reaver 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 John M. Reaver, E. G. Orebaugh and Sessions and Co. 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, Ohio, this 21st day of April, 1900

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 Abandonment of a section of the road running along the South side of Green Lawn Cemetery. Beginning at the Southwest corner of Green Lawn Cemetery, where the said road intersects the road known as the Brown road, extending from thence East to a point about 1350 ft. from the East line of the said Brown 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.

John M. Reaver	(SEAL)
E. G. Orebaugh	(SEAL)
Sessions & Co.	
By, F. M. Sessions	(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 Joseph Foark, Frank W. Bishop and Griffin Roberts 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 John Reaver's residence on the 15th day of May, 1900 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, April, 25, 1900

Joseph Foark)	
Frank W. Bishop) VIEWERS.	Henry Maetzel SURVEYOR.
Griffin Roberts)	

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view and vacate a proposed County Road on the following route, as petitioned for by Mary A. White et al.

Beginning at the Southwest corner of Green Lawn Cemetery where the said road intersects the road known as the Brown Road; extending from thence East to a point about 1350 feet from the East line of the said Brown Road...

You will therefore meet on the 15th day of May 1900 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 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.....

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

TO John M.Reaver, Wm.H.Albery, Mary A.White, Emanuel White, Cath.H.Johnson, Fred Gerlacker, John Blaenn, Samuel Ruby, S.R.O'Day, S.S.Rickly, M.C.Cohagan, Adam White, Louis Haines, Chas.Reiser, Fred'k.Schmidt, Wm.Fens, Jos.Garling, Augusta L. Stevens, Christ Roth, H.Falter, L.A.Watts, John G.Drayer, The Green Lawn Cemetery Assn.

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of April 25, 1900 to view the vacation petitioned for by the undersigned and others in said order, you are also notified that claims for compensation must be filed with the Viewers by the 15th day of May, 1900.

Dated this 5th day of May, A.D.1900

W.H.Halliday, Co.Auditor.....

PROOF OF SERVICE..

THE STATE OF OHIO,) John M.Reaver having been first duly sworn, states, that on the 5th day of May 1900, (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 M.Reaver, Wm.H.Albery, Mary A.White, Emanuel White, Cath.H.Johnson, Fred Gerlacker, M.C.Cohagan, Adam White, Lewis Haines, Wm.Feen, Chas.Reiser, Fred'k.Schmidt, Joseph Garling, Augusta L.Stevens, Christ Roth, H.Falter, L.A.Watts, John G.Drayer, John Bluhm, Samuel Ruby, S.R.O'Day, S.S. Rickly,

(signed) John M.Reaver,

Sworn to and subscribed before me, this 4th day of June, A.D.1900

T.F.Hane, Notary Public.....

CERTIFICATE OF MAKING OATH....

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 1st day of May, A.D.1900, personally appeared before Franklin County, ss.) me, A Notary Public in and for said County, Joseph Foark and Frank W.Bishop Viewers, Henry Maetzel as Surveyor, of a County Road petitioned for by Mary E.White and others, and were by me duly sworn to the faithful and impartial performance of their respective duties....

T.F.Hane, Notary Public...

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 15th day of May, A.D.1900, personally appeared before Franklin County, ss.) me, Henry Maetzel County Surveyor in and for said County, Griffin Roberts Viewer of the vacation of a County Road petitioned for by Mary A.White and others, and were by me duly sworn to the faithful and impartial performance of their respective duties....

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

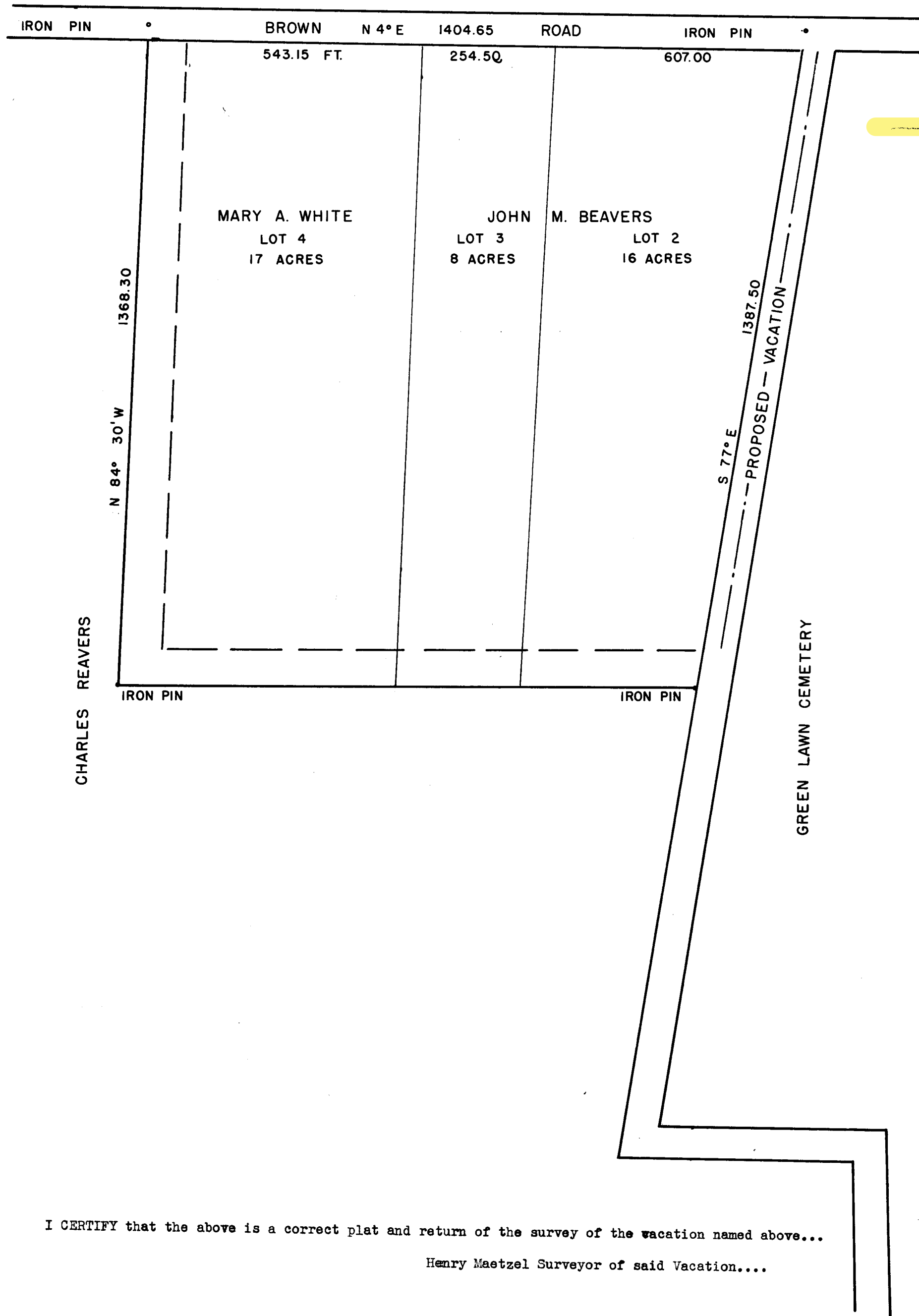
SURVEYOR'S REPORT..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated April 25, 1900, proceeded, on the 15th day of May to survey and mark the vacation of a 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 VACATION OF ROAD



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

Henry Maetzel Surveyor of said Vacation....

REPORT OF VIEWERS...

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your April 25, session, A.D. 1900, we, the undersigned, Viewers, appointed under said order, met with Henry Maetzel Surveyor, at the residence of J.M. Reaver on Brown Road and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order...

We then proceeded to view said proposed Vacation 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 Vacation of said road, as follows: As described in petition...

We would respectfully report that the said Vacation ought to be made for the following reasons: On account of benefit for public,

All of which is respectfully submitted,
May, 19th 1900)

Joseph Foark,)
Griffin Roberts) VIEWERS.
Frank W. Bishop)

FEEES..

Joseph Foark,	Viewer, 3 days,	\$ 4.50	Pd. May, 19-1900
Griffin Roberts	" 3 "	\$ 4.50	" " " "
Frank W. Bishop	" 3 "	\$ 4.50	" " " "
T.F. Hane, Notary Fees,		\$ 1.20....	

SEPARATE REPORT OF VIEWERS...

TO THE BOARD OF Commissioners of Franklin County, Ohio:

The undersigned Viewers of the Vacation petitioned for by Mary E. White 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.

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.M. Briggs,

Fifty-----DOLLARS;

Joseph Foark,) VIEWERS AND
Griffin Roberts,) JURORS TO
Frank W. Bishop.) AWARD DAMAGES.

May, 19th 1900....

COLUMBUS, OHIO, June 4th 1900

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.N. Ackerman,) COMMISSIONERS.
Z.E. Amlin.)

COLUMBUS, OHIO, June 5, 1900

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.

Wm. Pinney,)
J.N. Ackerman,) COMMISSIONERS.
Z.E. Amlin.)

COLUMBUS, OHIO, June, 6, 1900

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

In the matter of vacation of part of road near Green Lawn Cemetery, Franklin Township, petitioned for by John M. Reaver and others.

The report of the Viewers recommended the vacation as prayed for, but protest having been made by Joseph M. Briggs and seventeen others, and Mrs J.M. Briggs also claiming \$270.00 as damages, on motion by consent of the Attorney for protestors, further hearing was postponed until Tuesday, June 12, 1900 at 10 o'clock A.M.

Yeas; Pinney, Ackerman, Amlin.

June 12, 1900 Postponed to June 18, 1900
Final Hearing July 26, 1900

COLUMBUS, OHIO, July, 26, 1900

Commissioners Met. Present; Pinney, Ackerman, Amlin.

In the matter of the petition of Mary A. White and others, to alter and vacate a part of the County Road.

The Viewers have reported in favor of a part of what is known as the Stimmel road, as more fully set forth in said petition, and in the plat of the Surveyor of said County, and the Board being of the opinion that the same is just and reasonable, the report of said Viewers is hereby confirmed and approved and it is ordered that the said road be vacated in accordance with said report and said plat of the said Surveyor, to-wit: Beginning at the Southwest corner of Green Lawn Cemetery, where the said road intersects the road known as the Brown

road; extending from thence east to a point about 1350 feet from the East line of the said Brown Road. And so much of said Road is hereby declared vacated.

It is further ordered that all costs and damages herein made and assessed be paid by the petitioners herein, and by Green Lawn Cemetery Association.

On Motion to adopt the Report; the following Vote was had;

Yeas; Pinney, Ackerman, Amlin

ATTEST:
W.H.Halliday,
Auditor & Clerk of Board..
Columbus, Ohio, July, 26, 1900....

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