

ROAD RECORD NO.11

ROAD RECORD NO.11

PAGE NO.433

IN THE MATTER OF THE ESTABLISHING OF A COUNTY ROAD  
PETITIONED FOR BY J.S.KENNEDY AND OTHERS IN JEFFER-  
SON TWP., FRANKLIN COUNTY, OHIO.....

Kennedy Road - from Waggoner Road east to the County line, then  
south to meet a road in Licking County  
NOTE: all of the road and right-of-way is located in Franklin County

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ROW = 33'

ROAD NOTICE...

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session 9th day of May, A.D.1905, praying for the establishing of a County Road on the following line, to-wit: Beginning at a point on the County line between Franklin and Licking Counties where the South line of the Kennedy Township Road (so called) in Licking County intersects the said County line; thence with said County line N. about 10 rods to the line between the lands of Wm. Morrison and J.S. Kennedy; thence West on the said line and the line between the lands of Wm. Morrison and H. Woodruff to intersect the Waggoner County Road and there to terminate. Being about 1 mile and 10 Rods in length, and being in Jefferson Twp., Franklin County, O.....

4th day of April, A.D.1905

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

THE STATE OF OHIO, ) J.S. Kennedy having been first duly sworn states that on the 6th day of April 1905, Franklin County, ss.) and at least thirty days before May 9th 1905, 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 Jefferson, Franklin County, Ohio, in which said road is proposed to be laid out and established,

(signed) J.S. Kennedy

Sworn to and subscribed before me, this 9th day of May, A.D.1905

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

AFFIDAVIT OF PRINTER..

THE STATE OF OHIO, ) I, Paul Eisele 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 from and after April 6" A.D. 1905, 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 April 6" A.D. 1905

Paul Eisele

Sworn to before me, and signed in my presence, this 27th day of April, A.D. 1905

W.H.Reble, Notary Public,  
Franklin Co., O.....

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ROAD PETITION..

FOR A ESTABLISHING A COUNTY ROAD IN JEFFERSON 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 establish such road, to-wit: Beginning at a point on the County line between Franklin and Licking Counties where the South line of the Kennedy Township (so called) in Licking County intersects the said County line; thence with said County line N. about 10 Rods to the line between the lands of Wm. Morrison and J.S. Kennedy; thence W. on the said line and the line between the lands of Wm. Morrison and H. Woodruff to intersect the Waggoner County Road and there to terminate; being about 1 mile and 10 Rods in length, and being in Jefferson Twp., Franklin County, Ohio...

Dated this 1st day of April, A.D. 1905...

PETITIONERS' NAMES.	*	PETITIONERS' NAMES.	*	PETITIONERS' NAMES.	*	PETITIONERS' NAMES.	*
J. S. Kennedy,	*	R. A. Rhodes,	*	E. E. Baker,	*	Noah Geiger,	*
Scott Rochelle,	*	Maurice Evans,	*	D. W. Evans,	*	F. Ealick,	*
R. M. Geiger,	*	F. L. Cornell,	*	A. J. Strait,	*	Peter Francisco,	*
A. Devenport,	*	G. K. Black,	*	G. W. Stagg,	*	Geo. M. Mann,	*
	*		*		*	Frank Geiger.....	*

COLUMBUS, OHIO, May, 9th, 1905

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

Now comes J.S. Kennedy 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 J.S. Kennedy and W.S. Rochelle are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of Two 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 9th day of May, 1905

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 establishing of a County road on the following line, to-wit:

Beginning at a point on the County line between Franklin and Licking Counties, where the S. line of the Kennedy Township Road (so called) in Licking County intersects the said County line; thence with said County line N. about 10 rods to the line between the lands of Wm. Morrison and J.S. Kennedy; thence W. on the said line and the line between the lands of Wm. Morrison and H. Woodruff to intersect the Waggoner County Road and there to terminate, being about 1 mile and 10 rods in length and being in Jefferson Tp., Franklin County, Ohio...

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:  
John Scott. )

J.S. Kennedy (SEAL)  
W.S. Rochelle (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 Thomas Ingham, Noah Cherry, and James Postle three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Walter Braun surveyor of said Franklin County and that they meet at Terminus of said proposed road on the 25" day of May 1905 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 10" 1905

Thomas Ingham )  
Noah Cherry ) Viewers.  
James Postle )

Walter Braun 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 J.S. Kennedy et al..

Beginning at a point on the County line between Franklin and Licking Counties where the S. line of the Kennedy Township (so called) in Licking County intersects the said County line; thence with said County line N. about 10 rods to the line between the lands of Wm. Morrison and J.S.

Kennedy; thence W. on the said line and the line between the lands of Wm. Morrison and H. Woodruff to intersect the Waggoner County Road and there to terminate being about 1 mile and 10 rods in length and being in Jefferson Tp., Franklin County, Ohio..

You will therefore meet on the 25<sup>th</sup> day of May, 1905 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 March 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 case made and provided,

By Order of the Commissioners,

L. E. Jones, County Auditor.

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

TO William Morrison, H. Woodruff and J.S. Kennedy...

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of May 9<sup>th</sup> 1905, to lay out and survey the County Road petitioned for by the undersigned and others, will meet at terminus of said proposed road on the 25<sup>th</sup> day of May 1905 at 10 o'clock A.M., for the purpose set forth in said order.

Dated this 10<sup>th</sup> day of May, A.D. 1905

J.S. Kennedy, Principal Petitioner...

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PROOF OF SERVICE..

THE STATE OF OHIO, ) J. S. Kennedy having been first duly sworn, states, that on the 15<sup>th</sup> day of May 1905, 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 William Morrison, by leaving Copy of same at his place of residence; H. Woodruff, personally, and J.S. Kennedy, personally...

(SEAL)

(signed) J. S. Kennedy.

Sworn to and subscribed before me, this 18<sup>th</sup> day of May, A.D. 1905

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

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CERTIFICATE OF MAKING OATH....

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 25<sup>th</sup> day of May, A.D. 1905, personally appeared before Franklin County, ss.) me, T.F. Hane a Notary Public in and for said County, Walter Braun County Surveyor of a County Road petitioned for by J.S. Kennedy and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

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

THE STATE OF OHIO, ) BE IT REMEMBERED, That on this 25<sup>th</sup> day of May, A.D. 1905, personally appeared before Franklin County, ss.) me, Walter Braun a County Surveyor in and for said County, Thos. A. Ingham, Noah Cherry and James Postle, Viewers, and Clark Baumgartner as Chain Carrier of a County Road petitioned for by J.S. Kennedy and others, and were by me duly sworn to the faithful and impartial performance of their respective duties..

Walter Braun, County Surveyor,  
Franklin County, O.....

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SURVEYOR'S REPORT..

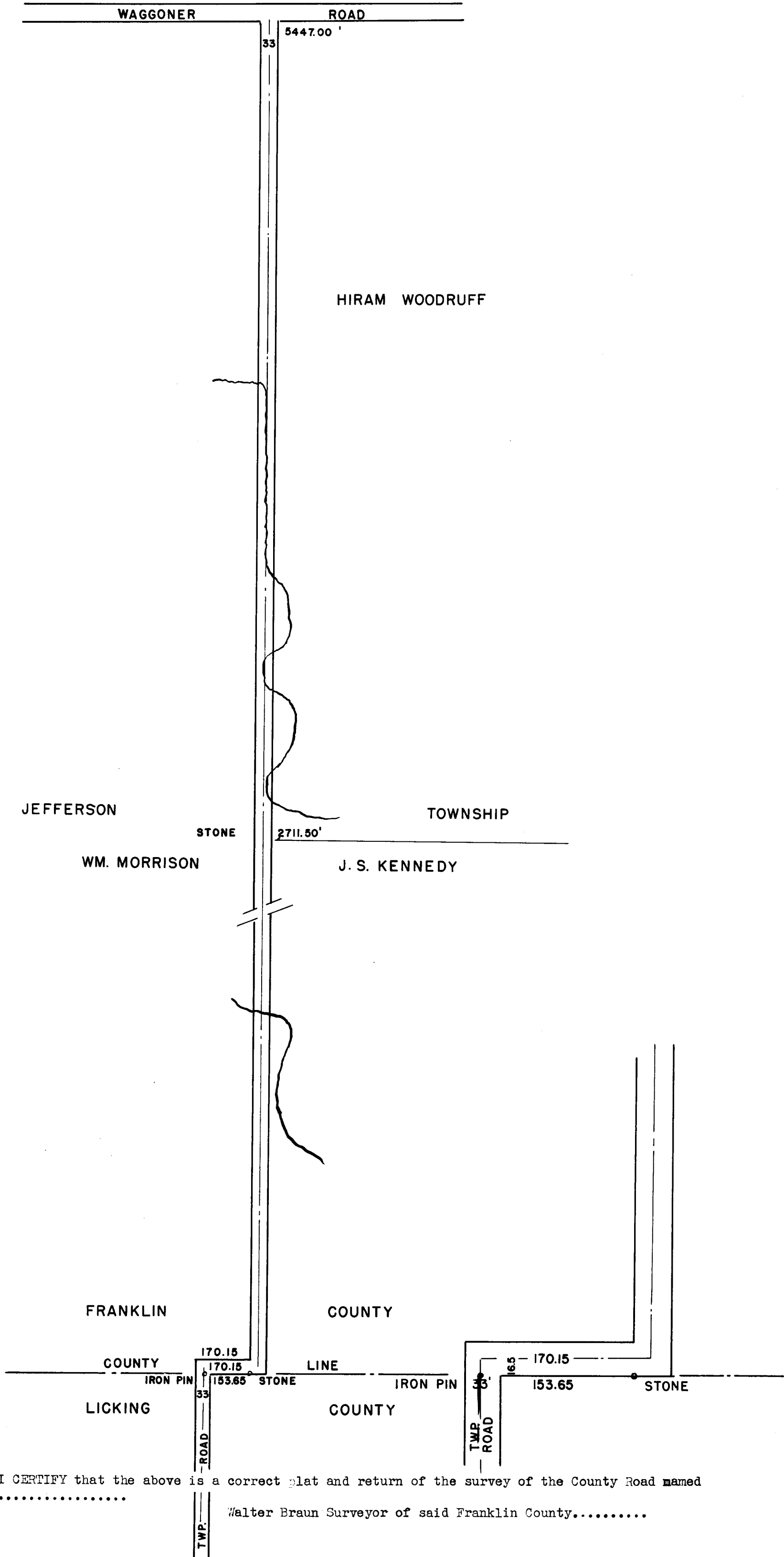
TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated May 9<sup>th</sup> 1905, proceeded, on the 25<sup>th</sup> day of May to survey and mark the line of the County road as described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey;

Beginning at a point on the County line between Franklin and Licking Counties where the South line of the Kennedy Township Road (so called) in Licking County; intersects the said County line; thence with said County line N. about 10 Rods to the line between the lands of Wm. Morrison and J.S. Kennedy; thence W. on the said line and the line between the lands of Wm. Morrison and H. Woodruff to intersect the Waggoner County Road and there to terminate; being about one mile and 10 Rods in length and being in Jefferson Tp., Franklin County Ohio...

\*See Plat on next Page...

**\*\*PLAT OF J.S.KENNEDY COUNTY ROAD\*\***  
Jefferson Twp..



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

Walter Braun Surveyor of said Franklin County.....

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REPORT OF VIEWERS...

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In Obedience to your order, issued at your May 9" session, A.D.1905, we, the undersigned, Viewers, appointed under said order, met with Walter Braun Surveyor, at beginning of said road on May 25th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order..

We took to our assistance Clark Baumgartner; was selected by us as chain-carrier, 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 an iron pin in the County line between Franklin and Licking Counties, said pin being in the center of the Kennedy Twp., Road (in Licking County) and on the East line of Wm. Morrison's land; thence West with the center line of said Kennedy Twp., Road, Continued 16 1/2 feet; thence North and parallel with the County line 170.15 feet to a point 16 1/2 feet North of the line between Wm. Morrison and J.S. Kennedy; thence West and parallel with said line between Morrison and Kennedy 2711 1/2 feet to a point 16 1/2 feet North of a stone in said Kennedy's Southwest corner; thence continuing same course through the land of Hiram Woodruff and 16 1/2 feet North of the line between said Hiram Woodruff and Willison Morrison to a point in the center of the Waggoner County road 2735 1/2 feet from Kennedy's Southwest corner and being all in Jefferson Township, The total length of the road being 5633 65 feet.....

We would respectfully report that the said County road ought to be established for the following reasons: It would be a benefit to the public from the fact that the roads in that locality are located a great distance apart and a new line of travel would be established into Licking County...

We have also determined that the public convenience requires that such \_\_\_\_\_ shall  
be established 33 feet in width...

All of which is respectfully submitted, )  
May, 29th. 1905 ) Thomas A. Ingham )  
James Postle ) VIEWERS.  
Noah Cherry )

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FEES..

Thos. A. Ingham, Viewer, 3 days, \$ 4.50 Clark Baumgartner, Chainman, 2 days, \$ 2.00  
James Postle, " 3 " \$ 4.50  
Noah Cherry, " 3 " \$ 4.50  
Walter Braun Surveyor, 4 days, \$ 20.00

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SEPARATE REPORT OF VIEWERS..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the \_\_\_\_\_ petitioned for by \_\_\_\_\_ 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 Hiram Woodruff, One Hundred-----DOLLARS;  
TO William Morrison, Ten-----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 Hiram Woodruff, One Hundred and Twenty Five-----DOLLARS;  
TO William Morrison, One Hundred and Forty-----DOLLARS;

Thomas A. Ingham ) VIEWERS AND  
James Postle ) JURORS TO  
Noah Cherry ) AWARD DAMAGES.

May 29th, 1905.....

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COLUMBUS, OHIO, Mch. 5, 1906

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:

John Scott, )  
Clerk of the Board.

Peter Swickard )  
Wm. S. Carlisle ) Commissioners.  
Morton Hayes )

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COLUMBUS, OHIO, March, 6th, 1906

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:

John Scott, )  
John Scott, Cl'k. of the Board.

Peter Swickard )  
WM. S. Carlisle ) Commissioners.  
Morton Hayes )

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COLUMBUS, OHIO, March 7th, 1906

The Commissioners met in regular session, and the report of the Viewers and Surveyor appointed to

survey and view the road,as described in the petition,was this day publicly read for the third time and the Board being of the opinion; after due consideration,that said road is unnecessary and not required by the public convenience,it is ordered that said petition be dismissed,without further proceedings thereon, and that the petitioners pay the coat and expense that have been caused by their aforesaid application...

ATTEST;  
John Scott,  
Clerk of the Board...

Peter Swickard )  
Wm.S.Carlisle ) County  
Morton Hayes ) Commissioners...

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Now comes J.E.Swisher one of the signers of the foregoing petition,and files his bond which is in the words and figures following,to-wit: