

ROAD RECORD NO. 11

ROAD RECORD NO. 11

PAGE NO. 489

IN THE MATTER OF THE ALTERATION ROAD PETITIONED FOR
BY D. J. LEITER AND OTHERS IN PLEASANT TWP., FRANK-
LIN COUNTY, OHIO.....

Harrisburg-Georgesville Road - alteration to the centerline alignment and right-of-way from Gay Road northerly to where the old Harrisburg to Alton Road went east across Big Darby Creek (approximately 3590' north of Gay Road)

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ROW = 40'

ROAD NOTICE..

NOTICE IS HEREBY GIVEN, That a petition will be presented to the Commissioners of Franklin County, at the next session November 7th A. D. 1908, praying for the alteration of a County Road on the following line, to-wit: Being a part of the road running North from the Village of Harrisburg and known as the Harrisburg and Georgesville Road, beginning at a point in the center of said road and at the intersection of the center line of the road running West along the South line of said Gay Farm; thence in a Northerly direction along the West side of said Harrisburg and Georgesville road about 36 rods to the Gay run; thence crossing the old road and running in a Northeasterly direction on the land of Justin Gay about 50 ft; thence continuing in a Northerly direction on the lands of Justin Gay, and along the East side of said old road about 140 rods to a bend in said road about 2/3 of distance across said Gay farm and to intersect the center line of said Harrisburg and Georgesville road and there terminate, being about 53/100 miles in length.

Also that all that part of said Harrisburg and Georgesville road now located between the beginning and terminus of said road as above petitioned for, be vacated upon the establishment of said Harrisburg and Georgesville road along the altered course aforesaid....

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

THE STATE OF OHIO,) Joseph H. McKinley, Jr., having been first duly sworn states that on the 2nd, day Franklin County, ss.) of October, 1908, and at least thirty days before November 7th 1908, 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 Pleasant in which said road is proposed to be altered...

(SEAL)

(signed) Joseph H. McKinley, Jr.

Sworn to and subscribed before me, this 7th day of November, A. D. 1908

Edward H. Parks, Notary Public....

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AFFIDAVIT OF PETITIONER..

THE STATE OF OHIO,) I, Joseph H. McKinley, Jr., being duly sworn, depose and say, that the foregoing Franklin County, ss.) notice was published one time a week for four consecutive weeks prior to November 7th, A. D. 1908, in Tri County Press a newspaper printed in said County of Franklin, State of Ohio, and of general circulation therein, and that the first publication was made _____ A. D. 18__

Joseph H. McKinley

Sworn to before me, and signed in my presence, this 7th day of November, A. D. 1908

Edward H. Parks, Notary Public...

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ROAD PETITION..

FOR A COUNTY ROAD IN PLEASANT 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 alteration 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 Alter such road, to-wit: Being a part of the road running North from the Village of Harrisburgh and known as the Harrisburgh and Georgesville Road and beginning at a point in the center of said road where the South line of Justin Gay farm crosses said road, and at the intersection of the center line of the road running West along the South line of said Gay farm; thence in a Northerly direction along the West side of said Harrisburgh and Georgesville road, about 36 rods to the Gay run; thence crossing the old road and running in a Northeasterly direction on the land of Justin Gay about 50 ft; thence continuing in a Northerly direction on the lands of Justin Gay and along the East side of said old road about 140 rods to a bend in said road about 2/3 of distance across said Gay farm and to intersect the center line of said Harrisburgh and Georgesville road and there terminate, being about 53/100 miles in length.

Also that all that part of said Harrisburgh & Georgesville road now located between the beginning and terminus of said road as above petitioned for, be vacated upon the establishment of said Harrisburgh and Georgesville road along the altered course aforesaid...

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
D. J. Leiter, Jo. H. McKinley, Jr., John R. Briggs, Harrisburgh Hdwe. Co., (per Pretsch)	J. Q. Hewitt, W. D. Worthington, A. W. O. Miller, Thos. Green, H. B. Chenoneth,	Justin Gay, W. H. McKinley, Seymour McKinley, Jr., C. O. Smith, H. D. Courtright.....

COLUMBUS, OHIO, 18

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

Now comes D. J. Leiter 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 Jo. H. McKinley, D. J. Leiter and John R. Briggs 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, O., this 2 day of October, 1908

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

Being a part of the road running North from the Village of Harrisburgh and known as the Harrisburgh and Georgesville Road and beginning at a point in the center of said road, where the South line of Justin Gay farm crosses said road, and at the intersection of the center line of the road running West along the South line of said Gay Farm; thence in a Northerly direction along the West side of said Harrisburgh & Georgesville road about 36 rods to the Gay run; thence crossing the old road and running in a Northeasterly direction on the land of Justin Gay about 50 ft; thence continuing in a Northerly direction on the lands of Justin Gay and along the East side of said old road about 140 rods to a bend in said road about 2/3 of distance across said Gay farm and to intersect the center line of said Harrisburgh and Georgesville road and there terminate, being about 53/100 miles in length, also that part of said Harrisburgh & Georgesville road now located between the beginning and terminus of said road as above petitioned for, be vacated upon the establishment of said Harrisburgh and Georgesville road along the altered course aforesaid...

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.

Jo. H. McKinley, Jr., (SEAL)
D. J. Leiter, (SEAL)
John R. Briggs. (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 Richard Sinclair, Chas. Merion, Jr., and Marion Corwin three disinterested freeholders of Franklin County, Ohio, be and they are hereby appointed Viewers, and Walter Braun Surveyor of said Franklin Co., O., and that they meet at line of said proposed alteration on the 19th day of November, 1908 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, November 7th 1908

Richard Sinclair)
Chas. Merion, Jr.) VIEWERS.
Marion Corwin)
Walter Braun SURVEYOR.

Gentlemen: You were appointed by the County Commissioners of Franklin County, Ohio, to view and alter a proposed County Road on the following route, as petitioned for by D. J. Leiter and others..

Being a part of the road running North from the Village of Harrisburgh and known as the Harrisburgh and Georgesville road and beginning at a point in the center of said road where the South line of Justin Gay farm crosses said road, and at the intersection of the center line of the road running West along the South line of said Gay farm; thence in a Northerly direction along the West side of said Harrisburgh & Georgesville road about 36 rods to the Gay run; thence crossing the old road and running in a Northeasterly direction on the land of Justin Gay about 50 ft; thence continuing in a Northerly direction on the lands of Justin Gay and along the East side of said old road about 140 rods to a bend in said road about 2/3 of distance across said

Gay farm and to intersect the center line of said Harrisburgh and Georgesville road and there terminate, being about 53/100 miles in length.

Also that all that part of said Harrisburgh & Georgesville road now located between the beginning and terminus of said road as above petitioned for, be vacated upon the establishment of said Harrisburgh and Georgesville road along the altered course aforesaid...

You will therefore meet on the line of said proposed alteration 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 December 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 Justin Gay and John R. Briggs.....

You are hereby notified that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order of Nov. 7" 1908, to survey and alter the County road petitioned for by the undersigned and others, will meet on line of said proposed alteration on the 19th, day of November, 1908, for the purpose set forth in said order.

Dated this 7" day of November, A. D. 1908

D. J. Leiter, Principal Petitioner...

PROOF OF SERVICE..

THE STATE OF OHIO,) Joseph H. McKinley having been first duly sworn, states, that on the 12" day of Franklin County, ss.) November, 1908, (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 Justin Gay & J. R. Briggs

(SEAL) (signed) Joseph H. McKinley, Jr.

Sworn to and subscribed before me, this 19" day of November, 1908 A. D.

Edward H. Parks, Notary Public...

CERTIFICATE OF MAKING OATH...

THE STATE OF OHIO,) BE IT REMEMBERED, That on this 19" day of November, A. D. 1908, personally appeared Franklin County, ss.) before me, Walter Braun a County Surveyor in and for said County, Charles Marion, Jr., Richard Sinclair and Marion Corwin Viewers, petitioned for by D. J. Leiter and others, and were by me duly sworn to the faithful and impartial performance of their respective duties.

Walter Braun, Co., Surveyor.....

SURVEYOR'S REPORT..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned, in obedience to your order dated Nov. 7" 1908, proceeded, on the 19" day of Nov. 1908 to survey and mark the _____ described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at the intersection of the Harrisburgh and Georgesville road and the Justin Gay Road at an iron pin; thence N. 6 Deg. 0' W. 660 ft. to an iron pin on the S. bank of Gay Run, said point being 37 feet W. of the center of the old road; thence N. 22 Deg. 43' E. 123 feet (crossing said old road and said run) to an iron pin, distant 35 feet E. of center of old road; thence N. 14 Deg. 51' W. 1320 feet (passing line on W. between John R. Briggs and Justin Gay at 864 feet) to an iron pin, center of the Miller County road, said iron pin being 35 feet E. of center of the old road; thence N. 8 Deg. 29' W. 510 feet to an iron pin, said pin being 65 feet E. of center of the old road; thence N. 29 Deg. 39' W. 317 feet to an iron pin, said pin being 25 feet E. of center of the old road; thence N. 42 Deg. 7' W. 660 feet to an iron pin center of the old road and S. line of R. B. McKinley's land and there terminate; the said alteration being 0.68 miles in length...

*See Plat on next page.

R. B.

MC-KINLEY

PLAT OF THE D. J. LEITER ALTERATION OF A PORTION OF THE HARRISBURGH AND GEORGESVILLE ROAD. PLEASANT TWP. NOV. 19-1908. R. S. Blackford, D. C. Sur.

JOHN R. BRIGGS

JUSTIN GAY

IRON PIN

IRON PIN

25' TO CENTER OF OLD ROAD

65' TO CENTER OF OLD ROAD

IRON PIN

35' TO CENTER OF OLD ROAD

IRON PIN

MILLER ROAD

JUSTIN GAY

JUSTIN GAY

ROAD CENTER OF OLD

35' TO CENTER OF OLD ROAD

IRON PIN

N 22° 43' E 123'

IRON PIN

37' TO CENTER OF OLD ROAD

660'

N 6° 0' W

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 Co., O.....

JUSTIN GAY ROAD

IRON PIN

HARRISBURGH & GEORGESVILLE ROAD

REPORT OF VIEWERS...

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order, issued at your September session, A. D. 1908, we, the undersigned, Viewers, appointed under said order, met with R. S. Blackford, Deputy Surveyor, at the lit: of Harrisburgh & Georgesville and Justin Gay's Road and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

C. E. Balz and Frank Brink were selected by us as chain-carriers, 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 alteration of said road, as follows:

Beginning at the intersection of the Harrisburgh & Georgesville road and the Justin Gay road at an iron pin; thence N. 6 Deg. W. 660 feet to an iron pin on the S. bank of Gay Run, said point being 37 feet W. of the center of the old road; thence N. 22 Deg. 43' E. 123 feet (crossing said old road and said run) to an iron pin, distant 35 feet E. of cen. of old road; thence N. 14 Deg. 51' W. 1320 feet (passing line on W. between John R. Briggs and Justin Gay at 864 feet) to an iron pin, center of the Miller County road, said iron pin being 35 ft. E. of center of the old road; thence N. 8 Deg. 29' W. 510 feet to an iron pin, said pin being 65 feet E. of the center of the old road; thence N. 29 Deg. 39' W. 317 feet to an iron pin, said pin being 25 ft. E. of the center of the old road; thence N. 42 Deg. 7' W. 660 feet to an iron pin, center of the old road and S. line of R. B. McKinley's land and there terminate; the said alteration being 0.68 miles in length..

We would respectfully report that the said County road ought to be altered for the following reasons: That on account of the present Harrisburgh and Georgesville Road having become impassable from erosion, making repair and maintenance very expensive and same being dangerous to travel. We further report that in our opinion the road should be altered as surveyed and established by the Surveyor and that that portion of the old road be vacated.

We have also determined that the public convenience requires that such County road shall be established 40 feet in width...

All of which is respectfully submitted,)
5th, day of Dec. 1908)

Marion Corwin,)
Chas. Merion, Jr.,) VIEWERS.
Richard Sinclair,)

FEEES..

Chas. Merion, Jr.,	Viewer,	Expense	1.00 / 2 days,	\$ 5.00
Richard Sinclair,	"	"	1.00 / 2 "	\$ 5.00
Marion Corwin,	"	"	2.00 / 2 "	\$ 6.00

R. S. Blackford, Depty. Surveyor, _____ days, \$ _____

COUNTY SURVEYOR'S OFFICE.
Franklin County.

Walter Brauh,
County Surveyor.

COLUMBUS, O., Dec. 5, 1908

SUBJECT: Harrisburgh & Georgesville Road...

HON. BOARD OF CO. COMMISSIONERS, FRANKLIN CO., OHIO:

Gentlemen: As a supplementary report, we desire to call your attention to the fact that John R. Briggs will have a considerable part of frontage of his property cut off by reason of proposed alteration of said Harrisburgh & Georgesville Roadway & we further recommend that Justin Gay & John R. Briggs agree with your Board in regard to such transfer of property between these parties as will render future controversy between the future owners of these tracts improbable..

Respectfully,

(Charles Merion, Jr.
Viewers (Richard Sinclair
(Marion Corwin.....

SEPARATE REPORT OF VIEWERS.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned Viewers of the County road petitioned for by D. J. Leiter 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 Justin Gay Fifty (50) -----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."

Marion Corwin) VIEWERS AND
Charles Merion, Jr.) JURORS TO
Richard Sinclair) AWARD DAMAGES.

December 5" 1908.....

COLUMBUS, OHIO, Dec. 7th 1908

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:		Henry A. Mason)
John Scott,)	A. M. Gibson) Commissioners.
Clerk of the Board.		Morton Hayes)

COLUMBUS, OHIO, Dec. 8th 1908

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:		Henry A. Mason)
John Scott,)	A. M. Gibson) Commissioners.
Clerk of the Board.		Morton Hayes)

COLUMBUS, OHIO, Dec. 9th 1908

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 it appearing that no application for review or change of route has been filed, therefore, on motion by Mr. Gibson, seconded by Mr. Hayes, the report of the Viewers and Surveyor was accepted, ratified and approved and that said road be altered as shown in said report, as follows, to-wit: Beginning at the intersection of the Harrisburgh and Georgesville road and the Justin Gay road at an iron pin; thence N. 6 Deg. W. 660 feet to an iron pin on the S. bank of Gay run, said point being 37 feet W. of the center of the old road; thence N. 22 Deg. 43' E. 123 feet (crossing said old road and said run) to an iron pin, distant 35 feet E. of cen. of old road; thence N. 14 Deg. 51' W. 1320 feet (passing line on W. between John R. Briggs and Justin Gay at 864 feet) to an iron pin, center of the Miller County road, said iron pin being 35 ft. E. of center of the old road; thence N. 8 Deg. 29' W. 510 feet to an iron pin, said pin being 65 feet E. of the center of the old road; thence N. 29 Deg. 39' W. 317 feet to an iron pin, said pin being 25 ft. E. of the center of the old road; thence 42 Deg. 7' W. 660 feet to an iron pin, center of the old road and S. line of R. B. McKinley's land, and there to terminate; the said alteration being 0.68 miles in length..

ATTEST:		Henry A. Mason	
John Scott,		A. M. Gibson	
Clerk of the Board...		Morton Hayes	County Commissioners.....
