

IN THE MATTER OF THE VACATION OF THE HARRISBURG AND GEORGESVILLE ROAD PETITIONED FOR BY JUSTIN GAY AND OTHERS IN FRANKLIN COUNTY, OHIO.....

Petition to vacate a section of the road from Gay Road into the lands of McKinley
Vacation denied

NOTICE OF PRESENTING COUNTY ROAD PETITION.....

Notice is hereby given that a petition will be presented to the Commissioners of Franklin County, at their next session March, 12th A. D. 1910, praying for the Vacating of a County Road, being a part of the Harrisburg and Georgesville road on the following line, to-wit: Beginning at the intersection of said Harrisburg and Georgesville Road with the Peterson road; thence northwardly through the lands of Justin Gay to lands of W. D. Harvey; thence continuing in a northerly and westerly direction between lands of said Gay and Harvey to the corner of lands of James S. McKinley and of said Gay and Harvey; thence in a northerly and westerly direction with the line of said road to the point where the proposed road this day petitioned for by Justin Gay and others will intersect said Harrisburg and Georgesville road, and there to terminate.

PROOF OF POSTING AND PUBLISHING NOTICE...

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

Justin Gay being duly sworn, says that on the 27th day of January, 1910, and at least thirty days before the 12th day of March, 1910, he set up copies of the foregoing notice at the Auditor's Office in said County, and in three public places in the Township of Pleasant through which the road is proposed to be vacated. Affiant further says that the substance of said notice was published for four consecutive weeks before the 12th day of March, 1910, (the date of presentation of the petition,) in the Columbus News a newspaper published in said Franklin County, in which said road sought to be vacated by such petition, is situated.

Justin Gay

Sworn to before, and signed in my presence, this 12th day of March, 1910.

(SEAL)

U. S. Brandt
Notary Public, Franklin Co. O.

COUNTY ROAD PETITION..

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

The undersigned petitioners, resident freeholders of said County, residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public ^{convenience} requires the vacating of a County Road on the line hereinafter described; and pray that your body will institute and order proper proceedings in the premises to vacate such road, being a part of the Harrisburg & Georgesville Rd. to-wit: Beginning at the intersection of said Harrisburg and Georgesville road with the Peterson road; thence northwardly through the lands of Justin Gay to lands of W. D. Harvey; thence continuing in a northerly and westerly direction between lands of said Gay and Harvey to the corner of lands of James S. McKinley and of said Gay and Harvey; thence in a northerly and westerly direction, with the line of said road to the point where the proposed county road this day petitioned for by said Justin Gay and others will intersect said Harrisburg and Georgesville road, and there to terminate.

Dated this 12th day of January, 1910.

PETITIONERS NAMES	PETITIONERS NAMES	PETITIONERS NAMES	PETITIONERS NAMES
Justin Gay	W. A. Snider	H. B. Chenoweth	Will Lambert
W. D. Harvey	C. C. Smith	E. E. Gantz	Seymour Rush
Seymour Lane	M. S. McKinley	J. H. McKinley	Jos. Spangler
Mansfield Clemens	J. O. Smith	B. D. McKinley	W. D. Worthington
Mr. McMurry	Wm. Wiefel	C. J. McKinley	Y. Shek
Mary A. McKinley	J. E. Snider	E. B. McKinley	Ed. England
A. G. Morain	L. T. Shepard	Marvin M. Corry	Martha England
M. E. Peterson	C. H. Copeland	C. R. Smith	James Snider
W. G. Chenoweth	Sarah A. Boyd	Mrs. Catherine Vieman	W. T. England
J. H. McKinley, Jr.,	J. Hill Chenoweth	Mrs. Belle Shecders	Robt. (X his mark) Sealock
C. E. Manning	J. R. Manning	Elizabeth Shepherd	Clark Worthington
G. W. Helmick	Bell McKinley	Ona Martin	
Albert Weifel	Isaac F. Mouser	Mrs. Elizabeth McKinley	
H. M. Herschner	Thos. Green	Wesley Hill	
W. E. Poulson	G. W. Boucher	S. E. Leiter	
J. Bates McKinley M. D.	K. Giel or Gill		

BOND ON COUNTY ROAD PETITION.

KNOW ALL MEN BY THESE PRESENTS:

That we, Justin Gay and W. D. Harvey, 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, to the payment of which, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at Columbus, this 12th day of March, A. D. 1910.

The condition of the above obligation is such, that whereas, application has been made to the Board of Commissioners of said Franklin County, for the vacating of a County Road, on the following line, to-wit:

Being a part of the Harrisburg and Georgesville road. Beginning at the intersection of said Harrisburg and Georgesville road with the Peterson road; thence northwardly through the lands of Justin Gay to lands of W. D. Harvey; thence continuing in a northerly and westerly direction between lands of said Gay and Harvey to the corner of lands of James S. McKinley and of said Gay and Harvey; thence in a northerly and westerly direction with the line of said road, to the point where the proposed road this day petitioned for by Justin Gay and others will intersect said Harrisburg and Georgesville road, and there to terminate.

Now, if the said applicants shall pay into the Treasury of said County, the amount of all costs and expenses accruing thereon, in case said application shall fail; then this obligation to be void, otherwise to be in full force in law.

ATTEST:
U. S. Brandt

Justin Gay
W. D. Harvey

ORDER APPROVING BOND ON COUNTY ROAD PETITION..

Office of County Commissioners Franklin County, Ohio, March Session, March 12th 1910

IN THE MATTER OF THE)
Vacation of portion of Harrisburg)
& Georgesville Road)

Application for vacation a County Road made by Petition to the County Commissioners and as described therein, was duly filed in this Office, signed by at least twelve freeholders of the County residing in the vicinity where said Road is proposed to be vacated; and Justin Gay, one of the signers to such petition entered into bond, payable to the State for the use of the County in the sum of Two hundred Dollars, conditioned according to law, with W. D. Harvey as surety, which surety and said amount being sufficient, and said bond being in due form, is hereby accepted and approved, and is filed with said petition.

A. M. Gibson)
Morton Hayes) County Commissioners.
Richard Sinclair)

ORDER APPOINTING VIEWERS --- COUNTY ROAD.

Issued to Viewers and County Surveyor.

Office of County Commissioners of Franklin County, Ohio, March 12, 1910.

IN THE MATTER OF THE)
Harrisburg & Georgesville County)
Road Petitioned for by Justin Gay)
et al.)

Vacation of part of

The petition of Justin Gay and others for the vacating of a County Road along the following described route, to-wit: Beginning at the intersection of said Harrisburg and Georgesville road with the Peterson road; thence northwardly through the lands of Justin Gay to lands of W. D. Harvey; thence continuing in a northerly and westerly direction with the line of said road to the point where the proposed county road this day petitioned for by said Justin Gay and others will intersect said Harrisburg and Georgesville road, and there to terminate, having been presented to the Commissioners; and they (Page 13 being satisfied from the proof before them that proper notice of the intention to present such Petition has been given according to law; it is ordered that George Williams Chas. Merion, Jr. and Harry D. Kennedy three disinterested freeholders of this County be and they hereby are appointed as Viewers, and the County Surveyor to survey the same.

It is further ordered that an order issue directing said Viewers, with said County Surveyor, to meet on line of said road and proceed on the 30th day of March, 1910, or on their failing to meet on that day, within five days thereafter

(If either of said Viewers fail to attend at the place specified, at or before 10 o'clock A. M. of said day, said Surveyor and two Viewers will fill the vacancy by appointing a judicious disinterested freeholder of this County.) And after taking an oath faithfully and impartially to discharge the duties of their appointment respectively, to take to their assistance two suitable persons as chain carriers and one marker, and proceed to view, survey and etc. said Road as prayed for in the Petition, or as near the same as in their opinion a good road can be made at reasonable expense, taking into consideration the utility, convenience, inconvenience and expense which will result to individuals, as well as to the public, if such road or any part thereof is vacated also, as a jury, assess and determine the compensation to be paid in money for the properties sought to be appropriated, without deduction for benefit to any property of the owner, and to assess and determine how much less valuable, is any, the land or premises from which such appropriation may be taken, will be rendered by the vacation of such road, being the damages sustained by any person through whose premises the Road is proposed to be vacated; (but said Viewers are not required to so assess or award damages or compensation to any person except minors idiots, or lunatics, unless the owner or his agent, having notice as provided by law, files with them a written application, giving a discription of the premises on which damages or compensation is claimed;) and also to determine whether the public convenience requires that such Road or any part thereof shall be sixty feet in width, or whether a less width than sixty feet will as well promote the public convenience; and report the width in their opinion, the same shall be _____.

Said Surveyor will survey such Road, under the direction of the Viewers, and cause the same to be conspicuously marked throughout, noting the courses and distances, and at the end of each mile cause the number of the same, and also the commencement and termination of the Road or Survey to be marked on a tree or monument erected for that purpose. And said Surveyor will make and deliver to one of the Viewers, without delay, a correct certified return of the Survey of said Road, and a Plat of the same; to be returned with the Reports of said Viewers.

It is further ordered that said Viewers make and sign a Report in writing, stating their opinion in favor of or against the vacation of such road, or any part thereof, and set forth the reasons of the same, and deliver such Report to the County Auditor, on or before the first day of the June session of the Commissioners next ensuing; and at the time said Viewers make such Report, they shall also make a separate Report in writing, stating the amount of damages, if any, and to whom by them assessed, which would accrue by the vacation of the Road; and file the written applications on which such assessments have been made, with the County Auditor.

A. M. Gibson)
Morton Hayes) County Commissioners.
Richard Sinclair)

NOTICE TO VIEWERS AND SURVEYOR OF TIME AND PLACE OF MEETING- COUNTY ROAD.

TO George Williams, Chas. Merion Jr. and Harry D. Kennedy Viewers and Hugh K. Lindsey Surveyor.

YOU ARE HEREBY NOTIFIED, That under the Order of the Commissioners of Franklin County, Ohio, dated March 12th 1910, you were appointed to view, survey and vacate the County Road petitioned for by

Justin Gay and others, and to perform the other duties required of you by law.

You are directed to meet on line of said road on the 30th day of March, 1910, at 10 o'clock A. M., for the purposes aforesaid and as set forth in said order.

And the 30th day of March, 1910, is the day by which claims for compensation must be filed.

Dated this 14th day of March, 1910.

Justin Gay
Principal Petitioner.

NOTICE TO LAND OWNERS OF TIME AND PLACE OF MEETING VIEWERS AND SURVEYOR...

TO James S. McKinley.

YOU ARE HEREBY NOTIFIED, that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order dated March 12, 1910, to view, survey and vacate the County Road being a portion of a road known as the Harrisburg & Georgesville road, petitioned for by Justin Gay and others, will meet on the line of said road on the 30th day of March, 1910, at 10 o'clock A. M., for the purposes set forth in said order.

And the 30th day of March, 1910, is the day by which claims for compensation must be filed.

Dated this 17th day of March, 1910.

Justin Gay
Principal Petitioner.

REPORT OF VIEWERS -- COUNTY ROAD.

TO THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

In obedience to your order dated March 12th 1910, we, the undersigned, Viewers appointed under said Order, make the following report: In the matter of the Harrisburg and Georgesville road, we find from the testimony of all persons concerned that it would be impracticable to abandon any portion of said Harrisburg and Georgesville road, at this time. We recommend therefore, that the petition for abandonment of said highway be not granted.

Together with Robt. Blackford County Surveyor, we met on line of said highway on the 30th day of March, 1910, at 10 o'clock A. M., and after taking the oath required by law, a certificate of which oath is herewith returned; took to our assistance _____ and _____ two suitable persons as chain carriers, and _____ marker, we proceed to view, survey and _____ the Road 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, inconvenience and expense which will result to individuals, as well as to the public, if such road or any part thereof is _____, as follows:

Fixing the initial point of said Road at _____ at _____, said Surveyor under our direction, surveyed the same along the following route:

We further report that our opinion is that said Road ought _____ to be _____ for the following reasons: We were unable to find that said road was useless and with proper repair could be still used for public travel.

We have also determined that the public convenience requires that said Road should be established and opened _____ feet in width.

A correct certified return of the survey of said Road and a plat of the same is herewith delivered. The notices to the Viewers and Surveyor and also to the Land Owners, of the time and place of meeting, with proof of service of the same, are also herewith returned.

All of which is respectfully submitted, this _____ day of _____ 19____

G. M. Williams)
H. D. Kennedy) VIEWERS.
Chas. Merion Jr.)

FEES..

Geo. M. Williams	Viewer,	3	day	,	\$	6.00
Harry Kennedy	"	3	day	,	\$	6.00
Chas. Merion, Jr.	"	3	day	.	\$	6.00

ORDERS OF COUNTY COMMISSIONERS. - Made After Returns of Viewers and Surveyors.
Office of County Commissioners of Franklin County, Columbus, Ohio, June session, June 6th 1910.

IN THE MATTER OF THE _____)
Vacation of a portion of the _____)
Harrisburg and Georgesville Road.)
Petitioned for by
Justin Gay et al.

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 first time.

ATTEST:
John Scott
Clerk.

A. M. Gibson)
Morton Hayes) County Commissioners.
Richard Sinclair)

Office of County Commissioners of Franklin County, Columbus, Ohio, June session, June 7th 1910.

IN THE MATTER OF THE _____)
Vacation of a portion of the _____)
Harrisburg and Georgesville Road.)
Petitioned for by
Justin Gay et al.

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 second time.

ATTEST:
John Scott
Clerk.

A. M. Gibson) County
Morton Hayes) Commissioners.
Richard Sinclair)

Office of County Commissioners of Franklin County, Columbus, Ohio, June session, June 8th 1910.

IN THE MATTER OF THE)
Vacation of a portion of the)
Harrisburg and Georgesville Road.)

Petitioned for by
Justin Gay et al.

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 said report being unfavorable, the vacation of the road petitioned for, said report was acceptable (P. 19 approved and the petition dismissed at the cost of the petitioners.