

McCoy Road - from Reed Road to Riverside Drive

ROAD RECORD NO. 12

ROW = 50'

ROAD RECORD NO. 12

PAGE NO. 61

IN THE MATTER OF THE McCOY COUNTY ROAD PETITIONED FOR BY ROBERT McCOY AND OTHERS IN PERRY TOWNSHIP, FRANKLIN COUNTY, OHIO.....

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 November 29th 1910, praying for the laying out and establishing of a County Road on the following line, to-wit: Beginning at a point in the Perry Township Free Turnpike where the Robert McCoy Township Road intersects said Perry Township Free Pike; thence west following the line of said Robt. McCoy Township road to the Scioto River road, a distance of about 1- $\frac{1}{2}$ miles and there terminate.

PROOF OF POSTING AND PUBLISHING NOTICE.

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

William Cushing being duly sworn, says that on the 29th day of October, 1910, and at least thirty days before the 29th day of November, 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 Perry through which the road is proposed to be changed from Township to a County Road. Affiant further says that the substance of said notice was published for four consecutive weeks before the 29th day of November, 1910, (the date of presentation of the petition,) in the Columbus Citizen a newspaper published in said Franklin County, in which said road sought to be changed by such petition, is situated.

William Cushing

Sworn to before me, and signed in my presence, this 29th day of November, 1910.

Chas. F. Johnson,
Notary Public, Franklin County, Ohio.

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 laying out and establishing of a County Road on the line hereinafter described; and pray that your body will institute and order proper proceedings in the premises to lay out and establish such road, to-wit: Beginning at a point in the Perry Township Free Turnpike where the Robert McCoy Township road intersects said Perry Township Free Pike; thence west following the line of said Robert McCoy Township road to the Scioto River Road, a distance of about 1 $\frac{1}{2}$ miles and there terminate.

Jas. T. Miller
James Penn
J. M. Heany
Chas. A. Johnston, by
Chas. A. Slyh, Admr.

Dated this 26th day of September, 1910.

<u>PETITIONERS NAMES</u>	<u>PETITIONERS NAMES</u>	<u>PETITIONERS NAMES</u>	<u>PETITIONERS NAMES.</u>
Robert McCoy	Newton F. Pheneger		
Sarah O'Kane Raymund	Matthew Maher		
E. T. Rugg	F. P. Reed		
P. J. McCoy	Ellen Matthews		
W. R. Lane	J. F. Lane		
J. C. Hetten			
John Birch			

BOND ON COUNTY ROAD PETITION.

KNOW ALL MEN BY THESE PRESENTS:

That we, Rob't. McCoy and King G. Thompson are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of Two Hundred-----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 5th, day of October, 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 laying out and establishing of a County Road, on the following line, to-wit: Beginning at a point in the Perry Township Free Turnpike where the Robt. McCoy Township road intersects said Perry Township Free Pike; thence west following the line of said Robt. McCoy Township road to the Scioto River Road, a distance of about 1 $\frac{1}{2}$ miles and there 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:
W. Cushing)
Ben. L. Thompson)

Robert McCoy
King G. Thompson

ORDER APPROVING BOND ON COUNTY ROAD PETITION.

Office of County Commissioners Franklin County, Ohio, December session, Dec. 24" 1910.

IN THE MATTER OF THE)
 Laying out and establishing)
 McCoy County Road.)

Application for laying out and establishing 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 established; and two 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 Robert McCoy and King G. Thompson as sureties; 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.

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

ORDER APPOINTING VIEWERS----COUNTY ROAD.
Issued to Viewers and County Surveyor.

Office of County Commissioners of Franklin County, Ohio, December 24" 1910.

IN THE MATTER OF THE)
 Laying out and establishing)
 a County Road)

The Petition of Robert McCoy and others for the laying out and establishing of a County Road along the following described route, to-wit: Beginning at a point in the Perry Township Free Turnpike where the Robert McCoy Township road intersects said Perry Township Free Pike; thence west following the line of said Robt. McCoy Township Road to the Scioto River Road, a distance of about $1\frac{1}{2}$ miles and there terminate.; having been presented to the Commissioners; and they being satisfied from the proof Page 63 before them that proper notice of the intention to present such Petition has been given according to law; it is ordered that Chas. Salzgeber, Chas. Merion and Harry D. Kennedy three disinterested freeholders of this County be and they hereby are appointed 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 at line of said proposed road and proceed on the 11" day of January, 1911, 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 ten 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 lay out 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 laid out 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 laying out and establishing of such road, being the damages sustained by any person through whose premises the Road is proposed to be laid out; (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 description 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 laid out.

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 said 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 establishment 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 March 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 establishment of the Road; and file the written applications on which such assessments have been made, with the County Auditor.

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

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

TO Harry D. Kennedy, Charles Merion and Chas. Salzgeber Viewers, and Hugh K. Lindsey Surveyor.

YOU ARE HEREBY NOTIFIED, That under the Order of the Commissioners of Franklin County, Ohio, dated December 24" 1910, you were appointed to view, survey and lay out the County Road petitioned for by Robert McCoy and others, and to perform the other duties required of you by law.

You are directed to meet at the line of road on the 11th day of January, 1911, at 10 o'clock A. M., for the purposes aforesaid and as set forth in said order.

And the 11" day of January, 1911, is the day by which claims for compensation must be filed.

Dated this 10th day of January, 1911.

Robert McCoy
Principal Petitioner.

PROOF OF SERVICE....

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

Robert McCoy being duly sworn, says that on the 24th day of December, 1910, (being not less than six days before the time appointed for the meeting of the Viewers and Surveyor,) he served a copy of the foregoing notice upon Harry D. Kennedy, Chas. Merion, Chas. Salzgaber and Hugh K. Lindsey.

(signed) _____

Sworn to before me, and signed in my presence, this 10th day of January, 1911.

Chas. F. Johnson
Notary Public, Franklin Co. Ohio.

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

TO E. F. Rugg, F. M. Raymond, Frank Reed, Wm. Lane, Frank Lane, Jas. Miller, John Birch, Elsie Matthews, Newton Pheneger, Jas. Penn, Porter McCoy, Matthew Maher, Chas. Matthews, Chas. Slyh, J. C. Hetten.

YOU ARE HEREBY NOTIFIED, that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order dated December 24, 1910, to view, survey and alter the County Road petitioned for by Robert McCoy and others, will meet on line of said proposed road on the 11th day of January, 1911, at 10 o'clock, A. M., for the purposes set forth in said order.

And the 11th day of January, 1911, is the day by which claims for compensation must be filed.

Dated this 10th day of January, 1911.

Robert McCoy
Principal Petitioner.

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PROOF OF SERVICE....

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

Robert McCoy being duly sworn, says that on the 24th day of December, 1910, (being not less than six days before the time appointed for the meeting of the Viewers and Surveyor,) he served a copy of the foregoing notice upon E. F. Rugg, F. M. Raymond, Frank Reed, Wm. Lane, Frank Lane, Jas. Miller, John Birch, Elsie Matthews, Newton Pheneger, Jas. Penn, Porter McCoy, Matthew Maher, Chas. Matthews, Robert McCoy, Chas. Slyh, J. C. Hetten.

(signed) Robert McCoy

Sworn to before me, and signed in my presence, this 10th day of January, 1911.

Chas. F. Johnson
Notary Public, Franklin Co. Ohio.

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REPORT OF VIEWERS----COUNTY ROAD.

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

In obedience to your order dated December 24, 1910, we, the undersigned, Viewers appointed under said Order, make the following report: In the matter of the Road petitioned for by Robt. McCoy, et al, Perry Township, Franklin Co., Ohio.

Together with Lattimer, Deputy County Surveyor, we met at _____ on the 11th day of January, 1911, 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 intersection of Perry Township Free Pike and Robert McCoy road, said Surveyor under our direction, surveyed the same along the following route:

Following the Robt. McCoy road, now a Township road, west along the lands of Robt. McCoy, P. J. McCoy, Wm. Johnson farm, Dominion Land Company to the Scioto River Road, a distance of one and one-half miles.

We further report that our opinion is that said Road ought to be established for the following reasons: Public welfare demands a better and wider road for the convenience of travel.

We have also determined that the public convenience requires that said Road should be established and opened 50 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 14th day of January, 1911.

Chas. Salzgaber)

Harry D. Kennedy) VIEWERS.

Charles Merion, Jr.)

FEEES..

Harry D. Kennedy	Viewer, 2 day...	\$ 4.00
Charles Salzgaber	" 2 day...	\$ 4.00
Charles Merion, Jr.,	" 2 day...	\$ 4.00

SEPARATE REPORT OF VIEWERS...

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

The undersigned Viewers of the County Road petitioned for by Robert McCoy and others, make the following Separate Report of the amount of damages, and to whom assessed by them, which would accrue by the opening of the Road. The parties named below have filed their written applications on which such assessments have been made, according to law, and the same are returned with this Report.

We have assessed and determined the compensation to be paid in money, for the property sought to be appropriated, in the following sums:

TO Harry J. Pheneger (Age 19) One----- DOLLARS.
 TO Howard G. Pheneger (Age 15) One----- DOLLARS.

The above named persons are allowed compensation as minor heirs of Wm. Johnson (deceased)

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Each of the above sums has been assessed and determined without deduction for benefit to any property of the owner which would accrue by the opening of the road.

Respectfully submitted this 11th day of January, 1911.

Chas. Salzgaber) Viewers and Jurors
Harry D. Kennedy) to assess and determined
Charles Merion, Jr.) Compensation and Damages.

ORDERS OF COUNTY COMMISSIONERS.---Made After Returns of Viewers and Surveyors.

Office of County Commissioners of Franklin County, Columbus, Ohio, March session, March 6th 1911.

IN THE MATTER OF THE)
Robert McCoy Road)

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.

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

Office of County Commissioners of Franklin County, Columbus, Ohio, March session, March 7th, 1911.

IN THE MATTER OF THE)
Robert McCoy Road)

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.

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

Office of County Commissioners of Franklin County, Columbus, Ohio, March session, March 8th, 1911.

IN THE MATTER OF THE)
Robert McCoy Road)

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 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 considered, on motion by Mr. Hayes, seconded by Mr. Gibson, further consideration thereof and action thereon was postponed until 10 A. M. of Friday, March 10, 1911.

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Voting Aye thereon; Sinclair, Hayes & Gibson.

ATTEST:

John Scott, Clerk.

March 10, 1911

In the matter of a County Road petitioned for by Robt. McCoy et al, the report of the Viewers in relation to the establishment of said road having this day been publicly read for the third time and being in favor of said road and no objections being made, nor damages claimed, nor assessed, nor petition for review filed; and the Board being of the opinion that said road as laid out and surveyed will be of public utility, it is therefore ordered, on motion by Mr. Hayes, seconded by Mr. Gibson, that the reports of the said Viewers, with the survey and plat of said road be recorded and that said road be established a public highway, fifty (50) feet in width.

Voting Aye thereon; Sinclair, Hayes and Gibson.

ATTEST:

John Scott, Clerk.