

Vacation of the section of the road
between the two sets of railroad tracks

ROAD RECORD NO. 12

ROAD RECORD NO. 12

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IN THE MATTER OF THE H. A. SANDRIDGE COUNTY ROAD PETITIONED FOR BY H. A. SANDRIDGE AND OTHERS IN
HAMILTON 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 January 20th 1913, praying for the vacation of a County Road on the following line, to-wit: Being a road 40 ft. wide, 20 ft. on each side of a center line described as follows:

Beginning at a point in the center of the Rathmell Road running east and west along the south side of Walnut Heights and southeast corner to Walnut Heights sub-division; thence south 86 Deg. 19 Min. E. 287.0 feet to a point; thence northerly parallel with and adjacent to the right of way of the Norfolk & Western Ry. Company, on its west side, 632.5 feet to a point in the south line of the road running to the east, being in Sec. 23 & 24, Hamilton Twp. Franklin County, Ohio.

PROOF OF POSTING AND PUBLISHING NOTICE.

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

Ned. E. Rees being duly sworn, says that on the 18th day of December, 1912, and at least thirty days before the 20th day of January, 1913, 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 Hamilton 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 20th day of January, 1913, (the date of presentation of the petition,) in the The Times & newspaper published in said Franklin County, in which said road sought to be vacated by such petition, is situated.

Ned E. Rees.

Sworn to before me, and signed in my presence, this 20th day of January, 1913.

C. A. DeLay
Notary Public.

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 vacation 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, to-wit: Being a road forty feet wide, twenty feet on each side of a center line described as follows:

Beginning at a point in the center of the Rathmell Road running east and west along the south side of Walnut Heights and Southeast corner to Walnut Heights Sub-division; thence S. 86 Deg. 19 Min. E., 287.0 feet to a point; thence northerly parallel with and adjacent to the right of way of The Norfolk & Western Ry., Company on its west side, 632.5 feet to a point in the south line of the road running to the east, being in Section 23 and 24, Hamilton Twp. Franklin County, Ohio.

Dated this 6th day of December, 1912.

PETITIONERS NAMES.

H. A. Sandridge
N. T. Rees
S. H. Lisle
C. L. Hessel
C. P. Johnston
Frank Schmidt
W. S. Johnston

PETITIONERS NAMES.

S. W. Bounds
L. R. Ramsey
Chas. Ban
N. H. Lloyd
I. W. Young
N. E. Rees

KNOW ALL MEN BY THESE PRESENTS:

That we R. E. Rees and Frank A. Davis, are held and firmly bound unto the State of Ohio, for the use of Franklin County, in the penal sum of Two Hundred 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 6th day of December, 1912.

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 vacation of a County Road, on the following line, to-wit:

Being a road 40 feet wide, 20 ft. on each side of a center line described as follows:

Beginning at a point in the center of the Rathmell Road running east and west along the south side of Walnut Heights and southeast corner to Walnut Heights Sub-division; thence S. 86 Deg. 19 Min. E. 287.0 feet to a point; thence northerly parallel with and adjacent to the right of way of the Norfolk & Western Ry., Company, on its west side, 632.5 feet to a point in the south line of the road running to the east, being in Sec. 23 and 24, Hamilton Twp. Franklin County, Ohio.

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.

M. E. Rees.

Frank A. Davis.

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

Office of County Commissioners of Franklin County, Ohio, January 20, 1913

IN THE MATTER OF THE)
Vacation of H. A. Sandridge Road)

The petition of H. A. Sandridge and others for the vacation of a County Road along the following described route, to-wit: Being a road 40 ft. wide, 20 ft. on each side of a center line described as follows: Beginning at a point in the center of the Rathmell Road running east and west along the south side of Walnut Heights and southeast corner to Walnut Heights Sub-division; thence S. 86 Deg. 19 Min. E. 287.0 ft. to a point; thence northerly parallel with and adjacent to the right-of-way of The Norfolk & Western Ry., on its west side, 632.5 ft. to a point in the south line of the road running to the east, being in Section 23 & 24, Hamilton Twp. Franklin County, Ohio., having been presented to the Commissioners; and (Page 83 they 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 Charles Salzgaber, S. Condon and Harry 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 to be vacated and proceed on the 3rd day of February, 1913, 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 vacate 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 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 vacated.

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

Lewis Davis)
County
Thos. Humphreys) Commissioners.
Richard Sinclair)

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

TO Charles Salzgaber, S. Condon and Harry Kennedy Viewers and Hugh K. Lindsey Surveyor.

YOU ARE HEREBY NOTIFIED, That under the Order of the Commissioners of Franklin County, Ohio, dated January 20, 1913, you were appointed to view, survey and vacate the County Road petitioned for by H. A. Sandridge and others, and to perform the other duties required of you by law.

You are directed to meet on line of road to be vacated on the 3rd day of February, 1913, at 10

o'clock A. M., for the purposes aforesaid and as set forth in said Order.

And the 1st day of February, 1913, is the day by which claims for compensation must be filed.

Dated this 20th day of January, 1913.

John Scott
Clerk Bd. Co. Com'rs.

PROOF OF SERVICE.

THE STATE OF OHIO, FRANKLIN COUNTY, OHIO:

N. E. Rees being duly sworn, says that on the 27th day of January, 1913, (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 Charles Salzgaber, S. Condon, Harry Kennedy, as Viewers and Hugh K. Lindsey, as Surveyor.

(signed) N. E. Rees

Sworn to before me, and signed in my presence, this 27th day of January, 1913.

Earl C. Bates,
Notary Public.

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

TO The Scioto Valley Traction Company.

YOU ARE HEREBY NOTIFIED, that the Viewers and Surveyor appointed by the Commissioners of Franklin County, Ohio, in their order dated January 20th 1913, to view, survey, lay out and vacate the County Road petitioned for by H. A. Sandridge and others, will meet on line of said roads proposed to be laid out and vacated on the 3rd day of February, 1913, at 10 o'clock, A. M., for the purposes set forth in said Order.

And the 1st day of February, 1913, is the day by which claims for compensation must be filed.

Dated this 20th day of January, 1913.

John Scott
Clerk of the Board.

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PROOF OF SERVICE.

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

N. E. Rees being duly sworn, says that on the _____ day of _____ 19____, (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 Agent of The Scioto Valley Traction Co.

(Signed) N. E. Rees

Sworn to before me, and signed in my presence, this 27th day of January, 1913.

Earl C. Bates,
Notary Public.

CERTIFICATE OF OATH OF VIEWERS.

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

BE IT REMEMBERED, That on this 3rd day of February, 1913, personally appeared before me, Hugh K. Lindsey a County Surveyor in and for said County, Chas. Salzgaber, S. Condon and Harry Kennedy Viewers of the County Road petitioned for by H. A. Sandridge and others, and were by me duly sworn faithfully and impartially to discharge their duties respectively.

Hugh K. Lindsey,
County Surveyor.

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CERTIFICATE OF OATH OF SURVEYOR.

THE STATE OF OHIO, FRANKLIN COUNTY, SS.

BE IT REMEMBERED, That on this 3rd day of February, 1913, personally appeared before me, Hugh K. Lindsey a County Surveyor in and for said County, Clark Baumgartner, Asst. Surveyor of the County Road petitioned for by H. A. Sandridge and others, and was by me duly sworn, faithfully and impartially to discharge his duties.

Hugh K. Lindsey,
County Surveyor.

REPORT OF SURVEYOR.

TO THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

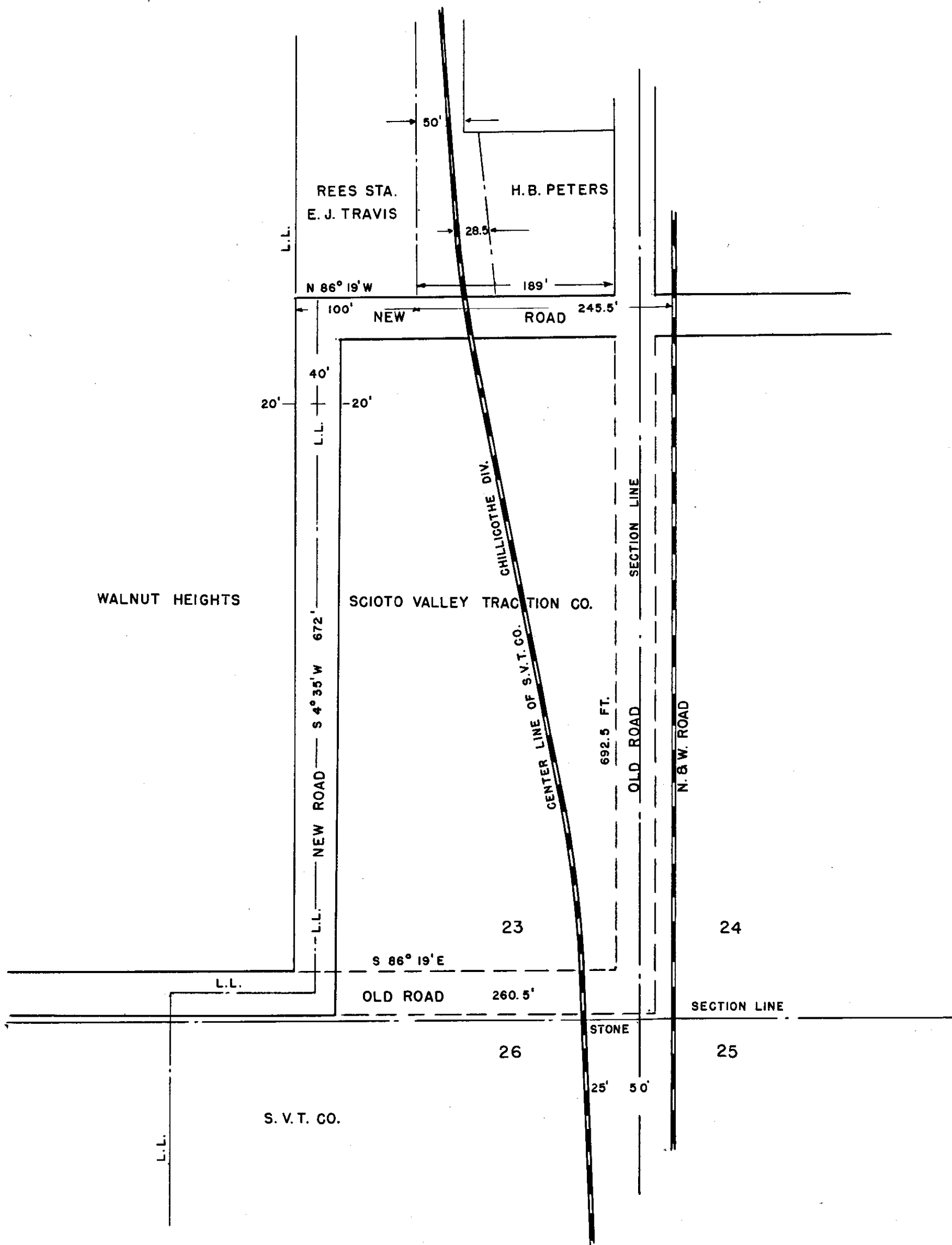
The undersigned, in obedience to your order, dated January 20th 1913, proceeded on the 3rd day of February, 1913, to survey and mark the County Road described in said Order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at a point in the center of the Rathmell Road running east and west along the south side of Walnut Heights Sub-Division, and being the southeast corner to said Walnut Heights Sub-division; thence S. 86 Deg. 19' E. 287.0 feet to the section line; thence northerly parallel with and adjacent to the right-of-way line of The Norfolk and Western Ry., Co., on the west side thereof, 632.50 feet to a point in the south line of the road running to the east and there terminate, being a strip 40 ft. wide, 20 ft. on each side of the above described line, being in sections 23 and 24. Hamilton Twp. Franklin County, Ohio.

NOTE*

SEE PLAT ON NEXT PAGE.

PLAT OF CHANGE OF ROAD AT REES STATION
HAMILTON TP. FRANKLIN CO., OHIO
SCALE 1 INCH = 100 FEET



I CERTIFY, That the foregoing is a correct plat and return of the survey of the _____
County Road petitioned for by H. A. Sandridge and others.

Hugh K. Lindsey, per C. Baumgartner

Surveyor of Franklin County.

REPORT OF VIEWERS---COUNTY ROAD.

In obedience to your order dated January 20, 1913, we, the undersigned, Viewers appointed under said Order, make the following Report:

Together with Clark Baumgartner, Assistant County Surveyor, we met on the line of the road on the 3rd day of February, 1913, at 10 o'clock, A. M., and after taking the oath required by law, a certificate of which oath is herewith returned; we proceed to view, survey and vacate the Road as prayed for in the petition, 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, as follows:

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

Being a road 40 ft. wide, 20 ft. on each side of a center line described as follows: Beginning at a point in the center of the Rathmell Road, running east and west along the south side of Walnut Heights Subdivision and southeast corner of said Walnut Heights Subdivision; thence south 86 Deg. 19' East to a point; thence northerly, parallel with and adjacent to the right of way of The Norfolk & Western Railroad Company, on its west side, 632 1/2 feet to a point in the south line of the road running to the east, being in Sections 23 and 24, Hamilton Township, Franklin County, Ohio.

We further report that our opinion is that said Road ought to be vacated for the following reasons: That on account of the location of a subway under The N. & W. Railroad tracks, the grade was lowered and a much better approach can be made to this subway by vacating the road directly along the N. & W. Railroad tracks and locating the line of said road farther west; also the public convenience would be endangered by running along present location of old road, it being so near the railroad tracks.

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 3rd day of February, 1913.

Harry Kennedy)

Chas. Salzgaber) VIEWERS.

Sylvester Condon)

FEEES..

Harry Kennedy	Viewer, 1 day	\$ 2.00
Sylvester Condon	" 1 day	\$ 2.00
Chas. Salzgaber	" 1 Day	\$ 2.00

No Compensation asked for and none paid.

No damages asked for and none allowed.

Respectfully submitted this 3rd day of February, 1913.

Harry Kennedy) Viewers and Jurors

Sylvester Condon) to Assess and Determine

Chas. Salzgaber) 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 3, 1913.

IN THE MATTER OF THE)
H. A. Sandridge Road)

Vacation of

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 of the Board.

Lewis Davis)
County

Thos. Humphreys) Commissioners.

Richard Sinclair)

Office of County Commissioners of Franklin County, Columbus, Ohio, March session, March 4, 1913.

IN THE MATTER OF THE)
H. A. Sandridge Road)

Vacation of

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 of the Board.

Lewis Davis)
County

Thos. Humphreys) Commissioners.

Richard Sinclair)

Office of County Commissioners of Franklin County, Columbus, Ohio, March session, March 4, 1913.

IN THE MATTER OF THE)
H. A. Sandridge Road)

Vacation of

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 thisday publicly read for the third time, and on motion by Mr. Humphreys, seconded by Mr. Sinclair, the report of the Viewers and Surveyor in (P. 89 said matter was accepted and approved and said road described in said petition vacated.

ATTEST:

John Scott
 Clerk of the Board.

Lewis Davis)

Thos. E. Humphreys) County Commissioners.

Richard Sinclair)