

FRANKLIN CO. O., ROAD RECORD No. 16 Establishment of a portion of Rush St. and a sixteen foot alley in Georgesville.

THE COL. B. B. MFG. CO. 76473

PUBLIC ROAD PETITION

Columbus, Ohio, September 18, 1939

(Filed October 18, 1939)

To the Honorable Board of County Commissioners of Franklin County, Ohio:

The undersigned petitioners, freeholders of said County, residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the establishment of a portion of Rush St. and a sixteen foot alley in Georgesville, a Public Road on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises, for establishment such road; the same not being a road on the State Highway System.

The following is the general route and termini of said road:

RUSH STREET

Being all that portion of Rush Street, situated between lots #8 and #9, and extending from the east right of way line of River Street eastwardly to the west bank of Big Darby Creek, said Street being of record in the recorded plat of the Village of Georgesville, Plat Book #2, page #276, Recorder's Office, Franklin County, Ohio. Rush Street to be established 60 feet wide.

SIXTEEN FOOT ALLEY

Being all that portion of the sixteen (16) foot alley situated between lots #9 and #10, and extending from the east right of way line of River Street eastwardly to the west bank of Big Darby Creek, said portion being of record in the recorded plat of the Village of Georgesville, Plat Book #2, page 276, Recorder's Office, Franklin County, Ohio. Alley to be established 16 ft. wide.

REMARKS: This portion of alley and Rush Street, being the same that were vacated by the Board of County Commissioners on May 20, 1939. It has now become evident that in order to preserve the peace and tranquility of the Village of Georgesville, and to better serve the convenience of the residents of said Village, that this portion of alley and Rush Street be established again as public streets.

Therefore, we pray that the necessary legal procedure be initiated by the Honorable Board of County Commissioners in connection with this petition to take such action that will be necessary to establish this portion of alley and Rush Street.

PETITIONER'S NAMES : Fannie Powell, E. B. Myers, Ota May Myers, Ota May Myers, lot. No. 50, Mrs. Harley J. Rowland, Courtland H. Price, Nancy M. Dunbar, Marion Frazier, Charles Wesley Ogilvie, Joseph Henry Gollaway, C. C. Biggert, Grove City, O., Thomas W. Frazier, Florence Frazier, Mrs. Jennie L. Baker, Wesley Hiermer, Margaret Hiermer, Elizabeth Campbell, Floyd Campbell, Lawrence R. Myers, Mrs. Lawrence R. Myers, Chas. Wright, John Hann, Fred Myers, Ethel F. Myers, Ella Frazier, Charles Barber, Robert Frazier, Catherine Frazier, A. J. Estep, Mr. Charles M. Millin, L. O. Vogel, Hattie Vogel, Robt. L. Elliott, Hazel C. Youngberg, Stanton Youngberg, Mrs. Jessie Cross, Ruth Walker, G. W. Walker, Idalia Bradfield, E. B. Bradfield, all of Pleasant Township.

October 25, 1939.

PETITION TO ESTABLISH A PORTION  
OF RUSH STREET AND 16 FOOT ALLEY  
FILED. VIEW NOVEMBER 10, 1939  
FINAL HEARING NOVEMBER 18, 1939

Mr. Schneider offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor.

WHEREAS, E. B. Myers, et al., on the 18th day of October, 1939, presented a petition to the Board of County Commissioners of Franklin County, Ohio, signed by at least twelve freeholders of Franklin County, Ohio, residing in the vicinity of the proposed establishment, requesting said Board to establish a portion of Rush Street to a width of 60 feet and a portion of a sixteen foot alley located in the unincorporated Village of Georgesville, Pleasant Township; the general route and termini thereof to be as follows:-

RUSH STREET

Being all that portion of Rush Street, situated between Lots No. 8 and 9 and extending from the east right of way line of River Street eastwardly to the west bank of Big Darby Creek, said street being of record in the recorded plat of the Village of Georgesville, Plat Book #2, page #276, Recorder's Office, Franklin County, Ohio. Rush street to be established 60 feet wide.

SIXTEEN FOOT ALLEY

Being all that portion of the sixteen foot alley situated between lots #9 and #10, and extending from the east right of way line of River Street eastwardly to the west bank of Big Darby Creek, said portion being of record in the recorded plat of the Village of Georgesville, Plat Book #2, page 276, Recorder's Office, Franklin County, Ohio. Alley to be established 16 feet wide.

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Friday,

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November 10, 1939, at ten o'clock A.M. eastern standard time, is hereby fixed as the date and hour when the Board of County Commissioners will view the proposed establishment along the line thereof; and that Saturday, November 18, 1939, at ten o'clock A.M. eastern standard time is hereby fixed as the time and date for the final hearing on said petition and proposed establishment at the office of the Board of County Commissioners in the court house of Franklin County, Ohio; and

BE IT FURTHER RESOLVED, that notice of the time and place for both such view and hearing be given by publication once a week for two consecutive weeks in the Columbus Dispatch, a newspaper published in and having a general circulation in Franklin County, Ohio, where the proposed establishment is located, and that said notice in addition to the date and place of such view and place and time of the final hearing shall state briefly the character of the proposed establishment.

Voting Aye thereon: George G. Trabue, Chas. W. Schneider and Harry T. Vigor.

**THE COLUMBUS DISPATCH**  
**PROOF OF PUBLICATION**  
 CLASSIFIED ADVERTISING MANAGER  
 OF THE COLUMBUS DISPATCH COMPANY, PUBLISHER OF  
 THE COLUMBUS DISPATCH, A NEWSPAPER PUBLISHED  
 IN COLUMBUS, FRANKLIN COUNTY, OHIO, WITH A DAILY  
 CIRCULATION OF APPROXIMATELY 10,000 COPIES, AND  
 WHICH IS A MEMBER OF THE ASSOCIATION OF  
 PUBLISHERS OF NEWSPAPERS OF OHIO.

Filed in The Columbus Dispatch for \_\_\_\_\_  
 on \_\_\_\_\_ October 28th  
 at \_\_\_\_\_

and that the same was published in the issue of  
 \_\_\_\_\_

*Charles J. Hardin*  
 Submitted and sworn to, this \_\_\_\_\_  
 day of November, 1939, at \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public in and for Franklin County,  
 Ohio. My Commission Expires 3/18/40.

November 19, 1939

In the matter of the petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 18th day of October, 1939, for the establishment of a portion of Rush Street, and a portion of a 16 foot alley, both being located in the unincorporated Village of Georgesville, Pleasant Township, Franklin County, Ohio, Mr. Schneider offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor.

WHEREAS, On the 18th day of October, 1939, a petition was filed with this Board by E. B. Myers, et al., praying for the establishment of a portion of Rush Street and a portion of a 16 foot alley, both being located in the unincorporated Village of Georgesville, Pleasant Township, Franklin County, Ohio; and

WHEREAS, On the 25th day of October, 1939, said board of county commissioners did fix the 10th day of November, 1939, at ten o'clock A. M. eastern standard time, on the line of the proposed establishment as the time and place for the viewing thereof, and did further fix the 18th day of November, 1939, at ten o'clock A. M. eastern standard time, at the office of the board of county commissioners of Franklin County, Ohio, as the time and place for the final hearing on said proposed establishment; and

WHEREAS, Legal notice by publication in the Columbus Dispatch, a newspaper published in and of general circulation in said county, was given of the time and place for the viewing of said proposed establishment and of the final hearing thereon; and

WHEREAS, the board of county commissioners of Franklin County, Ohio, did on the 10th day of November, 1939, the day fixed for the viewing of said proposed establishment, meet on the line

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of the said street and alley as described in the petition, and heard all proof offered by parties interested in and affected thereby and other persons competent to testify and did go over and along the line of said street and alley and by actual view of same, and the premises along and adjacent thereto which are affected thereby, does find that the said proposed establishment is of sufficient importance to require that the engineer of Franklin County, Ohio, be instructed and directed to make a survey and plat thereof; therefore

BE IT RESOLVED, By the board of county commissioners of Franklin County, Ohio, that the engineer of Franklin County, Ohio, be and he hereby is instructed and directed to make a plat and survey of the said street and alley proposed to be established, an accurate and detailed description of the lands bordering thereon, together with the names of each owner; shall set stakes at the termini of each right of way lines and at all angles between such termini and at sufficient other points on the right of way lines so that the bounds of the street and alley may be discernible to property owners and others interested and make report to the Board of County Commissioners on or before the 18th day of November, 1939, at ten o'clock A.M. eastern standard time. Said report shall set forth the opinion of the county engineer either for or against the granting of the petition, which report, together with the plat and survey of said street and alley shall be deposited with the Board of County Commissioners.

Voting Aye thereon: George G. Trabue, Chas. W. Schneider and Harry T. Vigor.

SUBJECT: PROPOSED ESTABLISHMENT OF A PORTION OF RUSH STREET AND A PORTION OF A SIXTEEN (16) FOOT ALLEY IN THE UNINCORPORATED VILLAGE OF GEORGESVILLE, GEORGESVILLE SCHOOL DISTRICT, PLEASANT TOWNSHIP, FRANKLIN COUNTY, OHIO.  
LANDS BOUGHT TO BE APPROPRIATED.

November 18, 1939.

Hon. Board of County Commissioners, Franklin County, Ohio.

Gentlemen: Pursuant to your order of November 10, 1939, I have made a survey and plat, which I hereby submit, showing the proposed establishment of a portion of Rush Street, and a portion of a sixteen (16) foot alley in the unincorporated village of Georgesville, Georgesville School District, Pleasant Township, Said portion of Rush Street to be established at a width of sixty (60) feet, and said portion of the sixteen (16) foot alley to be established at a width of sixteen (16) feet, as described as follows:

Portion of Rush Street proposed to be established:

Being all that portion of Rush Street, situated between Lots #8 and 9, and extending from the east right of way line of River Street, eastwardly to the west bank of Big Darby Creek, said portion of Street being of record in the recorded plat of the unincorporated Village of Georgesville, Plat Book #2, page #276, on file in the office of the County Recorder, Franklin County, Ohio.

Said portion of Rush Street to be established at a width of sixty (60) feet.

Portion of Sixteen (16) Foot Alley proposed to be established:

Being all that portion of the sixteen (16) foot alley situated between Lots #9 and #10, and extending from the east right of way line of River Street, eastwardly to the west bank of Big Darby Creek, said portion of Alley being of record in the unincorporated Village of Georgesville, Plat Book #2, page #276, on file in the office of the County Recorder, Franklin County, Ohio.

Said portion of alley to be established at a width of sixteen (16) feet.

I am also submitting the names of owners of lands affected by the proposed establishments, and the amount of lands to be appropriated from each.

On May 20, 1939, upon request of your Honorable Board, I made the recommendation that the portion of Rush Street, and the portion of the sixteen (16) foot alley now proposed to be established, should be vacated. This action was in accordance with the policy agreed upon between your Honorable Board and my office, that such vacation proceedings should be recommended, when no objections to such action were raised, and where it was apparent that such an action would not be detrimental to the welfare and convenience of the general public. As no objections were raised by the residents of this community to these proceedings, after due publication of your intention to proceed with such vacation proceedings, in a newspaper of general circulation within the County, The Ohio State Journal, and as it was my opinion that the vacation of this portion of Rush Street and sixteen (16) foot alley was desired by all the residents of the community, and would not be detrimental to the welfare and convenience of the general public, I therefore made the recommendation for the vacation of this portion of Rush Street and sixteen (16) foot alley.

Since that date, however, my office has received personally and through your Honorable Board, reports of unfortunate events and situations that have arisen in the community of Georgesville, due to the action of your Honorable Board in vacating this portion of Rush Street and sixteen (16) foot alley. It is not my desire or intention to enter into the personal differences of the residents of the community, but I am of the opinion, that, even though it is apparent that the majority of residents of the community were negligent in voicing their objections to your action in vacating this portion of Rush Street and sixteen (16) foot alley, if the peace and tranquility of the community are to be jeopardized by such action, that the present proposed establishment proceedings be approved, to establish this portion of Rush Street and sixteen (16) foot alley, for the use of the general public.

I, therefore, recommend that for the general public welfare and convenience, that the above described portion of Rush Street and of the sixteen (16) foot alley, be established as shown on the accompanying plat, and that the width of Rush Street be established at a width of sixty (60) feet and that the portion of the alley be established at a width of sixteen (16) feet.

Respectfully submitted, Allan Slade, County Engineer, ACS js.

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**PLAT**

*Plat*

RUSH STREET  
UNINCORPORATED VILLAGE OF GEORGESVILLE  
GEORGESVILLE SCHOOL DISTRICT  
PLEASANT TOWNSHIP

NAME	ADDITION	LANDS OWNED LOT NUMBER	ORIGINAL QUANTITY	LAND SOUGHT TO BE APPROPRIATED	STATUS
Chapman, Paul D. & Viola M.	J. L. Moore	#9 and 0.343 acre in vacated portion of Rush Street Lot #9		0.343 acre of vacated portion of Rush Street	Clear
Stevens, Leah A. non Resident Cambridge, Ohio 128 S. 8th St.	J. L. Moore	#8 and 0.343 acre in vacated portion of Rush Street Lot #8		0.343 acre of vacated portion of Rush Street	Clear

SIXTEEN (16) FOOT ALLEY  
UNINCORPORATED VILLAGE OF GEORGESVILLE  
GEORGESVILLE SCHOOL DISTRICT  
PLEASANT TOWNSHIP

Chapman, Paul D. & Viola M.	J. L. Moore	#9 and 0.088 acre in vacated portion of alley Lot #9		0.088 acre of vacated portion of alley	Clear
Stevens, Leah H. & Ruth Walker (Undivided 1/2)	J. L. Moore	#10 and 0.088 acre in vacated portion of alley Lot #10		0.088 acre of vacated portion of alley	Clear

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November 18, 1939.

In the matter of the proceedings for the establishment of a portion of Rush Street and a portion of a sixteen foot alley in the Unincorporated Village of Georgesville, Georgesville School District, Pleasant Township, Franklin County, Ohio, Mr. Schneider offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor,

WHEREAS, on the 10th day of November, 1939, the Board of County Commissioners of Franklin County, Ohio, did, by resolution duly adopted authorize and direct the engineer of Franklin County, Ohio, to make report in writing relative to the establishment of said street and alley to said Board on or before ten o'clock A. M. eastern standard time of Saturday, November 18, 1939; said report to be in manner and form prescribed in section 6865 of the General Code; and

WHEREAS, this 18th day of November, 1939, was fixed as the Final Hearing in said matter, and the County Engineer having filed his report thereon; and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public welfare and convenience require the establish of Rush Street and a 16 foot alley as shown in the report and on the Plat submitted by the County Engineer to a width of sixty feet and sixteen feet respectively; therefore

BE IT RESOLVED, by the board of county commissioners of Franklin County, Ohio, that said street and alley establishments herein referred to is hereby found and determined to be of sufficient importance to the public convenience and welfare to cause the establishments thereof to sixty (60) and sixteen (16) feet respectively, and as shown on Plat submitted by the County Engineer; and

BE IT FURTHER RESOLVED, That Wednesday, December 13, 1939, at 10:30 o'clock A.M., eastern standard time, be and the <sup>same</sup> is hereby fixed as the time and the office of the Board the place for hearing and considering claims for compensation and damages in said matter, and all claims shall be filed in writing with the Board on or before the time of said hearing; and

BE IT FURTHER RESOLVED, that notice of the time and place for hearing said claims shall be served on the owner or owners personally or by leaving a copy of the same at the usual place of residence of such owner or owners, at least five days before the time fixed for said hearing, and the Clerk of the Board shall cause such notice to be given and make due report thereon as provided in section 6870 of the General Code of Ohio.

Voting Aye thereon: George G. Trabue, Chas. W. Schneider and Harry T. Vigor.

**The Columbus Dispatch**  
 City of Columbus, Ohio, and  
 State of Ohio

**Proof of Publication**

I, Charles W. Hardin, Manager of The Columbus Dispatch, a newspaper published at Columbus, Franklin County, Ohio, with a daily publication of news and information, hereby certify that a true and correct copy of the within and foregoing resolution was published in The Columbus Dispatch on November 18, 1939 at 10:30 o'clock, A. M., on November 18, 1939.

Witness my hand and seal of office this 18th day of November, 1939.

*Charles W. Hardin*  
 Manager

Notary Public in and for Franklin County, Ohio.  
 My Comm. Expires 3/16/40

C. C. C. & ST. L. Ry. Co.

RAILROAD STREET

30'

30'

20

21

22

60'

RIVER STREET

Leah H. Stevens & Ruth Walker (unov. H.)

16' ALLEY To Be Established

VILLAGE OF GEORGETOWN

Paul D. & Viola M. Chapman

BUSH STREET 60' To Be Established

Leah A. Stevens

BIG DADDY CREEK

APPROVED BY  
M. ALLEY & BUSH ST.  
Georgetown, Pleasant  
Approved by [Signature]  
Date [Date] Franklin County, Va.

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PROOF OF SERVICE

STATE OF OHIO  
COUNTY OF FRANKLIN

On the 21st day of November, 1939, personally appeared before me, James S. Johnson, Assistant County Engineer, who being first duly sworn, deposes and says that he served a copy of the attached notice upon each lot and land owner therein mentioned in the manner and at the time stated after their respective names.

These are the land owners, a part of whose land is sought to be appropriated on account of the Establishment of a portion of Rush Street and a 16 foot alley in the unincorporated Village of Georgesville, Pleasant Township, Franklin County, Ohio.

NAME OF PERSON SERVED	HOW SERVED	WHEN SERVED
Paul D. & Viola M. Chapman	By personally handing her a copy of said notice	11-21-39
Leah A. Stevens, 128 S. 8th St., Cambridge, Ohio		
Dr. M. L. Gregg 9 Buttles Ave. Columbus, agent Leah A. Stevens	By personally handing him a copy of said notice	11-21-39
Ruth Walker, 2036 North 4th St., Columbus, O. (Leah A. Stevens and Ruth Walker-undivided $\frac{1}{2}$ )	By leaving a copy of said notice at his residence	11-21-39

and further deponent saith not.

James S. Johnson  
Assistant County Engineer.

Sworn to before me and signed in my presence this 21st day of November, 1939.

William F. Boland,  
Notary Public, Franklin County, O.

November 20, 1939.

NOTICE IN THE MATTER OF PROPOSED ESTABLISHMENT OF A PORTION OF RUSH STREET AND A PORTION OF A SIXTEEN FOOT ALLEY IN THE UNINCORPORATED VILLAGE OF GEORGESVILLE.

Notice is hereby given that the survey made and plat filed with the Board of County Commissioners, by the County Engineer, in the matter of the establishment of a portion of Rush Street and a portion of a sixteen foot alley in the Unincorporated Village of Georgesville, Georgesville School District, Pleasant Township, Franklin County, Ohio, on November 18, 1939, shows the appropriation of a portion of your land to be necessary for the proposed establishments, which street and alley are more particularly described as follows:

PORTION OF RUSH STREET PROPOSED TO BE ESTABLISHED:

Being all of that portion of Rush Street, situated between Lots #8 and 9, and extending from the east right of way line of River Street, eastwardly to the west bank of Big Darby Creek, said portion of street being of record in the recorded plat of the unincorporated Village of Georgesville, Plat Book #2, page 276, on file in the office of the County Recorder, Franklin County, Ohio. Said portion of Rush Street to be established at a width of sixty feet.

Portion of sixteen foot alley proposed to be established:

Being all that portion of the sixteen foot alley situated between Lots #9 and #10, and extending from the east right of way line of River Street, eastwardly to the west bank of Big Darby Creek, said portion of alley being of record in the unincorporated Village of Georgesville, Plat Book #2, page 276, on file in the office of the County Recorder, Franklin County, Ohio. Said portion of alley to be established at a width of sixteen feet.

You are further notified that Wednesday, December 13, 1939, at 10:30 o'clock A.M. eastern standard time, at the office of the board of county commissioners of Franklin County, Ohio, has been fixed as the time and place for hearing and considering claims that may be filed for lands to be taken for said establishment and for damages on account thereof. Application for compensation and damages shall be made in writing any time before the time for hearing thereon. Failure to make such application shall be a waiver of all rights thereto by every person interested therein, except minors or other persons under disability.

By order of the Board of County Commissioners of Franklin County, Ohio.

Bertha A. Young, Assistant Clerk.

Nov. 22, 1939.

The undersigned hereby certifies that a marked copy of the Columbus Evening Dispatch dated Nov. 22, 1939, has this 22nd day of November, 1939, been mailed to Leah A. Stevens and Ruth Walker, in the matter of the advertisement to Non-Residents pertaining to the proceedings for the establishment of Rush Street and a 16 foot Alley in the unincorporated village of Georgesville.

Bertha A. Young, Asst. Clerk.

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December 13, 1939.

Pursuant to notice by legal publication, this being the day and hour fixed for hearing claims for compensation and damages filed in the matter of the Establishment of Rush Street and a 16 foot Alley in the unincorporated Village of Georgesville, Pleasant Township, same came on, and on motion of Mr. Schneider, seconded by Mr. Vigor, consideration of said claims and action thereon, be and the same is hereby postponed to Wednesday, December 27, 1939, at ten o'clock A. M.

Voting Aye thereon: George G. Trabue, Chas. W. Schneider and Harry T. Vigor.

December 27, 1939

COMPENSATION AND DAMAGES IN THE MATTER OF THE PROCEEDINGS FOR THE ESTABLISHMENT OF A PORTION OF RUSH STREET AND A PORTION OF A 16 FOOT ALLEY IN THE UNINCORPORATED VILLAGE OF GEORGESVILLE FIXED. NOTICE OF APPEAL FILED. APPEAL BOND FIXED AT \$300.00

Pursuant to postponement, this being the day and hour fixed for the purpose of considering claims for compensation and damages that may be filed in the matter of the proceedings for the establishment of a portion of Rush Street and a portion of a 16 foot Alley located in the unincorporated Village of Georgesville, Pleasant Township, same came on, and the Board of County Commissioners finds the following claim for compensation and damages has been filed in accordance with the provisions of law, towit:

Paul D. and Viola M. Chapman	Compensation and Damages	\$500.00
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After due consideration of said claim for compensation and damages, and the hearing of evidence thereon, Mr. Schneider offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor.

WHEREAS, The said portion of Rush Street and the said portion of a 16 foot alley, which are the subject of this Resolution,, were established as public thoroughfares towit: as Rush Street and as a 16 foot Alley many years ago, and were such public thoroughfares at the time of the acquisition of title to the abutting property owned by the said claimants, Paul D. and Viola M. Chapman; and

WHEREAS, On the 20th day of May, 1939, the said easements for public thoroughfare purposes of the said portion of Rush Street and the said portion of the alley were by the Board of County Commissioners vacated, the same being recorded and described in Road Record No. 15, Page 301, of the Road Records of Franklin County, Ohio; therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that after due consideration of the claim filed for compensation and damages in the matter of the proceedings for the establishment of a portion of Rush Street and a portion of a 16 foot alley located in the unincorporated Village of Georgesville, Pleasant Township, the Board deems the following sum to be just and equitable as compensation for land taken and damages sustained by reason of said establishment, and hereby makes the following award, towit:

Paul D. and Viola M. Chapman	Compensation for Land	\$1.00
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and

BE IT FURTHER RESOLVED, That in the opinion of the Board of County Commissioners of Franklin County, Ohio, the establishment of said portion of Rush Street and said portion of the 16 foot alley located in the unincorporated Village of Georgesville as described in Road Record No. 15, Page 301, of the Road Records of Franklin County, Ohio, is of sufficient importance to the public to cause the compensation awarded on account thereof to be paid out of the county treasury, towit: the sum of \$1.00, and it is so ordered, and that upon the acceptance thereof by the claimant, an order shall be issued for the opening and maintenance of said street and alley as provided by law; and

WHEREAS, Paul D. and Viola M. Chapman, by Lawrence P. Fick, their attorney, filed Notice of Appeal in said proceedings as follows:-

"To the Board of County Commissioners, Franklin County, Ohio.

NOTICE OF APPEAL.

Notice is hereby given of our intention to appeal from the final order of the county commissioners of Franklin County, Ohio, in the establishment of a sixteen foot alley and a portion of Rush Street in the unincorporated Village of Georgesville, Pleasant Township, Franklin County, Ohio, and the award of damages and/or compensation as made in said order.  
Lawrence P. Fick, attorney for Paul D. Chapman, Viola M. Chapman, Filed December 27, 1939."

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that the persons filing said Notice of Appeal be, and they hereby are required to file a bond in the sum of Three Hundred Dollars (\$300.00), with surety thereon to the satisfaction of the County Auditor, as provided in Section 6891-1 General Code of Ohio.

Voting Aye thereon: George G. Trabue, Chas. W. Schneider and Harry T. Vigor.

TO THE BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, OHIO.

NOTICE OF APPEAL

Notice is hereby given of our intention to appeal from the final order of the county commissioners of Franklin county, Ohio, in the establishment of a sixteen foot alley and a portion of Rush street in the unincorporated village of Georgesville, Pleasant township, Franklin county, Ohio, and the award of damages and/or compensation as made in said order.

Lawrence P. Fick, attorney for  
Paul D. Chapman  
Viola M. Chapman

December 27, 1939.

## FRANKLIN CO. O., ROAD RECORD No. 16

Establishment of a portion of Rush Street and a sixteen foot alley in Georgesville.

THE COL. S. B. MFG. CO. 76473

January 3, 1940.

RESOLUTION DATED DEC. 27, 1939,  
IN THE MATTER OF THE PROCEEDINGS FOR THE  
ESTABLISHMENT OF A PORTION OF RUSH STREET  
AND A PORTION OF A 16 FT. ALLEY IN THE UN-  
INCORPORATED VILLAGE OF GEORGESVILLE, PER-  
TAINING TO COMPENSATION AND DAMAGES, AMENDED.

Mr. Schneider offered the following resolution, and moved the adoption of the same, which was duly seconded by Mr. Trabue.

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that the resolution in the matter of compensation and damages pertaining to the proceedings for the establishment of a portion of Rush Street and a portion of a 16 foot alley in the unincorporated Village of Georgesville, Ohio, adopted December 27, 1939, be amended nunc pro tunc to conform to the action of the Board of County Commissioners, as of that date, by amending the seventh paragraph thereof to read as follows:

BE IT FURTHER RESOLVED, That in the opinion of the Board of County Commissioners of Franklin County, Ohio, the establishment of said portion of Rush Street and said portion of the 16 ft. alley located in the unincorporated Village of Georgesville, as described in Road Record No. 15, page 301 of the Road Record of Franklin County, Ohio, is of sufficient importance to the public to cause the compensation awarded on account thereof to be paid out of the County Treasury, to-wit: the sum of \$1.00, and it is so ordered, and it is further ordered that an order shall be and hereby is issued for the opening and establishment of the same street and alley which shall hereafter be maintained as provided by law, and that the necessary voucher and warrant for the payment of the above award be prepared and issued; and

BE IT FURTHER RESOLVED, that the original paragraph of the said resolution of December 27, 1939, be and the same hereby is repealed and held for naught, and that the remainder of the said resolution of December 27, 1939, shall be and remain in full force and effect.

Voting Aye thereon: Harry T. Vigor, Chas. W. Schneider and Geo. G. Trabue.

## IN THE PROBATE COURT OF FRANKLIN COUNTY, OHIO

Paul B. Chapman, and  
Viola M. Chapman,

Plaintiffs,

- vs -

The Board of County Commissioners  
of Franklin County, Ohio.

Defendants.

No. 89236

Approved and filed  
May 27, 1940.

ENTRY

on  
This day this cause came/to be heard upon the verdicts of the jury rendered on the 7th day of May, 1940, and, the Court being duly advised in the premises, finds that said jury was duly impaneled and sworn and, after hearing the evidence, arguments of counsel and the charge of the Court, said jury found that the establishment of the alley north of Rush Street in the Village of Georgesville, Ohio, as more particularly described in the public road petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 18th day of October, 1939 would be conducive to the public convenience and welfare and assessed compensation and damages to the plaintiffs herein in the sum of \$1.00, and that the establishment of Rush Street would not be conducive to the public convenience and welfare.

It is, therefore, ordered that said verdicts be and they are hereby approved and confirmed and it is further ordered that the costs of this proceedings be paid as follows:

By the plaintiffs Two-thirds (2/3)

By the defendants one-third (1/3)

It is further ordered that a record of all proceedings had in this Court be certified to the County Auditor, together with all of the original papers filed herein.

C. P. McClelland  
Probate Judge

## TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES

In the Matter of  
Paul B. Chapman and Viola Chapman  
Plaintiff,

- vs -

Board of County Commissioners of  
Franklin County, Ohio,  
Defendants.

Probate Court, Franklin County, Ohio  
No. 89236

Action for

ROAD CASE APPEAL

CIVIL DOCKET 56, page 534.

No.	Year	Mo.	Day	
1	1940	1	5	Petition filed.
2	"	1	5	Transcript filed.

## FRANKLIN CO. O., ROAD RECORD No. 16

Establishment of a portion of Rush Street and a sixteen foot alley in Georgesville.

THE COL. B. B. MFG. CO. 76473

## TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES (continued)

No.	Year	Mo.	Day	
2½	1940	1	5	Entry setting January 9, 1940 at 10 o'clock A.M. as time for hearing preliminary questions, filed.
3	"	4	15	Entry setting case for hearing on the 23rd day of April, 1940 at 10 o'clock A. M. filed.
4	"	4	24	Entry finding appeal perfected in due form, fixing Trial date as May 7, 1940 at 9:00 o'clock A. M. ordering notice issued to Clerk of Common Pleas Court and to Sheriff of Franklin County to draw sixteen (16) names from Jury box to serve as a jury herein, ordering clerk to certify a list of the names as drawn in the order in which they are drawn to this Court forthwith and that a venire issue for said jurors, returnable as required by law, filed.
5	"	4	27	Notice to clerk of Common Pleas Court to draw list of jurors, issued.
5	"	4	29	Certified copy of notice and certificate of clerk of Courts of Common Pleas with names and residence of jurors, filed.
6	"	4	29	Venire for jury issued to sheriff of Franklin County, filed.
7	"	5	3	Precipe filed.
8	"	5	3	Subpoena issued to sheriff of Franklin County, Ohio.
9	"	5	6	Notice to clerk of Common Pleas Court to draw list of jurors issued.
6	"	5	6	Venire for jury returned by sheriff and filed.
9	"	5	6	Notice to clerk returned and certificate of Clerk of Courts of Common Pleas, filed.
10	"	5	6	Venire for jury issued to sheriff of Franklin County, O.
11	"	5	7	Precipe filed.
12	"	5	7	Subpoena issued to sheriff of Franklin County, O.
13	"	5	7	Verdict of jury filed.
14	"	5	7	Verdict of jury filed.
15	"	5	27	Entry of decree on verdicts, assessing costs 2/3 to plaintiffs, 1/3 to defendants and ordering transcript of all proceedings with original papers certified to County Auditor, filed.

The State of Ohio, ..... County, ss.

I, ....., Judge and Ex-Officio Clerk of the Probate Court, in and for said County, do hereby certify that the foregoing is a true transcript of the Docket and Journal Entries of said Probate Court in the above entitled cause; and I further certify, that the papers herewith sent, are all the original papers and pleadings filed in the above cause.

Witness my signature and the seal of said Probate Court, this 27th day of June, 1940.

C. P. McClelland  
 Judge and Ex-Officio Clerk of said  
 Probate Court  
 By (Signed) Bernard Feitlinger  
 Deputy Clerk

SEAL

SUMMARY OF COURT ENTRY.

The Jury found that the establishment of the Alley north of Rush St. in the Village of Georgesville, Ohio, would be conducive to public convenience and welfare. That the establishment of Rush Street would not be conducive to the public convenience and welfare.