

FRANKLIN CO. O., ROAD RECORD No. 16 Vacation of Alleys in Ora E Morgan's Addition ETC.

BY UNANIMOUS VOTE VACATION OF ALLEYS IN CRA E MORGAN'S ADDITION AND VALENTINE'S ADDITION TO THE VILLAGE OF WESTERVILLE, BLENDON TOWNSHIP

May 2 1942

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

WHEREAS, Section 6862 General Code of Ohio provides that when the Board of County Commissioners is of the opinion that it will be for the public convenience and welfare to locate, establish, alter, widen, straighten, vacate or change the direction of a public road, they shall so declare by resolution; therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, all of said Board being present and voting thereon and in favor thereof, that they do hereby declare that it is necessary for the public convenience and welfare that proceedings be had and taken to vacate a portion of alleys in Ora E. Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, along the following described lines:-

(1) All of the 16 foot alley off the east side of Lot 51, between East Broad Street and Lane Alley, in Ora E. Morgan's Addition to the Village of Westerville, (Flat Book No. 5, Page 489), described in Deed of record, recorded in Deed Book 945, Page 177, Recorder's Office, Franklin County, Ohio.

(2) That part of the 16 foot alley lying immediately south of and adjacent to Lots 5, 6, and 7 of Ora E. Morgan's Addition to the Village of Westerville, (Flat Book 5, Page 489), beginning at a point 34 feet east of the east line of Lot 4, of said Addition and extending easterly a distance of 100 feet to a point 36 feet east of the west line of Lot 7 of said Addition and there to terminate.

(3) All that part of a certain 15 foot alley lying immediately north of Reserve "B", Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of Valentine's Addition to the Village of Westerville, (Flat Book 7, page 450), beginning at the west line of Reserve "B" and extending easterly a distance of 435 feet to the east line of Lot 10 of said Addition and there to terminate.

(4) All that part of a 16 foot alley lying immediately south of and adjacent to a 0.7336 acre tract, a 0.373 acre tract Lots 56, 55, 54, 53, 52, 51, 50, 49, 48 and 47 of Valentine's Addition to the Village of Westerville (Flat Book 7, Page 450), beginning at the east right of way line of the Cleveland, Akron and Columbus Railroad and extending easterly a distance of 764 feet to the east line of Lot 47 of said Addition and there to terminate; and

BE IT FURTHER RESOLVED, That Tuesday, May 19, 1942, at ten o'clock A.M. eastern war time, on the line of said proposed improvements, be and the same is hereby fixed as the time and place for viewing same; and that Wednesday, May 27, 1942, at ten o'clock A.M. eastern war time, at the office of the Board of County Commissioners of Franklin County, Ohio, be and hereby is fixed as the time and place for final hearing thereon, and that the clerk of the Board be and hereby is directed to cause legal publication thereof to be made in the Ohio State Journal.

Voting Aye thereon: C. P. Lauderbaugh, George W. Watson and Harry T Vigor.

PROOF OF PUBLICATION

STATE OF OHIO

Franklin County

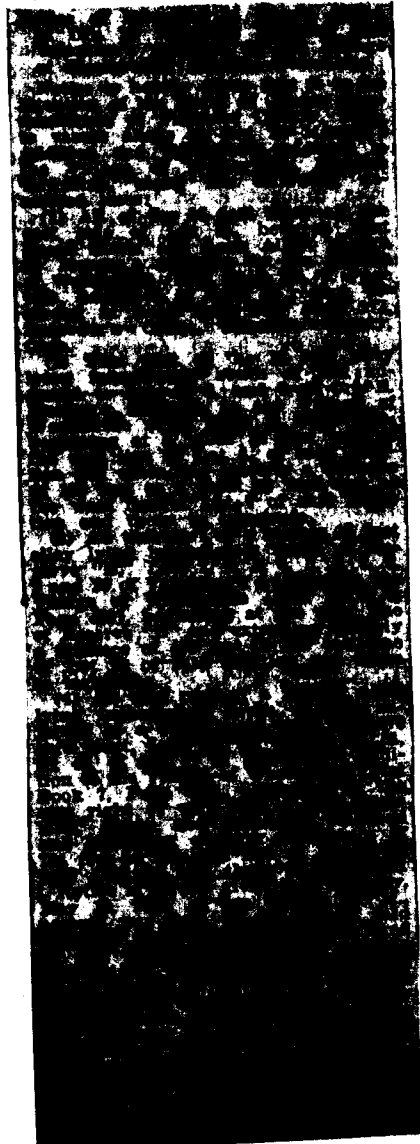
Robert W. Irwin Secretary - Treasurer of the Ohio State Journal, a newspaper published at Columbus, Franklin County, Ohio, with a paid circulation of more than 25,000, personally appeared and made oath that the attached printed advertisement was published for

2 days from May 4-11, 1942

in said newspaper and that the rate charged therefor is the same as that charged to commercial advertisers for like spaces on annual contracts.

Subscribed and sworn to this 11th day of May, 1942.

Josephine Scott Notary Public in and for Franklin Co.



FRANKLIN CO. O., ROAD RECORD No. 16 Vacation of Alleys in Ora E Morgan's addition etc.

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

ENGINEER DIRECTED TO PREPARE PLANS
FOR VACATION OF A PORTION OF ALLEYS
IN ORA E MORGAN'S ADD. AND VALENTINE'S
ADD. TO THE VILLAGE OF WESTERVILLE

May 19 1942

In the matter of the resolution of May 2, 1942, adopted by the Board of County Commissioners for the vacation of a portion of alleys in Ora E. Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, Franklin County, Ohio, Mr. Watson offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor.

WHEREAS, On the 2nd day of May, 1942, the Board of County Commissioners of Franklin County, Ohio, adopted a resolution declaring it necessary to vacate a portion of alleys in Ora E. Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, Franklin County, Ohio; and

WHEREAS, On the 2nd day of May, 1942, said Board of County Commissioners did fix the 19th day of May, 1942, at ten o'clock A.M., eastern war time, on the line of said proposed vacations as the time and place for the viewing thereof, and did further fix the 27th day of May, 1942, at ten o'clock A.M. eastern war time, at the office of the Board of County Commissioners of Franklin County, Ohio, as the time and place for final hearing on said vacations; and

WHEREAS, Legal notice by publication in the Ohio State Journal, a newspaper published in and of general circulation in said county was given of the time and place for the viewing of said vacations and of the final hearing thereon; and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, did on the 19th day of May, 1942, the day fixed for the viewing of the said proposed alley vacations meet on the line thereof as described in resolution, and heard all the 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 proposed alley vacations and by actual view of same, and the premises along and adjacent thereto which are to be affected thereby, does find that the vacation of said alleys 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 proposed vacations, an accurate and detailed description of each tract of land which will be necessary to be taken, together with the names of each owner; shall set stakes at the termini of each right of way line and at all angles between such termini and at sufficient other points on the right of way lines so that the bounds of the proposed alleys vacations may be discernible to property owners and others interested, and make report to the Board of County Commissioners on or before the 27th day of May, 1942, 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 said vacations, which report together with the plat and survey of the proposed vacations shall be deposited with the County Commissioners.

Voting Aye thereon: C. F. Lauderbaugh, George W. Watson and Harry T. Vigor.

Columbus, Ohio, May 27 1942

Subject: Vacation of alleys in Ora E Morgan's
and Valentine's Addition to the Village
of Westerville, Blendon Twp. Franklin
County, Ohio.

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

Gentlemen: Pursuant to your order of May 19, 1942, I have made a survey and plat, which I hereby submit, of certain alleys in the Ora E. Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, showing the proposed vacation of the said alleys, and which certain alleys are described as follows:-

- (1) All of the 16 foot alley off the east side of Lot 5, between East Broad Street and Lane Alley, in Ora E Morgan's Addition to the Village of Westerville, (Plat Book No. 5, page 489), described in deed of record, recorded in Deed Book 945, Page 177, Recorder's Office, Franklin County, Ohio. Note: In original description as adopted by the Board on May 2, 1942, the above described lot was mentioned as being Lot No. 51, this was in error, the correct lot number being Lot No. 5.
Note: It is recommended that the Board convey to the Kilgore Manufacturing Company by Quit Claim Deed, all the rights and interests it might have in the aforesaid described alley, by reason of a conveyance made to the Board by the aforesaid company as recorded in Deed Book No. 945, page 177, Recorder's Office, Franklin County, Ohio. Such conveyance should be made due to the fact that the above described alley has never been formally established as a public way, though the County did hold title which was restricted to highway purposes only.
- (2) That part of the 16 foot alley lying immediately south of and adjacent to Lots 5, 6, and 7 of Ora E. Morgan's Addition to the Village of Westerville (Plat Book No. 5, Page 489), beginning at a point 34 feet east of the east line of Lot 4, of said Addition and extending easterly a distance of 100 feet to a point 36 feet east of the west line of Lot 7 of said Addition and there to terminate.
- (3) All that part of a certain 15 foot alley lying immediately north of Reserve "B", Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of Valentine's Addition to the Village of Westerville (Plat Book 7, Page 450), beginning at the west line of Reserve "B" and extending easterly a distance of 435 feet to the east line of Lot 10 of said addition and there to terminate.
- (4) All that part of a 16 foot (Davis) alley lying immediately south of and adjacent to a 0.7336 acre tract, a 0.376 acre tract, Lots 56, 55, 54, 53, 52, 51, 50, 49, 48 and 47 of Valentine's Addition to the Village of Westerville (Plat book 7, page 450), beginning at the east right of way line of the Cleveland, Akron and Columbus Railroad and extending easterly a distance of 764 feet to the east line of Lot 47 of said Addition and there to terminate.

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

I am of the opinion that the proposed vacation of the aforesaid described alleys in Ora E. Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, would be of no inconvenience to the general public, and I, therefore, recommend the said vacation as shown on the accompanying plat. Respectfully submitted, Allan Slade, County Engineer, By R F Koerner Chief Deputy.

WFB-L

FRANKLIN CO. O., ROAD RECORD No. 16 Vacation of Alleys in Ora E Morgan's Addition, etc.

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

ALLEYS IN ORA E MORGAN'S AND VALENTINE'S
ADDITION TO THE VILLAGE OF WESTERVILLE
BLENDON TOWNSHIP DECLARED VACATED

May 27 1942

In the matter of the proceedings for the vacation of certain alleys in Ora E Morgan's and Valentine's Addition to the Village of Westerville, Blendon Township, Mr. Watson offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor.

WHEREAS, On the 19th day of May, 1942, the Board of County Commissioners of Franklin County, Ohio, did, by resolution duly adopted, directed the engineer of Franklin County, Ohio, to make report in writing to said Board on or before ten o'clock A.M. of Wednesday, May 27, 1942, relative to the proceedings for the vacation of certain alleys in Ora E Morgan's and Valentine's Addition to the Village of Westerville, Blendon Township, said report to be made in the manner and form set forth and required by Section 6865 of the General Code of Ohio; and

WHEREAS, Allan Slade, County Engineer did on May 27 1942, report thereon in writing, which report contained the following recommendations, to wit:

"Hon. Board of County Commissioners, Franklin County, Ohio. Gentlemen: Pursuant to your order of May 19, 1942, I have made a survey and plat, which I hereby submit, of certain alleys in the Ora E Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, showing the proposed vacation of the said alleys, and which certain alleys are described as follows:-

- (1) All of the 16 foot alley off the east side of Lot 5, between East Broad Street and Lane Alley, in Ora E Morgan's Addition to the Village of Westerville, (Flat Book No. 5, Page 489), described in deed of record, recorded in Deed Book 945, Page 177, Recorder's Office, Franklin County, Ohio. Note; in original description as adopted by the Board on May 2, 1942, the above described lot was mentioned as being Lot No. 51, this was in error, the correct Lot number being Lot No. 5.

Note: It is recommended that the Board convey to the Kilgore Manufacturing Company by Quit Claim Deed, all the rights and interests it might have in the aforesaid described alley, by reason of a conveyance made to the Board by the aforesaid Company as recorded in Deed Book No. 945, Page 177, Recorder's Office, Franklin County, Ohio. Such conveyance should be made due to the fact that the above described alley has never been formally established as a public way, though the County did hold title which was restricted to highway purposes only.

- (2) That part of the 16 foot alley lying immediately south of and adjacent to Lots 5, 6, and 7 of Ora E. Morgan's Addition to the Village of Westerville, (Flat Book No. 5, Page 489), beginning at a point 34 feet east of the east line of Lot 4, of said Addition and extending easterly a distance of 100 feet to a point 36 feet east of the west line of Lot 7 of said Addition and there to terminate.
- (3) All that part of a certain 15 foot alley lying immediately north of Reserve "B", Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Valentine's Addition to the Village of Westerville, (Flat Book 7, page 450), beginning at the west line of Reserve "B" and extending easterly a distance of 435 feet to the east line of Lot 10 of said Addition and there to terminate.
- (4) All that part of a 16 foot (Davis) alley lying immediately south of and adjacent to a 0.7336 acre tract, a 0.376 acre tract, Lots 56, 55, 54, 53, 52, 51, 50, 49, 48 and 47 of Valentine's Addition to the Village of Westerville (Flat Book 7, Page 450), beginning at the east right of way line of the Cleveland, Akron and Columbus Railroad and extending easterly a distance of 764 feet to the east line of Lot 47 of said Addition and there to terminate.

I am of the opinion that the proposed vacation of the aforesaid described alleys in Ora E Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, would be of no inconvenience to the general public, and I, therefore, recommend the said vacation as shown on the accompanying plat. Respectfully submitted, Allan Slade, County Engineer, by R F Koerner, Chief Deputy."

and

WHEREAS, No objections to the vacation of said alleys were filed, nor claims for compensation and damages on account thereof were filed; and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said alleys, and that the vacation thereof would not inconvenience the public; therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that the alleys in Ora E Morgan's Addition and Valentine's Addition to the Village of Westerville, Blendon Township, as recommended by the county Engineer to be vacated, and as described in his report and shown on the plat submitted by him, be and the same are hereby declared vacated; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners convey to the Kilgore Manufacturing Company, by Quit Claim Deed, all the rights and interests said Board might have in the 16 foot alley off the east side of Lot No. 51, between East Broad Street and Lane Alley in Ora E Morgan's Addition to the Village of Westerville, recorded in Deed Book 945, page 177.

Voting Aye thereon: C. P. Lauderbaugh, George W. Watson and Harry T Vigor.

