

FRANKLIN CO. O., ROAD RECORD No. 16

Vacation of Part of Groveport East Road

Groveport East Road - vacation of a portion of the old Groveport Road between Williams Road and the C & O Railroad

PUBLIC ROAD PETITION

Columbus Ohio May 1 1944

To the Hon. 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 vacating of a part of Groveport-East Road, a public road on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises for vacating such road; the same not being a road on the State Highway System.

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

All that portion of Groveport road between the right of way lines of the Chesapeake and Ohio Railway Company and the north line of a 0.774 acre tract owned by Howard R & Martha E Morrison extended east across Groveport Road, situated in Section 11, Township 4, Range 22, Marion Township Franklin County, Ohio, total length 933 feet.

Petitioners Names: Walter Imhoff, E W Martin, James Holley, Hallie F Behnlein, Chas Everett, Frank Schmidt, Henry C Schmidt, Howard Beltz, Nora Barrett, August Neilor, Ezra R Radekin, Orville R Hudson, Martha Imhoff, Rhulie Everett, C J Hann, A H Hann, E L Loggie J W Dungan, Nellie Hudson.

PETITION TO VACATE PART OF GROVEPORT ROAD EAST MARION TOWNSHIP FILED. VIEW AUGUST 29 1945; FINAL HEARING SEPTEMBER 11 1945

August 10 1945

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

WHEREAS, E W Martin et al., on the first day of August 1945, 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 vacation, requesting said Board to vacate part of Groveport-East Road, Marion Township, described as follows:

All that portion of Groveport Road between the south right of way line of the Chesapeake and Ohio Railway Company and the north line of a 0.774 acre tract owned by Howard R and Martha E Morrison extended east across Groveport Road, situated in section 11, Township 4, Range 22, Marion Township, Franklin County, Ohio, total length 933 feet. therefore

BE IT RESOLVED By the board of County Commissioners of Franklin County, Ohio, that Wednesday August 29, 1945, at ten o'clock A.M., eastern war time, is hereby fixed as the date and hour when the Board of County Commissioners will view the proposed vacation along the general route thereof; and that Tuesday, September 11, 1945, at ten o'clock A.M., eastern war time, is hereby fixed as the time and date for the final hearing on said petition and proposed vacation 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 Ohio State Journal, a newspaper published in and having a general circulation in Franklin County, Ohio; where the proposed vacation 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 vacation.

Voting Aye thereon: C P Fauderbaugh, Harry T Vigor and George W Matson.

Franklin County Commissioners

Columbus O. March 5 1945

Dear Sirs: We wish to submit a protest against the disposing of and closing off of the road north of our property. This is the old Groveport Pike south of the RR and is used daily by railroad workers who drive to their work at the railroad. It is also used by our children and other children. It is a short cut to the school house when it is necessary to go to and from school. They cross the railroad at their own risk and we consider it less risk than to walk over the overhead for there is lots of traffic and no place to walk except on the busy highway, there is considerable speed on this overhead road and there has been several accidents. During the past few months cars have hit the guard rail first on one side of road and then on other side of the road due to slippery roads. There is a steep bank just outside of guard rail making it impossible to walk along outside of rail. During summer months children ride bicycles and roller skate on the old road which keeps them off the highway. we also have a blind son who walks on this road. If it is closed off it will force him to go up on the highway which is really dangerous. This is a hard surfaced road and should be of little expense to the county for many years to come and we feel that the safety of children and pedestrians who use this road more than pays for any expense it might be to the county. Respectfully yours, Mr & Mrs H R Morrison, 3551 Groveport Pike.

PROVE BY PUBLICATION

State of Ohio } ss. 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

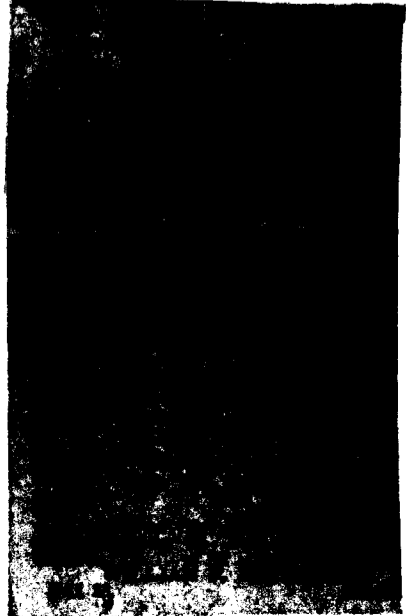
2 times, August 11, 18, 1945

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

Suscribed and sworn to this 20th day of August 1945

Notary Public in and for Franklin Co.

NOTARY PUBLIC IN AND FOR FRANKLIN COUNTY, OHIO



FRANKLIN CO. O., ROAD RECORD No. 16 Vacation Portion Groveport East Road

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

GROVEPORT EAST ROAD VIEWED.
 ENGINEER TO FILE REPORT
SEPTEMBER 11 1945

September 29 1945

In the matter of the resolution of August 10, 1945, adopted by the Board of County Commissioners for the vacation of Part of Groveport East Road, Marion Township, Franklin County, Ohio, Mr. Vigor offered the following preamble and resolution and moved the adoption of the same which was duly seconded by Mr. Lauderbaugh.

WHEREAS, On the 10th day of August, 1945, the board of county commissioners of Franklin County, Ohio, adopted a resolution declaring it necessary to vacate a part of Groveport East Road, Marion Township, Franklin County, Ohio; and

WHEREAS, On the 10th day of August, 1945, said Board of County Commissioners did fix the 29th day of August, 1945, at ten o'clock A.M., eastern war time, on the line of said proposed road vacation as the time and place for the viewing thereof, and did further fix the 11th day of September, 1945, 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 vacation; 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 vacation and of the final hearing thereon; and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, did, on the 29th day of August, 1945, the day fixed for the viewing of the said proposed road vacation, meet on the line thereof as described in the petition, 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 road vacation, 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 road 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 road vacation, 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 road vacation may be discernible to property owners and others interested, and make report to the board of county commissioners on or before the 11th day of September, 1945, at ten o'clock A.M. eastern war time. Said report shall set forth the opinion of the county engineer either for or against the granting of said road vacation, which report, together with the plat and survey of the proposed vacation shall be deposited with the county commissioners.

Voting Aye thereon: Harry T Vigor and C P Lauderbaugh. Absent and not voting George W Watson

FRANKLIN CO. O., ROAD RECORD No. 16 Vacation portion of Groveport-East Road

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

PRAYER OF PETITION TO VACATE
PART OF GROVEPORT EAST ROAD
MARION TOWNSHIP GRANTED

September 11 1945

In the matter of the petition filed by E. W. Martin et al. praying for the vacation of Groveport-East Road, Marion Township, Mr. Vigor offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Matson.

WHEREAS, On the 29th day of August, 1945, the Board of County Commissioners of Franklin County, Ohio, by resolution duly adopted, directed the engineer of Franklin County, Ohio, to make report to this Board on or before ten o'clock A.M. of Tuesday, September 11, 1945 relative to the proceedings for the vacation of Groveport-East Road, Marion Township, Ohio; said report to be made in manner and form set forth and required by section 8865 General Code of Ohio; and

WHEREAS, Allen Slade, County engineer, did on the 11th day of September, 1945, report thereon in writing, which report contained the following recommendations, to wit:

"September 11, 1945. Board of County Commissioners, Franklin County, Ohio. Re. Vacation of a part of Groveport Road in Marion Township. Gentlemen: Pursuant to your order of August 29, 1945, I have made a survey and plat of the proposed road vacation, which is attached hereto, and submit the following report.

E. W. Martin, et al. filed the petition to vacate this part of Groveport Road. Mr. Hudson wants to erect a fence enclosing his property and if the road is not vacated he will be compelled to erect a fence along both sides of the old road. If the road is vacated Mr. Hudson can erect a fence across the south line and place a gate across the roadway.

All the property owners along this part of Groveport Road signed the petition to vacate except one, namely, Howard R and Martha E Morrison, Mrs Martha E Morrison is opposed to the vacation for the reason that the blind boy uses this old strip of Groveport Road as a walk and that the children in the neighborhood use the old road as a "short cut" to go to and from Clarfield School. Clarfield School is located north of the C & O Railroad and the children evidently use the abandoned grade crossing.

This part of Groveport Road is no longer used by the traveling public since the grade crossing has been abandoned and a new grade separation was built in 1940.

I see no harm or inconvenience to the traveling public in the vacation of this part of Groveport Road and therefore recommend the vacation as shown on the attached plat. Respectfully submitted, Allen Slade, County Engineer.

and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said Groveport Road, 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 objections filed by Mr. and Mrs H R Morrison be and the same are hereby over-ruled; and

BE IT FURTHER RESOLVED, that the Board hereby determines that the public utility and welfare do not require said Groveport Road and that said Groveport Road, Marion Township, as described and recommended by the county Engineer to be vacated, be and the same is hereby vacated as shown on the plat submitted by said engineer.

Voting Aye thereon: C P Leuderbaugh, Harry T Vigor and George W. Matson.

THE CHESAPEAKE AND OHIO RAILWAY COMPANY.

Columbus 15, Ohio. Apl 19, 1945

The Board of County Commissioners of Franklin County, Ohio, Court House, Columbus, Ohio.

Gentlemen: The Chesapeake and Ohio Railway Company hereby consents to the vacation of one thousand feet of the old Groveport Road lying south of the Railway Company's right of way as shown on The Chesapeake and Ohio Railway Company's Drawing No. D.E. 1548 hereto attached. Very truly yours,
THE CHESAPEAKE AND OHIO RAILWAY COMPANY. By Wilson and Rector. Division Counsel.