

FRANKLIN CO. O., ROAD RECORD No. 16 Vacation Unice Ave. and Davis Alley

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, OHIO.

IN THE MATTER OF THE VACATION OF PARTS OF
UNICE AVE. AND DAVIS ALLEY. PUBLIC ROADS IN
FRANKLIN COUNTY OHIO.

Filed Sept 27 1945.

PETITION

Petitioners are freeholders of Franklin County, Ohio, and reside in the vicinity of the public roads described herein.

Unice Avenue and Davis Alley are public roads situated in Franklin County, Ohio, and are delineated upon the recorded plat of Valentine's Addition to Westerville, Ohio, said addition being situated partly in the village of Westerville and partly in the township of Blendon, of record in Plat Book No. 7, pages 450 and 451, Recorder's Office, Franklin County, Ohio and were duly dedicated to the public use by John Rau, Sr. and J W Valentine and accepted by the Village Council of Westerville on January 9, 1911 and by the Board of County Commissioners of Franklin County, Ohio, on January 14, 1911. Said public roads are not roads on the state highway system. The part of said public roads that are shown on said plat to be situated in the Village of Westerville Ohio, were vacated by the council of said village on September 4, 1945. Petitioners respectfully request the Board to vacate the following described parts of said public roads:

1. All of that part of Unice Avenue, a strip of land 40 feet wide and approximately 164.64 feet long which is situated in Blendon Township, Franklin County, Ohio.
2. All of that part of Davis Alley that runs along the south ends of Lots 33 to 46 of said Valentine's Addition, being a strip of land 16 feet wide and approximately 612 feet long.

Said public roads have never been improved or used by the public as thoroughfares and the public convenience and welfare require that they be vacated.

Petitioners: Harold H DeWitt, Opal A DeWitt, Geo R Jacoby, Johnnie L Jacoby Fred L Plaul Sr Maggie M Plaul, Jenkins O James, Ethel James, Faye Green, J W Hogue, Hazel A Hogue, Lawrence M Collier, Catherine D Watkins, Mary M Hodggen J F Dill, Irene Dill, Wm L Smith, Ella Smith, Clarence McGraw, Nora McGraw, Irvin E Johnston, Edna F Johnston.

PETITION TO VACATE UNICE AVENUE AND DAVIS ALLEY
VALENTINE'S ADD TO WESTERVILLE, BLENDON TWP. FILED.
VIEW OCT 16, 1945; FINAL HEARING OCT 26 1945

September 28 1945

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

WHEREAS, Harold H DeWitt et al. on the 27th day of September, 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 vacations, requesting said Board to vacate Unice Avenue and Davis Alley in Valentine's Addition to Westerville, Ohio, Blendon Township; said road and alley to be vacated more particularly described as follows:

All of that part of Unice Avenue, a strip of land 40 feet wide and approximately 164.64 feet long in Blendon Township, Franklin County, Ohio.

All of that part of Davis Alley that runs along the south ends of Lots 33 to 46 of Valentine's Addition, being a strip of land 16 ft wide and approximately 612 feet long.

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Tuesday, October 16, 1945, at ten o'clock A.M. is hereby fixed as the date and hour when the Board of County Commissioners will view the proposed vacations along the general route thereof; and that Friday, October 26, 1945, at ten o'clock A.M. is hereby fixed as the time and date for the final hearing on said petition and proposed vacations 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 final 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 vacations are located, and that said notice, in addition to the date and place of such view and place and time of the final hearing, shall briefly state the character of the proposed vacations.

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

PROOF OF 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

Two times, on Sept 1-8
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.

[Signature]

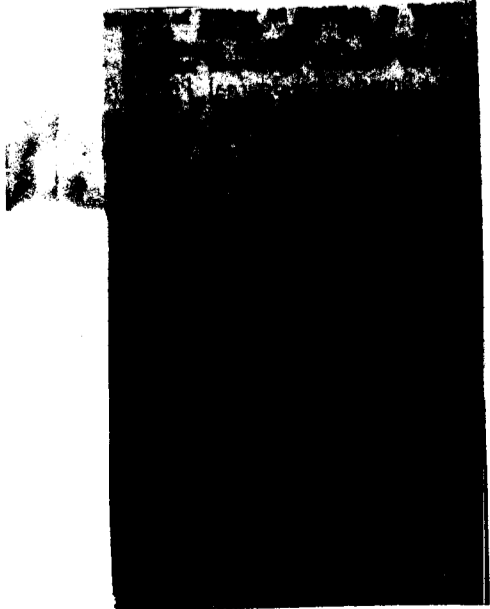
Suscribed and sworn to this 8th

day of Oct 1945

E. T. Spetzagel

Notary Public in and for Franklin Co.

E. T. SPETZAGEL, Notary Public
My Comm. Exp. Expires Sept. 30, 1946



FRANKLIN CO. O., ROAD RECORD No. 16 Vacation Unice Ave and Davis Alley

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

ENGINEER DIRECTED TO PREPARE PLAT AND
SURVEY FOR VACATION OF UNICE AVE AND
DAVIS ALLEY IN VALENTINE'S ADD. BLENDON TWP

October 16 1945

In the matter of the petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 27th day of September 1945, praying for the vacation of Unice Avenue and Davis Alley in Valentine's Addition, Blendon Township, 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 27th day of September, 1945, a petition was filed with the Board of County Commissioners by Harold H. Dewitt et al. praying for the vacation of Unice Avenue and Davis Alley in Valentine's Addition, Blendon Township, Franklin County, Ohio; and

WHEREAS, On the 28th day of September, 1945, said Board of County Commissioners did fix the 16th day of October, 1945, at ten o'clock A.M. on the line of the proposed vacations as the time and place for the viewing thereof; and did further fix the 26th day of October 1945, at ten o'clock A.M. at the office of the Board of County Commissioners, as the time and place for the final hearing on said proposed 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 avenue and alley vacations and of the final hearing thereon; and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, did, on the 16th day of October 1945, the day fixed for the viewing of the said proposed road and alley vacations, meet on the line thereof, as described in the 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 vacations in Valentine's Addition, 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 Unice Avenue and Davis Alley 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 vacation of Unice Avenue and Davis Alley in Valentine's Addition, Blendon Township, an accurate and detailed description of each tract of land affected, 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 in the right of way lines, so that the bounds of the proposed road and alley vacations may be discernible to property owners and others interested, and make report to the board of county commissioners on or before the 26th day of October, 1945, at ten o'clock A.M. 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 Unice Avenue and Davis Alley in Valentine's Addition vacation shall be deposited with the County Commissioners.

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

Columbus Ohio Oct 26 1945

Board of County Commissioners, Franklin County, Ohio.

Subject: Vacation of a part of Unice Avenue and Davis Alley in
Valentine's Addition, Blendon Township.

Gentlemen: Pursuant to your order of October 16, 1945, I have made a survey and plat of a part of Unice Avenue and Davis Alley in Valentine's Addition in Blendon Township, Franklin County, Ohio. I have made a study and an investigation of the proposed vacation and submit the following report:

The Hilgore Manufacturing Company, owner of all lots and lands abutting on Unice Avenue and that part of Davis Alley sought to be vacated, built a concrete block building within the right of way limits of Unice Avenue. Unice Avenue and Davis alley, through the Hilgore owned property are unimproved and are not used by the traveling public. The parts of Unice Avenue and Davis alley that are within the corporation of the Village of Westerville were vacated by action of the Village Council on September 9, 1945.

In consideration of the above statements, I see no harm or inconvenience to the traveling public by the vacation of the above named Avenue and Alley and therefore recommend that Unice Avenue and Davis Alley, in Valentine's Addition, Blendon Township, Franklin County, Ohio, be vacated as shown on the attached vacation plat. Respectfully submitted, Allan Slade, County Engineer.

FRANKLIN CO. O., ROAD RECORD No. 16 Vacation Unice Avenue and Davis Alley

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

PRAYER OF PETITION TO VACATE UNICE AVE. AND DAVIS ALLEY IN VALENTINE'S ADDITION GRANTED

October 26 1945

In the matter of the petition filed by Harold L DeWitt, et al. praying for the vacation of Unice Avenue and Davis Alley in Valentine's Addition, Blendon 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 18th day of October, 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 10:30 o'clock A.M. of Friday, October 26, 1945, relative to the proceedings for the vacation of Unice Avenue and Davis Alley in Valentine's Addition, Blendon Township, Franklin County, Ohio; said report to be made in manner and form set forth and required by section 6865 General Code of Ohio; and

WHEREAS, Allan Slade, County Engineer, did on the 26th day of October, 1945, report thereon in writing, which report contained the following recommendations, to wit:-

"October 26, 1945. Board of County Commissioners, Franklin County, Ohio. Re: Vacation of a part of Unice Ave., and Davis Alley in Valentine's Addition in Blendon Township Franklin County, Ohio.

I have made a study and an investigation of the proposed vacation and submit the following report:

The Kilgore Manufacturing Company, owner of all lots and lands abutting on Unice Avenue and that part of Davis Alleysought to be vacated, built a concrete block building within the right of way limits of Unice Avenue. Unice Avenue and Davis Alley, through the Kilgore owned property are unimproved and are not used by the traveling public. The parts of Unice Avenue and Davis Alley that are within the corporation of the Village of Westerville were vacated by action of the Village Council on September 9, 1945.

In consideration of the above statements, I see no harm or inconvenience to the traveling public by the vacation of the above named avenue and alley and therefore recommend that Unice Avenue and Davis Alley, in Valentine's Addition, Blendon Township, Franklin County, Ohio, be vacated as shown on the attached vacation plat. Respectfully submitted, Allan Slade, County Engineer.

and

WHEREAS, The County Commissioners of Franklin County, Ohio, find that the public utility and welfare do not require said Unice Avenue and Davis Alley in Valentine's Addition, 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 said Board hereby determines that the public utility and welfare do not require said Unice Avenue and Davis Alley in Valentine's Addition, and therefore said avenue and alley be and the same are hereby declared vacated in accordance with the recommendation of the county engineer and as set forth in the plat submitted by said engineer.

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

