

THE COL. B. B. MFG. CO. 83512

THE COUNTY COMMISSIONERS,
FRANKLIN COUNTY, OHIO.

GENTLEMEN:

The undersigned are the owners in fee simple of the real estate described on the attached affidavit. The recorded plat of this property shows an alley as running through our property.

The attached Affidavit is filed with you in accordance with Section 6380 of the Ohio General Code, as a sworn statement of disuse of said alley. It is requested that said alley "Be deemed to have been vacated by such disuse and neglect" in accordance with the Statute and such fact be properly noted on the recorded plat of our property.

Respectfully Submitted,

(Signed)

(Ervin O Nance
(Muriel H. Nance
(Dorothy S. Peppe
(Louis J. Peppe

Donald L. Littell /s
Donald L. Littell, Attorney for
Petitioners,
50 West Broad St.,
Columbus, Ohio.

AFFIDAVIT

STATE OF OHIO) SS
COUNTY OF FRANKLIN (

LOUIS J. PEPPE and DOROTHY PEPPE his wife, and ERVIN O. NANCE and MURIEL NANCE his wife, being first duly sworn according to law, upon their oath say:

1. That they are the joint owners of the fee simple title of the following described real estate situated in the County of Franklin, State of Ohio, Township of Truro, bounded and described as follows:

FIRST TRACT: Being part of half Section 30, Section 18, Township No. 16, Range 20, Refugee Lands, bounded and described as follows, to-wit:

Beginning 2 rods south of the west end of the wooden structure of the National Road Bridge; thence South 8 deg. East to the Southeast corner of Lot No. 1 in Osborn's Addition to the Village of Reynoldsburg; thence West to the Southwest corner of Lot No. 4 in said Osborn's Addition; thence South about 48 rods to the Southwest corner of a parcel of land formerly owned by Mark Evans; thence East with the South line of said Lot, 5 chains and 13 links; thence North 18 deg. West 1 chain and 49 links; thence East to the West Bank of Black Lick Creek; thence North with the meanderings of said Black Lick Creek on the west bank thereof to a point opposite to and directly east of the point of beginning; thence west to the place of beginning, containing 9 acres of land more or less.

SECOND TRACT: Lots 3, 4, and 5 as the same are known and designated on the Plat of Osborn's Addition to the Town of Reynoldsburg, Franklin County, Ohio.

THIRD TRACT: Also a parcel of land commencing 5 chains and 18 links East 3 deg. 1' north from the Southwest corner of a piece of land formerly owned by Marck Evans; thence East 20 rods to the East Bank of Black Lick Creek; thence up the Creek with its meanderings to the National Road Bridge; thence West till it strikes a line 1 rod east of a stone planted for a bearing for a corner from the southwest corner of the former wooden bridge across Black Lick Creek; 8½ deg. west from the East end of the bridge; thence down the Creek bank with its meanderings until it struck a corner directly east of the Southwest corner of a piece of land deeded by Samuel Gares to Thomas Willis; thence east to said Thomas Willis corner; thence southerly with the west line and bearings of a piece of land deeded by John McDowell to H. E. Miller to the place of beginning, containing one and ¼ acres of land.

FOURTH TRACT: Being part of Section 18, Township 16, Range 20, Refugee Tract and being a part of 49.22 acres conveyed Charles M. Evans and Evan E. Evans by Morris H. Evans by deed dated the 14th day of November, 1887, and recorded in Vol. 192, page 26 of the records of deeds of said Franklin County, Ohio, and bounded and described as follows: Beginning in the center of the National Road at the Northeast corner of the above mentioned 49.22 acre tract; thence South 89 deg. west along the center of said National Road 63 feet to an iron pipe; thence South 9 deg. east 1032.5 feet to an iron pipe about 10 feet south of a ditch; thence North 36 ¾ deg. east 70 feet to one of the original corners of the above mentioned 49.22 acre tract; thence north 3¼ deg. west along one of the original boundaries of said 49.22 acre tract 799 feet to a corner of the same; thence following another original boundary of said 49.22 acre tract south 89 deg. west 119.5 feet to a corner of the same; thence following another original boundary of said 49.22 acre tract North 3 deg. west 222.5 feet to the place of beginning, containing 2.33 acres of land.

A plat of said lands being hereto attached and made a part hereof.

2. That the Recorded Plat of Osborn's Addition to Reynoldsburg, Ohio, was re-recorded February 28, 1881, in Plat Book 3, page 160, Recorder's Office, Franklin County, Ohio. Said Plat shows an alley 16½ feet in width, known as "Oakley Alley", and 180 feet in length, running through the above described property, and being contiguous with the Eastside of Lot No. 5, and Westside of Lot No. 4 of Samuel Osborn's Addition, and on the Northside of a 9 acre tract of land heretofore described,

3. That said alley has never been improved by public funds.

4. That said alley for more than 21 years, to-wit since 1900, has been enclosed by a fence.

5. That no easement has even been given through such property by purchase or bargain.

Further affiants sayeth not.

Ervin O. Nance)
Muriel H. Nance) (Signed)
Dorothy S. Peppe)
Louis J. Peppe)

Swon to before me and subscribed in my presence this 31 day of January, 1949.

Donald L. Littell /s
DONALD L. LITTELL, NOTARY PUBLIC
STATE OF OHIO

AFFIDAVIT

STATE OF OHIO)
(SS
COUNTY OF FRANKLIN)

DAVID E. EVANS being first duly sworn deposes and says that he is the son of Evan E. Evans and a nephew of Charles M. Evans who owned the premises fully described in the Affidavit hereto attached and that he was born on the farm adjoining the real estate aforesaid in 1890 and that he is familiar with said lands and the ownership thereof during the past 50 years; that Charles Arthur Evans purchased said premises May 2, 1912; that his predecessors and his successors in title have had open, notorious and uninterrupted possession of said premises for more than 50 years last past; that the alleys shown in the Osborn Addition were never used by the public, and were never open for public use.

Further affiant sayeth not.

David E. Evans (Signed)

Sworn to before me and subscribed in my presence this 24th day of January, 1949.

Donald L. Littell, (Signed)
DONALD L. LITTELL, NOTARY PUBLIC
FRANKLIN COUNTY, OHIO, STATE OF OHIO

February 4, 1949

ALLEY IN OSBORN'S ADDITION TO REYNOLDSBURG KNOWN AS OAKLEY ALLEY, IN TRURO TOWNSHIP, VACATED FOR DISUSE

Mr. Lauderbaugh offered the following preamble and resolution and moved its adoption, which was duly seconded by Mr. McCoy:

WHEREAS, On February 2, 1949, Louis J. Peppe, and Dorothy Peppe, his wife, and Ervin O. Nance, and Muriel Nance, his wife, filed a sworn statement with the Board of County Commissioners of Franklin County, Ohio, stating;

1. That they are the joint owners of the fee simple title of the following described real estate situated in the County of Franklin, State of Ohio, Township of Truro, bounded and described as follows:

FIRST TRACT: Being part of half Section 30, Section 18, Township No. 16, Range 20, Refugee Lands, bounded and described as follows, to-wit:

Beginning 2 rods south of the west end of the wooden structure of the National Road Bridge; thence South 8 deg. East to the Southeast corner of Lot No. 1 in Osborn's Addition to the Village of Reynoldsburg; thence West to the Southwest corner of Lot No. 4, in said Osborn's Addition; thence South about 48 rods to the South west corner of a parcel of land formerly owned by Mark Evans; thence East with the South line of said Lot, 5 chains and 18 links thence North 13 deg. West 1 chain and 49 links; thence East to the West Bank of Black Lick Creek; thence North with the meanderings of said Black Lick Creek on the west bank thereof to a point opposite to and directly east of the point of beginning; thence west to the place of beginning, containing 9 acres of land more or less.

SECOND TRACT: Lots 3,4 and 5 as the same are known and designated on the Plat of Osborn's Addition to the Town of Reynoldsburg, Franklin County, Ohio.

THIRD TRACT: Also a parcel of land commencing 5 chains and 18 links East 3 deg. 1' north from the Southwest corner of a piece of land formerly owned by Mark Evans; thence East 20 rods to the East Bank of Black Lick Creek; thence up the Creek with its meanderings to the National Road Bridge; thence West till it strikes a line 1 rod east of a stone planted for a bearing for a corner from the southwest corner of the former wooden bridge across said Black Lick Creek; 3 1/2 deg. west from the East end of the bridge; thence down the Creek bank with its meanderings until it strikes a corner directly east of the Southwest corner of a piece of land deeded by Samuel Gares to Thomas Willis; thence east to said Thomas Willis corner; thence southerly with the west line and bearings of a piece of land deeded by John McDowell to H. E. Miller to the place of beginning, containing 1 and 1/4 acres of land.

FOURTH TRACT: Being part of Section 18, Township 16, Range 20, Refugee Tract and being a part of 49.22 acres conveyed to Charles M. Evans and Evan E. Evans by Morris H. Evans by deed dated the 14th day of November, 1887, and recorded in Vol. 192, page 26 of the records of deeds of said Franklin County, Ohio, and bounded and described as follows: Beginning in the center of the National Road at the Northeast corner of the above mentioned 49.22 acre tract; thence South 89 deg. west along the center of said National Road 63 feet to an iron pipe; thence South 9 deg. east 1032 feet to an iron pipe about 10 feet south of a ditch;

FRANKLIN CO. O., ROAD RECORD No. 17 VACATION OF ALLEY IN OSBORN'S ADDITION, REYNOLDSBURG

THE COL. B. B. MFG. CO. 83512

thence North 86 3/4 deg. east 70 feet to one of the original corners of the above mentioned 49.22 acre tract; thence north 3 1/4 deg. west along one of the original boundaries of said 49.22 acre tract 799 feet to a corner of the same; thence following another original boundary of said 49.22 acre tract south 89 deg. west 119.5 feet to a corner of the same; thence following another original boundary of said 49.22 acre tract North 3 deg. west 222.5 feet to the place of beginning, containing 2.33 acres of land.

A Plat of said lands being hereto attached and made a part hereof.

2. That the Recorded Plat of Osborn's Addition to Reynoldsburg, Ohio, was re-recorded February 28, 1881, in Plat Book 3, page 160, Recorder's Office, Franklin County, Ohio, Said Plat shows an alley 16 1/2 feet in width, known as "Oakley Alley", and 130 feet in length, running through the above described property, and being contiguous with the East side of Lot No. 5, and Westside of Lot No. 4, of Samuel Osborn's Addition, and on the Northside of a 9 acre tract of land heretofore described.

3. That said alley has never been improved by public funds.

4. That said alley for more than 21 years, to-wit, since 1900, has been enclosed by a fence.

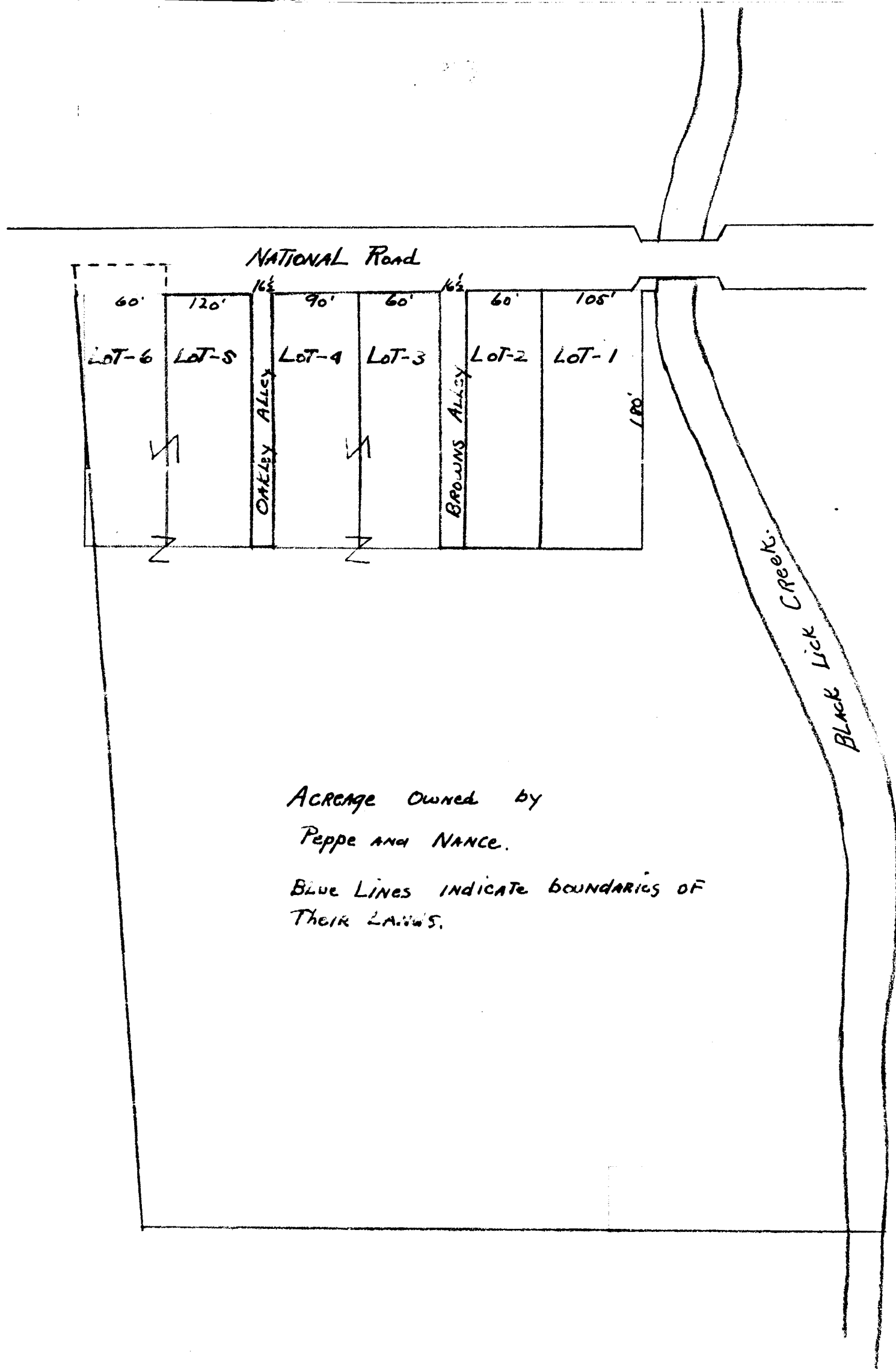
5. That no easement has ever been given through such property by purchase or bargain.

NOW, THEREFORE,

BE IT RESOLVED, BY THE Board of County Commissioners of Franklin County, Ohio, that said alley which runs through the property of Ervin O. and Muriel H. Nance, and Louis J. Peppe and Dorothy S. Peppe, and being contiguous with the Eastside of Lot. No. 5, and West side of Lot No. 4 of Samuel Osborn's Addition, and on the Northside of a 9 acre tract of land heretofore described, being located in Osborn's Addition, Truro Township, Franklin County, Ohio, be and it hereby is, in accordance with Section 6880 of the General Code of Ohio, deemed to have been vacated by such disuse and neglect as in the above sworn statement set forth.

Voting Aye thereon: Harry T. Vigor, C.P.Lauderbaugh & Nathan A. McCoy Jr.

THE COL. A. R. REG. CO. 83512



Acreage Owned by
 Peppe and Nance.
 Blue Lines indicate boundaries of
 their lands.