

## FRANKLIN CO. O., ROAD RECORD No. 17

Petition for vacation of part of Biggert Road

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

Biggert Road - vacation from Alkire Road south to a point on the line between VMS 601 and VMS 1472

This section of road was established as Harrisburg-Georgesville Road, but was called Biggert Road

October 10, 1949

## PUBLIC ROAD PETITION

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 vacating of a part of 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:

Beginning at a point 501.00 ft. north of an iron pin at the intersection of the south property line of a 30.00 acre tract of land owned by the Hilltop Conservation Club and the centerline of Biggert Road said iron pin being located 348.05 ft. north of the south property line of lot No. 1 of the Clark Worthington Estate Subdivision as more fully described in Deed Book 1352, page 145 Franklin County Recorder's Office, situated in Pleasant Township, Virginia Military Survey No. 601; thence north 38°-58' west and with the meanderings of the original Biggert Road crossing Big Darby Creek three times and terminating at the south right-of-way line of Alkire Road immediately east of the bridge over Big Darby Creek.

The following people signed the petition being all of Pleasant Township:

Farmer Norton, Wade Grassley, Otto E. Schilling, Edward Schlosser, W. S. Montoney, W. W. Montoney, H. J. Montoney, Lawrence Montoney, Carl C. Wade, George Christmas, Muriel Shy, William H. Shy, Bessie Brenbarger, Mrs Frank Kensler, Frank Kensler, Charles Wallace, Mrs Charles Wallace, Hilltop Conservation Club (110) Members, Frank A. Schneider, Florence A. Eckstein, Weaver Roe, Albert Kuhler, A. F. Ept, Eugene R. Hall, George C. Daniels

October 11, 1949

PETITION FOR  
VACATION OF PART OF BIGGERT  
ROAD REFERRED TO THE  
ENGINEERS TO CHECK

Otto E. Schilling, et al., on the 10th day of October, 1949, filed with the Board of County Commissioners of Franklin County, Ohio, a petition praying for the vacation of part of a Public Road described as follows:

Beginning at a point 501.00 ft. north of an iron pin at the intersection of the south property line of a 30.00 acre tract of land owned by the Hilltop Conservation Club and the centerline of Biggert Road, said iron pin being located 348.05 ft. north of the south property line of lot No 1 of the Clark Worthington Estate Subdivision as more fully described in Deed Book 1352, page 145 Franklin County Recorder's Office, situated in Pleasant Township, Virginia Military Survey No. 601; thence north 38°-58' west and with the meanderings of the original Biggert Road crossing Big Darby Creek three times and terminating at the south right-of-way line of Alkire Road immediately east of the bridge over Big Darby Creek.

On motion of Mr. Lauderbaugh seconded by Mr. McCoy, said petition be and it hereby is referred to the County Surveyor, with directions that he check same and report to the Board whether or not said petition is signed by the required number of property owners.

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

January 13, 1950

Board of County Commissioners  
Franklin County, Ohio

Gentlemen, Re: Vacation of Part of Biggert Road.

I have examined the attached petition filed by Otto E. Schilling, et al., praying for the vacation of the above mentioned Road and find that the petition has been signed by the required number of property owners.

Respectfully submitted,

Guy Elbin,  
County Engineer

By James S. Johnson  
Land Agent

January 17, 1950

PETITION FILED FOR VACATION OF PART OF BIGGERT ROAD,  
PLEASANT TOWNSHIP: VIEW FEBRUARY 1, 1950  
FINAL HEARING FEBRUARY 3, 1950

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

WHEREAS, a petition to vacate a part of Biggert Road was filed with the Board of County

Commissioners of Franklin County, Ohio, on October 10, 1949, and on October 11, 1949, said petition was referred to the County Engineer with directions that he check same and report to this Board whether or not said petition was signed by the required number of property owners, and

WHEREAS, the County Engineer found the petition deficient and returned it to petitioners, and

WHEREAS, on January 13, the County Engineer advised by letter that the petition filed by Otto E. Schilling, et al., praying for the vacation of part of Biggert Road has been signed by the required number of property owners, and

WHEREAS, said petition refiled by Otto E. Schilling, et al, on the 13th day of January 1950, with the Board of County Commissioners, Franklin County, Ohio, is signed by at least twelve freeholders of Franklin County, Ohio, residing in the vicinity of the proposed vacation, and requests said Board to vacate a part of Biggert Road in Pleasant Township; the general route and termini thereof being as follows:

Beginning at a point 501.00 ft. north of an iron pin at the intersection of the south property line of a 30.00 acre tract of land owned by the Hilltop Conservation Club and the centerline of Biggert Road said iron pin being located 348.05 ft. north of the south property line of lot No. 1 of the Clark Worthington Estate Subdivision as more fully described in Deed Book 1352, page 145, Franklin County Recorder's Office, situated in Pleasant Township, Virginia Military Survey No. 601; thence north 38°-58' west and with the meanderings of the original Biggert Road crossing Big Darby Creek three times and terminating at the south right-of-way line of Alkire Road immediately east of the bridge over Big Darby Creek.

Therefore,

BE IT RESOLVED By the Board of County Commissioners of Franklin County, Ohio that Wednesday, February 1, 1950, at 10 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 vacation along the general route thereof; and that Friday, February 3, 1950, at 10 o'clock A. M. is hereby fixed as the time and date for the final hearing of said petition and proposed vacation, in the office of the Board of County Commissioners, at the Court House, Columbus, 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 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. Lauderbaugh, and Nathan A. McCoy, Jr.

Absent and not voting: Harry T. Vigor

PROOF OF PUBLICATION

State of Ohio  
Franklin County  
Robert [unclear]  
Secretary  
State of Ohio  
at Columbus, Franklin County  
with a paid circulation of more than 25,000, personally appeared and made oath that the attached printed advertisement was published for

2 times, Jan. 18-25, 1950

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 25th.

day of Jan. 19 50

E. T. Spetnagel  
Notary Public in and for Franklin Co.

E. T. SPETNAGEL, Notary Public  
My Commission Expires Sep. 30, 1952

... of the south property line of lot No. 1 of the Clark Worthington Estate Subdivision as more fully described in Deed Book 1352, page 145, Franklin County Recorder's Office, situated in Pleasant Township, Virginia Military Survey No. 601; thence north 38°-58' west and with the meanderings of the original Biggert Road crossing Big Darby Creek three times and terminating at the south right-of-way line of Alkire Road immediately east of the bridge over Big Darby Creek.  
Further notice is hereby given that Wednesday, February 1, 1950, at 10 o'clock a. m., Eastern Standard Time, on the line of said proposed vacation was fixed as the time and place for the viewing thereof and Friday, February 3, 1950, at 10 o'clock a. m., Eastern Standard Time, at the office of the Board of County Commissioners, Franklin County, Ohio, was fixed as the time and place for the final hearing thereon.  
By order of the Board of County Commissioners, Franklin County, Ohio, by Nathan A. McCoy, Ass't. Clerk.  
1-18-25

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

February 1, 1950

VACATION OF PART OF BIGGERT ROAD,  
PLEASANT TOWNSHIP VIEWED;  
ENGINEER TO FILE REPORT FEBRUARY  
3, 1950

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

WHEREAS, a petition to vacate a portion of Biggert Road, a road in Pleasant Township, Franklin County, Ohio, was filed with this Board on October 10, 1949 and

WHEREAS, on January 17, 1950, the Board of County Commissioners did fix the 1st day of February, 1950, at 10:00 o'clock A. M., on the line of the proposed vacation as the time and place for the viewing thereof, and did further fix February 3, 1950, at 10:00 o'clock A. M., 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 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 proposed vacation, and of the final hearing thereon; and

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, did, on the 1st day of February, 1950, meet on the line of said proposed street vacation, as described in the petition, and hear 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 street 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 street 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 street 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 such sufficient other points of the right of way lines so that the bounds of the proposed street vacation may be discernible to property owners and others interest and make report to the Board of County Commissioners on or before the 3rd day of February at 10:00 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 vacation, which report, together with the plat and survey of the proposed vacation shall be deposited with the County Commissioners.

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

February 3, 1950

Franklin County Commissioners  
Franklin County, Ohio

Re: Vacation of Biggert Road

Gentlemen:

Pursuant to your order I have made survey and plat of the proposed vacation of a part of Biggert Road in Pleasant Township, Franklin County, Ohio,

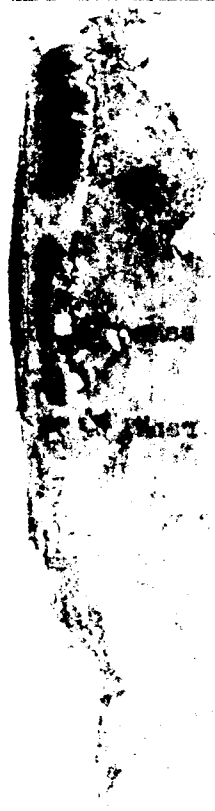
The part of Biggert Road that is in the proposed vacation has been closed to traffic for a number of years and no improvement has been made on this section of Biggert Road.

I am of the opinion that the proposed vacation of this section of Biggert Road will be of no inconvenience to the general public and therefore I recommend the vacation of Biggert Road as shown on the accompanying plat.

Very truly yours,

Guy Elbin,  
County Engineer

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



February 3, 1950

PRAYER OF PETITION TO VACATE A PART  
OF BIGGERT ROAD IN PLEASANT TOWNSHIP  
GRANTED

In the matter of the petition filed October 10, 1949, praying for the vacation of a part of Biggert Road in Pleasant Township, Mr. Vigor offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. McCoy:

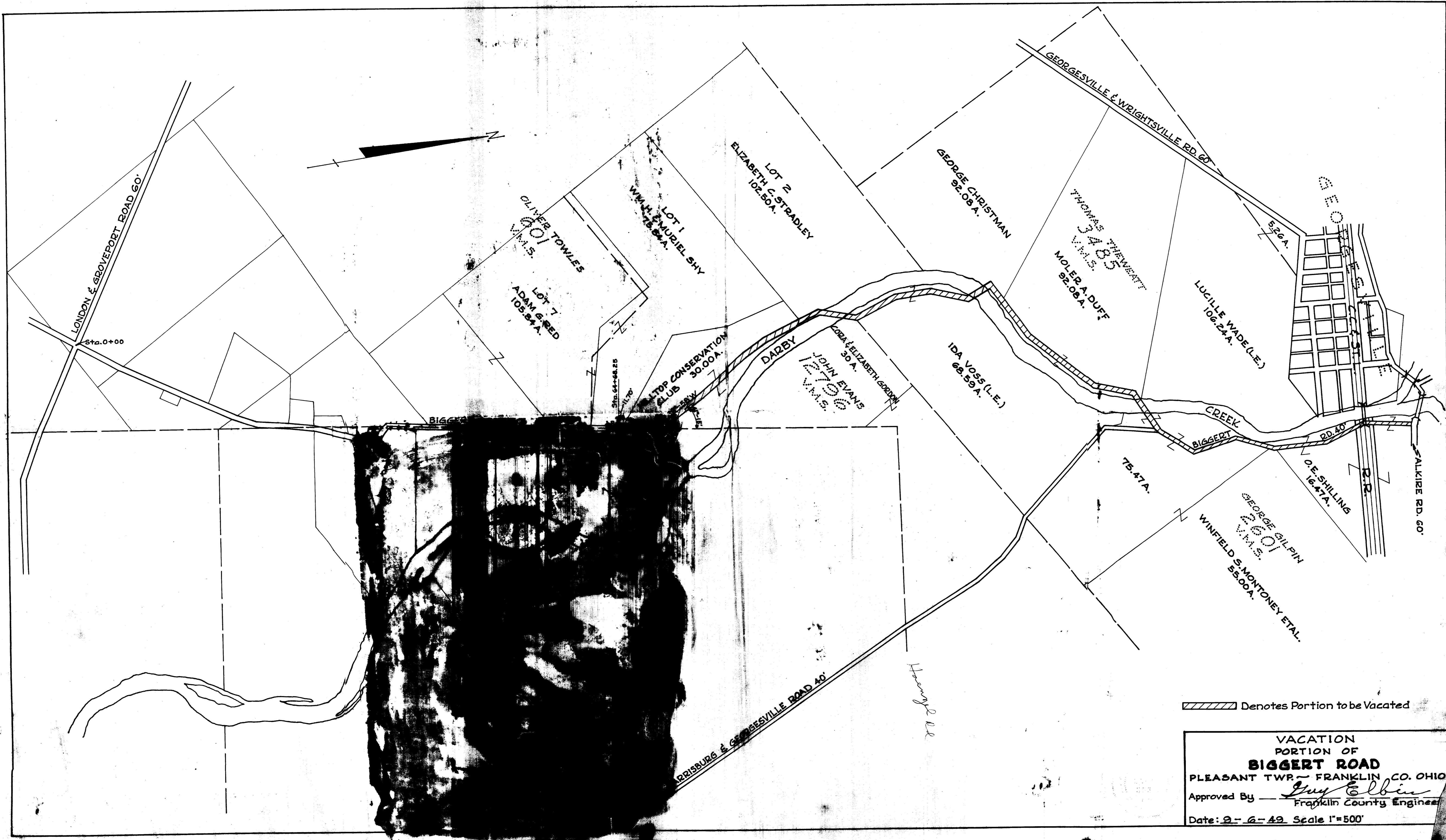
WHEREAS, On the 1st day of February, 1950, the Board of County Commissioners of Franklin County, Ohio did by resolution duly adopted, direct the Engineer of Franklin County, Ohio, to make a report in writing to this Board on or before 10 o'clock A. M., of Friday, February 3, 1950, relative to the petition for the vacation of a part of Biggert Road in Pleasant Township; said report to be made in manner and form set forth and required by Section 6865 of the General Code of Ohio; and

WHEREAS, Guy Elbin, County Engineer, did on the 3rd day of February 1950, report thereon in writing, which report contained the following recommendations, to-wit:

"Board of County Commissioners, Franklin County, Ohio. Re- Vacation of Biggert Road. Gentlemen: Pursuant to your order, I have made survey and plat of the proposed vacation of a part of Biggert Road in Pleasant Township, Franklin County, Ohio

The part of Biggert Road that is in the proposed vacation has been closed to traffic for a number of years and no improvement has been made on this section of Biggert Road.

I am of the opinion that the proposed vacation of this section of Biggert Road will be of no inconvenience to the general public and therefore I recommend the vacation of Biggert Road as shown on the accompanying plat. Very truly yours, Guy Elbin, County Engineer."



LOT 1  
MURIEL SHY  
105.84 A.  
W.M.S.

LOT 2  
ELIZABETH C. STRADLEY  
102.50 A.

GEORGE CHRISTMAN  
92.08 A.

THOMAS THIBERTT  
37.85  
W.M.S.  
MOLERA DUFF  
92.08 A.

LUCILLE WADE (L.E.)  
106.24 A.

ALTOP CONSERVATION  
PLUS  
30.00 A.

DARBY  
JOHN EVANS  
127.90  
W.M.S.

IDA VOSS (L.E.)  
68.59 A.

75.47 A.

GEORGE GILPIN  
2601  
W.M.S.  
WINFIELD S. MONTONEY ETAL.  
55.00 A.

Denotes Portion to be Vacated

VACATION  
PORTION OF  
**BIGGERT ROAD**  
PLEASANT TWP. - FRANKLIN CO. OHIO  
Approved By *Guy Elbin*  
Franklin County Engineer  
Date: 9-6-49 Scale 1"=500'

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said part of Biggert Road in Pleasant Township, 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 aforesaid part of Biggert Road in Pleasant Township, as recommended by the County Engineer be vacated, and as described in his report and shown on the plat submitted by him, be and the same is hereby declared vacated.

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

*[Signature]*  
December 13, 1949

PLAT OF DEDICATION OF  
STEGNER ROAD, HAMILTON TWP  
ACCEPTED BY BOARD OF  
COUNTY COMMISSIONERS

On motion of Mr. Lauderbaugh, seconded by Mr. McCoy, the plat of dedication presented by Patsy J. Alloy, et al., of Stegner Road, Hamilton Township, being a parcel beginning at a point in the centerline of Alum Creek Drive, said point also being in the south line of Section 13, Township 4, Range 22, Congress Lands, thence N. 86° W. along said south line of Section 13, -1320.91 feet to an iron pin, thence N. 40° E. 50.00 feet to an iron pin, thence S. 86° E. and parallel to said south line of Section 13- 1349.21 feet to a point, passing an iron pin at 1314.73 feet, thence S. 33° 42' W. 57.47 feet to the place of beginning and containing 1.532 acres, be and the same is hereby accepted by the Board of County Commissioners of Franklin County, Ohio, and said Stegner Road therein dedicated to public use for roads and other purposes consistent therewith, clear of all obstructions which interfere with the improvement and, or maintenance of the highway, accepted as such.

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

