

FRANKLIN CO. O., ROAD RECORD No. 17

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

* * *

PUBLIC ROAD PETITIONColumbus, Ohio
August 12, 1952

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 the intersection of Olentangy Boulevard, Fox Lane and South or Factory Street in Worthington School District, Sharon Township, Franklin County, Ohio; thence west on said South or Factory Street to the Olentangy River, being particularly that portion of South or Factory Street which is or may be included in the following described real estate: Being in Worthington School District, Sharon Township, Franklin County, Ohio, and described as one Quarter of an acre, or more, in Lot Twenty-six (26), being the tract conveyed by Auditor of Franklin County, Ohio, to Franklin F. Tuller by deed recorded in Volume 147, page 416, of Record of Deeds of Franklin County, Ohio, Recorder's Office, and being the same premises conveyed to Harry N. Heywood and Frank E. Ruth, described in Deed Book 680, page 442, in the Office of the Recorder of Franklin County, Ohio, and more particularly bounded and described as follows: Commencing at the southeast corner of a boulder rubble masonry post which was built in 1904; thence No. 27°-27' W. 66 feet to an iron pipe in the north edge of old Mill Road, passing along the east edge of two masonry posts, the center of the two last mentioned being 30.3 feet and 38.5 feet respectively from the iron pin; thence following an old fence and the edge of the old Mill Road North 46°-44' West 102.8 feet to an iron pipe, from which an eight inch elm bears south 4°-14' East, and the near side is 11.8 feet from the iron pipe and a double 24 inch elm bears south 69°-24' West, and the near side of the rear tree is 40.2 feet from the iron pipe; thence North 77° West 156.6 feet to an iron pipe at a fence corner and on the river bank; thence North 80°-36' West 100 feet more or less to the center of Olentangy River; thence South 9°-24' East 204.5 feet to a point in the center of said river; thence North 80°-36' East 100 feet more or less to an iron pipe on the river bank, from which a 15 inch wire wound hackberry tree bears North 35°-24' West, and the near side is 8.1 feet from the iron pipe; thence North 80 degrees 29' East 225.25 feet to the place of beginning, containing 1.236 of an acre.

Being a 1.236 acre tract conveyed to Dorothy E. Miller on December 3, 1949, as recorded in Deed Book 1528, page 511, Recorder's Office, Franklin County, Ohio. Beginning at a point in the east line of said 1.236 acre tract, said point being S. 22°-27' W. 22 feet more or less, from an iron pin at a corner in said 1.236 acre tract and in the West line of Fox Lane; thence westerly to a point, said point being S. 43°-16' W. 15 feet from an iron pin; thence N. 46°-44' W. to a point in the north line of said 1.236 acre tract; thence S. 77°-00' E. to an iron pin; thence S. 46°-44' E. 102.8 feet to the first described iron pin; thence S. 22°-27' W. 22 ft. to the place of beginning.

The following people signed the petition: Dorothy E. Miller; Marguerite Wooley; Jack L. Stewart; J. D. McCormick; H. W. Fraas; Margaret A. Fraas; Malcolm R. Anderson; Orma L. Anderson; Gordon Anderson; Clifford W. Ioneburdt; George B. Marshall; Dorothy L. Miller; Nora Basista; Mary Henry; Muriel S. Lightfoot; Cornelia A. Lewis; Alvin Michaelson and Steven G. Anderson.

August 12, 1952

PETITION FOR VACATION OF PART OF SOUTH OR FACTORY
STREET IN SHARON TOWNSHIP, REFERRED TO ENGINEER TO CHECK

Dorothy E. Miller, et al., on the 12th day of August, 1952, filed with the Board of County Commissioners of Franklin County, Ohio, a petition praying for the vacation of a part of a public road described as follows:

Beginning at the intersection of Olentangy Boulevard, Fox Lane and South or Factory Street in Worthington School District, Sharon Township, Franklin County, Ohio, thence west on said South or Factory Street to the Olentangy River, being particularly that portion of South or Factory Street which is or may be included in the following described real estate:

Being in Worthington School District, Sharon Township, Franklin County, Ohio, and described as One Quarter of an acre, or more, in Lot Twenty-six (26), being the tract conveyed by Auditor of Franklin County, Ohio, to Franklin F. Tuller by deed recorded in Volume 147, page 416, of Record of Deeds of Franklin County, Ohio, Recorder's Office, and being the same premises conveyed to Harry N. Heywood and Frank E. Ruth, described in Deed Book 680, page 442, in the office of the Recorder of Franklin County, Ohio, and more particularly bounded and described as follows: Commencing at the southeast corner of a boulder rubble masonry post which was built in 1904; thence No. 27°-27' W. 66 feet to an iron pipe in the north edge of Old Mill Road, passing along the east edge of two masonry posts, the center of the two last mentioned being 30.3 feet and 38.5 feet respectively from the iron pin; thence following an old fence and the edge of the old Mill Road North 46°-44' West 102.8 feet to an iron pipe, from which an eight inch elm bears south 4°-14' East, and the near side is 11.8 feet from the iron pipe and a double 24 inch elm bears south 69°-24' West, and the near side of the rear tree is 40.2 feet from the iron pipe; thence North 77° West 156.6 feet to an iron pipe at a fence corner and on the river bank; thence North 80°-36' West 100 feet more or less to the center of Olentangy River; thence South 9°-24' East 100 feet more or less to an iron pipe on the river bank, from which a 15 inch wire wound hackberry tree bears North 35°-24' West, and the near side is 8.1 feet from the iron pipe; thence North 80 degrees 29' East 225.25 feet to the place of beginning, containing 1.236 of an acre.

Being a 1.236 acre tract conveyed to Dorothy E. Miller on December 3, 1949, as recorded in Deed Book 1528, page 511, Recorder's Office, Franklin County, Ohio. Beginning at a point in the east line of said 1.236 acre tract, said point being S. 22°-27' W. 22 feet more or less, from an iron pin at a corner in said 1.236 acre tract and in the West line of Fox Lane; thence Westerly to a point, said point being S. 43°-16' W. 15 feet from an iron pin; thence N. 46°-44' W. to a point in the north line of said 1.236 acre tract; thence S. 77°-00' E. to an iron pin; thence S. 46°-44' E. 102.8 feet to the first described iron pin; thence S. 22°-27' W. 22 ft. to the place of beginning.

On motion of Mr. Lauderbaugh, seconded by Mr. McCoy, said petition be and it hereby is referred to the County Engineer, 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.

* * *

August 15, 1952

Board of County Commissioners
Franklin County, Ohio

Re: Vacation of a portion of Factory St. in Sharon Township

Gentlemen:-

I have checked the attached petition filed by Dorothy E. Miller, et al, praying for the vacation of a portion of a road in Sharon Township, and find that the petition has been signed by the required number of freeholders.

Respectfully submitted,

Guy Elbin,
County Engineer

GE:HES:cd

By Harold E. Smith /S
Land Agent

* * *

September 5, 1952

VACATION OF PART OF SOUTH OR FACTORY STREET IN SHARON TWP.
VIEWED: ENGINEER TO FILE REPORT SEPTEMBER 9, 1952.

Mr. Lauderbaugh 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 South or Factory Street in Sharon Township, Franklin County, Ohio, was filed with this Board on August 12, 1952; and

FRANKLIN CO. O., ROAD RECORD No. 17 Vacation of Part of South or Factory St. (Sharon Twp.)

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

WHEREAS, On August 19, 1952, the Board of County Commissioners did fix the 4th day of September, 1952, at 10:00 A.M., on the line of the proposed vacation as the time and place for the viewing thereof, and did further fix the 9th day of September, 1952, at 10:00 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 4th day of September, 1952, 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 9th day of September, 1952, at 10 A.M. 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: Harry T. Vigor, C.P. Lauderbaugh and Nathan A. McCoy Jr.

PROOF OF PUBLICATION

State of Ohio } ss.
Franklin County }

Robert W. Irwin 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 21-28, 1952

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

[Signature]

Subscribed and sworn to this 28th.

day of August 1952

[Signature]
Notary Public in and for Franklin Co.

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

[Vertical strip of text, likely a survey plat or map description, containing technical details and measurements.]

FRANKLIN CO. O., ROAD RECORD No. 17 Vacation of Part of South or Factory St. (Sharon Twp.)

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

Sept. 9, 1952

Board of County Commissioners
Franklin County, Ohio

Re: Vacation of part of South or Factory Street in Sharon Twp.

Gentlemen:-

Pursuant to your order of September 5, 1952, I have made a diligent search in the County Recorder's Office and find that no plats or plans showing South or Factory Street was ever dedicated as a public road as shown in the description in your petition.

Respectfully submitted,

GE:HES:cd

Guy Elbin /S
County Engineer

* * *

Sept. 9, 1952

PETITION TO VACATE PART OF SOUTH OR FACTORY
STREET IN SHARON TOWNSHIP DISMISSED

In the matter of the petition filed August 12, 1952, praying for the vacation of part of South or Factory Street in Sharon Township, Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor:

WHEREAS, on the 5th day of September, 1952, 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 September 9, 1952, relative to the petition for the vacation of part of South or Factory Street in Sharon Township; and

WHEREAS, Guy Elbin, County Engineer, did on the 9th day of September, 1952, before 10 o'clock A.M. report thereon in writing as follows:

"Board of County Commissioners
Franklin County, Ohio

Re: Vacation of part of South or Factory St. in Sharon Twp.

Gentlemen:

Pursuant to your order of September 5, 1952, I have made a diligent search in the County Recorder's Office and find that no plats or plans showing South or Factory Street was ever dedicated as a public road as shown in the description in your petition.

Respectfully submitted,

S/ Guy Elbin, County Engineer

and

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the part of South or Factory Street beginning at the Olentangy Boulevard and extending west to the Olentangy River in Worthington School District, Sharon Township, and as more particularly described in the petition of Dorothy E. Miller, et al. filed with this Board on August 12, 1952, is not a duly dedicated or established public way, therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that the petition of Dorothy E. Miller, et al., filed with this Board on August 12, 1952, praying for the vacation of that part of South or Factory Street beginning at the Olentangy Boulevard and extending West to the Olentangy River in Worthington School District, Sharon Township, be and it hereby is dismissed for the reason that the land described in said petition is not a duly dedicated or established public way and vacation of public travel thereon is not needed nor cannot be had.

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

August 19, 1952

PETITION FILED FOR VACATION OF SOUTH OR
FACTORY STREET IN SHARON TOWNSHIP;
VIEW, SEPTEMBER 4, 1952, HEARING, Sep-
TEMBER 9, 1952

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

WHEREAS, Dorothy E. Miller, et al., on the 12th day of August, 1952, 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 an alley in Sharon Township, called South or Factory Street, the general route and termini thereof to be as follows:

Beginning at the intersection of Olentangy Boulevard, Fox Lane and South or Factory Street in Worthington School District, Sharon Township, Franklin County, Ohio, thence west on said South or Factory Street to the Olentangy River, being particularly that portion of South or Factory Street which is or may be included in the following described real estate: Being in Worthington School District, Sharon Township, Franklin County, Ohio, and described as one Quarter of an acre, or more, in Lot Twenty-six (26), being the tract conveyed by Auditor of Franklin County, Ohio, to Franklin F. Tuller by deed recorded in Volume 147, page 416, of Record of Deeds of Franklin County, Ohio, Recorder's Office, and being the same premises conveyed to Harry N. Heywood and Frank E. Ruth, described in Deed Book 680, p. 442, in the office of the Recorder of Franklin County, Ohio, and more particularly bounded and described as follows: Commencing at the southeast corner of a boulder rubble masonry post which was built in 1904; thence No. $27^{\circ}27'$ W. 66 feet to an iron pipe in the north edge of old Mill Road, passing along the east edge of two masonry posts, the center of the two last mentioned being 30.3 feet and 38.5 feet respectively from the iron pin; thence following an old fence and the edge of the old Mill Road North $46^{\circ}44'$ West 102.8 feet to an iron pipe, from which an eight inch elm bears south $4^{\circ}14'$ East, and the near side is 11.8 feet from the iron pipe and a double 24 inch elm bears south $69^{\circ}24'$ West, and the near side of the rear tree is 40.2 feet from the iron pipe; thence North 77° West 156.6 feet to an iron pipe at a fence corner and on the river bank; thence North $80^{\circ}36'$ West 100 feet more or less to the center of Olentangy River; thence South $9^{\circ}24'$ East 204.5 feet to a point in the center of said river; thence North $80^{\circ}36'$ East 100 feet more or less to an iron pipe on the river bank, from which a 15 inch wire wound hackberry tree bears North $35^{\circ}24'$ west, and the near side is 8.1 feet from the iron pipe; thence North 80 degrees 29' East 225.25 feet to the place of beginning, containing 1.236 of an acre.

Being a 1.236 acre tract conveyed to Dorothy E. Miller on December 3, 1949, as recorded in Deed Book 1528, p. 511, Recorder's Office, Franklin County, Ohio. Beginning at a point in the east line of said 1.236 acre tract, said point being S. $22^{\circ}27'$ W. 22 feet, more or less, from an iron pin at a corner in said 1.236 acre tract and in the West line of Fox Lane; thence Westerly to a point, said point being S. $43^{\circ}16'$ W. 15 ft. from an iron pin; then N. $46^{\circ}44'$ W. to a point in the north line of said 1.236 acre tract; thence S. $77^{\circ}00'$ E. to an iron pin; thence S. $46^{\circ}44'$ E. 102.8 feet to the first described iron pin; thence S. $22^{\circ}27'$ W. 22 ft. to the place of beginning.

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Thursday, September 4, 1952, at ten o'clock A.M., 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 9, 1952, at ten o'clock A.M., 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: Harry T. Vigor, C. P. Lauderbaugh and Nathan A. McCoy, Jr.

Harry T. Vigor
C. P. Lauderbaugh
Nathan A. McCoy, Jr.
BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, OHIO