

FRANKLIN CO. O., ROAD RECORD No. 17

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

* * *

Vacation of 2 Alleys, Clinton Township,
Midwest Blvd. Subdivision

May 13, 1953

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, OHIO

Gentlemen:

The Commercial Paste Company has entered into an agreement to sell to the Columbus and Southern Ohio Electric Company, Lots Numbers 1, 2, 3, 4, 23, 24, 25, 26 and 27 of the "Midwest Boulevard Subdivision", contingent upon the vacation of two alleys located between Henderson Road and Winton Road and between Midwest Drive and the Chesepeake and Ohio Railroad. The vacation of these two alleys does not adversely affect any of the remaining lots in the vicinity, all of which are owned by the Commercial Paste Company.

Accordingly, in my judgement, it would be to the interest of public convenience and welfare to vacate said alleys and I hereby respectfully request yo to so declare by resolution and proceed with the vacation of said alleys as proceeded by statue.

Very truly yours,

A. L. Evans (Signed)

President.

THE COMMERCIAL PASTE COMPANY.

April 9, 1953

VACATION OF TWO ALLEYS IN CLINTON TOWNSHIP,
MIDWEST BOULEVARD SUBDIVISION BY UNANIMOUS
VOTE OF BOARD OF COUNTY COMMISSIONERS.
VIEW JULY 1, 1953; HEARING JULY 7, 1953

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

WHEREAS, Section 6862 of the General Code of Ohio provides that when the Board of County Commissioners is of the opinion that it will be for the public convenience and welfare to locate, establish, alter, widen, straighten, vacate or change the direction of a public road, they shall so declare by resolution; therefore

BE IT RESOLVED, By the board of County Commissioners of Franklin County, Ohio, all of said Board being present and voting thereon, that they do hereby declare that it is necessary for the public convenience and welfare that proceedings be had and taken to vacate two alleys in Clinton Township, Franklin County, Ohio, and being described as follows:

A 16 foot alley in the Midwest Boulevard Subdivision between Henderson Road and Winton Road from Midwest Drive east to the right-of-way of the Chesepeake and Ohio Railroad, and

A 15 foot alley in the Midwest Boulevard Subdivision from the east termini of the above-described alley south to Winton Road.

and

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Contd.

BE IT FURTHER RESOLVED, That Wednesday, July 1, 1953, at 10 o'clock A.M. on the line of said proposed vacation, be and the same is hereby fixed as the time and place for viewing same; and that Tuesday, July 7, 1953, at 10 o'clock A.M., at the office of the Board of County Commissioners of Franklin County, Ohio, be and hereby is fixed as the time and place for final hearing thereon, and the Clerk or Assistant Clerk of the Board of County Commissioners is hereby directed to cause legal publication thereof to be made in the Ohio State Journal.

Voting Aye thereon: Harry T. Vigor, C. P. Lauderbaugh and Henry A. Koontz

July 3, 1953

VIEWING OF TWO ALLEYS IN CLINTON TOWNSHIP,
MIDWEST BOULEVARD SUBDIVISION: ENGINEER
TO FILE REPORT JULY 7, 1953.

In the matter of the resolution adopted April 9, 1953, by the Board of County Commissioners of Franklin County, Ohio, declaring the vacation of two alleys in Clinton Township, Midwest Boulevard Subdivision, to be necessary, Mr. Koontz offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Lauderbaugh:

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, pursuant to legal notice by publication in the Ohio State Journal, did on the 1st day of July, 1953, the date stated in said notice, meet on the line of said proposed alley vacations, as described in the resolution of April 9, 1953, and hear all the proof offered by parties interested in and affected thereby, and other persons competent to testify and did go over the premises along and adjacent thereto which are to be affected thereby, and does find that the vacation of said alleys are 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 alley vacations, 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 alley vacations may be discernible to property owners and others interested and make report to the Board of County Commissioners on or before the 7th day of July, 1953, at 10 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 vacation shall be deposited with the County Commissioners.

Voting Aye thereon: Henry A. Koontz and C. P. Lauderbaugh

Absent and not voting: Harry T. Vigor.

July 7, 1953

Board of County Commissioners
Franklin County, Ohio.

Re: Vacation of two Alleys in Clinton Township,
Midwest Boulevard Subdivision.

Gentlemen:-

Pursuant to your order of July 3, 1953, I have made a survey and plat, which I hereby submit, of two Alleys in Clinton Township, Midwest Boulevard Subdivision, showing the proposed vacation of the following described alleys:

A 16 foot alley in the Midwest Boulevard Subdivision between Henderson Road and Winton Road from Midwest Drive east to the right-of-way of the Chesapeake and Ohio Railroad, and

A 15 foot alley in the Midwest Boulevard Subdivision from the east termini of the above described alley south to Winton Road.

Utilities that are now within these alleys and the easement granted by the sub-dividers for utilities is not to be vacated through this 16 foot alley and 15 foot alley sought to be vacated.

I am of the opinion that the proposed vacation of the aforesaid alleys, with the exception above stated will be of no inconvenience to the general public and I, therefore, recommend the said vacation as shown on the accompanying plat.

Respectfully submitted,

Guy Elbin S/
GUY ELBIN
County Engineer

GE: FRM: cd

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

Contd.

PROOF OF PUBLICATION

State of Ohio }
Franklin County } ss.

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 in his own hand and in the presence of me swore on oath that the attached printed advertisement was published for

2 times, on June 12-19,

1953

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

Subscribed and sworn to this 19th

day of June 1953

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

E. T. SPETNAGEL, Notary Public
Commission Expires Oct. 1, 1955

NOTICE OF INTENTION TO VACATE TWO ALLEYS IN CLINTON TOWNSHIP, MIDWEST BOULEVARD SUBDIVISION
Notice is hereby given that it is the intention of the Board of County Commissioners of Franklin County, Ohio, to vacate two alleys in Clinton Township, described as follows:
A 16-foot alley in the Midwest Boulevard Subdivision between Henderson Road and Winton Road from Midwest Drive east to the right-of-way of the Chesapeake and Ohio Railroad, and
A 15-foot alley in the Midwest Boulevard Subdivision from the east terminal of the above-described alley south to Winton Road.
Notice is hereby given that on Wednesday, July 1, 1953, at 10 o'clock A. M., eastern standard time, on the line of said proposed vacations was fixed as the time and place for viewing the same, and Tuesday, July 7, 1953, at 10 o'clock A. M., eastern standard time, at the office of the Board of County Commissioners was fixed as the time and place for the final hearing thereon.
By order of the Board of County Commissioners of Franklin County, Ohio.
ELLA A. MCCARLEY,
Ass't Clerk.
6-12 19

July 7, 1953

HEARING ON VACATION OF TWO ALLEYS IN CLINTON TOWNSHIP, MIDWEST BOULEVARD: CLAIMS FOR DAMAGES TO BE HEARD JULY 14, 1953.

In the matter of the resolution of the Board of County Commissioners of Franklin County, Ohio, praying for the vacation of two alleys in Clinton Township, Midwest Boulevard Subdivision, Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor:

WHEREAS, on July 3, 1953 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 Tuesday, July 7, 1953, relative to the resolution for the vacation of two alleys in Clinton Township, Midwest Boulevard Subdivision; 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 7th day of July, 1953, report thereon in writing, as follows:

"Board of County Commissioners, Franklin County, Ohio.

"Vacation of two Alleys in Clinton Township, Midwest Boulevard Subdivision,

"Gentlemen:- Pursuant to your order of July 3, 1953, I have made a survey and plat, which I hereby submit, of two Alleys in Clinton Township, Midwest Boulevard Subdivision, showing the proposed vacation of the following described alleys:

"A 16 foot alley in the Midwest Boulevard Subdivision between Henderson Road and Winton Road from Midwest Drive east to the right-of-way of the Chesapeake and Ohio Railroad, and

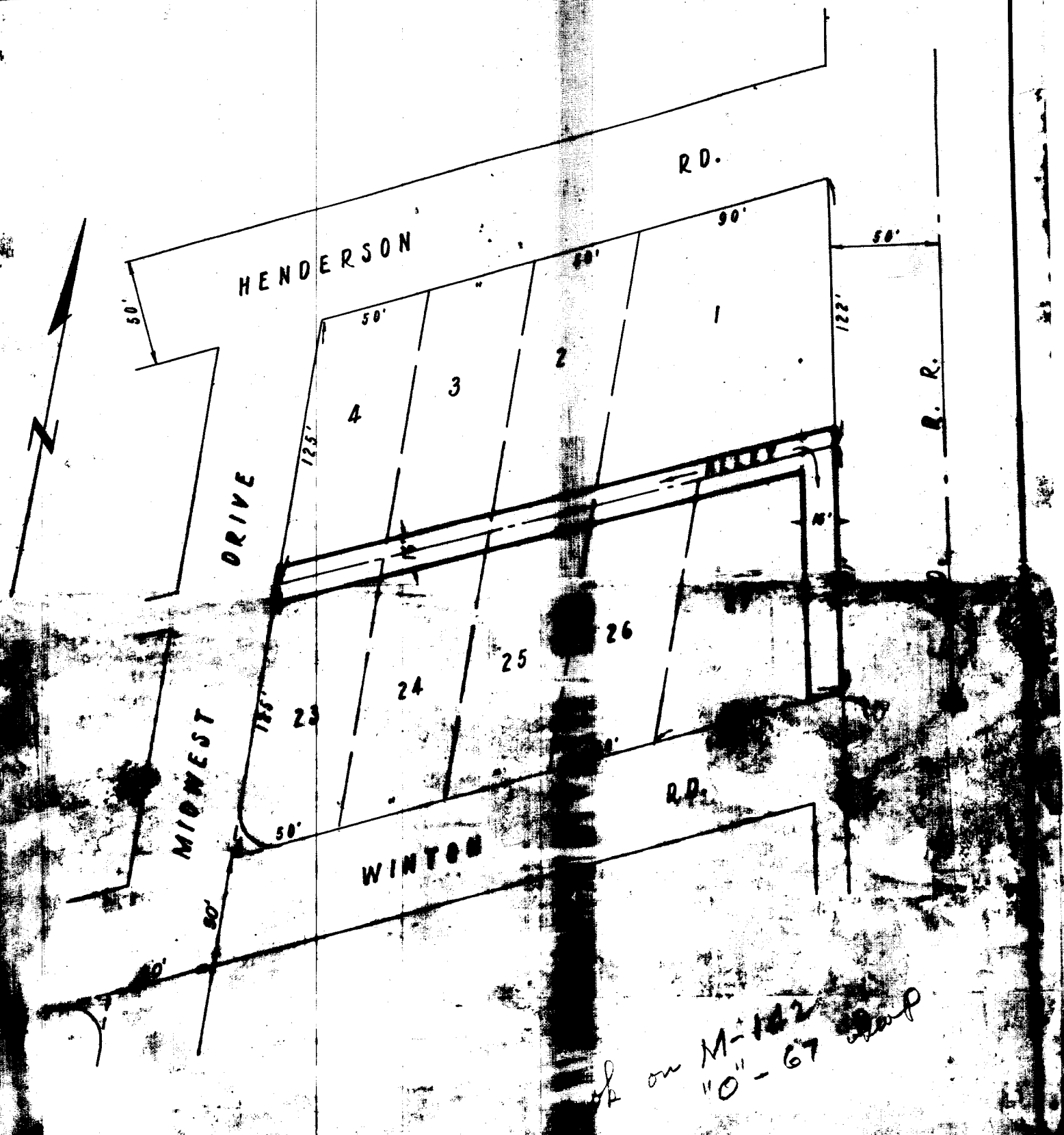
A 15 foot alley in the Midwest Boulevard Subdivision from the east terminal of the above described alley south to Winton Road.

"Utilities that are now within these alleys and the easement granted by the subdividers for utilities is not to be vacated through this 16 foot alley and 15 foot alley sought to be vacated.

"I am of the opinion that the proposed vacation of the aforesaid alleys, with the exception above stated will be of no inconvenience to the general public and I, therefore, recommend the said vacation as shown on the accompanying plat.

"Respectfully submitted, (signed) Guy Elbin, County Engineer.

and



Approved By *Gay Elgin*
 19-53
 Franklin County Engineer

PLAT OF ALLEY TO BE VACATED
 ABUTTING LOTS 1 TO 4 INCLUSIVE
 & LOTS 23 TO 27 INCLUSIVE
 MIDWEST BLVD. SUB.
 FRANKLIN COUNTY, O.

Prepared By
 THE JENNINGS-LAWRENCE CO.
 CIVIL & MUNICIPAL ENGINEERS
 COLUMBUS, O.

Drawn	Checked
E.V.A.	C.W.J.
F.J.B.	

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Contd.

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said two alleys in Clinton Township, Midwest Boulevard Subdivision and that the vacation thereof would not inconvenience the public; now, therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Tuesday, July 14, 1953, at 10 o'clock A.M. eastern standard time, be and the same is hereby fixed as the time and the office of this Board, the place for hearing and considering claims for compensation and damages in said matter, and all claims shall be filed in writing with the board on or before the time of said hearing, and

BE IT FURTHER RESOLVED, that any and all claims allowed shall be assessed against the abutting property owners affected by said vacation, and

BE IT FURTHER RESOLVED, that decision on said vacation is hereby deferred until claims for compensation and damages are heard and determined.

Voting Aye thereon: Harry T. Vigor, C.P. Lauderbaugh

Absent and not voting: Henry A. Koontz

July 14, 1953

VACATION OF TWO ALLEYS IN MIDWEST BOULEVARD SUBDIVISION,
CLINTON TOWNSHIP ORDERED

This being the day and hour set by postponement for the purpose of considering claims for compensation and damages that may be filed in the matter of the resolution of the Board of County Commissioners of April 9, 1953, declaring the vacation of two alleys in the Midwest Boulevard Subdivision, Clinton Township as necessary and same came on and the Board of County Commissioners of Franklin County finds that there were no claims filed and Mr. Koontz offered the following resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor:

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that the two alleys in Midwest Boulevard Subdivision, Clinton Township, Franklin County, Ohio, as recommended by the County Engineer be vacated, and as described in his report and shown on the plat submitted by him on July 7, 1953, be and the same hereby are declared vacated, excepting however, utilities that are now within these alleys and the easement granted by the subdividers for utilities, which are not vacated.

Voting Aye thereon: Henry A. Koontz, and Harry T. Vigor

Absent and not voting: C. P. Lauderbaugh

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