

PUBLIC ROAD PETITION

Columbus 7, Ohio
June 3, 1953To the Honorable Board of County Commissioners
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 part of a Public Road on the line hereinafter described; and make application to you to institute and order the 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 North dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot #5 Lawrence Addition, and extending South from that point to and including the third lot - said lots being owned by Louis & Marie Kaser, 1715 S. Champion Ave., Merrill and Mary Jane Wood, 1723 S. Champion Ave., and Dennis and Helene Bateman, 1729 S. Champion Ave.

The following people signed the petition: Louis B. Kaser; Marie B. Kaser; Mary Jane Wood; Merrill M. Wood; Dennis A. Bateman; Helene O. Bateman; Paula E. Bell; Lawrence L. Bell; Minabelle Eichner; Harold W. Eichner; Rebecca Keyser; and Clifford J. Keyser

* * *

June 9, 1953

PETITION TO VACATE AN UNIMPROVED ALLEY IN
MARION TOWNSHIP, REFERRED TO ENGINEER FOR CHECKING

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

WHEREAS, a petition was filed by Louis B. Kaser, et al., on the 8th day of June, 1953, for the vacation of

An unimproved alley beginning at North dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot #5 Lawrence Addition, and extending south from that point to and including the third lot - said lots being owned by Louis & Marie Kaser, 1715 S. Champion Avenue, Merrill and Mary Jane Wood, 1723 S. Champion Avenue, and Dennis and Helene Bateman, 1729 S. Champion Avenue.

now, therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that said petition be and it hereby is referred to the County Engineer for checking as to sufficiency of signatures and accuracy of description of the proposed vacation.

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

* * *

June 22, 1953

Board of County Commissioners
Court House
Columbus, Ohio

Re: Vacation of an unimproved Alley in Marion Township.

Gentlemen:-

I have checked the attached petition filed by Louis B. Kaser, et al, praying for the vacation of an unimproved alley in Marion Township and find that the petition contains a sufficient number of signatures.

Respectfully submitted,

Guy Elbin,
County Engineer

By Frank R. McIllyar /S
Land Agent

GE:FRM:cd

* * *

June 23, 1953

PETITION FILED FOR VACATION OF AN UNIMPROVED ALLEY IN
MARION TOWNSHIP (WEST OF SOUTH CHAMPION AVENUE):
VIEW, JULY 13, 1953;
FINAL HEARING, JULY 17, 1953

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

WHEREAS, Louis B. Kaser, et al., on the 8th day of June, 1953, 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 an unimproved alley west of South Champion Avenue in Marion Township, the general route and termini thereof to be as follows:

Contd.

Beginning at north dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot #5 Lawrence Addition, and extending south from that point to and including the third lot - said lots being owned by Louis & Marie Kaser, 1715 S. Champion Avenue, Merrill and Mary Jane Wood, 1723 S. Champion Avenue, and Dennis and Helene Bateman, 1729 S. Champion Avenue.

therefore,

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Monday, July 13, 1953, 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 Friday, July 17, 1953, 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 and Henry A. Koontz.

* * *

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 made oath that the attached printed advertisement was published for

time, June 26, 1953,

July 3, 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.

Suscribed and sworn to this 3rd.

day of July 1953

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

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

NOTICE OF FILING OF PETITION TO VACATE AN UNIMPROVED ALLEY IN MARION TOWNSHIP, FRANKLIN COUNTY, OHIO.

Notice is hereby given that a petition was filed with the Board of County Commissioners of Franklin County, Ohio, on the 8th day of June, 1953, praying for the vacation of an unimproved alley west of South Champion Avenue, Marion Township, Franklin County, Ohio.

The center line of the general route and termini of the road sought to be vacated is described as follows:

Beginning at north dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot No. 5, Lawrence Addition, and extending south from that point to and including the third lot - said lots being owned by Louis & Marie Kaser, 1715 South Champion Avenue, Merrill and Mary Jane Wood, 1723 South Champion Avenue, and Dennis and Helene Bateman, 1729 South Champion Avenue.

Further notice is hereby given that Monday, July 13, 1953, at 10 o'clock A. M. on the line of said proposed vacation was fixed as the time and place for the viewing thereof, and Friday, July 17, 1953, at 10 o'clock A. M. at the office of the Board of County Commissioners of Franklin County, Ohio, 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,
6-26 7-3 Ass't. Clerk.

July 14, 1953

VACATION OF AN UNIMPROVED ALLEY IN MARION TOWNSHIP
(WEST OF SOUTH CHAMPION AVENUE) VIEWED: ENGINEER TO
FILE REPORT JULY 17, 1953

In the matter of the petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 8th day of June, 1953, for the vacation of an unimproved alley in Marion Township (west of South Champion Avenue), Franklin County, Ohio, Mr. Koontz offered the following preamble and resolution, and moved the adoption of the same, which was duly seconded by Mr. Vigor:

Contd.

WHEREAS, On the 8th day of June, 1953, a petition was filed with this Board by Louis B. Kaser, et al., praying for the vacation of an unimproved alley in Marion Township (west of South Champion Avenue), Franklin County, Ohio; and

WHEREAS, On the 23rd day of June, 1953, said Board of County Commissioners did fix the 13th day of July, 1953, at 10 o'clock A.M., on the line of the proposed vacation as the time and place for the viewing thereof, and did further fix July 17, 1953, at 10 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 13th day of July, 1953, meet on the line of said proposed alley vacation, as described in the petition, and hear all the proof offered by parties interested in and affected by, and other persons competent to testify, and did go over and along the line of said proposed alley 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 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 alley vacation, and 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 vacation may be discernible to property owners and others interested and make report to the Board of County Commissioners on or before the 17th day of July, 1953, at 10 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: Harry T. Vigor, C.P. Lauderbaugh and Henry A. Koontz

* * *

July 17, 1953

Board of County Commissioners
Franklin County, Ohio

Re: Vacation of an unimproved Alley in Marion Township

Gentlemen:-

Pursuant to your order of July 14, 1953, I have made a survey and plat, which I hereby submit, of an unimproved Alley in Marion Township, showing the proposed vacation of the following described alley:

An unimproved alley beginning at North dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot #5 Lawrence Addition, and extending south from that point to and including the third lot-said lots being owned by Louis & Marie Kaser, 1715 S. Champion Avenue, Merrill and Mary Jane Wood, 1723 S. Champion Avenue, and Dennis and Helene Bateman, 1729 S. Champion Avenue.

The petition praying for the vacation of said unimproved Alley is on file in your office bearing a sufficient number of signatures of abutting property owners.

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

I am of the opinion that the proposed vacation of the aforesaid unimproved alley, 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
County Engineer

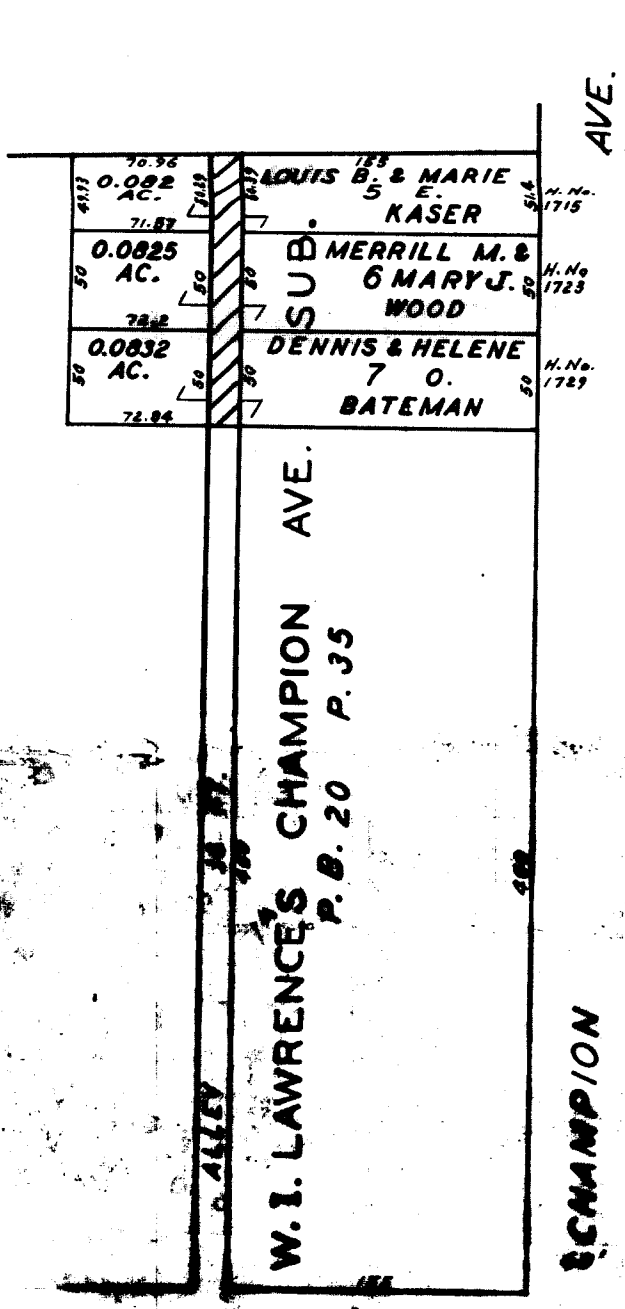
GE:FRM:cd

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July 17, 1953

HEARING ON PETITION TO VACATE AN UNIMPROVED ALLEY IN MARION
TOWNSHIP (WEST OF SOUTH CHAMPION AVENUE): CLAIMS FOR DAMAGES
TO BE HEAR JULY 24, 1953.

In the matter of the petition filed by Louis B. Kaser, et al. with the Board of County Commissioners of Franklin County, Ohio, on the 8th day of June, 1953, praying for the vacation of an unimproved alley in Marion Township (west of South Champion Avenue), Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Koontz:



SMITH ROAD

ok on 0-20-B Rd Map

▨ DENOTES PORTION TO BE VACATED

VACATION
PART OF 16' ALLEY
W. I. LAWRENCE'S CHAMPION AV. SUB.
MARION TWP. - FRANKLIN COUNTY, OHIO

APPROVED BY: *Jay Elbin*
 FRANKLIN COUNTY ENGINEER

DATE 7/16/53
 SCALE 1" = 100'

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

Contd.

WHEREAS, on July 14, 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 Friday, July 17, 1953, relative to the petition for the vacation of an alley in Marion Township; said report to 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 17th day of July, 1953, report thereon in writing, as follows:

"Board of County Commissioners, Franklin County, Ohio.

"Re: Vacation of an unimproved Alley in Marion Township.

"Gentlemen:- Pursuant to your order of July 14, 1953, I have made a survey and plat, which I hereby submit, of an unimproved alley in Marion Township, showing the proposed vacation of the following described alley:

"An unimproved alley beginning at North dead-end of alley immediately west of South Champion Avenue in Marion Township, starting at rear of Lot #5 Lawrence Addition, and extending south from that point to and including the third lot-said lots being owned by Louis & Marie Kaser, 1715 S. Champion Avenue, and Merrill & Mary Jane Wood, 1723 S. Champion Avenue, and Dennis and Helene Bateman, 1729 S. Champion Avenue.

"The petition praying for the vacation of said unimproved alley is on file in your office bearing a sufficient number of signatures of abutting property owners.

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

"I am of the opinion that the proposed vacation of the aforesaid unimproved alley, 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

WHEREAS, The Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said alley in Marion Township, 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 Friday, July 24, 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 and Henry A. Koontz

Contd.

PRAYER OF PETITION TO VACATE AN UNIMPROVED
ALLEY IN MARION TOWNSHIP (WEST OF SOUTH
CHAMPION AVENUE), GRANTED

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 petition of Louis B. Kaser, et al., for the vacation of an unimproved alley in Marion Township, West of South Champion Avenue, same came on and the Board of County Commissioners of Franklin County, Ohio, finds that there were no claims filed, and Mr. Lauderbaugh offered the following resolution and moved the adoption of the same, which was duly seconded by Mr. Koontz:

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that an unimproved alley in Marion Township, West of South Champion Avenue, 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 17, 1953, and the same hereby is declared vacated, excepting however, utilities that are now within this alley and the easements granted by the subdividers for utilities, which are not vacated.

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

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