

FRANKLIN CO. O., ROAD RECORD No. 17

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

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Vacation Aberdeen Ave., Mifflin Twp.

PUBLIC ROAD PETITION

June 25, 1953

To The Commissioners of Franklin County, Ohio

The undersigned respectfully petition: that you vacate, in favor of abutting lots 199, 202 and 203, the street area shown as Aberdeen Avenue on the record plat of Arlington Park - Tract No. 1, recorded in Franklin County Recorder's Plat Book 23, Page 18, comprising all the land bounded by the east boundary line at said Arlington Park - Tract No. 1, the south line of said Aberdeen Avenue, prolongation of the east line of Dawnligh Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the west line of Dawnligh Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue; -- said area being approximately 107.5 feet long in the east-west direction and approximately 50 feet wide in the north-south direction. This vacation is requested because topography to the north and east is such as to render unlikely any future extension of Aberdeen Avenue which can be adequately served by extension of Minnesota Avenue to the east of said Arlington Park - Tract No. 1.

Arlington Park Corporation - Owner of Lots 199, 202, 203 above mentioned. - P.O. Box 3368, Sta. C, Cols. 11, O.

S. J. Slaven, President (Signed)

Petitioners names are as follows:- Harold G. Kayne; Benjamin Eisner; orla C. Burgess; Lowell A. Hessler; Cornelia A. Lewis; Marvin Silberstein; Max McDorman; Charles R. Pryor; Homer D. Merchant; Chancey Williams; Edward T. Starr; Miriam G. Kayne and Paul Robinett

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June 2, 1953

PETITION FOR VACATION OF ABERDEEN AVENUE IN  
MIFFLIN TOWNSHIP REFERRED TO ENGINEER FOR CHECKING

Arlington Park Corporation by S. J. Slaven, President, et al., on the 1st day of June, 1953, filed with the Board of County Commissioners of Franklin County, Ohio, a petition praying for the vacation of Aberdeen Avenue in Mifflin Township, described as follows:

The street area shown as Aberdeen Avenue on the record plat of Arlington Park - Tract No. 1, recorded in Franklin County Recorder's Plat Book 23, Page 18, comprising all the land bounded by the east boundary line at said Arlington Park - Tract No. 1, the south line of said Aberdeen Avenue, prolongation of the east line of Dawnligh Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the west line of Dawnligh Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue -- said area being approximately 107.5 feet long in the east-west direction and approximately 50 feet wide in the north-south direction.

On motion of Mr. Lauderbaugh, seconded by Mr. Koontz, said petition be and it hereby is referred to the County Engineer, with directions that he chack 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 Henry A. Koontz.

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June 30, 1953

Board of County Commissioners  
Court House, Columbus, Ohio

Re: Vacation of Aberdeen Ave. in Mifflin Township.

Gentlemen:-

I have checked the attached petition filed by S. J. Slaven, et al praying for the vacation of Aberdeen Avenue in Mifflin Township and find that the petition contains sufficient number of signatures.

(Continued)

Continued -

Respectfully submitted,

Guy Elbin,  
County Engineer

GE:FRM:cd

By Frank R. McIllyar (Signed)  
Land Agent

\* \* \*

July 3, 1953

PETITION FILED FOR VACATION OF ABERDEEN AVENUE,  
MIFFLIN TOWNSHIP: VIEW, JULY 23, 1953:  
HEARING, JULY 28, 1953.

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

WHEREAS, Arlington Park Corporation by S. J. Slaven, President, et al., filed with the Board of County Commissioners of Franklin County, Ohio, a petition signed by at least twelve freeholders of Franklin County, Ohio, on June 1, 1953, and an additional petition on June 25, 1953, said freeholders residing in the vicinity of the proposed vacation, requesting said Board to vacate Aberdeen Avenue in Mifflin Township, the general route and termini thereof to be as follows:

The street area shown as Aberdeen Avenue on the record plat of Arlington Park, Tract No. 1, recorded in Franklin County Recorder's Plat Book 23, Page 18, comprising all the land bounded by the east boundary line at said Arlington Park, Tract No. 1, the south line of said Aberdeen Avenue, prolongation of the east line of Dawnligh Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the west line of Dawnligh Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue; said area being approximately 107.5 feet long in the east-west direction and approximately 50 feet wide in the north-south direction.

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Thursday, July 23, 1953, at 10 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, July 28, 1953, 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 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: C. P. Lauderbaugh and Henry A. Koontz

Absent and not voting: Harry T. Vigor

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July 24, 1953

VIEW OF VACATION OF ABERDEEN AVENUE,  
MIFFLIN TOWNSHIP, POSTPONED TO MONDAY,  
JULY 27, 1953, AT 2 P.M.

In the matter of the petition filed by Arlington Park Corporation, by S. J. Slaven, President, et al., on June 1, 1953, for the vacation of Aberdeen Avenue, Arlington Park, Tract No. 1, Mifflin Township, Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Koontz:

WHEREAS, By resolution duly adopted July 3, 1953, the Board of County Commissioners did fix the 23rd day of July, 1953, on the line of the proposed vacation of Aberdeen Avenue as requested in the petition filed by S. J. Slaven, President of Arlington Park Corporation, et al., and

WHEREAS, Two members of the Board of County Commissioners were out of the city on July 23, 1953, and the Chairman of the Board, Mr. Vigor, and a deputy county engineer did go on the line of the proposed vacation at the hour and day set by said resolution to notify any persons present that due to lack of a quorum of the Board of County Commissioners a viewing could not be made, now, therefore,

BE IT RESOLVED, By the Board of County Commissioners that the viewing of the proposed vacation of Aberdeen Avenue in Arlington Park, Tract No. 1, Mifflin Township, be and it hereby is postponed to Monday, July 27, 1953, at 2 o'clock P.M.

Voting Aye thereon: Harry T. Vigor, C. P. Lauderbaugh 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, who paid circulation of more than \$100, personally appeared and made oath that the attached printed advertisement was published for

2 times July 9-14,  
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.

*[Signature]*

Suscribed and sworn to this 14th

day of July 1953

*E.T. Sportnagel*  
Notary Public in and for Franklin Co.

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

**NOTICE OF FILING OF PETITION TO VACATE ABERDEEN AVENUE IN MIFFLIN 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 1st day of June, 1953, and an additional petition filed on the 25th day of June, 1953, praying for the vacation of Aberdeen Avenue in Mifflin Township, described as follows:

The street area shown as Aberdeen Avenue on the record plat of Mifflin Park, Tract No. 1, filed in Franklin County Recorder's Plat Book 23, Page 18, including all the land bounded by the east boundary line at said Mifflin Park, Tract No. 1, the west line of said Aberdeen Avenue, the east line of Dawnlight Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the line of Dawnlight Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue, said area being approximately 107.5 feet long in the east-west direction and approximately 100 feet wide in the north-south direction.

Public notice is hereby given that on Thursday, July 23, 1953, at 10:00 A.M. on the line of said petition was fixed as the time and place for the viewing thereof, and on Friday, July 25, 1953, at 10:00 A.M. at the office of the Board of County Commissioners of Franklin County, Ohio, was fixed as the time and place for the hearing thereof.

In order of the Board of County Commissioners of Franklin County, Ohio,  
ELLA A. McCARLEY,  
Ass't. Clerk.

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

Contd.

*Original filed with*

\* \* \*

July 28, 1953

VIEW OF VACATION OF ABERDEEN AVENUE IN  
MIFFLIN TOWNSHIP: ENGINEER TO FILE  
REPORT JULY 28, 1953.

In the matter of the petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 1st day of June, 1953, by Arlington Park Corporation, by S. J. Slaven, President, et al., for the vacation of Aberdeen Avenue In Mifflin Township, Franklin County, Ohio, Mr. Lauderbaugh offered the following preamble and resolution, which was duly seconded by Mr. Koontz:

WHEREAS, on the 1st day of June, 1953, a petition was filed with the Board by S. J. Slaven, et al, praying for the vacation of Aberdeen Avenue in Mifflin Township, Franklin County, Ohio, and

WHEREAS, on the 3rd day of July, 1953, the Board of County Commissioners did fix the 23rd 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 28, 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, said viewing was postponed until July 27, 1953 at 2 o'clock P.M., whereas, the Board of County Commissioners of Franklin County, Ohio, did, on the 27th day of July, 1953, meet on the line of said proposed Aberdeen Avenue 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 Aberdeen Avenue 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 Aberdeen Avenue 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 Avenue 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 Aberdeen Avenue vacation may be discernible to property owners and others interested and make report to the Board of County Commissioners on or before the 28th 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 vacation as required by Section 6865 of the General Code, 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.

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July 28, 1953

Board of County Commissioners  
Franklin County, Ohio

Re: Vacation of Aberdeen Avenue in Mifflin Township.

Gentlemen:-

Pursuant to your order of July 3, 1953, I have made a survey and plat, which I hereby submit, of an Avenue in Mifflin Township, showing the proposed vacation of the followins described Avenue:

(Continued)

Contd.

The street area shown as Aberdeen Avenue on the record plat of Arlington Park, Tract No. 1, recorded in Franklin County Recorder's Plat Book 23, Page 18, comprising all the land bounded by the east boundary line at said Arlington Park, Tract No. 1, the south line of said Aberdeen Avenue, prolongation of the east line of Dawnligh Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the west line of Dawnligh Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue; said area being approximately 107.5 feet long in the east-west direction and approximately 50 feet wide in the north-south direction.

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

Utilities that are now within this Avenue and the easement granted by the sub-dividers for utilities is not to be vacated through this 50 foot Avenue sought to be vacated.

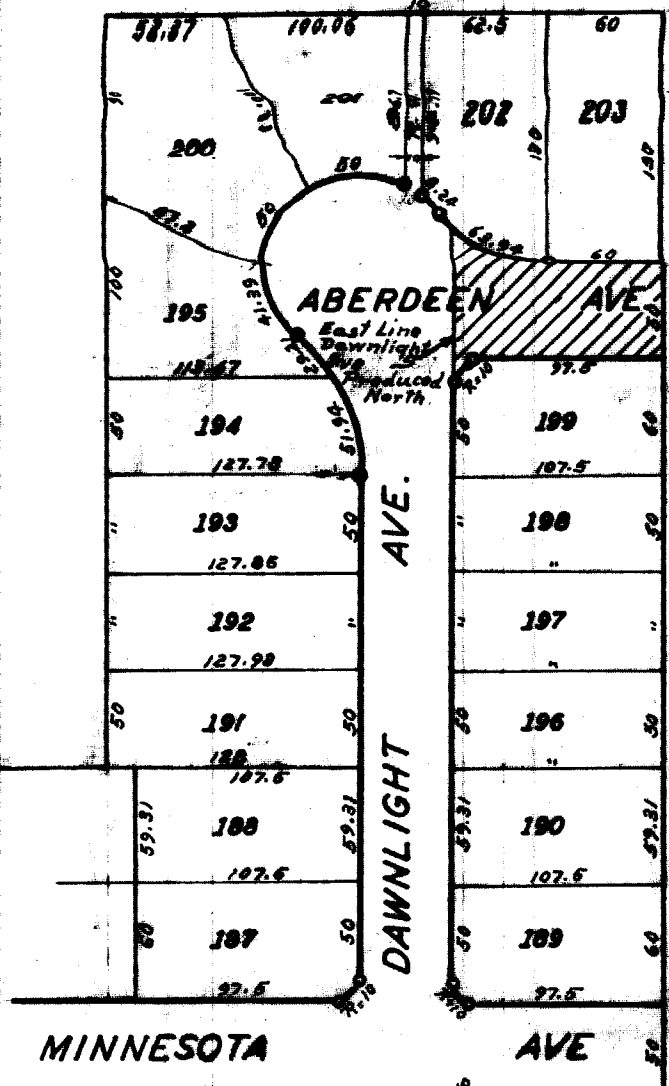
I am of the opinion that the proposed vacation of the aforesaid Avenue, with the exception above stated will be of no inconvenience to the general public and I, therefore, recommend the said vacation as shown on the accompanying plat.

Respectfully submitted,

Guy Elbin (Signed)  
GUY ELBIN,  
County Engineer

GE:FRM:cd

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*D-58  
N-148-C  
Rd Map*

**//// DENOTES PORTION TO BE VACATED**

**VACATION  
 PART OF ABERDEEN AVE.  
 ARLINGTON PARK - TRACT No. 1  
 PLAT BOOK 20 PAGE 18  
 MAPLIN FRANKLIN, COUNTY MO**

APPROVED BY *Louis Eldon*  
 FRANKLIN COUNTY ENGINEER

Contd.

July 28, 1953

HEARING ON PETITION TO VACATE ABERDEEN  
AVENUE, MIFFLIN TOWNSHIP: CLAIMS FOR DAMAGES  
TO BE HEARD AUG. 4, 1953.

In the matter of the petition filed by S. J. Slaven, President, Arlington Park Corporation, et al with the Board of County Commissioners of Franklin County, Ohio, on the 1st day of June, 1953, praying for the vacation of Aberdeen Avenue in Mifflin Township, Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Koontz:

WHEREAS, On July 27, 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 28, 1953, relative to the petition for the vacation of Aberdeen Avenue in Mifflin 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 28th day of July, 1953, report thereon in writing, as follows:

"Board of County Commissioners, Franklin County, Ohio

"RE: Vacation of Aberdeen Avenue in Mifflin Township,

"Gentlemen:- Pursuant to your order of July 3, 1953, I have made a survey and plat, which I hereby submit, of an Avenue in Mifflin Township, showing the proposed vacation of the following described Avenue:

"The street area shown as Aberdeen Avenue on the record plat of Arlington Park, Tract No. 1, recorded in Franklin County Recorder's Plat Book 23, page 18, comprising all of the land bounded by the east boundary line at said Arlington Park, Tract No. 1, the south line of said Aberdeen Avenue, prolongation of the east line of Dawnlight Avenue across Aberdeen Avenue from the south to its intersection with the north line of Aberdeen Avenue; an arc having a radius of 50 feet whose center is at the intersection of the west line of Dawnlight Avenue and the north line of Aberdeen Avenue and bounded finally by the north line of Aberdeen Avenue; said area being approximately 107.5 feet long in the east-west direction and approximately 50 feet wide in the north-south direction.

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

"utilities that are now within this Avenue and the easement granted by the subdividers for utilities is not to be vacated through this 50 foot Avenue sought to be vacated.

"I am of the opinion that the proposed vacation of the aforesaid Avenue, 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 Aberdeen Avenue, Mifflin 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 Tuesday, August 4, 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.

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August 4, 1953

PARYER OF PETITION TO VACATE ABERDEEN  
AVENUE IN MIFFLIN TOWNSHIP, 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 S. J. Slaven, President, Arlington Park Corporation, et al., for the vacation of Aberdeen Avenue in Mifflin Township, 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 Aberdeen Avenue in Mifflin 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 28, 1953, and the same hereby is declared vacated, excepting however, utilities that are now within this alley and the easement granted by the subdividers for utilities, which are not vacated.

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