

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

## PUBLIC ROAD PETITION

Columbus, Ohio March 26, 1951

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 part of Morning Street 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 south side of East Kanawha Avenue where said Morning Street crosses East Kanawha Avenue; thence south to the end thereof.

The following people signed the petition: Mary E. Clark and Richard A. Clark; Anna Elizabeth Uhrig; Homer A. Wilson and Adell D. Wilson; Arthur L. Jarman and Helen M. Jarman; Charlotte Denison; James W. Copenig and Mary K. Copenig; Elmer E. McDowell and Hannah J. McDowell; Margaret D. Parks and Arthur A. Parks; Robert M. Wieland and Evelyn M. Wieland; Gard H. Eckels and Martha A. Eckels; Norman E. Davies and Maxine G. Davies; Harriet M. Evatt and William S. Evatt and Kathryn L. Uhrig

\* \* \*

March 27, 1951

PETITION REFERRED TO ENGINEER TO CHECK FOR  
VACATION OF PART OF MORNING STREET

Mary E. Clark, et al., on the 26th day of March, 1951, filed with the Board of County Commissioners of Franklin County, Ohio, a petition praying for the vacation of part of Morning Street, described as follows:

Beginning at the south side of East Kanawha Avenue where said Morning Street crosses East Kanawha Avenue; thence south to the end thereof.

On motion of Mr. Vigor, 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: C.P. Lauderbaugh, Harry T. Vigor and Nathan A. McCoy, Jr.

\* \* \*

July 31, 1953

PETITION FILED FOR VACATION OF PART OF MORNING STREET:  
SHARON TOWNSHIP: VIEW, AUGUST 17, 1953; HEARING,  
SEPTEMBER 1, 1953.

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

WHEREAS, Mary E. Clark, 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 March 26, 1951, said freeholders residing in the vicinity of the proposed vacation, requesting said Board to vacate Morning Street, Sharon Township, the general route and termini thereof to be as follows:

Beginning at the south side of East Kanawha Avenue where said Morning Street crosses East Kanawha Avenue; thence south to the end thereof.

therefore

BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Monday, August 17, 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, September 1, 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: Harry T. Vigor, C. P. Lauderbaugh and Henry A. Koontz

**PROOF OF PUBLICATION**

State of Ohio  
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 3-10,  
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.

*Robert W. Irwin*

Suscribed and sworn to this 10th

day of August 1953

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

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

OF FILING OF PETITION  
TO VACATE PARTS OF  
WING STREET, FOSTER  
AVENUE AND SHARON AVENUE  
IN SHARON TOWNSHIP,  
FRANKLIN COUNTY,  
Ohio

is hereby given that a  
petition was filed with the Board  
of County Commissioners of  
Franklin County, Ohio, on the  
17th day of March, 1951, praying  
for the vacation of parts of  
Wing Street, Foster Avenue  
and Sharon Avenue in Sharon  
Township, described as follows:  
Wing Street beginning at  
the side of East Kanawha  
Avenue where said Morning  
Express East Kanawha  
Avenue crosses south to the end  
of Foster Avenue beginning at the  
side of East Kanawha Ave-  
nue where said Foster Avenue  
crosses East Kanawha Avenue  
south to the end thereof.  
Foster Avenue beginning at  
the south side of East Kanawha  
Avenue where said Sharon Ave-  
nue crosses East Kanawha Ave-  
nue south to the end  
thereof.

Notice is hereby given  
that on Tuesday, August 17, 1953, at  
10 o'clock A. M. on the line of  
said road was fixed as the time  
and place for the viewing there-  
of on Tuesday, September 1,  
1953, at 10 o'clock A. M. at the  
office of the Board of County  
Commissioners of Franklin Coun-  
ty, Ohio, was fixed as the time  
and place for the hearing there-  
of.

Order of the Board of  
County Commissioners of Frank-  
lin County, Ohio.  
MILLA A. MCCARLEY,  
Asst. Clerk.

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

Contd.

August 18, 1953

VIEW OF VACATION OF PART OF MORNING STREET,  
SHARON TOWNSHIP: ENGINEER TO FILE REPORT  
SEPTEMBER 1, 1953

In the matter of the petition filed with the Board of County Commissioners of Franklin County, Ohio, on the 26th day of March, 1951, by Mary E. Clark, et al., for the vacation of a part of Morning Street in Sharon Township, Franklin County, Ohio, Mr. Lauderbaugh offered the following preamble and resolution, which was duly seconded by Mr. Koontz:

WHEREAS, on the 31st day of July, 1953, the Board of County Commissioners did fix the 17th day of August, 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 September 1, 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, the Board of County Commissioners of Franklin County, Ohio, did, on the 17th day of August, 1953, meet on the line of said proposed Morning 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 Morning 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 Morning 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 Morning 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 Morning Street vacation may be discernible to property owners and others interested and make report to the Board of County Commissioners on or before the 1st day of September, 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 6365 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

\* \* \*

September 1, 1953

Board of County Commissioners  
Franklin County, Ohio

Re: Vacation of Part of Morning St., in Sharon Twp.

Gentlemen:-

Pursuant to your order of August 18, 1953, I have made a survey and plat, which I hereby submit, of a Street in Sharon Township, showing the proposed vacation of the following described street:

Beginning at the south side of East Kanawha Avenue where said Morning Street crosses East Kanawha Avenue; thence south to the end thereof.

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

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

## FRANKLIN CO. O., ROAD RECORD No. 17 Vacation of Part of Morning Street - Sharon Township

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

Contd.

I am of the opinion that the proposed vacation of the aforesaid Street, 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)  
County Engineer

GE:FRM:cd

\* \* \*

September 1, 1953

HEARING ON PETITION TO VACATE PART OF MORNING STREET  
IN SHARON TOWNSHIP CLAIMS FOR DAMAGES TO BE HEARD  
SEPTEMBER 8, 1953.

In the matter of the petition filed by Mary E. Clark, et al., with the Board of County Commissioners of Franklin County, Ohio, on the 26th day of March, 1951, praying for the vacation of a part of Morning Street in Sharon Township, Franklin County, Ohio, Mr. Koontz offered the following preamble and resolution, which was duly seconded by Mr. Vigor.

WHEREAS, on August 18, 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, September 1, 1953, relative to the Petition for the vacation of a part of Morning Street in Sharon Township, Franklin County, Ohio; 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 1st day of September, 1953, report thereon in writing, as follows:

"Board of County Commissioners, Franklin County, Ohio.

"Re: Vacation of Part of Morning Street in Sharon Township.

"Gentlemen:--Pursuant to your order of August 18, 1953, I have made a survey and plat, which I hereby submit, of a Street in Sharon Township, showing the proposed vacation of the following described Street:

"Beginning at the south side of East Kanawha Avenue where said Morning Street crosses East Kanawha Avenue, thence south to the end thereof.

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

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

"I am of the opinion that the proposed vacation of the aforesaid Street, 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 part of Morning Street in Sharon Township, and that the vacation thereof would not inconvenience the public; now, therefore

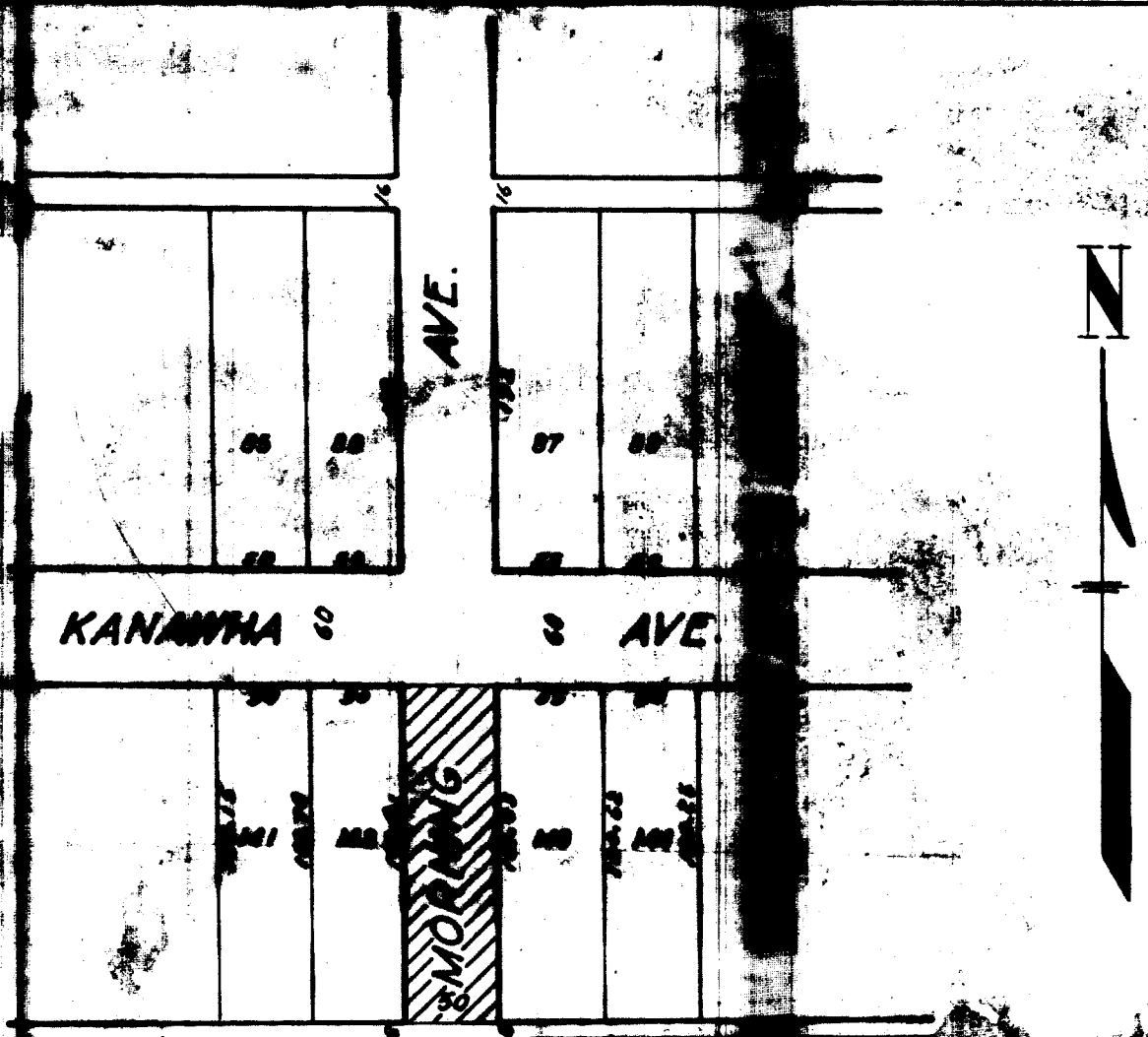
BE IT RESOLVED, By the Board of County Commissioners of Franklin County, Ohio, that Tuesday, September 8, 1953, at 10 o'clock A.M. eastern standard time, be and the same is hereby fixed as the time and the office of this Board, the place for hearing and considering claims for compensation and damages 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 and Henry A. Koontz.

Absent and not voting: C. P. Lauderbaugh



 DENOTES PORTION TO BE VACATED

OK  
 N-99  
 N-86  
 Rd. Map

VACATION  
 PART OF 50' STREET  
 SHARON HEIGHTS  
 SHARON TWP - FRANKLIN COUNTY, OHIO  
 APPROVED BY *Larry E. ...*  
 COUNTY ENGINEER  
 DATE 8-20-88  
 SCALE 1" = 100'

Contd.

September 8, 1953

PRAYER OF PETITION TO VACATE A PART  
OF MORNING STREET IN SHARON TOWNSHIP GRANTED.

This being the day and hour set by poseponement for the purpose of considering claims for compensation and damages that may be filed in the matter of the petition of Mary E. Clark, et al., for the vacation of a Part of Morning Street, in Sharon Township, Franklin County, Ohio, 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 a Part of Morning Street in Sharon 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 17, 1953, and the same here-by is declared vacated, excepting however, utilities that are now within Morning Street 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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