

FRANKLIN CO. O., ROAD RECORD No. 18 Vacation of first ten foot alley West of Minnie Ave.
Alley South of Sale & Case Road, Clinton Township

THE COL. B. B. MFG. CO. 86947

PUBLIC ROAD PETITION

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 vacation of 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 south line of Sale Road and running south to the south line of Lot No. 310 extended westerly, and excepting therefrom that portion of said alley road way located in Case Road; and being more particularly described as being the first ten (10) foot alley road way west of Minnie Avenue and running South from Sale Road to the south line of Lot No. 310 extended westerly located in North Linden Addition No. 1 (one), as shown of record in Plat No. 16, page 53, Recorder's Office, Franklin County, Ohio, Clinton Township.

The following persons signed said petition: Robert E. Dumm; M.M. Dumm; Donald V. Barth; Lois J. Barth; Margaret L. Smith; Ernest J. Scheiderer; Helen K. Scheiderer; Bertram Alper; Ann R. Duschnitt; David S. Duschnitt; J. Raymond Snowden; Gerald E. Macklin; Ohio State Homes Inc.; Seven G. Anderson, Pres.; Cornelia A. Lewis and Richard L. Weitzler.

* * * * *

July 22, 1955

PETITION TO VACATE PART OF AN ALLEY FIRST TEN FOOT ALLEY WEST OF MINNIE AVENUE, IN CLINTON TOWNSHIP, FRANKLIN COUNTY, OHIO: REFERRED TO THE COUNTY ENGINEER FOR CHECKING.

On motion of Mr. Vigor, seconded by Mr. Koontz, the petition filed for the vacation of a part of the first ten (10) foot alley west of Minnie Avenue and running South from Sale Road to the South line of Lot No. 310, In Clinton Township, Franklin County, Ohio, be and it hereby is referred to the Engineer's office for checking for sufficiency of signatures and accuracy of description.

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

Absent and not voting: C. P. Lauderbaugh

* * * * *

August 10, 1955

Board of County Commissioners
Franklin County, Ohio.

Re: Vacation of part of the first ten foot alley west of
Minnie Avenue in Clinton Township.

Gentlemen:-

I have checked the attached petition filed by Robert E. Dumm, et al praying for the vacation of part of the first ten foot alley west of Minnie Avenue in Clinton Township, and find that the petition contains sufficient number of signatures. Also, the description is accurate.

Respectfully submitted,

Guy Elbin, County Engineer

GE:FRM:cd

By Frank R. McIllyar (Signed)
Land Agent

* * * * *

August 23, 1955

PETITION FILED FOR VACATION OF PART OF THE FIRST TEN FOOT ALLEY WEST OF MINNIE AVENUE IN CLINTON TOWNSHIP. VIEW: WEDNESDAY, SEPTEMBER 14, 1955: HEARING: FRIDAY, OCTOBER 21, 1955.

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

WHEREAS, Robert E. Dumm, et al., on the 20th day of July, 1955, filed a petition with 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 the First Ten Foot Alley west of Minnie Avenue, in Clinton Township, the general route and termini thereof, to be as follows:

Beginning at the south line of Sale Road and running south to the south line of Lot No. 310 extended westerly, and excepting therefrom that portion of said alley roadway located in Case Road; and being more particularly described as being the first ten (10) foot alley roadway west of Minnie Avenue and running South from Sale Road to the south line of Lot No. 310, extended westerly located in North Linden Addition No. 1 (one), as shown of record in Plat Book No. 16, Page 53, Recorder's Office, Franklin County, Ohio, Clinton Township.

therefore,

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

2 times, August 24-31,

1955

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
Subscribed and sworn to this 31st.

day of August 19 55

Josephine Scott
Notary Public in and for Franklin County

Unit L595

JOSEPHINE SCOTT, Notary Public
MY COMMISSION EXPIRES AUG. 3, 1956

RECEIVED

SEP 1 1955

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, OHIO

NOTICE OF FILING OF PETITION TO VACATE A PART OF THE FIRST TEN FOOT ALLEY WEST OF MINNIE AVENUE IN CLINTON 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 20th day of July, 1955, praying for the vacation of part of the first ten foot alley west of Minnie Avenue in Clinton Township, described as follows:

Beginning at the south line of Sale Road and running south to the south line of Lot No. 310 extended westerly, and excepting therefrom that portion of said alley roadway located in Case Road; and being more particularly described as being the first ten (10) foot alley roadway west of Minnie Avenue and running south from Sale Road to the south line of Lot No. 310, extended westerly located in North Linden Addition No. 1 (one), as shown on record in Plat Book No. 16, Page 53, Recorder's Office, Franklin County, Ohio, Clinton Township.

Further notice is hereby given that Wednesday, September 14, 1955, at 10:00 o'clock a. m., on the line of said road was fixed as the time and place for the viewing thereof, and Friday, October 21, 1955, at 10:00 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 hearing thereon.

By Order of the Board of County Commissioners of Franklin County, Ohio.

ELLA A. McCARLEY,
8-24 31 Assistant Clerk.

FRANKLIN CO. O., ROAD RECORD No. 18

THE COL. B. B. MFG. CO. 86947

Contd. - Vac. of part of the First Ten Ft. Alley W. of Minnie Ave. in Clinton Twp.

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Wednesday, September 14, 1955, 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 Friday, October 21, 1955, 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: Henry A. Koontz, C. P. Lauderbaugh, and Harry T. Vigor.

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September 16, 1955

VACATION OF PART OF THE FIRST TEN FOOT ALLEY WEST OF
MINNIE AVENUE IN CLINTON TOWNSHIP, VIEWED: ENGINEER
TO FILE REPORT BY OCTOBER 21, 1955.

In the matter of the petition filed for the vacation of part of the First Ten Foot Alley west of Minnie Avenue in Clinton 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 20th day of July, 1955, a petition was filed with this Board by Robert E. Dumm, et al., praying for the vacation of part of the First Ten Foot Alley west of Minnie Avenue in Clinton Township, Franklin County, Ohio; and

WHEREAS, on August 23rd, 1955, said Board of County Commissioners did fix the 14th day of September, 1955, 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 October 21, 1955, 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 14th day of September, 1955, 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 thereby, 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 plat and survey 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, 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 21st day of October, 1955, 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, 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, C. P. Lauderbaugh and Harry T. Vigor.

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FRANKLIN CO. O., ROAD RECORD No. 18

THE COL. B. S. MFG. CO. 88947

Contd. - Vac. of part of the first ten Ft. Alley W. of Minnie Ave. in Clinton Twp.

October 21, 1955

Board of County Commissioners
Franklin County, Ohio.Re: Vacation of part of the first ten foot Alley West of
Minnie Avenue in Clinton Township.

Gentlemen:-

Pursuant to your order of September 16, 1955, I have made a survey and plat, which I hereby submit, of part of the first ten foot alley West of Minnie Avenue, in Clinton Township, showing the proposed vacation of the following described Alley:

Beginning at the south line of Sale Road and running south to the south line of Lot No. 310 extended westerly, and excepting therefrom that portion of said alley roadway located in Case Road; and being more particularly described as being the first ten (10) foot alley roadway west of Minnie Avenue and running south from Sale Road to the south line of Lot No. 310, extended westerly located in North Linden Addition No. 1 (one), as shown of record in Plat Book No. 16, Page 53, Recorder's Office, Franklin County, Ohio, Clinton Township.

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

Utilities that are now within this Alley and the Easement granted by the sub-dividers for utilities is not to be vacated through this 10 foot Alley sought to be vacated.

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

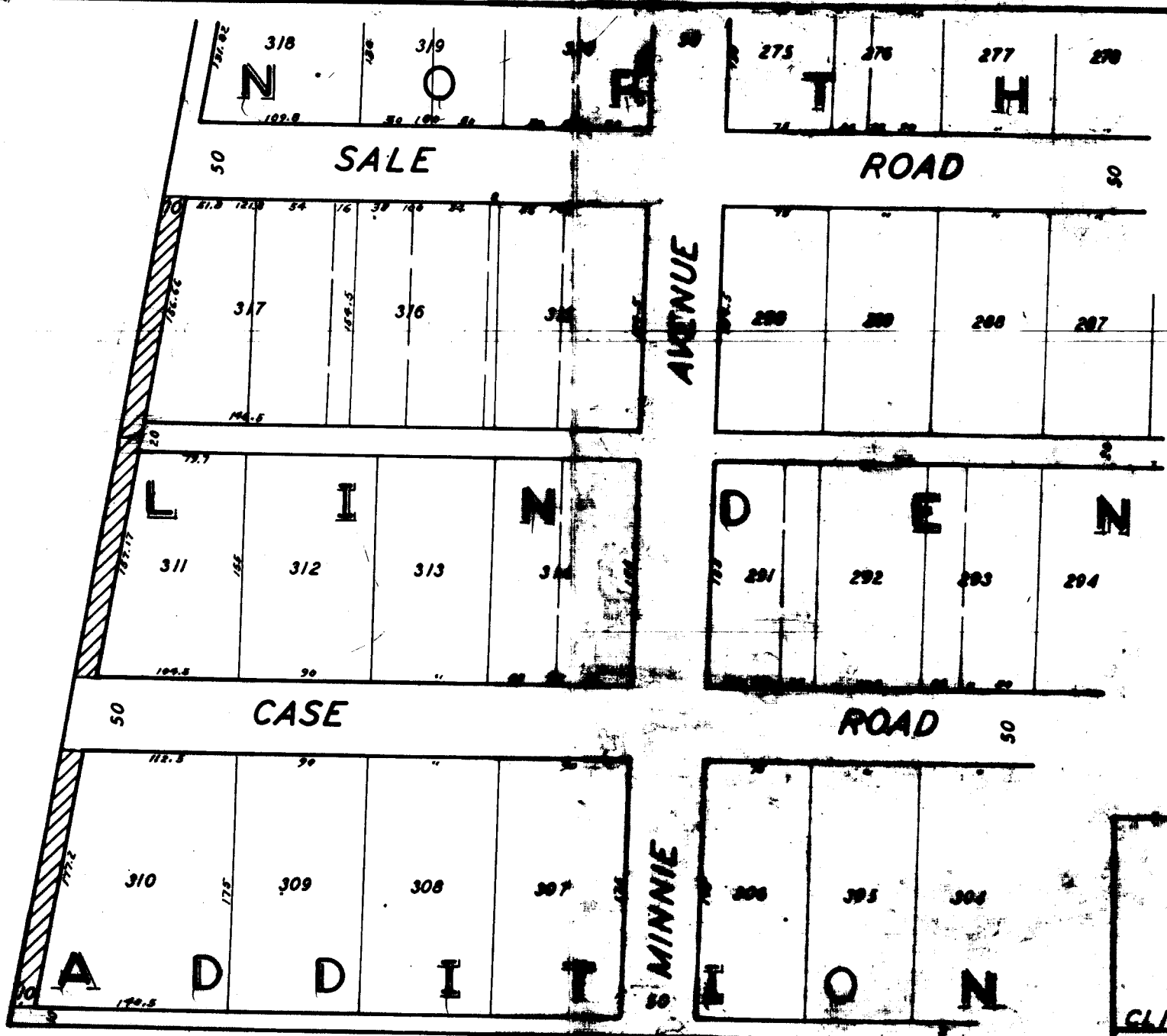
GE:FRM:cd


October 21, 1955

HEARING ON PETITION TO VACATE PART OF THE FIRST TEN
FOOT ALLEY WEST OF MINNIE AVENUE IN CLINTON TOWNSHIP:
CLAIMS FOR COMPENSATION AND DAMAGES TO BE HEARD OCTOBER 28, 1955.

In the matter of the petition filed by Robert E. Dumm, et al., with the Board of County Commissioners of Franklin County, Ohio, on the 20th day of July, 1955, praying for the vacation of part of the First Ten Foot Alley west of Minnie Avenue in Clinton Township, Franklin County, Ohio, Mr. Lauderbaugh offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Vigor:

WHEREAS, on September 16, 1955, 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, October 21, 1955, relative to the petition for the vacation of part of the First Ten Foot Alley west of Minnie Avenue, in Clinton Township, Franklin County, Ohio; said report to be made in manner and form set forth and required by Section 5553.06 of the Revised Code of Ohio; and



 DENOTE PORTIONS TO BE VACATED

VACATION
PORTIONS 10' ALLEY
NORTH LINDEN ADDITION

CLINTON TWP. FRANKLIN COUNTY OHIO

APPROVED BY Guy Elbers
FRANKLIN COUNTY ENGINEER

DATE Oct 20, 1955

SCALE 1" = 100'

FRANKLIN CO. O., ROAD RECORD No. 18

THE COL. B. B. MFG. CO. 86947

Contd. - Vac. of part of the first ten Ft. Alley W. of Minnie Ave. in Clinton Twp.

WHEREAS, Guy Elbin, County Engineer, did, on October 21, 1955, report thereon in writing as follows:

"Board of County Commissioners, Franklin County, Ohio.

"Re: Vacation of part of the first ten foot Alley West of Minnie Ave. in Clinton Twp.

"Gentlemen: Pursuant to your order of September 16, 1955, I have made a survey and plat, which I hereby submit, of part of the first ten foot alley West of Minnie Avenue, in Clinton Township, showing the proposed vacation of the following described Alley:

Beginning at the south line of Sale Road and running south to the south line of Lot No. 310 extended westerly, and excepting therefrom that portion of said alley roadway located in Case Road; and being more particularly described as being the first ten (10) foot alley roadway west of Minnie Avenue running south from Sale Road to the south line of Lot No. 310, extended westerly located in North Linden Addition No. 1 (one), as shown of record in Plat Book No. 16, Page 53, Recorder's Office, Franklin County, Ohio, Clinton Township.

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

"Utilities that are now within this Alley and the Easement granted by the sub-dividers for utilities is not to be vacated through this 10 foot Alley sought to be vacated.

"I am of the opinion that the proposed vacation of the aforesaid 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 part of first ten foot Alley West of Minnie Avenue in Clinton 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, October 28, 1955, 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: Henry A. Koontz, C. P. Lauderbaugh and Harry T. Vigor. (Signed)

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October 28, 1955

VACATION OF PART OF THE FIRST TEN FOOT ALLEY WEST
OF MINNIE AVENUE IN CLINTON TOWNSHIP - GRANTED.

This being the day and hour set for the purpose of considering claims for compensation and damages that may be filed in the matter of the vacation of part of the first ten foot alley west of Minnie Avenue, Clinton Township, Franklin County, Ohio, 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 motion was duly seconded by Mr. Vigor:

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of part of the first ten foot alley West of Minnie Avenue, in 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 the 21st day of October, 1955, and the same 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: Henry A. Koontz, C. P. Lauderbaugh, and Harry T. Vigor. (Signed)

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