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Vac. Portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2,
Subdivision in Madison Township - 58-14

BEFORE THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO.

In the Matter of Vacating, Altering, Changing the Directions of,
and Relocating Portions of Wessex Court, Saxon Court, Lake Park
Drive and Other Dedications in Winchester No. 2 Subdivision as
shown of Record in Plat Book 28, Page 25, Recorder's Office,
Franklin County, Ohio.

PETITION TO VACATE, ALTER, CHANGE THE DIRECTION OF, AND RELOCATE STREETS

The applicants are the owners of a tract of land, being an amendment of part of Winchester No. 2 Subdivision and consisting of 27.939 acres out of that 45.993 acre tract, situate in Madison Township, Franklin County, Ohio conveyed to us by deed of record in Deed Book 1861, page 337, Recorder's Office, Franklin County, Ohio, and lying south of Refugee Road and southwest of Winchester Pike, a copy of which amended plat is submitted herewith and made a part hereof.

The applicants represent that on the 5th day of October, 1955 they signed a plat which subdivided 31.309 acres of said 45.993 acres into 76 lots, designated as Winchester No. 2 Subdivision, which plat was duly recorded, after proper approvals, on April 13, 1956 in Plat Book 28, page 25, Recorder's Office, Franklin County, Ohio.

The applicants further represent that said plat of Winchester No. 2 Subdivision contains extensions of Wessex Court, Saxon Court, Lake Park Drive, and two unnamed drives off Wessex Court, as follows:

Wessex Court westerly 1576.88 feet from the west lines of Lots No. 28 and 29 of Winchester Sub. to the west line of Winchester No. 2 Subdivision; Saxon Court westerly 481.26 feet from the west lines of Lots No. 78 and 106 of Winchester Sub. #2 to the northeast line of Lake Park Drive; Lake Park Drive northwesterly 1165.23 feet from the east line of Winchester No. 2 Subdivision to the north line thereof; all such courts and drives being 60 feet wide; a 15 foot wide drive along the west line of Lot No. 43 north 140.23 feet from the north line of Wessex Court; and a 30 foot drive southerly 152.36 feet from the south line of Wessex Court and lying between lots No. 61 and 62; and a 10' Public Walkway Southwest 150' from Lake Park Drive and lying between Lots No. 89 and 90 of Winchester #2 Sub.

The applicants further represent that they have started proceedings pursuant to Revised Code 711.25 for vacating Lots No. 39 to 76, both inclusive, Lots No. 79 to 105, both inclusive, Reserves B, C, D, E, F, G, H, and M, and N, 4.984 acres of public park, all utility easements and other parcels, all the foregoing parts of Winchester No. 2 Subdivision as the same is shown of record in Plat Book 28, page 25, Recorder's Office, Franklin County, Ohio.

Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdvn. in Madison Twp.

The applicants further represent that an Amended Plat of Part of Winchester Subdivision No. 2 has been prepared, a copy of which is submitted herewith, that the above named courts and drives, walkway, reserves, park, easements and other parcels have been relocated, altered, or the directions thereof changed, that the changes incorporated in said amended plat were recommended by the Franklin County Regional Planning Commission, that said plat has been approved by the Planning Commission and the Engineer of the City of Columbus, and that said plat will be submitted for the approval of the proper authorities, including the Commissioners, Franklin County, Ohio, and that after such approvals said plat will be filed for recording with the Recorder, Franklin County, Ohio.

The applicants further represent that these vacations, alterations, relocations, and changes of directions of said courts, drives, walkway, and other parcels are made necessary by a change made by the Franklin County Zoning Commission in the zoning of the property lying along the north line of Winchester No. 2 Subdivision, said change being from a residential area to a commercial area for the purpose of constructing a shopping center, that said change was made after the plat of Winchester No. 2 Subdivision had been recorded, that the change in land use necessitates the changes incorporated in the attached plat for the protection of the lives, health, welfare and property of the present and future residents of Winchester Subdivisions, from the hazards, noise, dirt, parking, and other nuisances and inconveniences that would result from the flow of commercial traffic through the residential area, that the new plat can not be filed until the existing plat is vacated, and that there are no other persons having any interests in the tract of land being changed and that it will be to the best interests of all concerned for the above changes to be accomplished.

WHEREFORE, your applicants pray that the Board of County Commissioners declare by resolution that it will be for the public welfare or convenience to vacate, alter, change the directions or, and relocate portions of Wessex Court, Saxon Court, Lake Park Drive, and other dedications above mentioned to conform with the Amended Plat of Part of Winchester Subdivision No. 2, copy of which plat is submitted herewith and made a part hereof.

Esther J. Dawes /S/
C. Burr Dawes /S/

* * * * *

October 21, 1958

PETITION TO VACATE PORTIONS OF WESSEX COURT, SAXON COURT,
LAKE PARK DRIVE AND OTHER DEDICATION IN WINCHESTER NO. 2,
SUBDIVISION IN MADISON TOWNSHIP: REFERRED TO COUNTY
ENGINEER FOR CHECKING. 58-14

On motion of Mr. Koontz, seconded by Mr. Berkhemer, the petition filed for the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township; be and it hereby is referred to the Engineer's Office for checking for sufficiency of signatures and accuracy of description.

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

* * * * *

December 2, 1958

Board of County Commissioners
Franklin County, Ohio.

Re: Vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township.

Gentlemen:-

The petition filed for the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township by unanimous vote of the Board of County Commissioners contains an accurate description.

Respectfully submitted,

Guy Elbin,
Franklin County Engineer

By Frank R. McIlyar /S/
R/W Representative

GE:FRM:cd

* * * * *

Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdm. in Madison Twp.

VACATION OF PORTIONS OF WESSEX COURT, SAXON COURT, LAKE PARK DRIVE AND DEDICATION IN WINCHESTER NO. 2, SUBDIVISION IN MADISON TOWNSHIP: BY UNANIMOUS VOTE OF BOARD OF COUNTY COMMISSIONERS: VIEW: JANUARY 21, 1959, at 10 A.M. HEARING: JANUARY 27, 1959, at 10 A.M.

December 12, 1958

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

WHEREAS, Section 5553.04 of the Revised 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 portion of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township, and being described as follows:

Being an amendment of part of Winchester No. 2, Subdivision and consisting of 27.939 acres out of that 45.993 acre tract, situate in Madison Township, Franklin County, Ohio, conveyed to us by deed of record in Deed Book 1861, page 337, Recorder's Office, Franklin County, Ohio, and lying south of Refugee Road and southwest of Winchester Pike, a copy of which amended plat is submitted herewith and made a part hereof. The applicants represent that on the 5th day of October, 1955 they signed a plat which subdivided 31.309 acres of said 45.993 acres into 76 lots, designated as Winchester No. 2, Subdivision, which plat was duly recorded, after proper approvals, on April 13, 1956, in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio. The applicants further represent that said plat of Winchester No. 2, Subdivision contains extensions of Wessex Court, Saxon Court, Lake Park Drive, and two unnamed drives off Wessex Court, as follows:

Wessex Court westerly 1576.88 feet from the west lines of Lots No. 28 and 29 of Winchester Subdivision to the west line of Winchester No. 2, subdivision; Saxon Court Westerly 481.26 feet from the west line of Lots No. 78 and 106 of Winchester Sub. #2, to the northeast line of Lake Park Drive; Lake Park Drive northwesterly 1165.23 feet from the east line of Winchester No. 2, Subdivision to the north line thereof; all such courts and drives being 60 feet wide; a 15 foot wide drive along the west line of Lot No. 43 north 140.23 feet from the north line of Wessex Court; and a 30 foot drive southerly 152.36 feet from the south line of Wessex Court and lying between lots No. 61 and 63; and a 10' Public Walkway southwest 150 feet from Lake Park Drive and lying between Lots No. 89 and 90 of Winchester No. 2, Subdivision. The applicants further represent that they have started proceedings pursuant to Revised Code 711.25 for vacating Lots No. 39 to 76, both inclusive, Lots No. 79 to 105, both inclusive, Reserves B. c. D. E. F. G. H. and M. and N, 4.984 acres of public park, all utility easements and other parcels, all the foregoing being parts of Winchester No. 2, Subdivision as the same is shown of record in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio, The applicants further represent that an Amended Plat of Part of Winchester Subdivision No. 2, has been prepared, a copy of which is submitted herewith, that the above named courts and drives, walking reserves, park, easements and other parcels have been relocated, altered, or the directions thereof changed, that the changes incorporated in said amended plat were recommended by the Franklin County Regional Planning Commission, that said plat has been approved by the Planning Commission and the Engineer of the City of Columbus, and that said plat will be submitted for the approval of the proper authorities, including the Commissioners, Franklin County, Ohio, and that after such approvals said plat will be filed for recording with the Recorder, Franklin County, Ohio. The applicants further represent that these vacations, alterations, relocations and changes of directions of said courts, drives, walkway and other parcels are made necessary by a change made by the Franklin County Zoning Commission in the zoning of the property lying along the north line of Winchester No. 2, Subdivision, said change being from a residential area to a commercial area for the purpose of constructing a shopping center, that said change was made after the plat of Winchester No. 2, Subdivision had been recorded, that the change in land use necessitates the changes incorporated in the attached plat for the protection of the lives, health, welfare and property of the present and future residents of Winchester Subdivisions, from the hazards, noise, dirt, parking and other nuisances and inconveniences that would result from the flow of commercial traffic through the residential area, that the new plat can not be filed until the existing plat is vacated, and that there are no other persons having any interests in the tract of land being changed, and that it will be to the best interests of all concerned for the above changes to be accomplished.

WHEREFORE, your applicants pray that the Board of County Commissioners declare by resolution that it will be for the public welfare or convenience to vacate, alter, change the direction of, and relocate portions of Wessex Court, Saxon Court, Lake Park Drive, and other dedications above mentioned to conform with the Amended Plat of Part of Winchester Subdivision No. 2,

and

BE IT FURTHER RESOLVED, that Wednesday, January 21, 1959, at 10 a.m., on the line of said proposed road vacation, be and the same is hereby fixed as the time and place for viewing same; and that Tuesday, January 27, 1959, at 10 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 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, Henry A. Koontz and D. J. Kunz.

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Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. Portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdvn. in Madison Twp.

VACATION OF PORTIONS OF WESSEX COURT, SAXON COURT,
LAKE PARK DRIVE AND DEDICATION IN WINCHESTER NO. 2,
SUBDIVISION IN MADISON TOWNSHIP: BY UNANIMOUS VOTE
OF THE BOARD OF COUNTY COMMISSIONERS, VIEWED, ENGINEER
TO FILE REPORT BY JANUARY 27, 1959, AT 10 A.M., 58-14.

In the matter of the resolution of December 12, 1958, adopted by the Board of County Commissioners for the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, Mr. McCoy, Jr., offered the following preamble and resolution and moved the adoption of the same, which motion was duly seconded by Mr. Koontz:

WHEREAS, on the 12th day of December, 1958, the Board of County Commissioners of Franklin County, Ohio, adopted a resolution declaring it necessary to vacate portions of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township; and,

WHEREAS, on the 12th day of December, 1958, said Board of County Commissioners did fix the 21st day of January, 1959, at 10 o'clock a.m., on the line of said proposed vacation, as the time and place for the viewing thereof, and did further fix the 27th day of January, 1959, 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 final hearing on said 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 vacation and of the final hearing thereon; and,

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, did, on the 21st day of January, 1959, meet on the line thereof, as described in the resolution of December 12, 1958, and heard all the proof by parties interested in and affected thereby, and other persons competent to testify, and did go over and along the line of said proposed 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 portions of Wessex Court, Saxon Court, Lake Park Drive and dedication in Winchester No. 2, Subdivision in Madison Township, 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 vacation of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, an accurate and detailed description of each tract of land which will be necessary to be taken, together with the names of each owner, and to set stakes at the termini of each right-of-way line and at all angles between such termini, and at sufficient other points in the right-of-way lines so that the bounds of the proposed vacation may be discernible to property owners and others interested, and make a report to the Board of County Commissioners on or before the 27th day of January, 1959, 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: D. J. Kunz, Nathan A. McCoy, Jr., 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

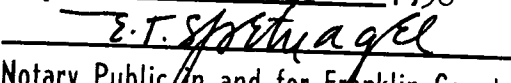
4 times, December 23-
30, 1958

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 30th.

day of December 1958


Notary Public in and for Franklin County

Unit L595

Notary Public in and for Franklin County
4

NOTICE OF INTENTION TO VACATE PORTIONS OF WESSEX COURT, SAXON COURT, LAKE PARK DRIVE AND DEDICATION IN WINCHESTER NO. 2, SUBDIVISION IN MADISON TOWNSHIP, 58-14.

Notice is hereby given that it is the intention of the Board of County Commissioners of Franklin County, Ohio, to vacate portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, 58-14, Franklin County, Ohio, and being described as follows:

The applicants are the owners of a tract of land, being an amendment of part of Winchester No. 2 Subdivision and consisting of 27.939 acres out of that 45.993 acre tract, situate in Madison Township, Franklin County, Ohio, conveyed to us by deed of record in Deed Book 1861, page 337, Recorder's Office, Franklin County, Ohio, and lying south of Refugee Road and southwest of Winchester Pike, a copy of which amended plat is submitted herewith and made a part hereof.

The applicants represent that on the 5th day of October, 1955 they signed a plat which subdivided 31.309 acres of said 45.993 acres into 76 lots, designated as Winchester No. 2 Subdivision, which plat was duly recorded, after proper approvals, on April 13, 1956, in Plat Book 28, page 25, Recorder's Office, Franklin County, Ohio.

The applicants further represent that said plat of Winchester No. 2, Subdivision contains extensions of Wessex Court, Saxon Court, Lake Park Drive, and two unnamed drives off Wessex Court, as follows:

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The applicants further represent that they have started proceedings pursuant to Revised Code 777.05 for vacating Lots No. 39 to 76, both inclusive, Lots No. 79 to 105, both inclusive, Reserves B, C, D, E, F, G, H, and M, and N, 4.984 acres of public park, all utility easements and other parcels, all the foregoing being parts of Winchester No. 2, Subdivision as the same is shown of record in Plat Book 28, page 25, Recorder's Office, Franklin County, Ohio.

The applicants further represent that an Amended Plat of Part of Winchester Subdivision No. 2, has been prepared, a copy of which is submitted herewith, that the above named courts and drives, walkway reserves, park, easements and other parcels have been relocated, altered, or the directions thereof changed, that the

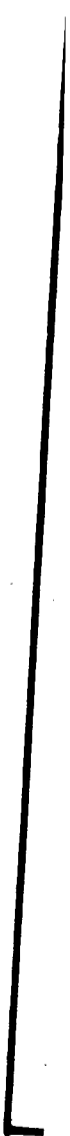
ED

SSIONERS

Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. Portions of Wessex Court, Saxon court, Lake Park Drive and other Dedication in Winchester No. 2, Subdvn. in Madison Twp.



ADDED NOTE
TO MAP PAGE
& TRACING
N-122-2
MK 5/1/47

VACATED PER RR-19
PAGES 17 to 20

Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. Portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdvn. in Madison Twp.

January 27, 1959

Board of County Commissioners
Franklin County, Ohio.

Re: Vac. of Portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township.

Gentlemen:-

Pursuant to your order of January 23, 1959, I have made a survey and plat, which I hereby submit, of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, showing the proposed vacation of the following described roads:

being an amendment of part of Winchester No. 2, Subdivision and consisting of 27.939 acres out of that 45.993 acre tract, situate in Madison Township, Franklin County, Ohio, conveyed to us by deed of record in Deed Book 1861, page 337, Recorder's Office, Franklin County, Ohio, and lying south of Refugee Road and southwest of Winchester Pike, a copy of which amended plat is submitted herewith and made a part hereof.

The applicants represent that on the 5th day of October, 1955, they signed a plat which subdivided 31.309 acres of said 45.993 acres into 76 lots, designated as Winchester No. 2, Subdivision, which plat was duly recorded, after proper approvals, on April 13, 1956, in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio. The applicants further represent that said plat of Winchester No. 2, Subdivision contains extensions of Wessex Court, Saxon Court, Lake Park Drive, and two unnamed drives off Wessex Court, as follows:

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The applicants further represent that they have started proceedings pursuant to Revised Code 711.25 for vacating Lots No. 39 to 76, both inclusive, Lots No. 79 to 105, both inclusive, Reserves B, C, D, E, F, G, H, and M, and N, 4.984 acres of public park, all utility easements and other parcels, all the foregoing being parts of Winchester No. 2, Subdivision as the same is shown of record in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio. The applicants further represent that an Amended Plat of Part of Winchester Subdivision No. 2, has been prepared, a copy of which is submitted herewith, that the above named courts and drives, walking reserves, park easements and other parcels have been relocated, altered, or the directions thereof changed, that the changes incorporated in said amended by the Franklin County Regional Planning Commission, that said plat has been approved by the Planning Commission and the Engineer of the City of Columbus, and that said plat will be submitted for the approval of the proper authorities, including the Commissioners, Franklin County, Ohio, and that after such approvals said plat will be filed for recording with the Recorder, Franklin County, Ohio.

The applicants further represent that these vacations, alterations, relocations and changes of directions of said courts, drives, walkway and other parcels are made necessary by a change made by the Franklin County Zoning Commission in the zoning of the property lying along the north line of Winchester No. 2, Subdivision, said change being from a residential area to a commercial area for the purpose of constructing a shopping center, that said change was made after the plat of Winchester No. 2, Subdivision had been recorded, that the change in land use necessitates the changes incorporated in the attached plat for the protection of the lives, health, welfare and property of the present and future residents of Winchester Subdivisions, from the hazards, noise, dirt, parking and other nuisances and inconveniences that would result from the flow of commercial traffic through the residential area, that the new plat can not be filed until the existing plat is vacated, and that there are no other persons having any interests in the tract of land being changes, and that it will be to the best interests of all concerned for the above changes to be accomplished.

Utilities that are now within these roads and the Easement granted by the sub-dividers for utilities is not to be vacated.

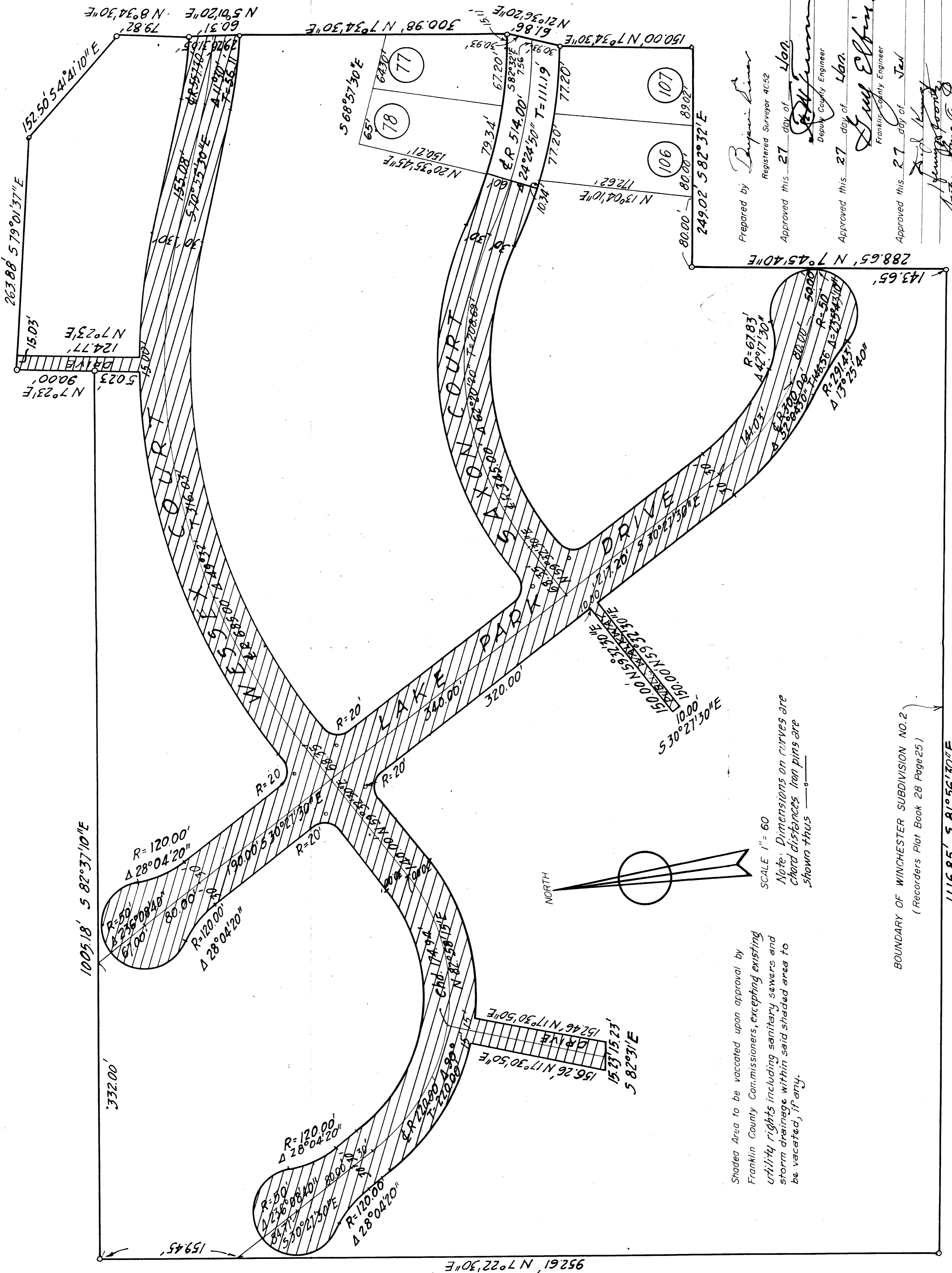
I am of the opinion that the proposed vacation of the aforesaid Roads and Dedication in Winchester No. 2, Subdivision, with the exception above stated will be of no inconvenience to the general public and I, therefore recommend the said vacation as shown on the accompanying plat.

Respectfully submitted,

Guy Elbin, /s/
Franklin County Engineer

GE:FRM:cd

1491 Madison Twp



VACATION PLAT
 Lake Park Drive, Wessex Court, Part of Saxon Court,
 15' DRIVE, 30' DRIVE & 10' WALKWAY
 WINCHESTER SUBDIVISION No. 2
 Madison Township

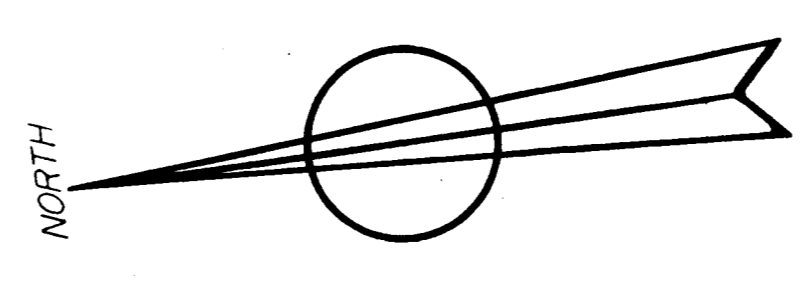
Prepared by *Raymond Linn*
 Registered Surveyor 4652

Approved this 27 day of Jan 1959
Raymond Linn
 Deputy County Engineer

Approved this 27 day of Jan 1959
Raymond Linn
 Franklin County Engineer

Approved this 27 day of Jan 1959
Raymond Linn
 Franklin County Engineer

Franklin County Commissioners



SCALE 1" = 60'
 Note: Dimensions on curves are
 chord distances. Iron pins are
 shown thus .

Shaded Area to be vacated upon approval by
 Franklin County Commissioners, excepting existing
 utility rights including sanitary sewers and
 storm drainage within said shaded area to
 be vacated, if any.

BOUNDARY OF WINCHESTER SUBDIVISION NO. 2
 (Recorders Plat Book 28 Page 25)

1116.85' S 81°56'30"E

ADDED NOTE
 TO MAP PART
 & TRACING
 N-122-2
 PK 57

1/20/59
 Vacated per RR-19
 Pages 14 to 25

Franklin County, Ohio ROAD RECORD No. 19

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. of Portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdivision in Madison Township.

January 27, 1959

HEARING ON VACATION OF PORTIONS OF WESSEX COURT, SAXON COURT, LAKE PARK DRIVE AND DEDICATION IN WINCHESTER NO. 2, SUBDIVISION IN MADISON TOWNSHIP - CLAIMS FOR COMPENSATION AND DAMAGES TO BE HEARD TUESDAY, FEBRUARY 3, 1959 -- 58-14

In the matter of the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, filed with the Board of County Commissioners on October 17, 1958, Mr. Koontz offered the following preamble and resolution and moved the adoption of the same, which motion was duly seconded by Mr. McCoy:

WHEREAS, on the 23rd day of January, 1959, 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., Tuesday, January 27, 1959, relative to the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township: said report to be made in manner and form set forth and required by Section 5553.06 of the Ohio Revised Code; and

WHEREAS, Guy Elbin, County Engineer, did, on January 27, 1959, report thereon in writing, as follows:

"Board of County Commissioners, Franklin County, Ohio

"Re: Vac. of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township.

"Gentlemen:- Pursuant to your order of January 23, 1959, I have made a survey and plat, which I hereby submit, of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, showing the proposed vacation of the following described roads:

"being an amendment of part of Winchester No. 2, Subdivision and consisting of 27.939 acres out of that 45.993 acre tract, situate in Madison Township, Franklin County, Ohio, conveyed to us by deed of record in Deed Book 1861, page 337, Recorder's Office, Franklin County, Ohio, and lying south of Refugee Road and southwest of Winchester Pike, a copy of which amended plat is submitted herewith and made a part hereof.

"The applicants represent that on the 5th day of October, 1955 they signed a plat which subdivided 31.309 acres of said 45.993 acres into 76 lots, designated as Winchester No. 2, Subdivision, which plat was duly recorded, after proper approvals, on April 13, 1956, in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio. The applicants further represent that said plat of Winchester No. 2, Subdivision contains extensions of Wessex Court, Saxon Court, Lake Park Drive, and two unnamed drives off Wessex Court, as follows: "Wessex Court westerly 1576.88 feet from the west lines of Lots No. 28 and 29 of Winchester Subdivision to the west line of Winchester No. 2, subdivision; Saxon Court westerly 481.26 feet from the west line of Lots No. 78 and 106 of Winchester Sub. #2, to the northeast line of Lake Park Drive; Lake Park Drive northwesterly 1165.23 feet from the east line of Winchester No. 2, Subdivision to the north line thereof; all such courts and drives being 60 feet wide; a 15 foot wide drive along the west line of Lot No. 43 north 140.23 feet from the north line of Wessex Court; and a 30 foot drive southerly 152.36 feet from the south line of Wessex Court and lying between lots No. 61 and 63; and a 10' Public Walkway southwest 150 feet from Lake Park Drive and lying between Lots No. 89 and 90 of Winchester No. 2, Subdivision.

"The applicants further represent that they have started proceedings pursuant to Revised Code 711.25 for vacating Lots No. 39 to 76, both inclusive, Lots No. 79 to 105, both inclusive, Reserves B, C, D, E, F, G, H, and N, and N, 4.984 acres of public park, all utility easements and other parcels, all of the foregoing being parts of Winchester No. 2, Subdivision as the same is shown of record in Plat Book 28, Page 25, Recorder's Office, Franklin County, Ohio,

"The applicants further represent that an Amended Plat of Part of Winchester Subdivision No. 2, has been prepared, a copy of which is submitted herewith, that the above named courts and drives, walking reserves, park, easements and other parcels have been relocated, altered, or the directions thereof changed, that the changes incorporated in said amended plat were recommended by the Franklin County Regional Commission, that said plat has been approved by the Planning Commission and the Engineer of the City of Columbus, and that said plat will be submitted for the approval of the proper authorities, including the Commissioners, Franklin County, Ohio, and that after such approvals said plat will be filed for recording with the Recorder, Franklin County, Ohio.

"The applicants further represent that these vacations, alterations, relocations and changes of directions of said courts, drives, walkway and other parcels are made necessary by a change made by the Franklin County Zoning Commission in the zoning of the property lying along the north line of Winchester No. 2, Subdivision, said change being from a residential area to a commercial area for the purpose of constructing a shopping center, that said change was made after the plat of Winchester No. 2, Subdivision had been recorded, that the change in land use necessitates the changes incorporated in the attached plat for the protection of the lives, health, welfare and property of the present and future residents of Winchester Subdivision, from the hazards, noise, dirt, parking and other nuisances and inconveniences that would result from the flow of commercial traffic through the residential area, that the new plat can not be filed until the existing plat is vacated, and that there are no other persons having any interest in the tract of land being changes, and that it will be to the best interests of all concerned for the above changes to be accomplished.

Franklin County, Ohio ROAD RECORD No. 19

Vac. of a part of Lincoln Rd., Edgewood Drive, etc. in
Midwest Blvd. Subdivn. - Arthur L. Rowe, et al, 58-17

Made by The Cott Index Company, Columbus, Ohio

Contd. - Vac. Portions of Wessex Court, Saxon Court, Lake Park Drive and other Dedication in Winchester No. 2, Subdivision in Madison Township.

"Utilities that are now within these roads and the Easement granted by the sub-dividers for utilities is not to be vacated.

"I am of the opinion that the proposed vacation of the aforesaid Roads and Dedication in Winchester No. 2, Subdivision, 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, Franklin County Engineer."

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, finds that the public utility and welfare do not require said portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, would not inconvenience the public; now, therefore,

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Tuesday, February 3, 1959, 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: D. J. Kunz, Nathan A. McCoy, Jr. and Henry A. Koontz.

* * * * *

February 3, 1959

VACATION OF PORTIONS OF WESSEX COURT, SAXON COURT, LAKE PARK DRIVE AND DEDICATION IN WINCHESTER NO. 2, SUBDIVISION IN MADISON TOWNSHIP - 58-14 - 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 portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, same came on and the Board of County Commissioners of Franklin County, Ohio, finds that there were no claims filed and Mr. Koontz offered the following resolution and moved the adoption of the same, which motion was duly seconded by Mr. McCoy:

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of portions of Wessex Court, Saxon Court, Lake Park Drive and Dedication in Winchester No. 2, Subdivision in Madison Township, as recommended by the County Engineer, be vacated, and as described in his report and shown on the plat submitted by him on the 27th day of January, and the same is declared vacated, excepting, however, utilities that are now within this Court and the Easement granted by the sub-dividers for utilities, which are not vacated.

Voting Aye thereon: D. J. Kunz, Nathan A. McCoy Jr. and Henry A. Koontz.

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