

REER PYS. CO., COLS., O. CD52506

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(Continued from 91A - See record book)

VACATION OF PART OF A FIFTY (50) FOOT STREET (PENHURST AVENUE) IN "ROME MANOR ADDITION" - PRAIRIE TOWNSHIP

PUBLIC ROAD PETITION

Columbus, Ohio
November 27, 1965

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 a 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;

Vacation of a part of a fifty (50) foot Street (Penhurst Avenue) situated in the "Rome Manor Addition", Prairie Township, Franklin County, Ohio, the description of said vacation to read as follows:

Being a part of a fifty (50) foot street (Penhurst Avenue) situated in the "Rome Manor Addition", of record in Plat Book 16, Page 4, Recorder's Office, Franklin County, Ohio, and being the first fifty (50) foot street, located south of West Broad Street (U.S. Route 40) and running eastwardly, from the existing east right-of-way line of Evergreen Terrace (50 feet in width) produced northwardly, a distance of approximately 225.00 feet to the existing west right-of-way line of Woodlawn Avenue (50 feet in width) produced northwardly and there to terminate, excepting the existing utility easement rights within said street sought to be vacated, if any

The following persons signed said petition: George Clayton Davis; Harry H. Carson; Carol A. Sammett; Jack A. Smith; Earl E. Sack; George G. Mayberry; Donald W. Bland; Thomas E. Mitchell; O.C. Elkins; Harry Salsbury; Orville W. Cunningham; Mary Ellen Lewis; E. L. Windon; Roger Skaggs; Carl Hamilton; Ralph G. Morley; Verlyn Pyles and Lester C. Yerian.

* * * * *

April 20, 1966

PETITION TO VACATE A 50' STREET (PENHURST)
IN "ROME MANOR ADDITION", PRAIRIE TOWNSHIP,
FRANKLIN COUNTY, OHIO - REFERRED TO COUNTY
ENGINEER FOR CHECKING.

On motion of Mr. Myers, seconded by Mr. Southwick, the petition filed November 27, 1965 by Donald King, Pastor Church of the Nazarene (West Broad) for the vacation of a fifty foot (50) street, Penhurst Avenue, Prairie Township, Franklin County, Ohio, be and it hereby is referred to the County Engineer's Office for checking for accuracy of signatures and description.

Voting Aye thereon: Henry A. Koontz, Glenn L. Myers and Robert T. Southwick.

* * * * *

Cont'd. - Vac. of part of a fifty (50) Ft. St. (Penhurst Ave.) in "Rome Manor Addition", Prairie Twp.

April 28, 1966

Board of County Commissioners
Franklin County, Ohio

Re: Vac. of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Franklin County, Ohio.

Gentlemen:-

I have checked the attached petition filed by Donald King, Pastor, Church of Nazarene (West Broad Street) for the vacation of a fifty foot (50) Street, (Penhurst Avenue) Prairie Township, Franklin County, Ohio, and find that the petition contains sufficient number of signatures. Also the description is accurate.

Respectfully submitted,

Guy Elbin, P.E.
Franklin County Engineer

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

* * * * *

April 28, 1966

PETITION FILED FOR VACATION OF PART OF A FIFTY (50) FOOT STREET (PENHURST AVENUE) IN "ROME MANOR ADDITION", FRANKLIN COUNTY, OHIO: VIEW - MONDAY, MAY 16, 1966, AT 10:00 A.M. - HEARING - FRIDAY, MAY 20, 1966, AT 10:00 A.M.

Mr. Myers offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Southwick.

WHEREAS, Donald King, Pastor, Church of Nazarene (West Broad Street), filed a petition with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Franklin County, Ohio, the general route and termini thereof, to be as follows:

Being a part of a fifty (50) foot Street (Penhurst Avenue) situated in the "Rome Manor Addition", of record in Plat Book 16, Page 4, Recorder's Office, Franklin County, Ohio, and being the first fifty (50) foot street located south of West Broad Street (U.S. Route 40) and running eastwardly, from the existing east right-of-way line of Evergreen Terrace (50 feet in width) produced northwardly, a distance of approximately 225.00 feet to the existing west right-of-way line of Woodlawn Avenue (50 feet in width) produced northwardly and there to terminate, excepting the existing utility easement rights within said street sought to be vacated, if any.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Monday, May 16, 1966, at 10:00 A.M., Eastern Standard Time 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, May 20, 1966, at 10:00 A.M., Eastern Standard Time, 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 Columbus Citizen 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 the time of the final hearing, shall state briefly the character of the proposed vacation.

Voting Aye thereon: Henry A. Koontz, Glenn L. Myers and Robert T. Southwick.

* * * * *

RECEIVED
 MAY 11 1966
 BOARD OF COUNTY COMMISSIONERS
 FRANKLIN COUNTY, OHIO

PROOF OF PUBLICATION

State of Ohio }
 Franklin County } ss.

of the Columbus Citizen-Journal,
 a newspaper published at Colum-
 bus, Franklin County, Ohio, with
 a paid circulation of more than
 25,000, personally appeared and
 made oath that the attached
 printed advertisement was pub-
 lished for

.4..... times, on the 28th and
 29th days of May, 1966.....

in said newspaper and that the
 rate charged therefor is the same
 as that charged to commercial
 advertisers for like services.

Clyde R. Roberts

Subscribed and sworn to this 28th
 day of..... 1966

Josephine Scott

Notary Public in and for Franklin County

LEGAL NOTICE
 NOTICE OF INTENTION TO
 VACATE A PART OF A FIFTY
 (50) FOOT STREET (PEN-
 HURST AVENUE) IN "ROME
 MANOR ADDITION," PRAIRIE
 TOWNSHIP, FRANKLIN
 COUNTY, OHIO.
 Notice is hereby given that it
 is the intention of the Board of
 County Commissioners of Frank-
 lin County, Ohio, to vacate a
 part of a 50 foot street
 (Penhurst Avenue) in Rome
 Manor Addition, Prairie Town-
 ship, Franklin County, Ohio, the
 said part being more particu-
 larly described as follows:
 Being a part of a 50 foot
 foot Street (Penhurst Avenue)
 situated in the "Rome Manor
 Addition," of record in Plat
 Book 16, Page 4, Recorder's
 Office, Franklin County, Ohio,
 and being the first fifty (50)
 foot street located south of
 West Broad Street (U.S.
 Route 40) and running east-
 wardly from the existing east
 right-of-way line of Ever-
 green Terrace (50 feet in
 width) produced northwardly,
 a distance of approximately
 25 feet to the existing west
 right-of-way line of Wood-
 land Avenue (50 feet in
 width) produced northwardly
 and there to terminate, ex-
 cepting the existing utility
 easement rights within said
 street sought to be vacated,
 if any.
 Notice is hereby given that
 Monday, May 16, 1966, at 10:00
 A.M., Eastern Standard Time,
 at the place of said proposed
 vacation was fixed as the time
 and place for viewing thereof
 and Friday, May 20, 1966, at
 10:00 A.M., Eastern Standard
 Time, at the Office of the Board
 of County Commissioners was
 fixed as the time and place for
 final hearing thereon.
 By order of the Board of
 County Commissioners of Frank-
 lin County, Ohio,
 WILLIAM J. TRATTE,
 Clerk.
 4-28: 4-5

Cont'd. - Vac. of part of a fifty (50) Ft. St. (Penhurst Ave.) in "Rome Manor Addition", Prairie Twp.

May 16, 1966

VACATION OF PART OF A FIFTY (50) FOOT STREET
(PENHURST AVENUE) IN "ROME MANOR ADDITION",
PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO: VIEWED
ENGINEER TO FILE REPORT BY FRIDAY, MAY 20, 1966,
at 10:00 A.M.

In the matter of the resolution of April 28, 1966, adopted by the Board of County Commissioners for vacation of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie Township, Franklin County, Ohio, Mr. Myers offered the following preamble and resolution and moved the adoption of the same, which motion was duly seconded by Mr. Southwick.

WHEREAS, on the 27th day of November, 1965, a petition was filed with this Board by Donald King, Pastor, Church of the Nazarene (West Broad) for the vacation of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie Township, Franklin County, Ohio; and

WHEREAS, on the 28th day of April, 1966, said Board of County Commissioners did fix the 16th day of May, 1966, at 10:00 A.M., on the line of said proposed vacation, as the time and place for viewing thereof and did further fix the 20th day of May, 1966, at 10:00 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 vacation; and

WHEREAS, legal notice by publication in the Columbus Citizen Journal, a newspaper published in and of general circulation in said County was given as 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 16th day of May, 1966, meet on the line of said proposed vacation, as described in resolution of April 28, 1966, and heard all the proof offered by parties interested in and affected thereby, does find that the vacation of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie Township, Franklin County Ohio, is of sufficient importance to require that the Engineer of Franklin County, Ohio, be instructed and directed to make a survey and plat thereof; now 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, 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 vacation may be discernible to property owners and on or before the 20th day of May, 1966, at 10:00 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, Glenn L. Myers and Robert T. Southwick.

* * * * *

May 20, 1966

Board of County Commissioners
Franklin County, Ohio

Re: Vac. of part of a fifty (50) foot St. (Penhurst Ave.) in "Rome Manor
Addition", Prairie Township, Franklin County, Ohio.

Gentlemen:-

Pursuant to your order of May 16, 1966, I have made a survey and plat which I hereby submit, of part of a fifty (50) Foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie Township, Franklin County, Ohio, showing the proposed vacation of the following described Street:-

Being a part of a fifty (50) foot Street (Penhurst Avenue) situated in the "Rome Manor Addition", of record in Plat Book 16, Page 4, Recorder's Office, Franklin County, Ohio, and being the first fifty (50) foot street located south of West Broad Street (U.S. Route 40) and running eastwardly from the existing east right-of-way line of Evergreen Terrace (50 feet in width) produced northwardly, a distance of approximately 225.00 feet to the existing west right-of-way line of Woodlawn Avenue (50 feet in width) produced northwardly and there to terminate, excepting the existing utility easement rights within said street sought to be vacated, if any.

The petition praying for the vacation of said Street is on file in your Office.

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

I am of the opinion that the proposed vacation of the aforementioned 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, P.E.
Franklin County Engineer

* * * * *

Cont'd. - Vac. of part of a fifty (50) ft. St. (Penhurst Ave.) in "Rome Manor Addition", Prairie Twp.

May 16, 1966

County Commissioners
Franklin County, Ohio
Court House
Columbus 15, Ohio

Subject:
Intention to vacate Penhurst Avenue
between Evergreen Tr. and Woodlawn
Avenue. Rome Manor Addition.

Gentlemen:

Up to January 17, 1962 our company owned 67 percent of the lots in the first square east of West Broad Street on both Evergreen Terrace and Woodlawn Avenue and in this block all lots were vacant except for one house on lots 271-272 on the corner of the West Broad Street alley and Woodlawn Avenue. We still own four lots in this square on evergreen Terrace and the corner of West Broad and Evergreen Terrace.

Penhurst Avenue was never abandoned and was kept open for use by the public and is still being used at the present time.

When A.K.S.B. No.128 became law on August 21, 1961, we considered at that time the abandonment of Penhurst Avenue and decided against it for the following reasons.

- (1) The rapid overnight development of this area would be used in the future.
- (2) Penhurst would be needed in emergencies on West Broad Street and in the period of construction of the outerbelt.
- (3) Relieve the traffic that exists now through the First Alley east of Broad Street and is increasing more each year.
- (4) When the area is fully developed Penhurst Avenue will relieve the traffic on Palmetto Avenue.
- (5) Today's Developers and engineers are against long straight squares because they make speedways and the trend is to put in curved streets as much as they can, and no long blocks.

At the present time the house under construction at the N. W. Corner of Penhurst and Woodlawn Avenues is 54 feet across the front and the total frontage of the two lots is 60 feet. In our opinion all restrictions and set backs from the lot lines were disregarded and ignored as the house is on the Penhurst Avenue street line.

The JUSTICE REALTY CO.

S. H. Justice Secretary /s/

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May 20, 1966

PRAYER OF PETITION TO VACATE PART OF A FIFTY (50)
FOOT STREET (PENHURST AVENUE) IN "ROME MANOR
ADDITION", PRAIRIE TOWNSHIP, FRANKLIN COUNTY,
OHIO, GRANTED.

In the matter of the petition filed November 27, 1965, by Donald King, Pastor, Church of the Nazarene (West Broad) for the vacation of part of a fifty (50) foot Street (Penhurst Avenue) in Rome Manor Addition, Prairie Township, Franklin County, Ohio, Mr. Southwick offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Myers.

WHEREAS, on the 28th day of April, 1966, 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 10:00 o'clock A.M. of Friday, May 20, 1966, relative to the petition for the vacation of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie 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 the 20th day of May, 1966, report thereon in writing which report contained the following recommendation, to-wit:

"May 20, 1966, Board of County Commissioners, Franklin County, Ohio, Re: Vac. of part of a fifty (50) Foot St. (Penhurst Ave.) in "Rome Manor Addition", Prairie Township, Franklin County, Ohio. Gentlemen:-

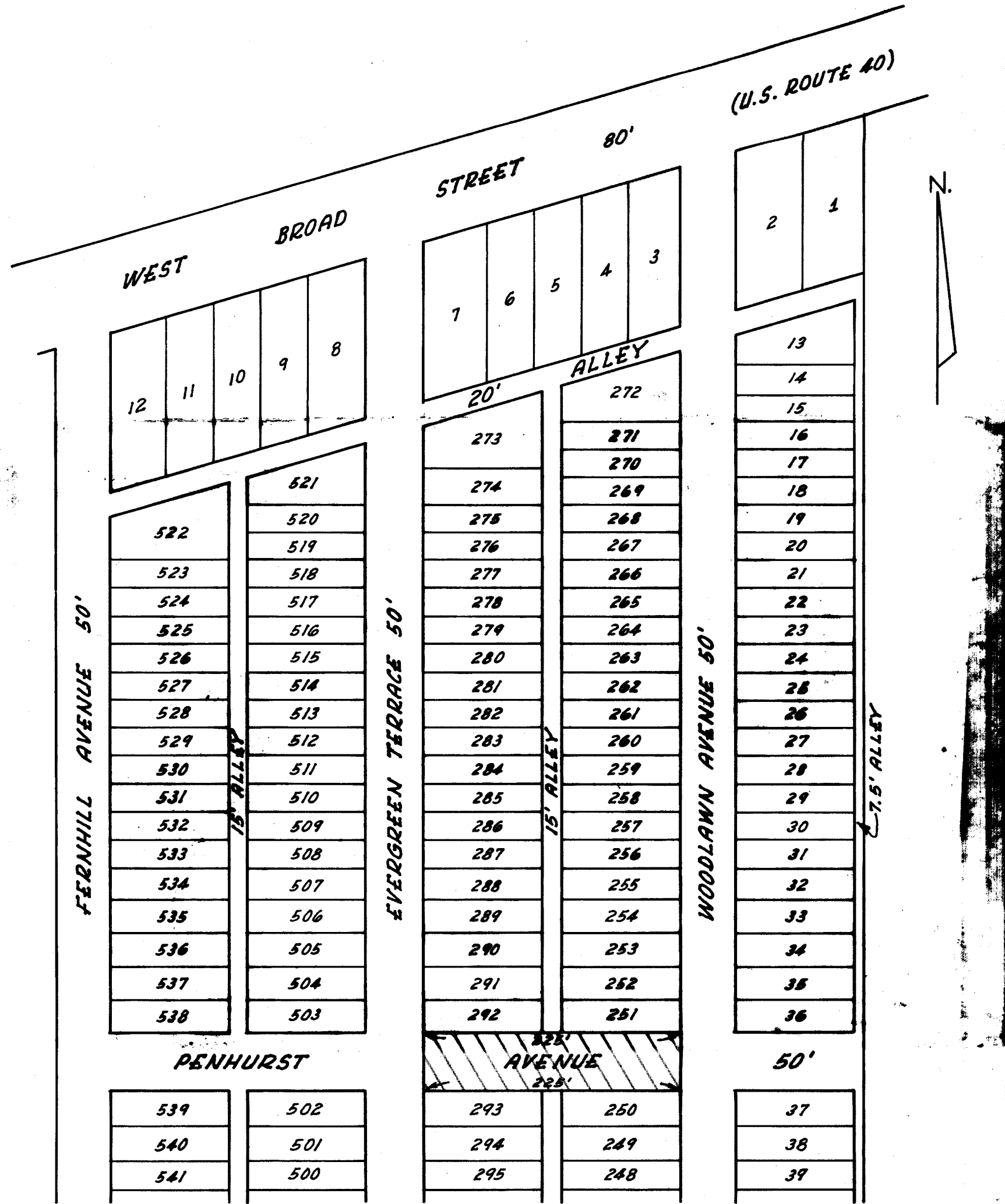
Pursuant to your order of May 16, 1966, I have made a survey and plat which I hereby submit, of part of a fifty (50) foot Street (Penhurst Avenue) in "Rome Manor Addition", Prairie Township, Franklin County, Ohio, showing the proposed vacation of the following described Street:-

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The petition praying for the vacation of said Street is on file in your Office.

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

I am of the opinion that the proposed vacation of the aforementioned 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.

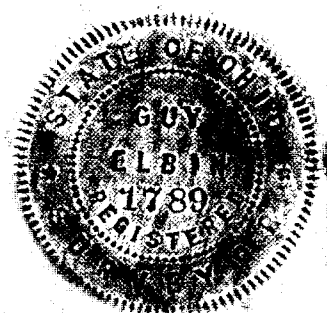


VACATION PART OF
PENHURST AVENUE 50'
 IN ROME MANOR ADDITION
 OF RECORD IN RECORDER'S P.B. 16, PG. 4
 PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO

APPROVED BY: *Guy Elbie*
 FRANKLIN COUNTY ENGINEER

DATE May 17, 1966

SCALE 1" = 100'



Denotes Portion To Be Vacated

