

Johnson-Watson • Dayton Blank Book - C-8925

December 20, 1971

The Board of Franklin County Commissioners Court House Columbus, Ohio 43215

Gentlemen:-

Application is hereby made for the vacation of the easements reserved where indicated on the enclosed plats for public utility purposes and sewers above and beneath the surface of the ground and the avenues and drive of Scioto Downs No. 3 and Scioto Downs No. 4 as originally designated and delineated on the recorded plats, recorded in Plat Book 29, Pages 29 and 30, respectively, Franklin County Recorder's Office, and shown crosshatched on the enclosed plat.

The streets for which vacation is requested are Stellar Drive, Pueblo Avenue and Spokane Avenue, all of which are crosshatched on the enclosed plat.

All lots in Scioto Downs No. 3 and Scioto Downs No. 4 have been vacated by "Certificate of Vacation of Platted Subdivision", dated October 7, 1961, and as recorded in Deed Book 2352, Page 347, Franklin County Recorder's Office.

All land in Scioto Downs No. 3 and Scioto Downs No. 4 is presently owned by Robert L. Defenbaugh.

The easements were reserved only and have not been dedicated. The entire property has never been developed.

The County Engineer's Office has been apprised of this vacation and one plat has already been submitted to them.

It is hoped that this matter can proceed with all due haste and the undersigned should be contacted for any information or documents required.

Sincerely,

Stanton G. Darling /s/

Geral Portugal /s/ Attorneys for Robert L. Defenbaugh

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REQUEST TO VACATE PORTIONS OF STELLAR DRIVE, PUEBLO AVENUE, SPOKANE AVENUE AND PUBLIC UTILITY EASEMENTS IN SCIOTO DOWNS NO. 3 AND NO. 4 IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, BY STANTON G. DARLING AND GERALD PORTUGAL, ATTORNEYS FOR ROBERT L. DEFENBAUGH. REFERRED TO COUNTY ENGINEER FOR CHECKING.

On motion of Mr. Dorrian, seconded by Mr. Cooper, the request filed Monday, December 20, 1971, by Stanton G. Darling and Gerald Portugal, Attorneys for Robert L. Defenbaugh, for the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and Public Utility Easements (as shown on plat filed with request) in Scioto Downs Subdivision No. 3 and No. 4, located in Norwich Township, Franklin County, Ohio, be and it hereby is referred to the County Engineer to review the request and check for accuracy of the plat.

Voting Aye thereon: Harold M. Cooper and Michael Dorrian.

Absent and not voting: Robert T. Southwick.

* * * * *

December 28, 1971

Board of County Commissioners Franklin County, Ohio

Re: Vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio.

Gentlemen:-

I have checked the plat and reviewed the request filed by Stanton G. Darling and Gerald Portugal, Attorneys for Robert L. Defenbaugh, for the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4 in Norwich Township, Franklin County, Ohio, and find that the request is in order and the plat is accurate.

Respectfully submitted,

Cletus E. McPherson, P.E. Franklin County Engineer

By Lorenzo H. Fyffe

* * * * *

Cont'd. - Vac. of Portions of Stellar Drive, Pueblo Ave., Spokane Ave. and Public Utility Easements in Scioto Downs No. 3 and No. 4 - Norwich Twp., Franklin County, Ohio.

December 28, 1971

REQUEST FILED FOR VACATION OF PORTIONS OF STELLAR DRIVE, PUEBLO AVENUE, SPOKANE AVENUE AND PUBLIC UTILITY EASEMENTS IN SCIOTO DOWNS NO. 3 AND NO. 4, NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO: VIEW, THURSDAY, JANUARY 13, 1972, AT 9:30 A.M. - HEARING, THURSDAY, JANUARY 30, 1972, AT 9:30 A.M.

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

WHEREAS, Stanton G. Darling and Gerald Portugal, Attorneys for Robert L. Defenbaugh, filed a letter with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, the general route and termini thereof, to be as follows:

Situated in the State of Ohio, County of Franklin, Township of Norwich, in Virginia Military Survey No. 1406 and being the intention of this description to describe for Vacation, Pueblo Avenue, Spokane Avenue and a portion of Stellar Drive including all radii and all easements in Scioto Downs No. 3 and No. 4 and being more particularly described as follows:

Stellar Avenue, dedicated 50 feet in width; Beginning at the most westerly line of Scioto Downs No. 4, Plat Book 29, Pages 29 and 30; thence North $79^{\circ} 17'$ East at an easterly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30, a distance of 1125.00 feet and there to terminate.

Pueblo Avenue, dedicated 50 feet in width: Beginning at a westerly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30; thence North $79^{\circ} 17'$ East to the most easterly line of Scioto Downs No. 3 a distance of 290.00 feet and there to terminate.

Stellar Drive dedicated 50 feet in width: Beginning at the centerline of Spokane Avenue; thence North $10^{\circ} 43'$ West to the most northerly line of Scioto Downs No. 3, a distance of 855.00 feet and there to terminate.

All easements shown of record in Scioto Downs No. 3 and No. 4 in Plat Book 29, Pages 29 and 30 are also intended to be vacated.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Thursday, January 13, 1972, at 9:30 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 Thursday, January 20, 1972, at 9:30 A.M., is hereby fixed as the time and the date for the final hearing of said request 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: Harold M. Cooper and Michael J. Dorrian.

Absent and not voting: Robert T. Southwick.

* * * * *

January 13, 1972

VACATION OF PORTIONS OF STELLAR DRIVE, PUEBLO AVENUE, SPOKANE AVENUE AND PUBLIC UTILITY EASEMENTS IN SCIOTO DOWNS NO. 3 and NO. 4, IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO - VIEWED: ENGINEER TO FILE PLAT AND REPORT BY THURSDAY - JANUARY 20TH, 1972, AT 9:30 A.M.

In the matter of the resolution adopted December 28, 1971, by the Board of County Commissioners of Franklin County, Ohio, relative to the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and Public Utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, Mr. Cooper offered the following preamble and resolution and moved the adoption of the same which motion was duly seconded by Mr. Dorrian.

WHEREAS, on December 28, 1971, the Board of County Commissioners of Franklin County, Ohio, adopted a resolution declaring it necessary to vacate portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio; and

WHEREAS, on the 28th day of December, 1971, said Board of County Commissioners did fix the 13th day of January, 1972, at 9:30 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 20th day of January, 1972, at 9:30 o'clock A.M., at the Office of the Board of County Commissioners, Franklin County, Ohio, as the time and place for the final hearing on said vacation; and

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Con't. - Vac. of Portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and Public Utility Easements in Scioto Downs No. 3 and No. 4 - Norwich Twp., Franklin County, Ohio.

WHEREAS, legal notice by publication in the Columbus Citizen Journal, a newspaper published in and of general circulation in said County, was given of the time and place for viewing of said proposed vacation, and of the final hearing thereof; and

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, did, on the 13th day of January, 1972, the day fixed for the viewing of the said proposed vacation meet on the line thereof as described in said resolution of December 28, 1971, and heard 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 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 Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich 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; therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the Engineer of Franklin County, Ohio, be and hereby is authorized and instructed to make a survey and plat of the proposed vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, and make a report to the Board of County Commissioners on or before 9:30 o'clock A.M., of Thursday, January 20th, 1972, 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 survey and plat of the proposed vacation be deposited with the County Commissioners.

Voting Aye thereon: Michael J. Dorrian, Harold M. Cooper and Robert T. Southwick.

* * * * *

January 20, 1972,

Board of County Commissioners,
Franklin County, Ohio 43215

Re: Vacation of portions of Stellar Drive, Pueblo Avenue,
Spokane Avenue and public utility Easements in Scioto
Downs No. 3 and No. 4, in Norwich Township, Franklin
County, Ohio.

Gentlemen:-

Pursuant to your resolution of January 13, 1972, I have made a survey and plat, which I hereby submit for the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and Public Utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Norwich, in Virginia Military Survey No. 1406 and being the intention of this description to describe for vacation, Pueblo Avenue, Spokane Avenue and a portion of Stellar Drive including all radii and all easements in Scioto Downs No. 3 and No. 4 and being more particularly described as follows:

Spokane Avenue, dedicated 50 feet in width: Beginning at the most westerly line of Scioto Downs No. 4, Plat Book 29, Pages 29 and 30; thence North $79^{\circ} 17'$ East to an easterly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30, a distance of 1125.00 feet and there to terminate.

Pueblo Avenue, dedicated 50 feet in width: Beginning at a westerly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30; thence North $79^{\circ} 17'$ East to the most easterly line of Scioto Downs No. 3 a distance of 290.00 feet and there to terminate.

Stellar Drive dedicated 50 feet in width: Beginning at the centerline of Spokane Avenue; thence north $10^{\circ} 43'$ West to the most northerly line of Scioto Downs No. 3, a distance of 855.00 feet and there to terminate.

All Easements shown of record in Scioto Downs No. 3 and No. 4 in Plat Book 29, Pages 29 and 30 are also intended to be vacated.

It is the opinion of this Office that the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, with the exceptions regarding utilities, will not inconvenience the general public, therefore, I recommend the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility Easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, as above described and shown on the submitted plat.

Respectfully submitted,

Cletus E. McPherson, P.E.
Franklin County Engineer

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Cont'd. - Vac. of Portions of Stellar Drive, Pueblo Ave., Spokane Avenue and Public Utility Easements in Scioto Downs No. 3 and No. 4 - Norwich Township, Franklin County, Ohio.

January 20, 1972

VACATION OF PORTIONS OF STELLAR DRIVE, PUEBLO AVENUE, SPOKANE AVENUE AND PUBLIC UTILITY EASEMENTS IN SCIOTO DOWNS NO. 3 AND NO. 4, IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, GRANTED.

In the matter of the proceedings relative to the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, Mr. Cooper offered the following preamble and resolution and moved the adoption of the same, which motion was duly seconded by Mr. Dorrian.

WHEREAS, on January 13, 1972, 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 said Board on or before 9:30 o'clock A.M., Thursday, January 20, 1972, relative to the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio; said report to be in manner and form set forth and required by Section 5553.06 of the Revised Code of Ohio; and

WHEREAS, on the 20th day of January, 1972, Cletus E. McPherson, County Engineer, did report thereon in writing, which report is as follows:

"January 20, 1972, Board of County Commissioners, Franklin County, Ohio, 43215. Re: Vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio. Gentlemen:-

Pursuant to your resolution of January 13, 1972, I have made a survey and plat, which I hereby submit for the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, Township of Norwich, in Virginia Military Survey No. 1406 and being the intention of this description to describe for vacation, Pueblo Avenue, Spokane Avenue and a portion of Stellar Drive including all radii and all easements in Scioto Downs No. 3 and No. 4 and being more particularly described as follows:

Spokane Avenue, dedicated 50 feet in width: Beginning at the most westerly line of Scioto Downs No. 4, Plat Book 29, Pages 29 and 30; thence North 79° 17' East to an easterly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30, a distance of 1125.00 feet and there to terminate.

Pueblo Avenue, dedicated 50 feet in width: Beginning at a westerly line of Scioto Downs No. 3, Plat Book 29, Pages 29 and 30; thence North 79° 17' East to the most easterly line of Scioto Downs No. 3 a distance of 290.00 feet and there to terminate.

Stellar Drive dedicated 50 feet in width: Beginning at the centerline of Spokane Avenue; thence north 10° 43' West to the most northerly line of Scioto Downs No. 3, a distance of 855.00 feet and there to terminate.

All easements shown of record in Scioto Downs No. 3 and No. 4 in Plat Book 29, Pages 29, Pages 29 and 30 are also intended to be vacated.

It is the opinion of this Office that the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, with the exceptions regarding utilities, will not inconvenience the general public, therefore, I recommend the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, as above described and shown on the submitted plat.

Respectfully submitted, Cletus E. McPherson, P.E., Franklin County Engineer;

and

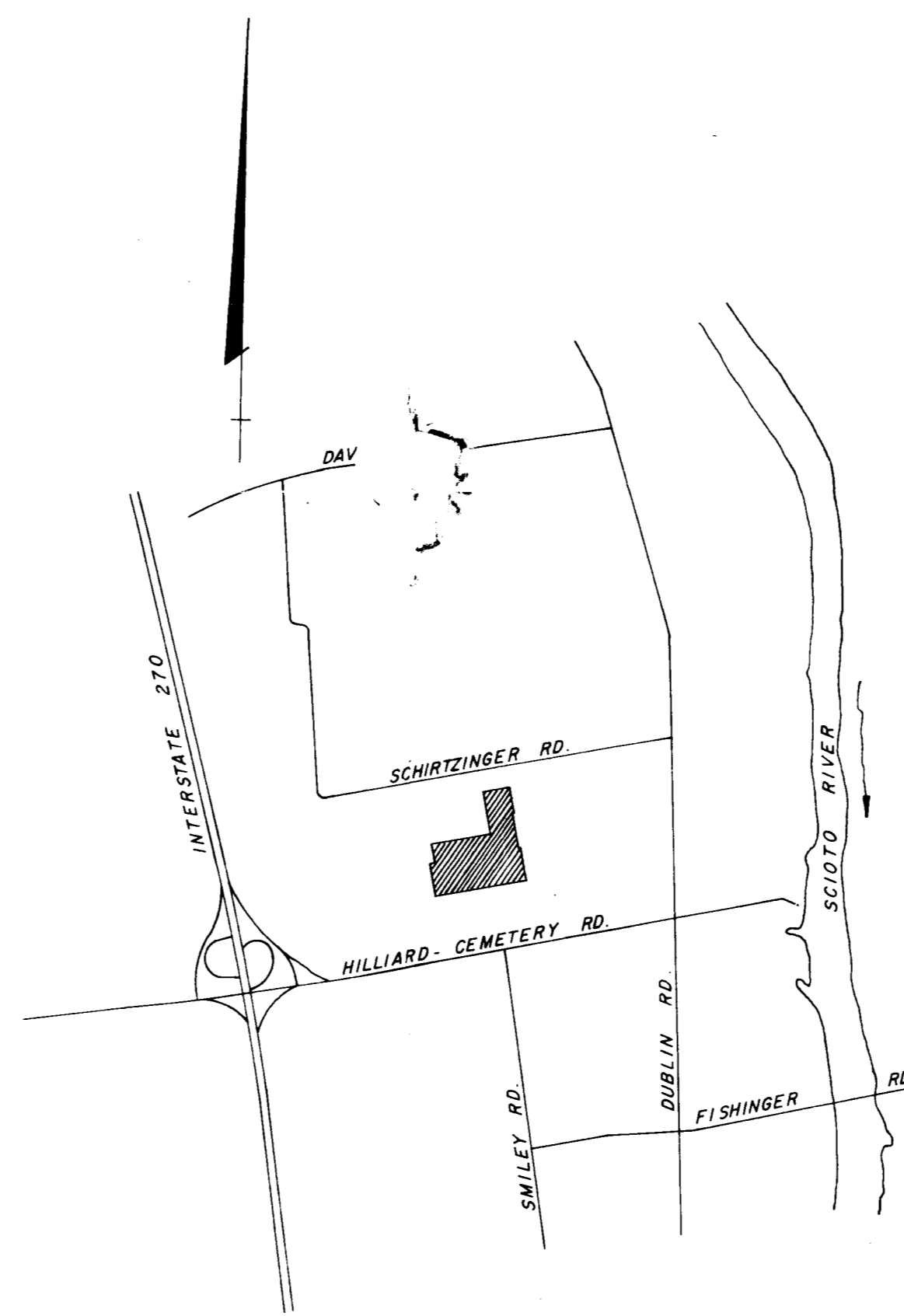
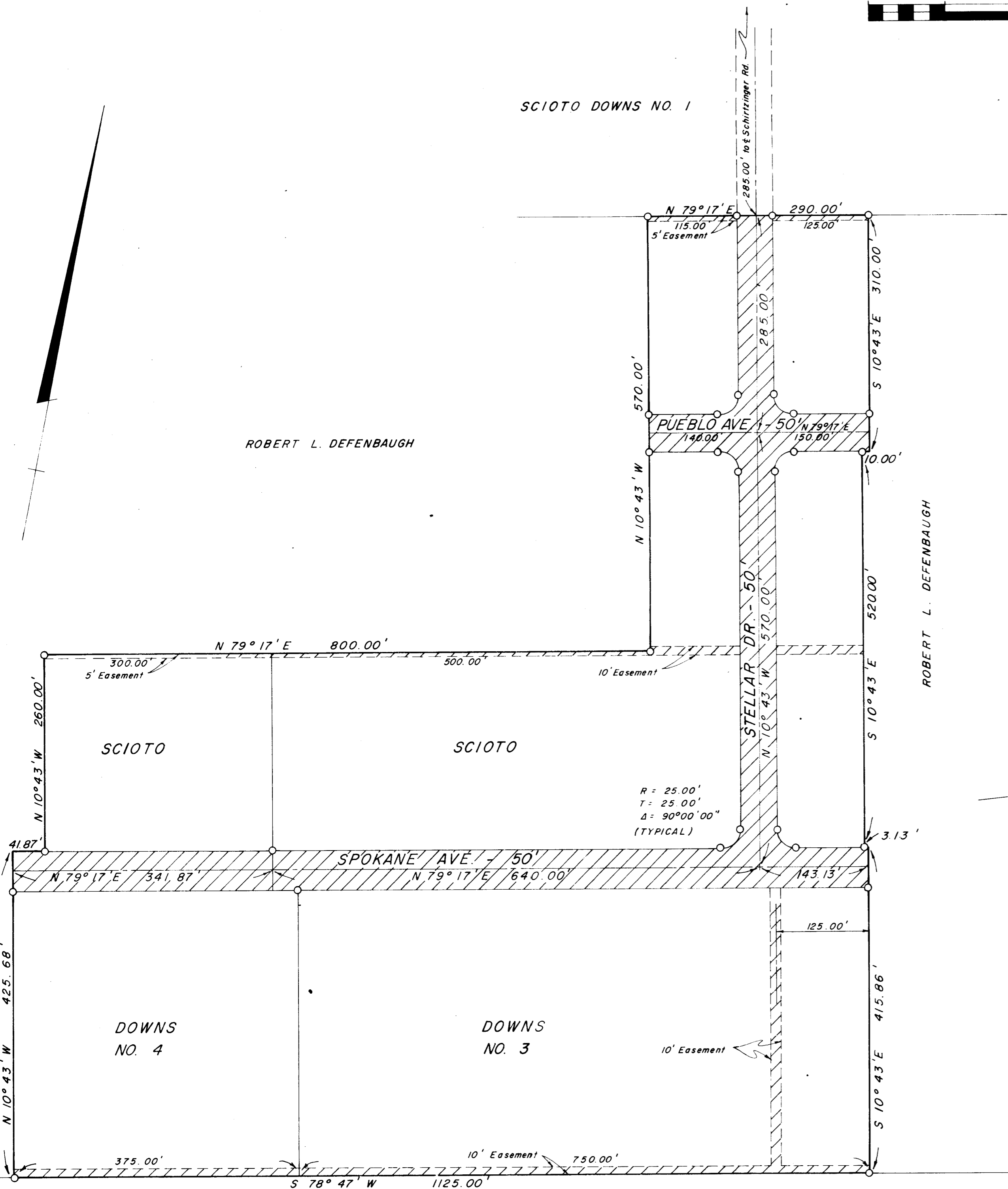
WHEREAS, no objections to the vacation of said roads was filed, nor claims for compensation or damages on account thereof were filed; and

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of portions of Stellar Drive, Pueblo Avenue, Spokane Avenue and public utility easements in Scioto Downs No. 3 and No. 4, in Norwich Township, Franklin County, Ohio, as recommended by the County Engineer to be vacated and as described in his report and shown on the plat submitted by him, be and the same is hereby declared vacated.

Voting Aye thereon: Michael J. Dorrian, Harold M. Cooper and Robert T. Southwick.

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VACATION OF STELLAR DR., SPOKANE AVE., PUEBLO AVE. & EASEMENTS IN SCIOTO DOWNS NO. 3 & SCIOTO DOWNS NO. 4, NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO



LOCATION MAP
SCALE: 1" = 2000'

It is the intent of this plat that the easements reserved where indicated on the plats for public utility purposes and sewers above and beneath the surface of the ground and the avenues and drive of Scioto Downs No. 3 and Scioto Downs No. 4 as originally designated and delineated on the recorded plats, recorded in Plat Book 29, Pages 29 & 30, respectively, Franklin County Recorder's Office, and shown crosshatched hereon are to be vacated.

Platted by: C.F. Bird & R.J. Bull, Ltd.
Consulting Engineers
6113 Linworth Rd.
Worthington, Ohio

The dimensions of the place, road, and easements to be vacated and as shown on this plat are in feet and decimal parts thereof. Dimensions shown along curves are chord measurements. Iron pins are indicated by the following symbol:

Richard J. Bull
Registered Surveyor No. 4723

Approved this _____ day of _____, 1971.

Franklin County Deputy Engineer

Approved this _____ day of _____, 1971.

Franklin County Engineer

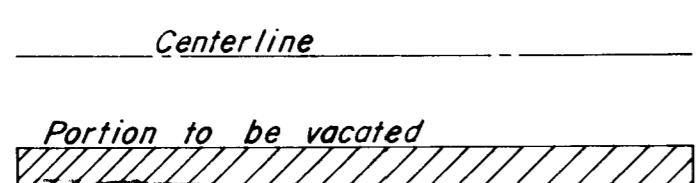
Approved this _____ day of _____, 1971.

Board of Franklin County Commissioners

All lots in Scioto Downs No. 3 & Scioto Downs No. 4 have been vacated by "Certificate of Vacation of Platted Subdivision", dated October 7, 1961, and as recorded in Deed Book 2352, Page 347, Franklin County Recorder's Office.

All land in Scioto Downs No. 3 & Scioto Downs No. 4 is presently owned by Robert L. Defenbaugh.

LEGEND



Johnson-Watson • Dayton Blank Book - C-8925

MAP PA-10 N-10-B WY-10-2 3-27 MK

VACATION OF PUBLIC UTILITY EASEMENTS

Vac. - Portions - Stellar DR. Pueblo AVE. Spokane AVE. &

Public Utility Easements in Scioto Downs No. 3 & No. 4

Norwich Twp.

Rd. Record No. 21 - Pgs. 153 to 157