

PUBLIC ROAD PETITION

Columbus, Ohio,

July 20, 1978

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 a part of a public alley on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises for vacating such Alley; the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Situated in the State of Ohio, County of Franklin, Township of Clinton, located in "North Linden No. 1 Subdivision" recorded in Plat Book No. 1, Page 54, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being a portion of the first Alley (20' in width) west of Cleveland Avenue said vacation is to begin on the north right of way line of Ferris Road and proceed northerly to the north right of way line of the first alley (8' in width) north of Ferris Road and there to terminate.

Alton E. Torrence; Helen Torrence; Lavella Wilkes; Bud Hall; George E. Horton; Thelma Horton; Floyd O. Gates; James W. Salyer; Alice Salyer; Fern Rugg; Theodore Rugg; Elaine Duppy; Robert J. Duppy; Floyd W. Gates; Tom Woehrle; Jack D. Stires; Mary Lou Stires; Larry L. Wilkes; Lana J. Wilkes Orpha Barnes; Lester Corder Mary Ann Corder; Louise Sears and William Snyder

* * * * *

July 20, 1978

REQUEST TO VACATE AN ALLEY, CLINTON
TOWNSHIP, FILED BY JOHN M. SEARS,
REFERRED TO THE FRANKLIN COUNTY
ENGINEER FOR CHECKING -

On motion of Mr. Cooper, seconded by Mr. Foulk, the request filed July 20, 1978, by John M. Sears, for the vacation of an Alley, located in Clinton Township, (as described in attached petition), be and it hereby is referred to the Franklin County Engineer's Office for sufficiency of signatures and accuracy of signatures.

Voting Aye thereon: Michael J. Dorrian, Harold M. Cooper and Jack Foulk.

* * * * *

August 1, 1978

Board of County Commissioners
Franklin County Administration Bldg.
410 South High Street
Columbus, Ohio 43215

Re: Vac. of a part of an Alley, "North Linden No. 1
Subdivision", Clinton Township, Franklin County, Ohio.

Gentlemen:-

I have checked the attached petition filed by John M. Sears, for the vacation of a part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, and find that the petition contains sufficient number of signatures. Also the signatures are accurate.

Respectfully submitted,

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

By Joseph J. Gatto II
R/W Supervisor

CEM:JJG:cd

* * * * *

August 18, 1978

PETITION FILED FOR VACATION OF PART OF AN ALLEY,
"NORTH LINDEN No. 1 SUBDIVISION", CLINTON TOWNSHIP,
FRANKLIN COUNTY, OHIO, VIEW - TUESDAY, SEPTEMBER
5, 1978, AT 9:00 A.M. - HEARING - TUESDAY, SEPTEMBER
12, 1978, AT 9:00 A.M.

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

Cont'd. - Vac. of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township

WHEREAS, John M. Sears, filed a petition with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate part of an Alley, "North Linden No. 1 Subdivision", Clinton 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 Clinton, located in "North Linden No. 1 Subdivision", recorded in Plat Book No. 1, Page 54, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being a portion of the first Alley (20' in width) west of Cleveland Avenue said vacation is to begin on the north right of way line of Ferris Road and proceed northerly to the north right of way line of the first alley (8' in width) north of Ferris Road and there to terminate.

therefore,

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Tuesday, September 5, 1978, at 9:00 A.M. is hereby fixed as the date and hour when the Board of County Commissioners will view the proposed vacation along the general route thereof and that Tuesday, September 12, 1978, at 9:00 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 County Administration Building, 410 South High Street, Columbus, Ohio 43215; 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 time of the final hearing, shall state briefly the character of the proposed vacation.

Voting Aye thereon: Harold M. Cooper and Jack Foulk.

* * * * *

August 22, 1978

*Mr. John M. Sears
3963 Cleveland Avenue
Columbus, Ohio 43229

Dear Mr. Sears:

In compliance with Section 5553.05 of the Revised Code of Ohio, please be advised that the Board of County Commissioners has adopted a resolution to proceed with the proposed vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio.

The final hearing will be held in the Office of the Board of County Commissioners on Tuesday, September 12, 1978 at 9:00 A.M.

It will not be necessary to attend the hearing if you have no objections to the proposed vacation.

Respectfully submitted,

Barbara J. Carter, Clerk
BOARD OF COUNTY COMMISSIONERS

* The above letter was also sent to the following: Bureau of Natural Resources and Clinton Township Trustees, Ann Perkins, Clerk

* * * * *

September 5, 1978

VACATION OF PART OF AN ALLEY, "NORTH LINDEN NO. 1 SUBDIVISION", CLINTON TOWNSHIP, FRANKLIN COUNTY, OHIO, VIEWED - ENGINEER TO FILE REPORT BY TUESDAY, SEPTEMBER 12, 1978 AT 9:00 A.M.

In the matter of the resolution of August 18, 1978, adopted by the Board of County Commissioners for vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton 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. Foulk.

WHEREAS, on the 20th day of July, 1978, a petition was filed with this Board by John M. Sears, praying for the vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio; and

WHEREAS, on the 18th day of August, said Board of County Commissioners did fix the 5th day of September, at 9:00 A.M., on the line of said proposed vacation, as the time and place for viewing thereof and did further fix the 12th day of September, 1978, at 9:00 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

Cont'd. - Vac. of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township

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 thereon: and

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, did on the 5th day of September, 1978, meet on the line of said proposed vacation, as described in resolution of August 18, 1978, and heard all of the proof offered by parties interested in and affected thereby, does find that the vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton 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 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 the property owners and on or before the 12th day of September, 1978, at 9:00 A.M., said report shall set forth an 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: Michael J. Dorrian, Harold M. Cooper and Jack Foulk.

* * * * *

September 12, 1978

Board of County Commissioners
Franklin County Administration Bldg.
410 South High Street
Columbus, Ohio 43215

Re: Vac. of part of an Alley, "North Linden No. 1
Subdivision", Clinton Township, Franklin
County, Ohio.

Gentlemen:-

Pursuant to your order of September 5, 1978, I have made a survey and plat, which I hereby submit of a Vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, showing the proposed vacation of the following described Alley:

Situated in the State of Ohio, County of Franklin, Township of Clinton, located in "North Linden No. 1 Subdivision", recorded in Plat Book No. 1, Page 54, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being a portion of the first Alley (20' in width) west of Cleveland Avenue said vacation is to begin on the north right of way line of Ferris Road and proceed northerly to the north right of way line of the first alley (8' in width) north of Ferris Road and there to terminate.

The petition praying for the vacation of said part of an Alley is on file in your Office.

Utilities that are now within this Alley and the Easement granted by the subdividers for utilities is not to be vacated through the portion of said Alley sought to be vacated.

I am of the opinion that the vacation of the aforementioned 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,

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

* * * * *

September 12, 1978

PRAYER OF PETITION TO VACATE PART OF AN ALLEY,"
NORTH LINDEN NO. 1 SUBDIVISION", CLINTON TOWNSHIP,
FRANKLIN COUNTY, OHIO - GRANTED.

In the matter of the petition filed July 20, 1978, by John M. Sears, for the vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, Mr. Cooper offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Foulk.

9-20-78

AREA TO BE VACATED

1"=80'

Richard Bowman
CITY COMMISSIONER

13 Sept 1978
DATE

CITY COMMISSIONER

DATE

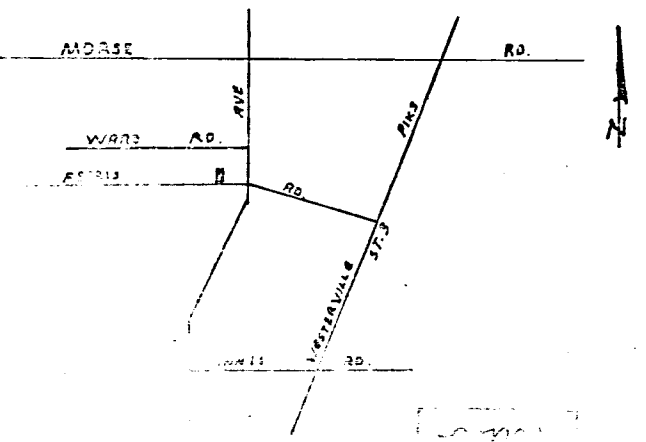
ENGINEER

9-11-78
DATE

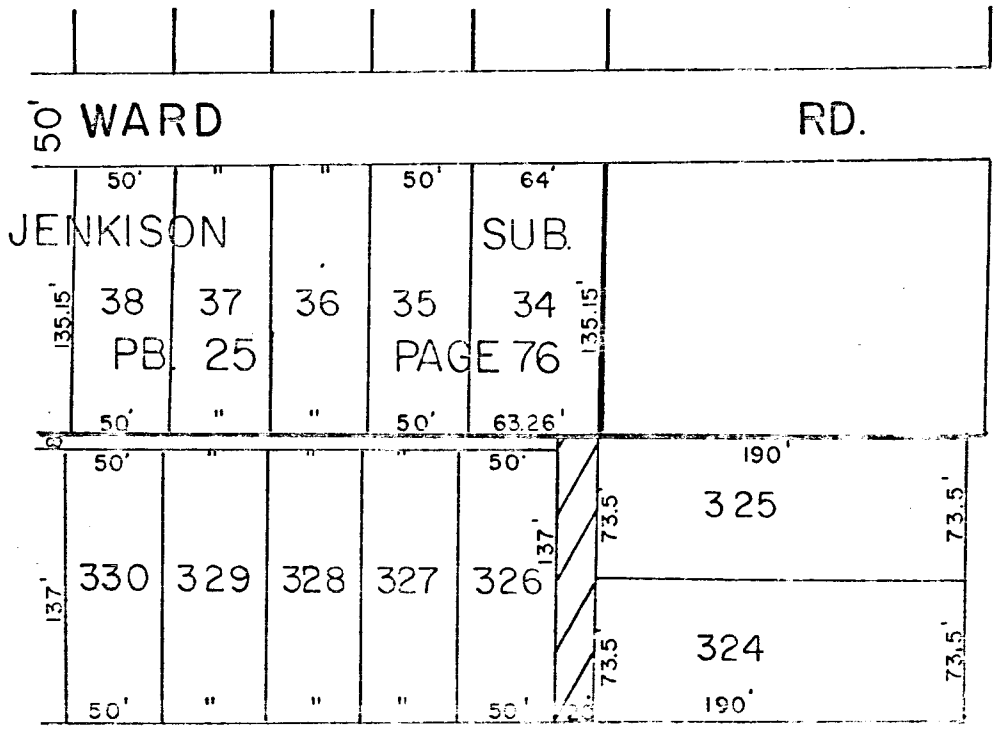
M-166-167

VACATION PLAT OF A 20' ALLEY IN
NORTH LINDEN NO.1 PB.16 PAGE 54
CLINTON TWP

CATION MAP NO SCALE



R
R.R.# 23 - Pg. 56-59
Dated - 9-12-78



60 FERRIS

CLEVELAND AVE

RD.

Cont'd. - Vac. of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township

WHEREAS, on the 5th day of September, 1978, the Board of County Commissioners of Franklin County, Ohio, by resolution duly adopted direct the Engineer of Franklin County, Ohio, to make a report in writing to this Board on or before 9:00 A.M. of Tuesday, September 12, 1978, relative to the petition for the vacation of a part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, said report to be made in manner and form set forth and required by Section 5553.04 of the Ohio Revised Code; and

WHEREAS, Cletus McPherson, County Engineer did on the 12th day of September, 1978, report thereon in writing which report contained the following recommendation, to-wit:

September 12, 1978, Board of County Commissioners, Franklin County, Ohio.
Re: Vac. of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio. Gentlemen:-

Pursuant to your order of September 5, 1978, I have made a survey and plat, which I hereby submit of a vacation of part of an Alley "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, showing the proposed vacation of the following described Alley:

Situated in the State of Ohio, County of Franklin, Township of Clinton, located in "North Linden No. 1 Subdivision", recorded in Plat Book No. 1, Page 54, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a portion of the first Alley (20' in width) west of Cleveland Avenue said vacation is to begin on the north right of way line of Ferris Road and proceed northerly to the north right of way line of the first alley (8' in width) north of Ferris Road and there to terminate.

The petition praying for the vacation of said part of an Alley is on file in your office.

Utilities that are now within this Alley and the Easement granted by the subdividers for utilities is not to be vacated through the portion of said Alley sought to be vacated.

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

and

WHEREAS, no objection to the vacation of a part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, was filed, no claims for compensation or damages on account thereof was filed.

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, finds that the utilities that are now within the said Alley and the Easement granted by the subdividers for utilities is not to be vacated through the said Alley sought to be vacated; therefore

BE IT RESOLVED, BY THE Board of County Commissioners of Franklin County, Ohio, that the vacation of part of an Alley, "North Linden No. 1 Subdivision", Clinton Township, Franklin County, Ohio, as recommended by the County Engineer to be vacated, and as described in his report and shown on the submitted plat, be and the same is hereby declared vacated, excepting however, the utilities that are now within this said Alley and the Easement granted by the owners, present or past for utilities.

Voting Aye thereon: Michael J. Dorrian and Jack Foulk.

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