

PUBLIC ROAD PETITION

Franklin County, Ohio

February 5, 1979

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 three Alleys on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises for vacating such Alleys; 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 Franklin and being more particularly described as follows:

Being all of the three alleys, fifteen (15) feet in width that are located, south of Midland Avenue, East of Peabody Avenue, north of Chambers Avenue, and west of Central Avenue of record in "Briggs 1st Addition", Plat Book 5, Page 168, Franklin County Recorder's Office, Franklin County, Ohio.

The following persons signed said petition: Don Bapst; John Fenner; John C. Ballard; Donald E. Elavsky; Charlotte Bapst; Richard A. Jones; Barbara C. Jones; Gary Gabriel; Sam W. Gabriel; John Lemay; John Mason; Sarah E. Mason; Florence Armentrout; Robert T. Armentrout; Kermit Gibson; Lydia Gibson and Spence Carter.

\* \* \* \* \*

February 5, 1979

REQUEST TO VACATE THREE (3) ALLEYS  
FRANKLIN TOWNSHIP, FILED BY CHARLOTTE  
BAPST, REFERRED TO THE FRANKLIN COUNTY  
ENGINEER FOR CHECKING

On motion of Mr. Dorrian, seconded by Mr. Foulk, the request filed February 5, 1979, by Charlotte Bapst, for the vacation of three (3) alleys, located in Franklin 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 Dorrian and Jack Foulk.

\* \* \* \* \*

February 14, 1979

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

Re: Vac. of three (3) Alleys, "Briggs 1st Addition",  
Franklin Township, Franklin County, Ohio.

Gentlemen:-

I have checked the attached petition filed by Charlotte Bapst, for the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin 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

\* \* \* \* \*

Cont'd. - Vac. of three (3) Alleys, "Briggs 1st Addition", Franklin Twp.

February 15, 1979

PETITION FILED FOR VACATION OF THREE (3) ALLEYS,  
"BRIGGS 1ST ADDITION", FRANKLIN TOWNSHIP, FRANKLIN  
COUNTY, OHIO, VIEW - THURSDAY, MARCH 1, 1979, AT  
9:30 A.M. - HEARING - THURSDAY, MARCH 8, 1979,  
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. Foulk.

WHEREAS, Charlotte Bapst, filed a petition with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate three (3) Alleys, "Briggs 1st Addition", Franklin 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 Franklin and being more particularly described as follows:

Being all of the three alleys, fifteen (15) feet in width that are located south of Midland Avenue, East of Peabody Avenue, north of Chambers Avenue, and west of Central Avenue of record in "Briggs 1st Addition", Plat Book 5, Page 168, Franklin County Recorder's Office, Franklin County, Ohio.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Thursday, March 1, 1979, 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, March 8, 1979, at 9:30 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.

\* \* \* \* \*

February 15, 1979

\*Franklin Township Trustees  
c/o Dennis Feyn, Clerk  
Township House  
2193 Frank Road  
Columbus, Ohio 43223

Dear Sir:-

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 three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio.

The final hearing will be held in the Office of the Board of County Commissioners on Thursday, March 8, 1979, at 9:30 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: Mr. Burley Spaulding; Department of Natural Resources; Mr. & Mrs. Kermit J. Lydia Gibson; Mr. William A. Bautler; Ms Charlotte Bapst; Mr. Donald Bapst; Mr. & Mrs. John J1 LeMay; Mr. & Mrs. Spence Carter; Mr. R.B. Price; Mr. & Mrs. John W. Mason; Mr. & Mrs. Robert T. Armentrout; Mr. & Mrs. Samuel W. Gabriel and Mr. Jack Dorsey.

\* \* \* \* \*

Cont'd. - Vac. of three (3) Alleys, "Briggs 1st Addition", Franklin Twp.

March 1, 1979

VACATION OF THREE (3) ALLEYS, "BRIGGS 1ST ADDITION", FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO, VIEWED - ENGINEER TO FILE REPORT BY THURSDAY, MARCH 8, 1979, AT 9:30 A.M.

In the matter of the resolution of February 14, 1979, adopted by the Board of County Commissioners for vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio, Mr. Dorrian offered the following preamble and resolution and moved the adoption of the same, which motion was duly seconded by Mr. Foulk.

WHEREAS, on February 5, 1979, a petition was filed with this Board by Charlotte Bapst, praying for the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio, and

WHEREAS, on the 14th day of February, 1979, said Board of County Commissioners did fix the 1st day of March, 1979, at 9:30 A.M., on the line of said proposed vacation, as the time and place for viewing thereof and did further fix the 8th day of March, 1979, at 9:30 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 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 1st day of March, 1979, meet on the line of said proposed vacation, as described in resolution of February 14, 1979, and heard all of the proof offered by parties interested in and affected thereby, does find that the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin 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 8th day of March, 1979, at 9:30 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: Harold M. Cooper and Jack Foulk.

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March 8, 1979

Board of County Commissioners  
Franklin County Administration Bldg.  
410 South High Street  
Columbus, Ohio 43206

Re: Vac. of three (3) Alleys, "Briggs 1st Addition",  
Franklin Township, Franklin County, Ohio.

Gentlemen:-

Pursuant to your order of March 1, 1979, I have made a survey and plat, which I hereby submit, of a vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio, showing the proposed vacation of the following described Alleys:

Situated in the State of Ohio, County of Franklin, Township of Franklin and being more particularly described as follows:

Being all of the three (3) Alleys, Fifteen (15) feet in width that are located, south of Midland Avenue, East of Peabody Avenue, north of Chambers Avenue, and west of Central Avenue of record in "Briggs 1st Addition", Plat Book 5, Page 168, Franklin County Recorder's Office, Franklin County, Ohio.

The petition praying for the vacation of three (3) Alleys, is on file in your Office.

Utilities that are now within these Alleys and the Easement granted by the subdividers for utilities is not to be vacated through the three (3) Alleys sought to be vacated.



ARL4 TO BE VACATED

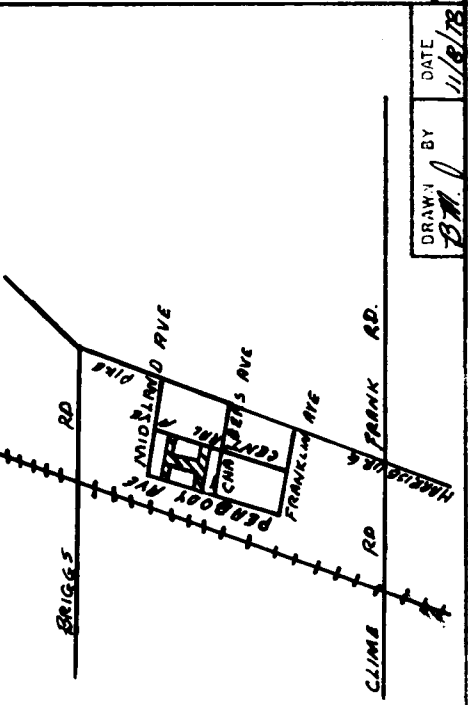
1" = 60'  
SCALE

*Alta Ford*  
COUNTY COMMISSIONER DATE 3-8-79

*Michael J. Donnan*  
COUNTY COMMISSIONER DATE 3-8-79

*Ed Smith*  
COUNTY COMMISSIONER DATE \_\_\_\_\_  
*W. J. Peterson*  
COUNTY ENGINEER DATE 3-7-79

LOCATION MAP NO SCALE



DRAWN BY *B.M.J.* DATE 11/8/78

BRIGGS 1<sup>ST</sup> ADD.

P.B. 5 PAGE 168

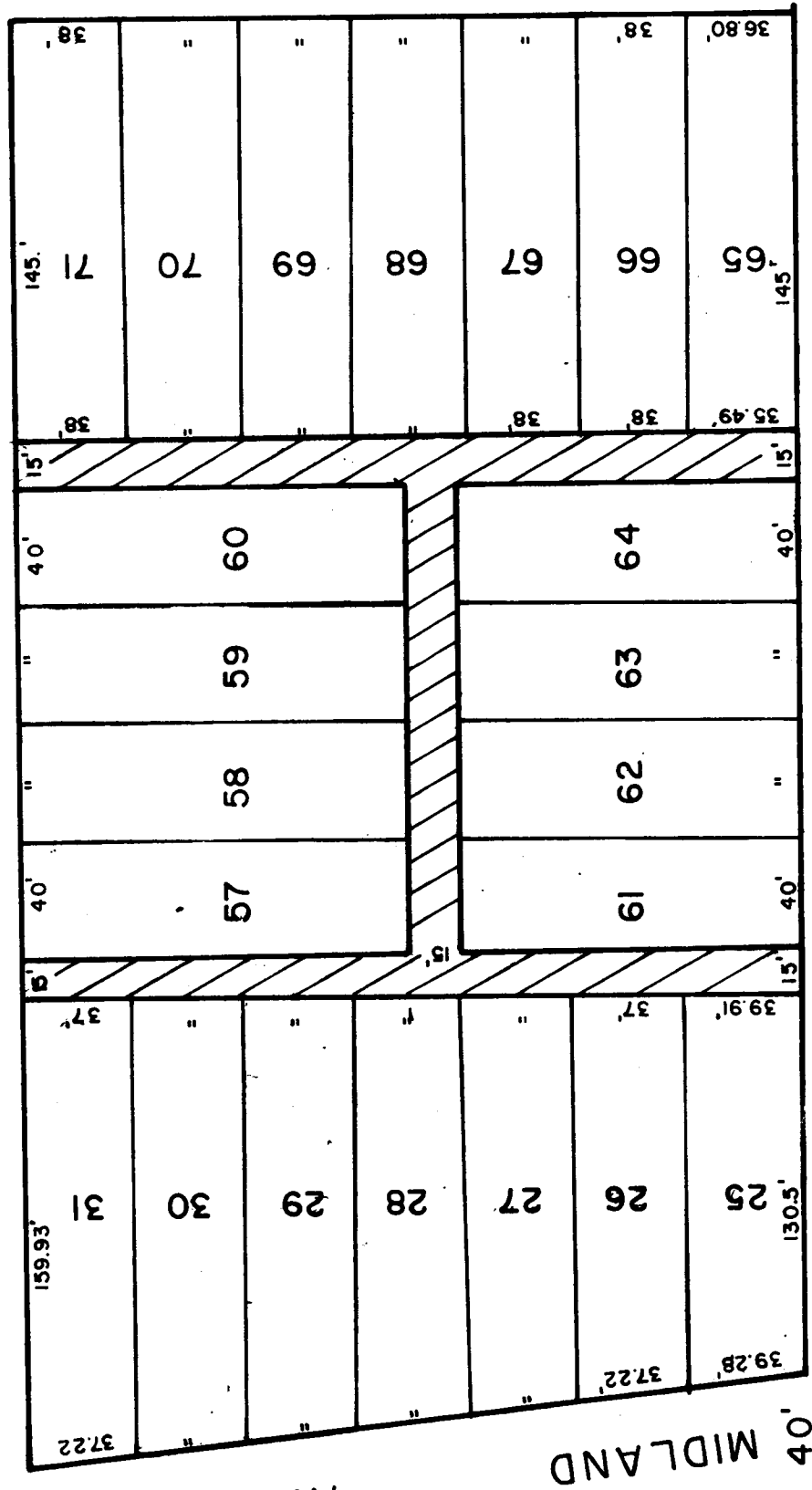
FRANKLIN TWP.



CENTRAL AVE

AVE

50'



PEABODY AVE

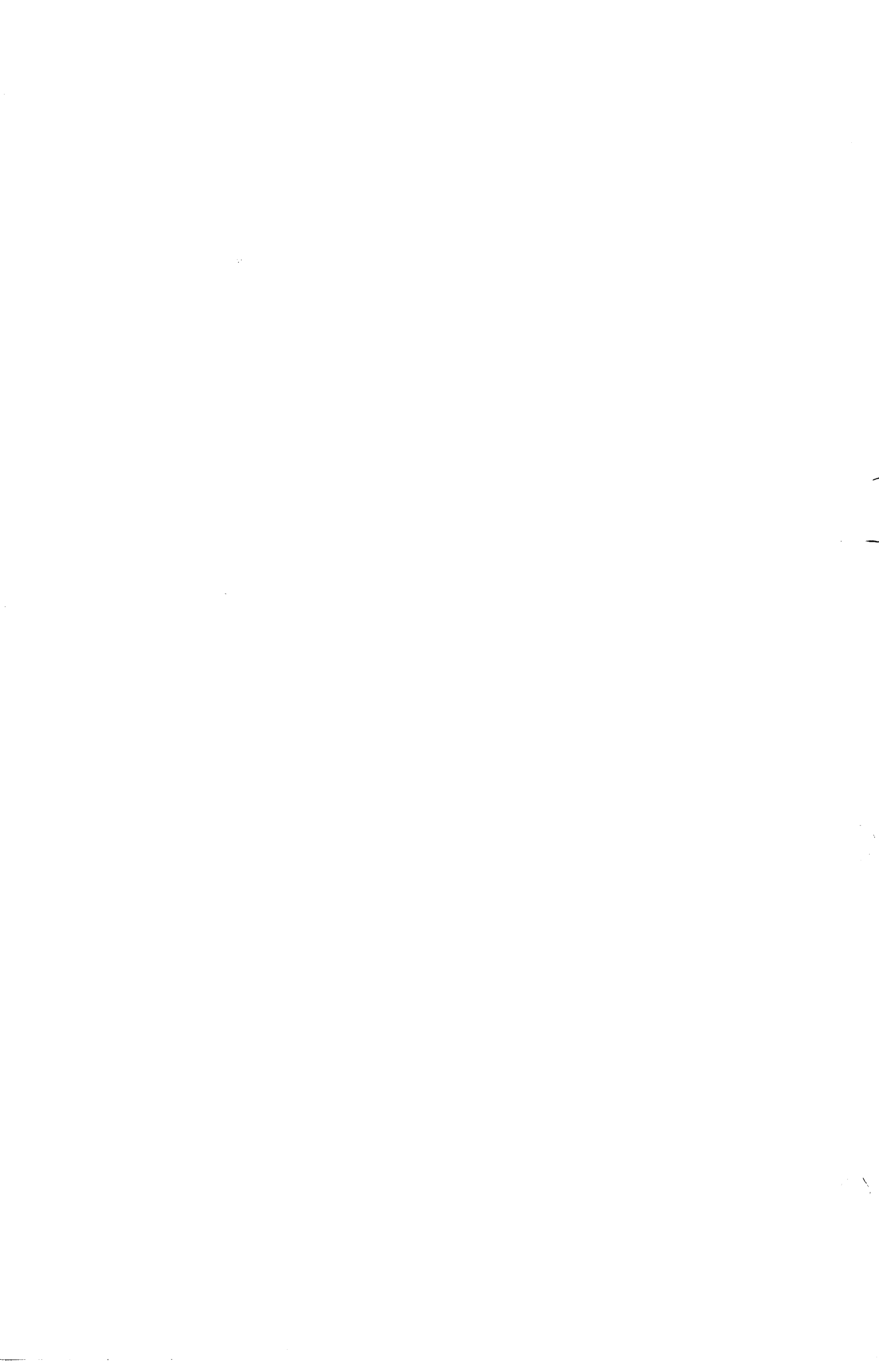
AVE

30'

CHAMBERS AVE

50'

R.R. #23 - Granted  
Pg. 118-121



Cont'd. - Vac. of three (3) Alleys, "Briggs 1st Addition", Franklin Twp.

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

\* \* \* \* \*

March 8, 1979

PRAYER OF PETITION TO VACATE THREE (3)  
ALLEYS, "BRIGGS 1ST ADDITION", FRANKLIN  
TOWNSHIP, FRANKLIN COUNTY, OHIO - GRANTED.

In the matter of the petition filed, February 5, 1979, by Charlotte Bapst, for the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin 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.

WHEREAS, on the 1st day of March, 1979, 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 9:30 A.M. of Thursday, March 8, 1979, relative to the petition for the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio, said report to be made in manner and form set forth and required by Section 553.04 of the Ohio Revised Code, and

WHEREAS, Cletus McPherson, County Engineer, did on the 8th day of March, 1979, report thereon in writing which report contained the following recommendation, to-wit:

"March 8, 1979, Board of County Commissioners, Franklin County Administration Building, 410 South High Street, Columbus, Ohio 43206. Re: vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio. Gentlemen:-

Pursuant to your order of March 1, 1979, I have made a survey and plat, which I hereby submit, of a vacation of three (3) Alleys, "Briggs 1st Addition", Franklin Township, Franklin County, Ohio, showing the proposed vacation of the following described Alleys:

Situated in the State of Ohio, County of Franklin, Township of Franklin and being more particularly described as follows:

Being all of the three (3) Alleys, Fifteen (15) feet in width that are located, south of Midland Avenue, East of Peabody Avenue, north of Chambers Avenue, and west of Central Avenue of record in "Briggs 1st Addition", Plat Book 5, Page 168, Franklin County Recorder's Office, Franklin County, Ohio.

The petition praying for the vacation of the three (3) Alleys, is on file in your Office.

Utilities that are now within three Alleys and the Easement granted by the subdividers for utilities is not to be vacated through the three (3) Alleys sought to be vacated.

I am of the opinion that the vacation of the aforementioned Alleys 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 objections to the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin 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 Alleys and the easement granted by the subdividers for utilities is not to be vacated through the said Alleys sought to be vacated; therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of three (3) Alleys, "Briggs 1st Addition", Franklin 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 the said three Alleys and the easement granted by the owners, present or past, for utilities.

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

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