

PUBLIC ROAD PETITION

Columbus, Ohio - October 17, 1979

To the Hon. 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 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:

Being situated in the State of Ohio, County of Franklin, Township of Blendon, and being a part of Quarter Township 1, Township 2, Range 17, United States Military Lands, and being part of a 1.0475 acre tract conveyed to John R. and Barbara A. Baur shown of record in Deed Book 3190, Page 12, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a spike found at the intersection of the centerline of Lee Road (60 feet wide) (Road Record 6, Page 3), with the centerline of Ulry Road, said point being at the northeasterly corner of Lee-Ulry Estates shown of record in Plat Book 29, Page 19;

Thence South 58 degrees 31 minutes West, along the centerline of said Lee Road (Northerly line of said Lee-Ulry Estates), a distance of 1450.78 feet to a spike found at the northwesterly corner of said Lee-Ulry Estates, and the northeasterly corner of said 1.0475 acre tract;

Thence South 21 degrees 48 minutes East, along the westerly line of said Lee-Ulry Estates and along the easterly line of said 1.0475 acre tract, a distance of 30.43 feet to an iron pin found on the southerly right of way line of said Lee Road, said point being at the northwesterly corner of Lot #1, of said Lee-Ulry Estates;

Thence South 58 degrees 31 minutes West, along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 24.00 feet to a point and THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

Thence South 58 degrees 31 minutes West, continuing along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence North 31 degrees 29 minutes West, a distance of 11.00 feet to a point;

Thence North 58 degrees 31 minutes East, along a line parallel with and 19.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence, South 41 degrees 29 minutes East, a distance of 11.00 feet to the place of beginning containing 462 square feet, subject, however to all highways and easements of record, and of records, easements and restrictions in the respective utility offices.

The following persons signed said petition: Paul D. Camp; Joy H. Camp; Gayle Richardson; James A. Richardson; Gail D. Hayes; Michael L. Patricia J. Bennett; Robert A. Bennett; Jack R. Gempel; Nan M. Gempel; Yolanda R. Webb; Raymond C. Welch; Clara O. Roloson; Orloff W. Roloson; Barbara A. Baur and John R. Baur.

October 17, 1979

REQUEST TO VACATE A PORTION OF LEE ROAD  
BLENDON TOWNSHIP, FILED BY JOHN S. COMPTON,  
REFERRED TO THE FRANKLIN COUNTY ENGINEER  
FOR CHECKING

On motion of Mr. Dorrian, seconded by Mr. Foulk, the request filed October 17, 1979, by John S. Compton, for the vacation of a portion of Lee Road, located in Blendon 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: Harold M. Cooper and Jack Foulk.

\* \* \* \* \*

October 22, 1979

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

Re: Vac. of a por. of Lee Rd., Lee-Ulry Estates,  
Blendon Township, Franklin County, Ohio.

Gentlemen:

Cont'd. - Vac. of a Por. of Lee Rd., Lee-Ulry Estates, Blendon Twp., Franklin County, Ohio.

I have checked the attached petition filed by John S. Compton, for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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

\* \* \* \* \*

October 25, 1979

\*Mr. & Mrs. John R. Baur  
6926 Lee Road  
Westerville, Ohio 43081

Dear Mr. & Mrs. Baur:

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 a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio.

The final hearing will be held in the Office of the Board of County Commissioners on Thursday, November 29, 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 the following persons:  
Blendon Twp. Trustees, c/o Vernon E. Hysell, Clerk  
Department of Natural Resources

\* \* \* \* \*

October 22, 1979

PETITION FILED FOR VACATION OF A PORTION  
OF LEE ROAD, LEE-ULRY ESTATES, BLENDON  
TOWNSHIP, FRANKLIN COUNTY, OHIO - VIEW -  
WEDNESDAY, NOVEMBER 21, 1979, AT 9:30 A.M. -  
HEARING - THURSDAY, NOVEMBER 29, 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, John S. Compton, filed a petition with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, the general route and termini thereof, to be as follows:

Being situated in the State of Ohio, County of Franklin, Township of Blendon, and being a part of a 1.0475 acre tract conveyed to John and Barbara A. Baur shown of record in Deed Book 3190, Page 12, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a spike found at the intersection of the centerline of Lee Road (60 feet wide) (Road Record 6, Page 3), with the centerline of Lee Road, said point being at the northeasterly corner of Lee Ulry Estates shown of record in Plat Book 29, Page 19.

Thence South 58 degrees 31 minutes West, along the centerline of said Lee Road (Northerly line of said Lee-Ulry Estates), a distance of 1450.78 feet to a spike found at the northwesterly corner of said Lee-Ulry Estates, and the northeasterly corner of said 1.0475 acre tract.

Thence South 21 degrees 48 minutes East, along the westerly line of said Lee-Ulry Estates and along the easterly line of said 1.047 acre tract, a distance of 30.43 feet to an iron pin found on the southerly right of way line of said Lee Road, said point being at the northwesterly corner of Lot #1, of said Lee-Ulry Estates.

Thence South 58 degrees 31 minutes West, along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 24.00 feet to a point and THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

Cont'd. - Vac. of a Por. of Lee Rd., Lee-Ulry Estates, Blendon Twp., Franklin County, Ohio.

Thence South 58 degrees 31 minutes West, continuing along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence, North 41 degrees 29 minutes West, a distance of 11.00 feet to a point;

Thence, North 58 degrees 31 minutes East, along a line parallel with said 19.00 feet southerly of measured at right angles to the enterline of said Lee Road, a distance of 42.00 feet to a point.

Thence, South 41 degrees 29 minutes East, a distance of 11.00 feet to the Place of beginning containing 462 square feet, subject, however, to all highways and easements of record, and of records easements and restrictions in the respective utility office.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Wednesday, November 21, 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, November 29, 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, Michael J. Dorrian and Jack Foulk.

\* \* \* \* \*

November 21, 1979

VACATION OF A PORTION OF LEE ROAD, LEE-ULRY  
ESTATES, BLENDON TOWNSHIP, FRANKLIN COUNTY,  
OHIO, VIEWED - ENGINEER TO FILE REPORT BY  
THURSDAY, NOVEMBER 29, 1979, AT 9:30 A.M.

In the matter of the resolution of October 22, 1979, adopted by the Board of County Commissioners for vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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 October 17, 1979, a petition was filed with this Board by John S. Compton, praying for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, and

WHEREAS, on the 22nd day of October, 1979, said Board of County Commissioners did fix the 21st day of November, 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 29th day of November, 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 21st day of November, 1979, meet on the line of said proposed vacation, as described in resolution of October 22, 1979, and heard all of the proof offered by parties interested in and affected thereby, does find that the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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 29th day of November, 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, Michael J. Dorrian and Jack Foulk.

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Cont'd. - Vac. of a Por. of Lee Rd., Lee-Ulry Estates, Blendon Twp., Franklin County, Ohio.

November 29, 1979

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

Re: Vac. of a Portion of Lee Road, Lee-Ulry Estates,  
Blendon Township, Franklin County, Ohio.

Gentlemen:-

Pursuant to your order of November 21, 1979, I have made a survey and plat, which I hereby submit, of a vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township Franklin County, Ohio, showing the proposed vacation of the following described road:

Being situated in the State of Ohio, County of Franklin, Township of Blendon, and being a part of Quarter Township 1, Township 2, Range 17, United States Military Lands, and being part of a 1.0475 acre tract conveyed to John R. and Barbara A. Baur shown of record in Deed Book 3190, Page 12, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a spike found at the intersection of the centerline of Lee Road (60 feet wide) (Road Record 6, Page 3), with the centerline of Ulry Road, said point being at the northeasterly corner of Lee-Ulry Estates shown of record in Plat Book 29, Page 19;

Thence South 58 degrees 31 minutes West, along the centerline of said Lee Road (Northerly line of said Lee-Ulry Estates), a distance of 1450.78 feet to a spike found at the northwesterly corner of said Lee-Ulry Estates and the northeasterly corner of said 1.0475 acre tract;

Thence South 21 degrees 48 minutes East, along the westerly line of said Lee-Ulry Estates and along the easterly line of said 1.0475 acre tract, a distance of 30.43 feet to an iron pin found in the southerly right of way line of said Lee Road, said point being at the northwesterly corner of Lot #1, of said Lee-Ulry Estates;

Thence South 58 degrees 31 minutes West, along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 24.00 feet to a point and THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

Thence South 58 degrees 31 minutes West, continuing along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence North 41 degrees 29 minutes West, a distance of 11.00 feet to a point;

Thence North 58 degrees 31 minutes East, along a line parallel with and 19.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence South 41 degrees 29 minutes East, a distance of 11.00 feet to the place of beginning containing 462 square feet, subject, however, to all highways and easements of record, and of records, easements and restrictions in the respective utility offices.

The petition praying for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, is on file in your Office.

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

I am of the opinion that the vacation of the aforementioned portion of a Road 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

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November 29, 1979

PRAYER OF PETITION TO VACATE A PORTION  
OF LEE ROAD, LEE-ULRY ESTATES, BLENDON  
TOWNSHIP, FRANKLIN COUNTY, OHIO, GRANTED

In the matter of the petition filed October 17, 1979, by John S. Compton, for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, Mr. Dorrian offered the following preamble and resolution and moved the adoption of the same, which was duly seconded by Mr. Foulk.

Cont'd. - Vac. of a portion of Lee Rd., Lee-Ulry Estates, Blendon Twp., Franklin County, Ohio

WHEREAS, on the 21st day of November, 1979, the Board of County Commissioners of Franklin County, Ohio, by resolution duly adopted direct the Engineer 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, November 29, 1979, relative to the petition for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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 29th day of November, 1979, report thereon in writing which report contained the following recommendation, to-wit:

November 29, 1979, Board of County Commissioners, Franklin County Administration Bldg., 410 South High Street, Columbus, Ohio 43215.  
Re: Vac. of a por. of Lee Rd., Lee-Ulry Estates, Blendon Township, Franklin County, Ohio. Gentlemen:

Pursuant to your order of November 21, 1979, I have amde a survey and plat, which I hereby submit, of a vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, showing the proposed vacation of the following described road:

Being situated in the State of Ohio, County of Franklin, Township of Blendon, and being a part of Quarter Township 1, Township 2, Range 17, United States Military Lands, and being part of a 1.0475 acre tract conveyed to John R. and Barbara A. Baur shown of record in Deed Book 3190, Page 12, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a spike found at the intersection of the centerline of Lee Road (60 feet wide) (Road Record 6, Page 3), with the centerline of Ulry Road, said point being at the northeasterly corner of Lee-Ulry Estates shown of record in Plat Book 29, Page 19;

Thence South 58 degrees 31 minutes West, along the centerline of said Lee Road (Northerly line of said Lee-Ulry Estates), a distance of 1450.78 feet to a spike found at the northwesterly corner of said 1.0475 acre tract;

Thence South 21 degrees 48 minutes East, along the westerly line of said Lee-Ulry Estates and along the easterly line of said 1.0475 acre tract, a distance of 30.43 feet to an iron pin found in the southerly right of way line of said Lee Road, said point being at the northwesterly corner of Lot #1, of said Lee-Ulry Estates;

Thence South 58 degrees 31 minutes West, along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 24.00 feet to a point and The TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

Thence South 58 degrees 31 minutes West, continuing along the southerly right of way line of said Lee Road, and along a line parallel with and 30.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence North 41 degrees 29 minutes West, a distance of 11.00 feet to a point;

Thence North 58 degrees 31 minutes East, along a line parallel with and 19.00 feet southerly of measured at right angles to the centerline of said Lee Road, a distance of 42.00 feet to a point;

Thence South 41 degrees 29 minutes East, a distance of 11.00 feet to the place of beginning containing 462 square feet, subject, however, to all highways and easements of record, and of records, easements and restrictions in the respective utility offices.

The petition praying for the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon Township, Franklin County, Ohio, is on file in your Office.

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

I am of the opinion that the vacation of the aforementioned portion of a Road 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

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Cont'd. - Vac. of a Por. of Lee Rd., Lee-Ulry Estates, Blendon Twp., Franklin County, Ohio.

WHEREAS, no objections to the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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 the utilities that are now within the said portion of Lee Road and the easement granted by the subdividers for utilities is not to be vacated through the said portion of said Road sought to be vacated, therefore

BE IT RESOLVED by the Board of County Commissioners of Franklin County, Ohio, that the vacation of a portion of Lee Road, Lee-Ulry Estates, Blendon 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 hwoever, the utilities that are now within the said portion of Lee Road 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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