

PUBLIC ROAD PETITION

Columbus, Ohio November 14, 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 vacating of an Alley a public Alley on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises for vacating of such Alley; the same not being a road on the State Highway System.

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

Being part of Quarter Township No. 1, Township No. 1, Page 18, United States Military Lands, and being a part of North Linden No. 3 Subdivision shown of record in Plat Book 16, Page 62, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being all of the first alley, said alley is 20 feet in width, west of Cleveland Avenue and beginning at the south right of way line of Sale Road.

Thence from said beginning point southwesterly along said alley for an approximate distance of 175.2 feet to the south line of an alley, said alley is 10 feet in width, said line also being the south line of Lot No. 9 of said North Linden No. 3 Subdivision projected westerly and there to terminate.

This description was prepared from records only and does not constitute a field survey.

The following persons signed said petition: Gus Iannarino; Patricia Fail; Charles R. Fail; William E. Brisbin; Jos. A. Morrone; Frank Policarro; Pete Frombetto; Thos. Piolata; Tony Nannicelli; T. DeVictor; Mike Iannarino; Pat Hoker; Lucile B. Richards; Lester Corder; Mary Ann Corder; Ida Sayre; Richard Sayer; Emmett Dismoke and Janita Dismoke.

* * * * *

November 14, 1979

REQUEST TO VACATE AN ALLEY CLINTON TOWNSHIP
FILED BY GUS A. IANNARINO, REFERRED TO THE
FRANKLIN COUNTY ENGINEER FOR CHECKING -

On motion of Mr. Dorrian, seconded by Mr. Foulk, the request filed November 14, 1979, by Gus A. Iannarino, 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: Harold M. Cooper, Michael J. Dorrian and Jack Foulk.

* * * * *

October 15, 1979

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

Re: Vac. of an Alley, "North Linden No. 3 Sub-
division", Clinton Township, Franklin
County, Ohio.

Gentlemen:-

I have checked the attached petition filed by Gus A. Iannarino, for the vacation of an Alley, "North Linden No. 3 Subdivision", Clinton Township, Franklin County, Ohio, and find that the petition contains sufficeint number of signatures. Also the signatures ate accurate.

Respectfully submitted,

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

By Joseph J. Gatto II
Right of way Supervisor

* * * * *

Cont'd. - Vac. of an Alley, "North Linden No. 3 Subdivision", Clinton Township

November 15, 1979

PETITION FILED FOR VACATION OF AN ALLY,
"NORTH LINDEN NO. 3 SUBDIVISION", CLINTON
TOWNSHIP, FRANKLIN COUNTY, OHIO, VIEW -
THURSDAY, DECEMBER 6, 1979, AT 9:00 A.M. -
HEARING - THURSDAY DECEMBER 13, 1979 AT 9:00 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, Gus A. Iannarino, filed a petition with the Board of County Commissioners, Franklin County, Ohio, requesting said Board to vacate an Alley, "North Linden No. 3 Subdivision", Clinton Township, Franklin County, Ohio, the general route and termini thereof, to be as follows:

Being part of Quarter Township No. 1, Township No. 1, Page 18, United States Military Lands, and being a part of North Linden No. 3 Subdivision shown of record in Plat Book 16, Page 62, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:
Being all of the first alley, said alley is 20 feet in width, west of Cleveland Avenue and beginning at the south right of way line of Sale Road.

Thence from said beginning point southwesterly along said alley for an approximate distance of 175.2 feet to the south line of an alley, said alley is 10 feet in width, said line also being the south line of Lot No. 9 of said North Linden No. 3 Subdivision projected westerly and there to terminate.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Thursday, December 6, 1979 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 Thursday, December 13, 1979 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 will view the proposed vacation along the general route thereof and that Thursday, December 13, 1979 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.

* * * * *

November 19, 1979

*Clinton Township Trustees
Ann Perkins, Clerk
Township House
3820 Cleveland Avenue
Columbus, Ohio 43224

Dear Ms. Perkins:

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 an Alley, "North Linden No. 3 Subdivision, Clinton Township, Franklin County, Ohio.

The final hearing will be held in the Office of the Board of County Commissioners on Thursday, December 13, 1979, 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 persons: Dept. of Natural Resources; Mr. & Mrs. Charles R. Fail; Mr. Wm. E. Brisbin & H. J. Timlin; Mr. Gus Iannarino

* * * * *

Cont'd. - Vac. of an Alley, "North Linden No. 3 Subdivision", Clinton Twp.

December 6, 1979

VACATION OF AN ALLEY, "NORTH LINDEN NO. 3
SUBDIVISION:, CLINTON TOWNSHIP, FRANKLIN
COUNTY, OHIO, VIEWED - ENGINEER TO FILE REPORT
BY THURSDAY, DECEMBER 13, 1979, AT 9:00 A.M.

In the matter of the resolution of November 15, 1979, adopted by the Board of County Commissioners for vacation of an Alley, "North Linden No. 3 Subdivision", Clinton 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 November 14, 1979, a petition was filed with this Board by Gus A. Iannarino; praying for the vacation of an Alley, "North Linden No. 3 Subdivision", Clinton Township, Franklin County, Ohio, and

WHEREAS, on the 15th day of November, 1979, said Board of County Commissioners did fix the 6th day of December, 1979, 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 13th day of November, 1979, 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

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 6th day of December, 1979, meet on the line of said proposed vacation, as described in resolution of November 15, 1979, and heard all of the proof offered by parties interested in and affected thereby, does find that the vacation of an Alley, "North Linden No. 3 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 13th day of December, 1979, 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, Jack Foulk.

* * * * *

December 13, 1979

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

Re: Vacation of an Alley, "North Linden No. 3
Subdivision", Clinton Township, Franklin
County, Ohio.

Gentlemen:-

Pursuant to your order of December 6, 1979, I have made a survey and plat, which I hereby submit, of a vacation of an Alley, "North Linden No. 3 Subdivision", Clinton Township, Franklin County, Ohio, showing the proposed vacation of the following described Alley:

Being part of Quarter Township No. 1, Township No. 1, Page 18, United States Military Lands, and being a part of "North Linden No. 3 Subdivision" shown of record in Plat Book 16, Page 62, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being all of the first alley, said alley is 20 feet in width, west of Cleveland Avenue and beginning at the south right of way line of Sale Road.

Thence From said beginning point southwesterly along said alley for an approximate distance of 175.2 feet to the south line of an alley, said alley is 10 feet in width, said line also being the south line of Lot No. 9 of said North Linden No. 3 Subdivision projected westerly and thence to terminate.

The petition praying for the vacation of an Alley, "North Linden No. 3 Subdivision", Clinton Township, Franklin County, Ohio, 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 this 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

Cont'd. - Vac. of an Alley, "North Linden No. 3 Subdivision", Clinton Township

December 13, 1979

PRAYER OF PETITION TO VACATE AN ALLEY,
"NORTH LINDEN NO. 3 SUBDIVISION", CLINTON
TOWNSHIP, FRANKLIN COUNTY, OHIO. GRANTED

In the matter of the petition filed November 14, 1979, by Gus A. Iannarino, for the vacation of an Alley, North Linden No. 3 Subdivision, Clinton 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.

WHEREAS, on the 6th day of December, 1979, the Board of County Commissioners of Franklin County, Ohio, by resolution duly adopted directed 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 9:00 A.M. of Thursday, December 13, 1979, relative to the petition for the Vacation of an Alley, "North Linden No. 3 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 13th day of December, 1979, report thereon in writing which report contained the following recommendation, to-wit:

December 13, 1979, Board of County Commissioners Franklin County
Administration Bldg., 410 South High Street, Columbus, Ohio 43215.
Re: Vac. of an Alley, "North Linden No. 3 Subdivision", Clinton
Township, Franklin County, Ohio. Gentlemen:

Pursuant to your order of December 6, 1979, I have made a survey and plat., which I hereby submit of a vacation of an Alley, "North Linden No. 3 Subdivision," Clinton Township, Franklin County, Ohio, showing the proposed vacation of the following described Alley:

Being all of the first alley, said alley is 20 feet in width, west of Cleveland Avenue and beginning at the south right of way line of Sale Road.

Thence from said beginning point southwesterly along said alley for an approximate distance of 175.2 feet to the south line of an alley, said alley is 10 feet in width, said line also being the south line of Lot No. 9 of said North Linden No. 3 Subdivision projected westerly and there to terminate.

The petition praying for the vacation of an Alley, "North Linden No. 3 Subdivision, Clinton Township, Franklin County, Ohio, 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 this 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

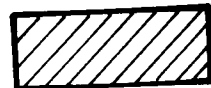
WHEREAS, no objections to the vacation of an Alley, "North Linden Subdivision No. 3", Clinton Township, Franklin County, Ohio, was filed, no claims for compensation or damages on account thereof was filed.

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 portion of said Alley sought to be vacated, therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of an Alley, "North Linden Subdivision No. 3", 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 the said Alley and the Easement granted by the owners, present or past for utilities.

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

* * * * *



AREA TO BE VACATED

1" = 100'
SCALE

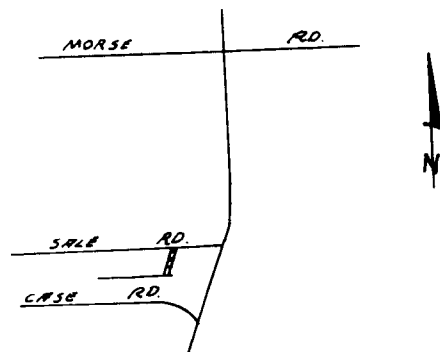
Harold M. Cooper
COUNTY COMMISSIONER
12.13.77
DATE

Michael J. Dorian
COUNTY COMMISSIONER
12.13.79
DATE

[Signature]
COUNTY COMMISSIONER
DATE

[Signature]
COUNTY ENGINEER
DATE

LOCATION MAP, NO SCALE

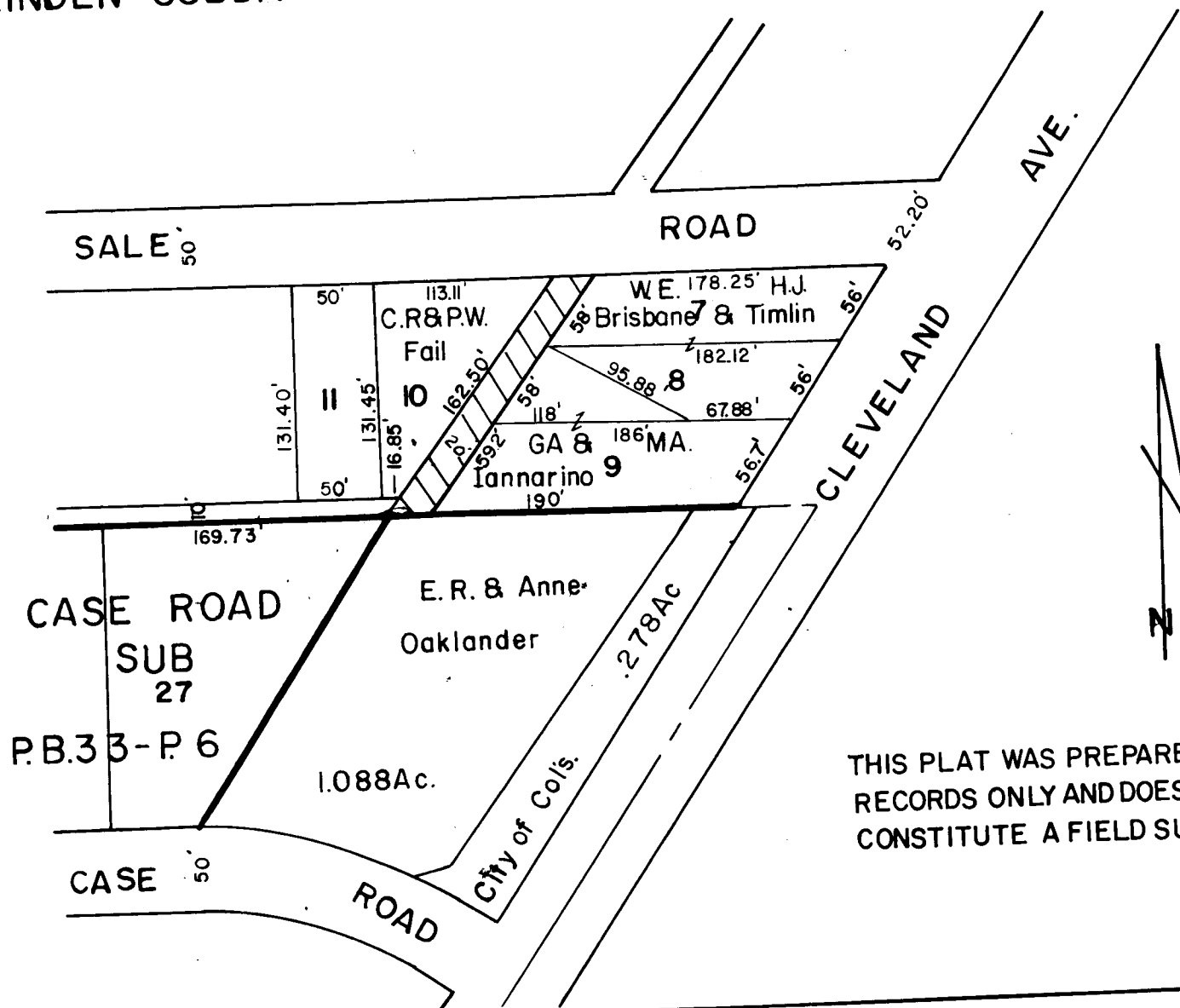


DRAWN BY: *B.M.* DATE: *11/6/79*

VACATION PLAT OF 20' ALLEY IN

CLINTON TOWNSHIP

NORTH LINDEN SUBDIVISION NO.3 PLAT BOOK 16 - PAGE 62



THIS PLAT WAS PREPARED FROM RECORDS ONLY AND DOES NOT CONSTITUTE A FIELD SURVEY.



R.R.#23 Pg. 183-186
Granted - 12-13-79