

PUBLIC ROAD PETITION

Columbus, Ohio Nov. 19, 1980

Hon.
To the 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 street on the line hereinafter described; and make application to you to institute and order proper proceedings in the premises for vacation of such street; the same not being a street 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 Sharon and being a part of Mount Air Allotment No. 1 recorded in Plat Book 19, Page 14, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being all of that part of Elm Drive (35 feet in width) and beginning at the westerly line of Lot No. 729, projected northerly and Lot No. 728 projected southerly, also being the easterly line of the Kenneth E. III and Barbara J. Hadden 159.494 acre tract of land of record in Deed Book 5711, Page 569, Recorder's Office, Franklin county, Ohio.

Thence easterly for an approximate distance of 245 feet to a point on the easterly line of Lot No. 735 projected northerly and Lot No. 722 projected southerly and there to terminate.

The following persons signed said petition: William Garrison, C. L. Garrison, Joseph L. Coulter, Ruth L. Coulter, Carol June Cross, J. Cross, Deonald J. and Jane Bebile, Mary Jane Feather, Dolorous Bradley, Arthur Bradley, Stanley Masters, Margaret Masters, Bernard L. Cellar, Jean Cellar W. A. Burke, James L. Shannon, Janet A. Thompson, Robert Martin, Patricia A. Martin, Harold Burke and J. Lovena Burke.

* * * * *

November 19, 1980

REQUEST TO VACATE A PORTION OF ELM DRIVE
SHARON TOWNSHIP, FILED BY BEVERLY J. FEATHER,
REFERRED TO THE FRANKLIN COUNTY ENGINEER FOR
CHECKING -

On motion of Mr. Cooper, seconded by Mr. Foulk, the request filed November 19, 1980, by Beverly J. Feather, for the vacation of a portion of Elm Drive, located in Sharon 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

* * * * *

November 20, 1980

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

Re: Vac. of a portion of Elm Drive, Sharon Township,
Franklin County, Ohio. "Mount Air Allotment"

Gentlemen:

I have checked the attached petition filed by Beverly J. Feather, for the vacation of a portion of Elm Drive, Sharon Township, Franklin County, Ohio and find that the petition contains sufficient number of signatures. Also the signatures are accurate.

Respectfully submitted,

Edward Honton, P.E.
Franklin County Engineer

Joseph Gatto II
By R/W Supervisor

* * * * *

Cont'd. - Vac. of a Por. of Elm Drive, Sharon Twp., Franklin County, Ohio,

November 21, 1980

PETITION FILED FOR VACATION OF A PORTION OF
ELM DRIVE, SHARON TOWNSHIP, FRANKLIN COUNTY,
OHIO - VIEW - THURSDAY, DECEMBER 11, 1980,
AT 9:00 A.M. - HEARING - THURSDAY, DECEMBER
18, 1980, AT 10:00 A.M.

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

WHEREAS, Beverly J. Feather, filed a petition with the Board of County Commissioners Franklin County, Ohio, requesting said Board to vacate a portion of Elm Drive, Sharon 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 Sharon and being a part of Moutn Air Allotment No. 1 recorded in Plat Book 19, Page 14, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being all of that part of Elm Drive (35 feet in width) and beginning at the westerly line of Lot No. 729, projected northerly and Lot No. 728 projected southerly, also being the easterly line of the Kenneth E. III and Barbara J. Hadden 149.494 acre tract of land of record in Deed Book 5711, Page 569, Recorder's Office, Franklin County, Ohio.

Thence easterly for an approximate distance of 245 feet to a point on the easterly line of Lot No. 735 projected northerly and Lot No. 722 projected southerly and there to terminate.

therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that Thursday, December 11, 1980, 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 18, 1980, at 10:00 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 viewing 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 26, 1980

*Department of Natural Resources
Fountain Square D-2
Chief Engineer's Office
Columbus, Ohio 43224

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 a portion of Elm Drive, Sharon Township, Franklin County, Ohio.

The final hearing will be held in the office of the Board of County Commissioners on Thursday, December 18, 1980, at 10:00 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: E. J. Feather; Kenneth E. III and Barbara J. Hadden; Sharon Township Trustees, Eleanor A. Bierly Clerk

* * * * *

Cont'd. - Vac. of a Por. of Elm Drive, Sharon Twp., Franklin County, Ohio.

December 11, 1980

VACATION OF A PORTION OF ELM DRIVE, SHARON TOWNSHIP, FRANKLIN COUNTY, OHIO, VIEWED - ENGINEER TO FILE REPORT BY THURSDAY, DECEMBER 18, 1980 AT 10:00 A.M.

In the matter of the resolution of November 21, 1980, adopted by the Board of County Commissioners for vacation of a portion of Elm Drive, Sharon 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 November 19, 1980, a petition was filed with this Board by Beverly J. Feather, praying for the vacation of a portion of Elm Drive, Sharon Township, Franklin County, Ohio, and

WHEREAS, on the 21st day of November, 1980, said Board of County Commissioners did fix the 11th day of December, 1980, 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 18th day of December, at 10:00 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 11th day of December, 1980, meet on the line of said proposed vacation, as described in resolution of December 18, 1980, and heard all of the proof by parties interested in and affected thereby, does find that the vacation of a portion of Elm Drive, Sharon 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 18th day of December, 1980, at 10:00 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 and Jack Foulk.

* * * * *

December 18, 1980

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

Re: Vacation of a portion of Elm Drive, Sharon Twp.,
Franklin County, Ohio, "Mount Air Allotment"

Gentlemen:

Pursuant to your order of December 11, 1980, I have made a survey and plat, which I hereby submit, of a vacation of a portion of Elm Drive, Sharon Township, Franklin County, Ohio, showing the proposed vacation of the following described road:

Situated in the State of Ohio, County of Franklin, Township of Sharon and being a part of Mount Air Allotment No. 1 Recorded in Plat Book 19, Page 14, Recorder's Office, Franklin County, Ohio, and being the easterly line of the Kenneth E. III and Barbara J. Hadden 159.494 acre tract of land of record in Deed Book 5711, Page 569, Recorder's Office, Franklin County, Ohio.

thence easterly for an approximate distance of 245 feet to a point on the easterly line of Lot No. 722 projected southerly and there to terminate.

The petition praying for the vacation of a portion of Elm Drive, Sharon 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 state will be of no inconvenience to the general public and I, therefore recommend the said vacation as shown on the accompanying plat.

Respectfully submitted,

Edward Honton, P.E.
Franklin County Engineer

* * * * *

Cont'd. - Vac. of a Por. of Elm Drive, Sharon Twp., Franklin County, Ohio

December 18, 1980

PRAYER OF PETITION TO VACATE A PORTION
OF ELM DRIVE, SHARON TOWNSHIP, FRANKLIN
COUNTY, OHIO - GRANTED.

In the matter of the petition filed November 19, 1980, by Beverly J. Feather, for the vacation of a portion of Elm Drive, Sharon 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 21st day of November, 1980, 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 10:00 A.M. of Thursday, December 18, 1980, relative to the petition for the vacation of a portion of Elm Drive, Sharon 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, Edward Honton, County Engineer, did on the 18th day of December, 1980, report thereon in writing which report contained the following recommendation, to-wit:

"December 18, 1980, Board of County Commissioners, Franklin County Administration Bldg., 410 South High Street, Columbus, Ohio 43215.
Re: Vac. of Elm Drive, Sharon Township, Franklin County, Ohio. Gentlemen:

Pursuant to your order of December 11, 1980, I have made a survey and plat, which I hereby submit of a vacation of Elm Drive, Sharon Township, Franklin County, Ohio, showing the proposed vacation of the following described road:

Situated in the State of Ohio, County of Franklin, Township of Sharon and being a part of Mount Air Allotment No. 1 recorded in Plat Book 19, Page 14, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being all of that part of Elm Drive (35 feet in width) and beginning at the westerly line of Lot No. 729, projected northerly and Lot No. 728 projected southerly, also being the easterly line of the Kenneth E. III and Barbara J. Hadden 159.494 acre tract of land of record in Deed Book 5711, Page 569, Recorder's Office, Franklin County, Ohio.

Thence easterly for an approximate distance of 245 feet to a point on the easterly line of Lot No. 722 projected southerly and there to terminate.

The petition praying for the vacation of a portion of Elm Drive, Sharon 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, Edward Honton, P.E., Franklin County Engineer.

and

WHEREAS, no objections to the vacation of a portion of elm drive, sharon township, franklin county, Ohio, was filed, no cliams for compensation or damages on account thereof was filed.

WHEREAS, the Board of County Commissioners of Franklin County, Ohio, finds that the utilitites that are now within the said portion of Elm Drive and the easement granted by the subdividers for utilities is not to be vacated through the said portion of said Road southt to be vacated, therefore

BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Ohio, that the vacation of a portion of Elm Drive, Sharon Township, Franklin County, Ohio, as recommended by the County Engineer to be vacated, and so 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 portion of Elm Drive and the easement granted by the owners, present or past for utilities.

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

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VACATION PLAT OF A PORTION OF ELM DRIVE IN

MOUNT AIR ALLOTMENT

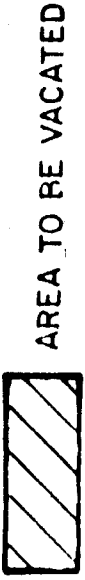
PLAT BOOK 19 PAGE 14

SHARON TOWNSHIP

665	666	667	668	669	670	671	672	673	674
35'	B.J.	"	"	"	"	"	Donna L & B.J. 721	"	35'
728	727	726	725	724	723	722	Feather	720	719
ELM DRIVE									
B.J.	729	730	731	732	733	734	735	J.L. & Carol J. 736	737
35'	"	"	"	"	"	"	"	Cross	738
783	782	781	780	779	778	777	776	"	775
									774

← 105' TO ASH DR →

Kenneth E. III & Barbara J. Hodden
159.494Ac.

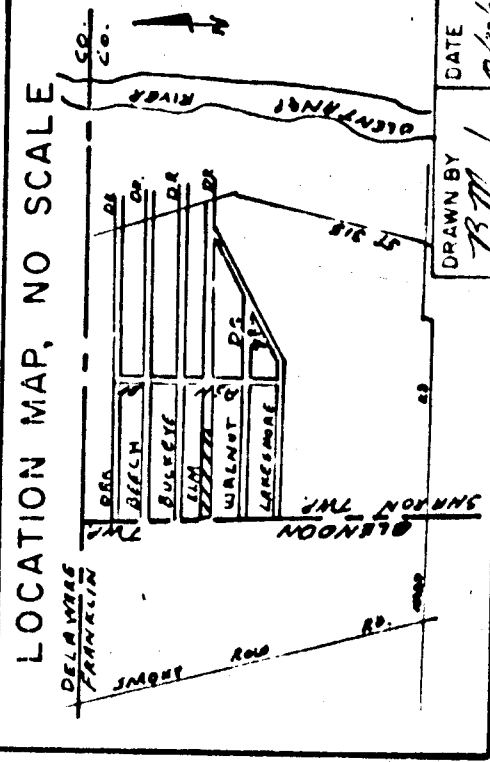


AREA TO BE VACATED



1"=50'
SCALE

COUNTY COMMISSIONER _____ DATE 12-18-80
 COUNTY COMMISSIONER _____ DATE 12-18-80
 COUNTY COMMISSIONER Paul Smith DATE 12-18-80
 COUNTY ENGINEER Edward Hunter DATE 12-17-80



DRAWN BY B.M.J. DATE 12/18/80

3010 0401 ELM DRIVE 1980 0010 020

R.R.# 23-89-199 to 202

Granted 12-18-80