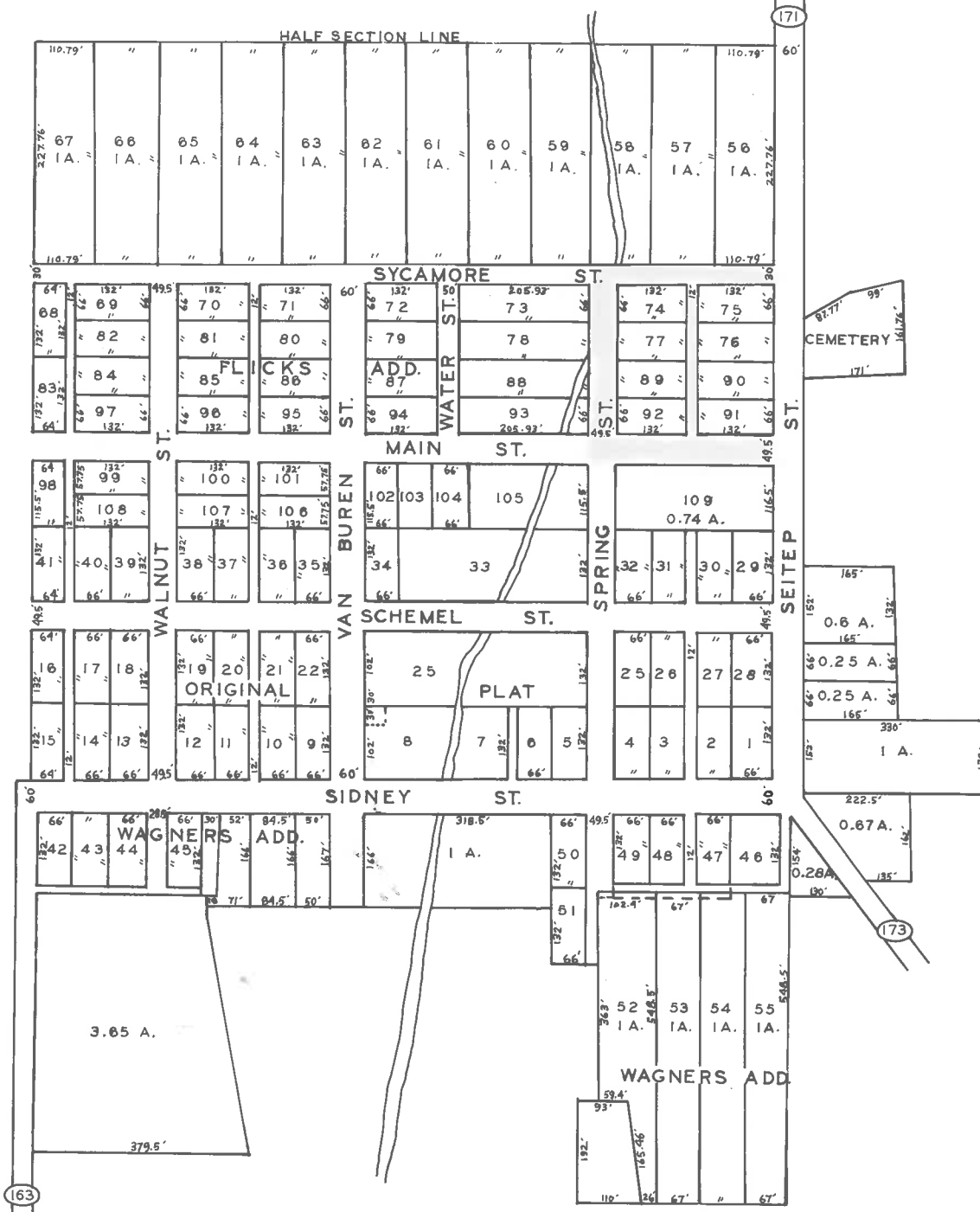


# FREYBURG

CLAY TOWNSHIP  
AUGLAIZE CO., OHIO

CLAYTON H. STIMMEL, P.E.  
AUGLAIZE COUNTY ENGINEER

NO.	REVISION	DATA	
		SCALE	1" = 200'
		DATE	NOV. 1971
		DRWN.	L.M.-K.E.-H.F.



County Commissioners' Office  
Auglaize County, Ohio  
September 8, 1987

IN THE MATTER OF ACCEPTING A PETITION FOR VACATION OF VARIOUS STREET ENDS AND AN ALLEY  
IN FRYBURG, OHIO; SETTING DATES OF VIEW AND HEARING.

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session  
on the 8th day of September, 1987 with the following members present:

Robert V. Vogel     Dow Wagner     Norville W. Freymuth

Mr. Freymuth moved the adoption of the following

RESOLUTION

A petition was filed with the Clerk of the Board of County Commissioners on the 4th day  
of September, 1987, by R. C. Wiesenmayer, Attorney for Jacquelyn Jo Fullenkamp and  
Jesse James Fullenkamp, petitioners, inregards to vacating the East end of Sycamore  
Street, the East end of Main Street, the North end of Spring Street and the alley  
between the East end of Sycamore Street and the East end of Main Street in the Hamlet  
of Fryburg, Township of Pusheta, County of Auglaize, State of Ohio.

In accordance with the Ohio Revised Code, Section 5553.23, 5553.042, and 5553.04 through  
5553.11, the Board does accept the petition for the vacation of said street ends and  
alley and sets the date of view in connection with same on October 13, 1987 at 2:00 p.m.,  
meeting at the East end of Sycamore Street. A hearing on said vacation will be on  
October 20, 1987 at 2:00 p.m. in the office of the Auglaize County Commissioners,  
Courthouse Basement, Wapakoneta, OHIO.

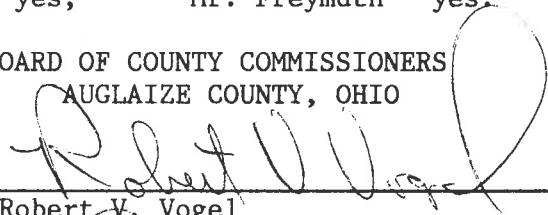
Now, therefore, the Board does this day accept the above mentioned petition and does  
officially set above dates and times for view and hearing on the vacations as mentioned  
above in the Hamlet of Fryburg.

Mr. Wagner seconded the Resolution and upon the roll being called, the vote resulted  
in the adoption of the resolution as follows:

Mr. Vogel     yes;     Mr. Wagner     yes;     Mr. Freymuth     yes.

Adopted this  
8th day of  
September, 1987

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

  
Robert V. Vogel

  
Dow Wagner

  
Norville W. Freymuth

cc: Director of Natural Resources  
R.C. Wiesenmayer, Attorney for petitioners  
Jacquelyn Jo Fullenkamp, Petitioner  
Jesse James Fullenkamp, Petitioner  
Pusheta Township Trustees  
✓ County Engineer

PETITION TO VACATE THE EAST END OF SYCAMORE STREET,  
THE EAST END OF MAIN STREET, THE NORTH END OF SPRING STREET  
AND THE ALLEY BETWEEN THE EAST END OF SYCAMORE STREET AND THE  
EAST END OF MAIN STREET IN THE HAMLET OF FRYBURG, OHIO

TO: The Board of Commissioners of Auglaize County, Ohio

The undersigned hereby represents to the Board of Commissioners of Auglaize County, Ohio that they are the owners of the real estate abutting the east end of Sycamore Street, the east end of Main Street, the north end of Spring Street and the alley between the east end of Sycamore Street and the east end of Main Street in the Hamlet of Fryburg, Ohio, as more particularly hereinafter described. The undersigned further represents to the Board of Commissioners of Auglaize County, Ohio that said portion of streets and said alley has been established by a plat duly recorded with the Auglaize County, Ohio Recorder's Office, but that said portions of said streets and said alley have not been improved by public funds and that for more than twenty-one (21) years, said portions of streets and said alley have been abandoned and not used.

The undersigned, in accordance with Ohio Revised Code Section 5553.042 and other relevant sections of law, do hereby petition this Board to order vacated the following described portions of Sycamore Street, Main Street, Spring Street, and said alley:

The east end of SYCAMORE STREET commencing at the West right-of-way line of County Road 171 (Seitep Street) to the West line of lot 58 extended South; the North portion of SPRING STREET commencing with the North right-of-way line of SYCAMORE STREET to the South right-of-way line of MAIN STREET; the East portion of MAIN STREET commencing at the West right-of-way line of County Road 171 (Seitep Street) to the West right-of-way line of SPRING STREET; and the alley commencing at the South right-of-way line of SYCAMORE STREET to the North right-of-way line of MAIN STREET and being adjacent to the East side of lots 74, 77, 89, 92, and the West side of lots 75, 76, 90, and 91; and being in the Hamlet of Fryburg, Ohio.

Attached hereto, marked as "EXHIBIT A" and incorporated herein by reference, is a copy of a plat showing the portions of Sycamore Street, Spring Street, Main Street, and the alley to be vacated.

The undersigned represents that the said alley and the said portions of Sycamore Street, Spring Street and Main Street have not been improved, maintained or used for a period in excess of twenty-one (21) years and that therefore the same should be vacated and the portions vacated shall pass in fee to the abutting land owners thereof as provided by law, subject to the preservation of any existing right-of-way in, over or under said areas by any public utility and also subject to the right of ingress and egress for the

PETITION TO VACATE THE EAST END OF SYCAMORE STREET,  
THE EAST END OF MAIN STREET, THE NORTH END OF SPRING STREET  
AND THE ALLEY BETWEEN THE EAST END OF SYCAMORE STREET AND THE  
EAST END OF MAIN STREET IN THE HAMLET OF FRYBURG, OHIO

TO: The Board of Commissioners of Auglaize County, Ohio

The undersigned hereby represents to the Board of Commissioners of Auglaize County, Ohio that they are the owners of the real estate abutting the east end of Sycamore Street, the east end of Main Street, the north end of Spring Street and the alley between the east end of Sycamore Street and the east end of Main Street in the Hamlet of Fryburg, Ohio, as more particularly hereinafter described. The undersigned further represents to the Board of Commissioners of Auglaize County, Ohio that said portion of streets and said alley has been established by a plat duly recorded with the Auglaize County, Ohio Recorder's Office, but that said portions of said streets and said alley have not been improved by public funds and that for more than twenty-one (21) years, said portions of streets and said alley have been abandoned and not used.

The undersigned, in accordance with Ohio Revised Code Section 5553.042 and other relevant sections of law, do hereby petition this Board to order vacated the following described portions of Sycamore Street, Main Street, Spring Street, and said alley:

The east end of SYCAMORE STREET commencing at the West right-of-way line of County Road 171 (Seitep Street) to the West line of lot 58 extended South; the North portion of SPRING STREET commencing with the North right-of-way line of SYCAMORE STREET to the South right-of-way line of MAIN STREET; the East portion of MAIN STREET commencing at the West right-of-way line of County Road 171 (Seitep Street) to the West right-of-way line of SPRING STREET; and the alley commencing at the South right-of-way line of SYCAMORE STREET to the North right-of-way line of MAIN STREET and being adjacent to the East side of lots 74, 77, 89, 92, and the West side of lots 75, 76, 90, and 91; and being in the Hamlet of Fryburg, Ohio.

Attached hereto, marked as "EXHIBIT A" and incorporated herein by reference, is a copy of a plat showing the portions of Sycamore Street, Spring Street, Main Street, and the alley to be vacated.

The undersigned represents that the said alley and the said portions of Sycamore Street, Spring Street and Main Street have not been improved, maintained or used for a period in excess of twenty-one (21) years and that therefore the same should be vacated and the portions vacated shall pass in fee to the abutting land owners thereof as provided by law, subject to the preservation of any existing right-of-way in, over or under said areas by any public utility and also subject to the right of ingress and egress for the

purpose of servicing and maintaining the same, all as provided by law.

The undersigned further represents that all known owners of the land abutting the area to be vacated are as follows:

<u>NAME OF LAND OWNER AND TAX MAILING ADDRESS</u>	<u>AREA OWNED</u>
Jacquelyn Jo Fullenkamp 134 Villa Nova Blvd. St. Marys, Ohio 45885	Lots 89, 90, 91, and 92 in Flicks Addition, Fryburg, Ohio
Jesse James Fullenkamp R. R. #5 Wapakoneta, Ohio 45895	Lots 58, 77, 76, 75 and 74 in Flicks Addition, Fryburg, Ohio
Theodore K. Lunz R. R. #5 Wapakoneta, Ohio 45895	Lots 56, and 57 in Flicks Addition, Fryburg, Ohio
Jerry C. Martin and Arliss J. Martin R. R. #5 Wapakoneta, Ohio 45895	Lots 73, 88, and 93 in Flicks Addition, Fryburg, Ohio
Gilbert Gutmann 134 Villa Nova Blvd. St. Marys, Ohio 45885	Lot 78 in Joseph Flick's Addition, Fryburg, Ohio
Nora A. Cooper R. R. #5 Wapakoneta, Ohio 45895	North half of Lot 109, Fryburg Ohio

The undersigned further represents that based upon measurements set forth on the plat filed for the Hamlet of Fryburg, and also upon a recent survey done by John W. Jauert, Registered Surveyor No. 6920, a copy of said survey is attached hereto marked as "EXHIBIT B" and incorporated herein by reference, the width of Sycamore Street is Thirty Feet (30'), the width of Spring Street is Forty-nine and one-half feet (49.5'), the width of Main Street is Forty-nine and one-half feet (49.5') and the width of said alley is Twelve feet (12').

The undersigned further agrees to be responsible for the costs and expenses incurred by the Board of County Commissioners in connection with these proceedings and to furnish a bond, if required by the Board to secure the payment of said costs and expenses or, in the alternative, to submit a deposit requested by the Board of County Commissioners of Auglaize County, Ohio.

Respectfully submitted,

X Jacquelyn Jo Fullenkamp  
Jacquelyn Jo Fullenkamp - Petitioner  
X Jesse James Fullenkamp  
Jesse James Fullenkamp - Petitioner  
X R. C. Wiesenmayer  
R. C. Wiesenmayer  
Attorney for Petitioners

SURVEY OF LOTS NO 74, 75, 76, 77,  
89, 90, 91 AND 92 IN THE VILLAGE  
OF FREYBURG, T-6-S, R-6-E, PUSWETA  
TOWNSHIP, AUGLAIZE COUNTY, OHIO.

Scale:

PT. OF FLICKS ADDITION

STONE FOUND AT THE  
CENTER OF SECTION  
15, PUSWETA TWP.

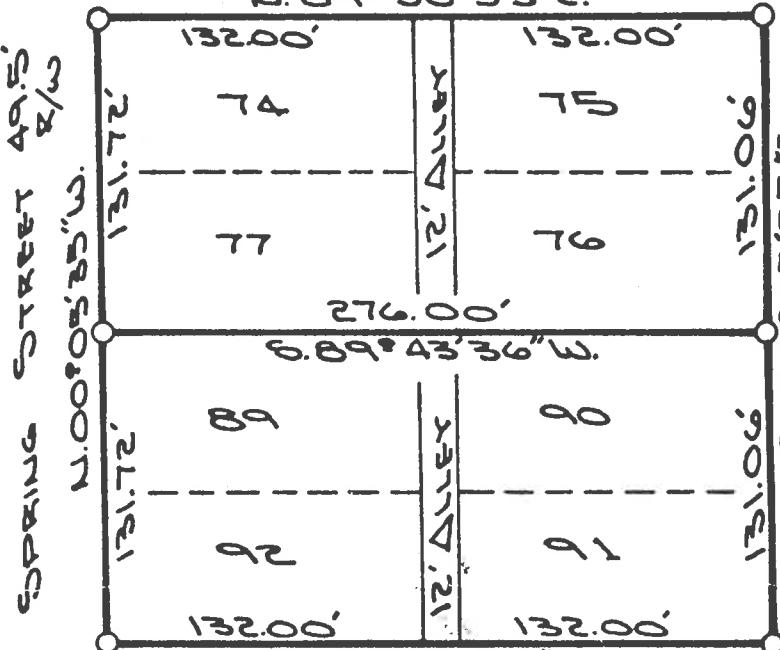
N.E. CORNER, S.E. 1/4,  
SECTION 15, PUSWETA TWP.

1/2 SECTION LINE 7  
N. 89° 47' 04" W. ~ 2,652.72'

LEGEND

- IRON PIN SET
- P.K. NAIL SET
- MONUMENT BOX

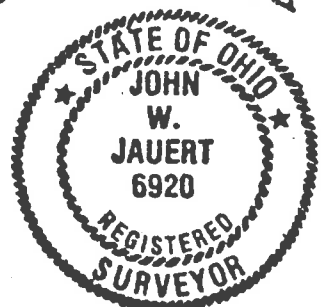
SYCAMORE STREET 30' R/W  
N. 89° 50' 53" E.



MAIN STREET 49.5' R/W



ATTEST:  
JOHN W. JAUERT  
PROFESSIONAL  
SURVEYOR NO. 6920



NOTE:

- 1.) DISTANCES ON WEST R/W LINE OF C.R. N#171 FROM E-W 1/2 SECTION TO THE NORTH R/W LINE OF SIDNEY STREET WERE PRORATED AFTER REMOVING CALL DISTANCES ON ORIGINAL PLAT.
- 2.) EAST-WEST DISTANCES WERE HELD AS CALL.
- 3.) THE SOUTH R/W OF SYCAMORE ST. AND THE NORTH R/W OF MAIN ST. WERE CALCULATED BY PRORATING THE WEST LINE OF OCCUPATION OF FREYBURG AND REMOVING THE ORIGINAL PLAT CALLS.

THIS PLAT IS RECORDED IN SURVEY BOOK "H", PAGE 99, IN THE AUGLAIZE COUNTY ENGINEER'S OFFICE.

Signature by a representative of the County Health Dept. denotes compliance with Health Regulations.  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Signature by a representative of the Auglaize County Regional Planning Commission denotes approval of this plat.  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Signature by a representative of City with 3 mile limit jurisdiction or Twp. Trustees or Village with zoning jurisdiction denotes approval of this plat. Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
for political S. D. of: \_\_\_\_\_

Signature by a representative of the County Engineer's Dept. denotes that this plat meets tax map plat requirements.  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

JAUERT  
SURVEYING

Client JACKIE FULLENKAMP  
County AUGLAIZE Twp. PUSWETA Sec. 15  
Drawn by J. JAUERT Scale NOTED Drwg. No. 87-259  
Checked by \_\_\_\_\_ Date APRIL, 1987  
Sheet 1 of 1 (T 6 S; R 6 E)

County Commissioners' Office  
Auglaize County, Ohio  
October 22, 1987

IN THE MATTER OF GRANTING THE VACATION OF STREET ENDS AND ALLEY IN FRYBURG, OHIO AS  
PETITIONED BY JACKIE AND JESSE FULLENKAMP, AND FILED BY R.C. WIESENMAYER.

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session  
on the 22nd day of October, 1987 with the following members present:

Robert V. Vogel      Dow Wagner      Norville W. Freymuth

Mr. Freymuth moved the adoption of the following

RESOLUTION

The public hearing for the petitioned vacation of street ends and an alley in the Hamlet  
of Fryburg, Ohio pursuant to the Board of County Commissioners order of Septem-  
ber 8, 1987 was held on October 20, 1987.

Proper advertisement has been made, according to the Ohio Revised Code, Section 5553.02,  
and the County Engineer's office personnel did review the map of the proposed  
area.

The view was held on October 13, 1987 with the following persons present: Bob Brown  
and Henry Steining, representing The Telephone Service Co.; Bob Harrod, Pusheta  
Township Trustee, Nora Cooper, Jackie & Jesse Fullenkamp, petitioners. No  
objections were expressed.

Those present at the public hearing on said vacation were: Bob Harrod; Henry  
Steining, Telephone Service Co.; Gilbert Gutmann; Steven K. Salmon Sr.;  
Jacquie Fullenkamp; Jesse J. Fullenkamp, Jerry C. Martin and Arlisa J. Martin.  
No objections were expressed either verbally or written.

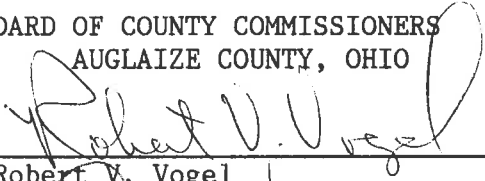
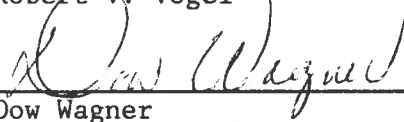
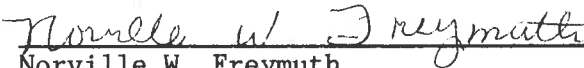
Now, therefore, the Board of County Commissioners does hereby grant the above street  
and alley vacation and does, hereby, authorize the County Engineer to see  
that the county maps for Fryburg and Pusheta Township be corrected in  
accordance with said petition

The Board does order a copy of this resolution be given to the Board of Pusheta  
Township Trustees, the County Engineer, and agent, R.C. Wiesenmayer.

Mr. Wagner seconded the Resolution and upon the roll being called, the vote resulted  
in the adoption of the resolution as follows:

Mr. Vogel    yes;                      Mr. Wagner    yes;                      Mr. Freymuth    yes.

Adopted this  
22nd day of  
October, 1987

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
  
\_\_\_\_\_  
Robert V. Vogel  
  
\_\_\_\_\_  
Dow Wagner  
  
\_\_\_\_\_  
Norville W. Freymuth

cc: ✓County Engineer  
Pusheta Township Trustees  
R. C. Wiesenmayer, Agent