



NOTE: The lot numbers shown here are the correct numbers, the ones shown on county map are incorrect.

97

**Kosuth**

Auglaize County Ohio



The east half of the S.W. 1/4 and the West  
 1/2 of the S.W. 1/4 of first principal Mer-  
 cept those adjoining the Can-  
 al and the length of the  
 lot 300 feet on the  
 the other

County Commissioners Office  
Auglaize County, Ohio  
March 5th, 1985

IN THE MATTER OF ACCEPTING A PETITION FOR VACATION OF AN ALLEY IN KOSSUTH SETTING DATE  
OF VIEW AND HEARING.

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session  
on the 5th day of March, 1985 with the following members present:

Dow Wagner

Robert V. Vogel

Norville W. Freymuth

Mr. Freymuth moved the adoption of the following

RESOLUTION

A petition was filed with the Board of County Commissioners on March 4th, 1985 by  
Douglas S. Jauert, attorney for Harold and Frankie Sunderland, petitioners,  
inregards to vacating an alley in the hamlet of Kossuth, Salem Township, Auglaize  
County, Ohio.

In accordance with the Ohio Revised Code, Sections, 5553.23, 5553.042 and 5553.04  
through 5553.11, the Board does accept the petition for the vacation of said alley  
and sets the date of view in connection with same on March 21, 1985 at 10:00 a.m.  
A hearing on said vacation will be held in the office of the County Commissioners,  
Courthouse Ground Floor, Wapakoneta, Ohio on April 2, 1985 at 10:00 a.m.

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 Alley Vacation  
in Kossuth.

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

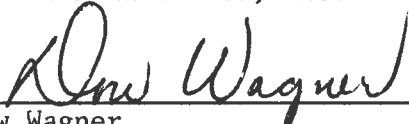
Mr. Wagner yes;

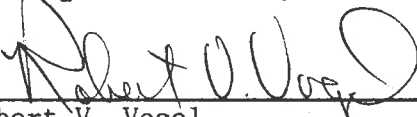
Mr. Vogel yes;

Mr. Freymuth yes.

Adopted this  
5th day of  
March, 1985

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

  
Dow Wagner

  
Robert V. Vogel

  
Norville W. Freymuth

cc: Director of Natural Resources  
Douglas S. Jauert, Agent  
Harold & Frankie Sunderland, petitioners  
✓ Salem Township Trustees, via Clerk  
✓ County Engineer

PETITION TO VACATE ALLEY

TO: THE BOARD OF COMMISSIONERS OF AUGLAIZE COUNTY, OHIO

The undersigned represents to the Board of Commissioners of Auglaize County, Ohio, that they are the owners of the right to mine coal lying adjacent to the street and alley hereinafter described and further are the owners of the real estate abutting the street and alley hereinafter described. The undersigned represent to the Board of Commissioners that an alley was once established by Plat, further that said alley has not been improved by public funds and for more than twenty-one years has not been used.

In accordance with Revised Code Sections 5553.23, 5553.042 and 5553.04 through 5553.11, the undersigned respectfully requests that the Board vacate the following described alley:

Situated in the Village of Kossuth, Township of Salem, County of Auglaize, and State of Ohio, and more particularly bounded and described as follows: Beginning at the northwest corner of Inlot number 41 in said Village; thence north to the southwest corner of Inlot number 42; thence easterly along the southern boundary lines of Inlots 42 and 39 to a point which is six inches west of the southeast corner of Inlot 39; thence south to a point which is six inches west of the northeast corner of Inlot number 40; thence westerly along the northern boundary lines of Inlots 40 and 41 to the place of beginning.

Attached hereto as Exhibit "A" is a copy of the Plat showing the portion of the street and alley proposed to be vacated. The undersigned represent that the alley has not been improved, maintained, or used for a period in excess of twenty-one years and that they are entitled to have the same vacated. The undersigned further agree to be responsible for the costs and expenses incurred by the Board in connection with these proceedings and agree to furnish a bond required by the Board to secure the payment of such costs and expenses, or in the alternative to submit a deposit requested by the Board of County Commissioners.

Respectfully submitted,

Harold E. Sunderland  
Harold E. Sunderland

Frankie Sunderland  
Frankie Sunderland

WEGER, JAUERT & HERMAN

By:

Douglas S. Jauert

Attorney for Petitioners

Peoples National Bank Building  
P.O. Box 1957

Wapakoneta, Ohio 45895

Telephone: (419) 738-9274

PLEASE FILE STAMP AND

RETURN TO

Douglas S. Jauert  
ATTORNEY AT LAW

County Commissioners Office  
Auglaize County, Ohio  
April 30, 1985

IN THE MATTER OF THE PUBLIC HEARING FOR THE ALLEY VACATION IN THE  
HAMLET OF KOSSUTH AS PETITIONED FOR HAROLD SUNDERLAND AND FRANKIE  
SUNDERLAND

RESOLUTION

WHEREAS, The Board of Commissioners of Auglaize County, Ohio,  
met in session on the 30th day of April, 1985, with the following  
members present: Dow Wagner, Robert Vogel, and Norville W. Freymuth;  
and,

WHEREAS, Petitioners, Harold and Frankie Sunderland presented  
the survey as ordered by Resolution arising from a previous public  
hearing on the issue, April 2, 1985, said survey being acceptable;  
and,

WHEREAS, the alley in question has been abandoned and not used  
for a period of twenty-one (21) years, and further it is believed to  
be in the public interest for said alley to be vacated;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS,  
AUGLAIZE COUNTY, OHIO, THAT:

1. The Petition to vacate the alley be granted and ordered  
vacated. Said alley is described as follows:

Situated in the Village of Kossuth, Township of Salem, County  
of Auglaize, and State of Ohio, and more particularly bounded and  
described as follows: Beginning at the northwest corner of Inlot  
forty-two (42) in said Village; thence north to the southwest corner  
of Inlot number forty-one (41); thence easterly along the southern  
boundary lines of Inlots forty-one (41) and thirty-nine (39) to a  
point which is six inches west of the southeast corner of Inlot number  
thirty-nine (39); thence south to a point which is six (6) inches west  
of the northeast corner of Inlot number forty (40); thence westerly  
along the northern boundary lines of Inlots forty (40) and forty-two  
(42) to the place of beginning.

2. This Resolution shall go into full force and effect at the  
earliest period allowable by law.

Adopted: This 30th day of  
April, 1985.

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Dow Wagner  
Dow Wagner

Robert V. Vogel  
Robert V. Vogel

Norville W. Freymuth  
Norville W. Freymuth

*C. Engman*