

NEW HAMPSHIRE

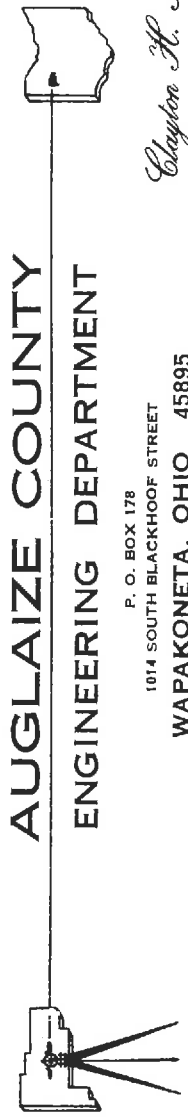
GOSHEN TOWNSHIP
AUGLAIZE CO., OHIO

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

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



Step #4



**AUGLAIZE COUNTY
ENGINEERING DEPARTMENT**

P. O. BOX 178
1014 SOUTH BLACKHOOF STREET
WAPAKONETA, OHIO 45895
TELEPHONE (419) 738-3219
738-2713

Clayton H. Stimmel
COUNTY ENGINEER

December 1, 1977

Board of County Commissioners
Court House
Wapakoneta, Ohio

Gentlemen:

I have studied the petition presented to you November 4, 1977 by Rosalie and Joe Carter through their attorney Quentin M. Derryberry for the closing of the alley between the west half of lots No. 37 & 38 in the town of New Hampshire and the east side of lot No. 39 of the original plat of said New Hampshire.

I can see no reason why this alley should be left open and you have my approval for the closing of the same.

If you have any questions, feel free to call me.

Respectfully,

Clayton Stimmel

CHS:mr

Clayton H. Stimmel, P.E.-P.S.
Auglaize County Engineer

BEFORE THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS
PETITION FOR VACATION OF ABANDONED ALLEY

We, the undersigned petitioners, are owners of certain real property located in the unincorporated Village of New Hampshire Township of Goshen, County of Auglaize State of Ohio, specifically described as follows:

Being the west half of Lots Numbered Thirty-seven (37) and Thirty-eight (38) in the Town of New Hampshire, according to the Original Plat of said Town,

and

Being Lot Number Thirty-nine (39) in the Village of New Hampshire, as the same is known and designated on the recorded plat of said Village.

The described properties are outlined in yellow on the attached plat map.

Petitioners further state that Lots Numbered Thirty-seven (37) and Thirty-eight (38) both lie directly to the east of a certain alley, and that the west half of these two lots about on the said alley; and that Lot Number Thirty-nine (39) lies directly to the west of and abuts on the same alley.

The alley upon which the petitioners' property abuts runs in a north-south direction connecting Market Street and Washington Street, between and parallel to Main Street on the east and Ohio Street on the west. The alley described herein is marked in red on the attached plat map.

The alley which is the subject of this petition has been abandoned and not used for a period in excess of twenty-one (21) years, and the township and public has therefore lost all right in and to the alley under Ohio Revised Code Section 5553.042.

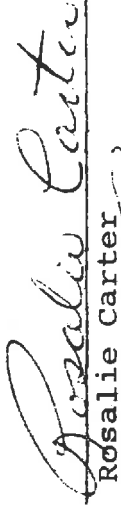
WHEREFORE, the undersigned respectfully petition and request that the Board of County Commissioners pass a resolution ordering vacation of the described alley, and that it pass in fee simple to the abutting landowners, subject only to those existing rights of way specifically preserved by Revised Code Section 5553.042.

Respectfully submitted,


Rosalie Carter

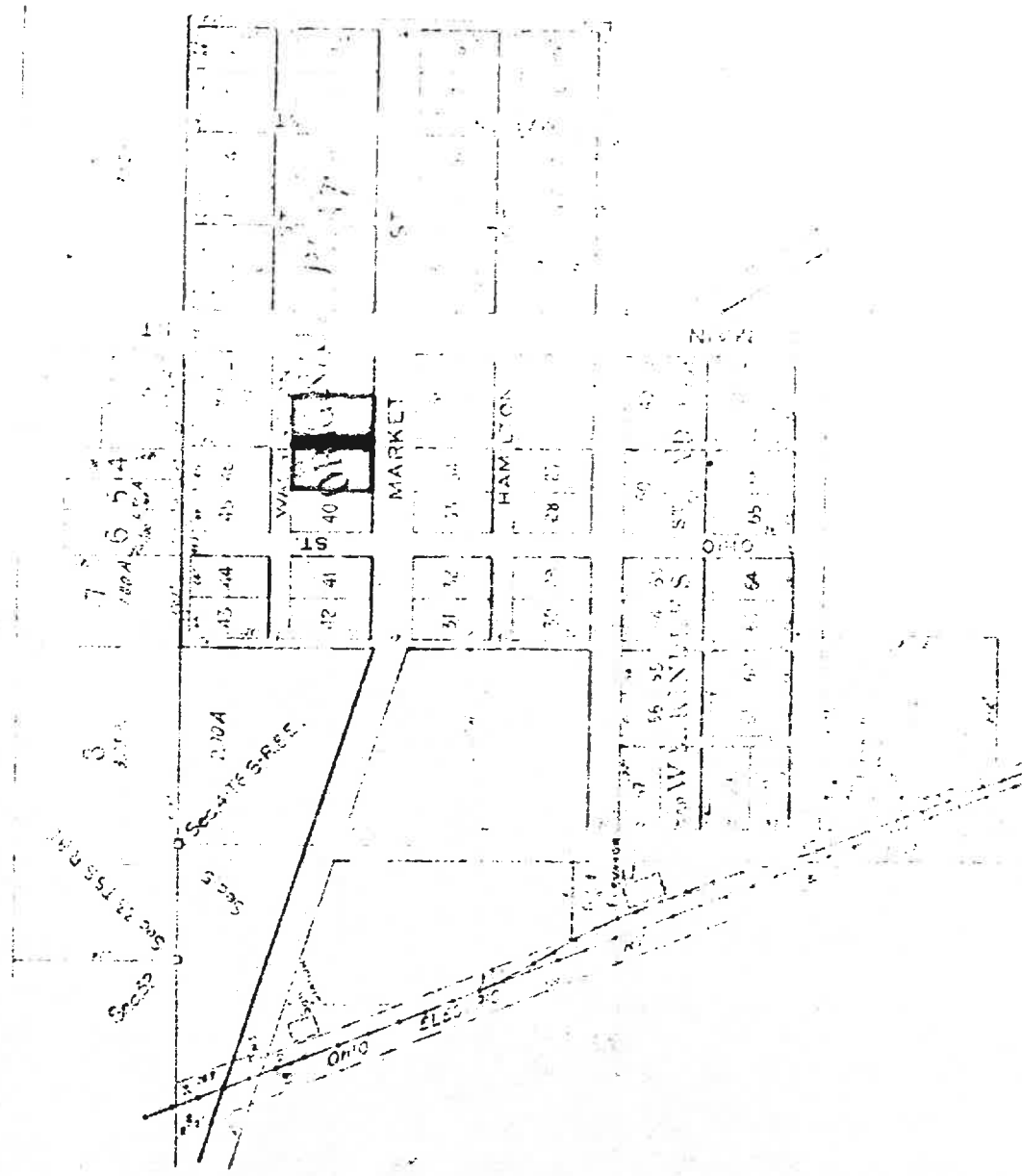

Joe Carter

Petitioners request that all correspondence and notices regarding this petition be directed to Quentin M. Derryberry, 2nd Floor - Theater Building, Wapakoneta, Ohio, their attorney and agent in the matter.


Rosalie Carter


Joe Carter

1934-1935



step # 2:

County Commissioners' Office
Auglaize County, Ohio
November 4th, 1977

The Board of County Commissioners met this day in Regular session with the following members present:

Paul F. Rrinhart

William Link

Howard Werner

Mr. Link made the motion that the following be adopted:

R E S O L U T I O N

WHEREAS,

a petition was this day filed with the Board of County Commissioners by Rosalie Carter and Joe Carter--- by Quentin Derryberry- attorney-at-law; acting as their Agent for the vacation of an alley involving lots 37-38 and 39-- located in the village of New Hampshire- Goshen Township- Auglaize County, Ohio.

said petition does appear on page: 332 of this County Commission journal # 65

and

WHEREAS,

in accordance with section 5553.042 of the revised code of Ohio- the Board does accept the petition for vacation of alley so described; and do set the date of view in connection with same for the 15th day of November, 1977 at 10 o'clock A. M. and the Hearing on the vacation for the 2nd day of December, 1977 at 1:30 o'clock P.M. at the office of the Board of County Commissioners- basement of county courthouse, Wapakoneta, Ohio- therefore be it

RESOLVED,

that the Board do this day authorize the clerk of Board of County Commissioners to make proper publication in a local newspaper in connection with above.

Mr. Werner seconded the motion, and the roll being called on its adoption- the vote resulted as follows:

Mr. Reinhart yes;

Mr. Link yes;

Mr. Werner yes.

cc: Joe Carter

clerk- Goshen Twp.- Ernest L. Williams- route 1- Lakeview, Ohio
county engineering department

Quentin Derryberry- agent for petitioners

publication: November 7th and 14th

step # 3:

LEGAL NOTICE

Notice is hereby given that the Board of County Commissioners of Auglaize County, Ohio, will view a proposed vacation of an alley located in the village of New Hampshire on the 15th day of November -1977 at 10 o'clock A.M.

The area proposed to be vacated is.

Being the west half of lots numbered thirty-seven (37) and thirty-eight (38). Being lot number thirty-nine (39) in the village of New Hampshire Lots thirty-seven (37) and thirty-eight (38) both lie directly to the east of a certain alley; and that the west half of these two lots abut on the said alley; and that lot number thirty-nine (39) lies directly to the west of an abuts on the same alley.

The alley upon which the petitioners property abuts runs in a north-south direction connecting Market street and Washington street, between and parallel to Main street on the east and Ohio street on the west.

the final hearing on said petition will be held at the office of County Commissioners, on the 2nd day of December 1977.

1,30 2 m. 60000

Paul F. Reinhart

president- Bd. of Co. Commissioners

step 3-A

County Commissioners office
Auglaize County, Ohio
November 4th, 1977

Wapakoneta Daily News

Willipie street
Wapakoneta, Ohio

attention: Editor

Will you please publish the attached Legal notice in your newspaper under
dates of November 7th and 14th, 1977

clerk of board

order of BOCC

step # 4:
engineer's report

County Commissioners' Office
Auglaize County, Ohio
December 1st, 1977

The Board of County Commissioners met this day in Regular session with the following members present:

Paul F Reinhart

William Link(absent)

Howard Werner

Mr. Werner made the motion that the following be adopted:

R E S O L U T I O N

WHEREAS, this being the date set in their order of November 4th, 1977 to hold a Hearing on the vacation of an alley located in the village of New Hampshire- Goshen Township- Auglaize County, Ohio; and

WHEREAS, proper advertisement having been made, according to law; and engineer's report received in connection with same; and

WHEREAS, only the Agent for the petitioners appeared at

and no objections were given inregard to the petition for vacation;
therefore be it

said hearing

RESOLVED, that in granting the original petition as asked for the Board do this day authorize the county engineer, Clayton H. Stimme¹ to see that the County maps (Duchouquet twp.) be corrected in accordance with said petition inre: vacation of alley as described in the original petition; and be it further

RESOLVED, that a copy of this resolution be given to the Board of Goshen township trustees, the county engineer, and to Mr. Joe Carter.

Mr. Reinhart seconded the motion, and the roll being called on its adoption- the vote resulted as follows:

Mr. Reinhart yes;

Mr. Link (absent)

Mr. Werner yes.

cc: county engineer
Joe Carter

Goshen twp. trustees- Ernest Williams- Route 1- Lake View, Ohio
Quentin M. Derryberry- attorney-at-law agent for petitioners.

Step #6:

AFFIDAVIT

I, Chris Mincks, Deputy Clerk of the Board of County Commissioners do hereby certify that the following steps were taken in connection with the vacation of an alley in the village of New Hampshire, Ohio.

<u>Journal Number</u>	<u>Page</u>	<u>Remarks:</u>
65 step #1	332	petition filed with Board for vacation in village of New Hampshire.
65 Step #2	333	resolution accepting petition for vacation of alley - setting date of view and hearing.
65 step #3	333	copy of legal notice to newspaper
65 step #3-a	not in journal	letter to newspaper
65 step #4	371	engineer's report inre: vacation of alley.
65 step #5	371	resolution granting vacation per original petition.
65 step #6	374	affidavit.

cc: county engineer
Joe Carter
Goshen Twp. Ernest Williams, Route 1, Lakeview, Ohio
Quentin Derryberry, attorney at law - agent for petitioners.