



41
SEP
PETITION TO VACATE ALLEY

Pursuant to R. C. 5553.

Now comes Clarence E. Swartz, President of the The New Hampshire Grain Company, New Hampshire, Ohio, who petitions the Commissioners pursuant to Chapter 5553. of the Ohio Revised Code to vacate a portion of a certain alley, situated in the William Kindle's First Addition to the unincorporated village of New Hampshire, Goshen Township, Auglaize County, Ohio, more particularly described as follows:

Beginning at the Southwest Corner of Lot fifty-eight (58) of William Kindle's First Addition as recorded on the plat thereof;
Thence in an Easterly direction one hundred thirty-two feet (132) to the Southeast corner of said lot 58; Thence in a Southerly direction sixteen and one-half feet (16.5) to the northeast corner of lot no. fifty-nine (59) in said addition; Thence West One Hundred thirty-two feet (132) along the North line of Lot 59 to the Northwest corner of said lot 59; Thence North sixteen and one-half feet (16.5) to the Place of Beginning.
Said tract being the alley located between Lot Nos. fifty-eight (58) and fifty-nine (59) in William Kindle's First Addition to the unincorporated village of New Hampshire, Goshen Township, Auglaize County, Ohio.

The Petitioner states that it is the only abutting land owner as it owns both lot fifty-eight and fifty-nine; that that portion of the said alley has not been improved nor used as an alley for more than twenty-one years (21); and that Petitioner therefore requests that the Commissioners view the premises, hold a public hearing in accordance with the law, and that the alley be vacated in accordance with Chapter 5553. of the Ohio Revised Code.

Dated at New Hampshire, Ohio this 14 day of December, 1979.

THE NEW HAMPSHIRE GRAIN COMPANY

Frederick D. Pepple

Attorney at Law

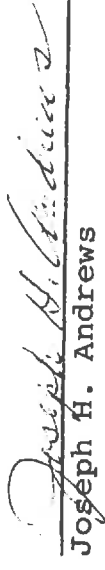
303 N. Westminster Street
Waynesfield, Ohio 45896
Telephone (419) 568-3434

17 Willipie Street
Waynesfield, Ohio 45895
Telephone (419) 738-8688

By Clarence E. Swartz
Clarence E. Swartz,
President

The undersigned, the township trustees of Goshen Township, Auglaize County, Ohio, having read the foregoing petition, viewed the premises proposed to be vacated, and being familiar with the said alley, hereby consent to the vacation of said alley as said alley has not been improved or used as such for many years, and as the vacation of such alley is consistent with the best interests of all parties concerned.


Gerald R. Horn


Joseph H. Andrews


Charles Coates

Frederick D. Pepple
Attorney at Law

303 N. Westminster Street
Waynesfield, Ohio 45886
Telephone (419) 568-3434

17 Williple Street
Wapakoneta, Ohio 45885
Telephone (419) 738-8686

1kb 12/10/79

NEW HAMPSHIRE

GOSHEN TOWNSHIP
AUGLAIZE CO., OHIO

NO.	REVISION	DATA
	SCALE	1" = 200'
	DATE	NOV. 1971
	DRAWN	J. M. K. - H.E.

CLAYTON H. STIMMEL
AUGLAIZE COUNTY ENGR.



step # 2:

County Commissioners' Office
Auglaize County, Ohio
January 11th, 1980

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

Howard Werner

William Link

Paul F. Reinhart

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 (Clarence F. Swartz) for the New Hampshire Grain Company- by Agent Frederick D. Pepple- attorney-at-law for the vacation of an alley located in the village of New Hampshire- William Kindle's First Addition- Goshen Township- Auglaize County, Ohio

said petition appearing on page: 385 of this County Commissioners Jr. # 67

and

WHEREAS, in accordance with section 5553.05 of the Revised Code of Ohio- the Board do this day accept the Petition for vacation of alley so described and do set the date of view in connection with same for the 29th day of February, 1980 at 10 o'clock A. M. and the Hearing on the vacation for March 4th, 1980 at 10 o'clock A. 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. Reinhart seconded the motion, and the roll being called on its adoption- the vote resulted as follows:

Mr. Werner yes;

Mr. Link yes;

Mr. Reinhart yes.

cc: C. Swartz
clerk of Goshen Twp.
Agent - F. Pepple

publish- Feb. 18th and 25th, 1980

step # 3:

LEGAL NOTICE

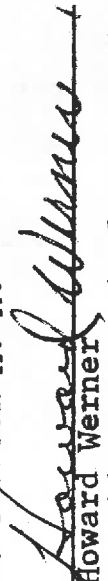
Notice is hereby given that the Board of County Commissioners of Auglaize County, Ohio, will view a proposed vacation of an alley located in the village of New Hampshire on the 29th day of February, 1980 at 10 o'clock

A. M.

The area proposed to be vacated is: situated in the William Kindle's First Addition to the unincorporated village of New Hampshire, Goshen Township-
Auglaize County, Ohio.

Beginning at the Southwest corner of lot fifty-eight (58) of William Kindle's First Addition as recorded on the plat thereof; Thence in an Easterly direction one hundred thirty-two feet (132) to the Southeast corner of said lot 58; thence in a southerly direction sixteen and one-half feet (16.5) to the northeast corner of lot no. fifty-nine (59) in said addition; thence west one hundred thirty-two feet (132) along the north line of lot 59 to the Northwest corner of said lot 59; thence North sixteen and one-half feet (16.5) to the place of beginning. Said tract being the alley located between lot nos. fifty-eight and fifty-nine (59) in William Kindle's First Addition to the unincorporated village of New Hampshire, Goshen Township-
Auglaize County, Ohio.

Hearing on said petition will be held at the office of County Commissioners-
basement of county courthouse, Wapakoneta, Ohio on the 4th day of March, 1980
10 o'clock A. M.


Howard Werner

President- Board of Co. Commissioners

PETITION TO VACATE ALLEY

Pursuant to R. C. 5553.

Now comes Clarence E. Swartz, President of the The New Hampshire Grain Company, New Hampshire, Ohio, who petitions the Commissioners pursuant to Chapter 5553. of the Ohio Revised Code to vacate a portion of a certain alley, situated in the William Kindle's First Addition to the unincorporated village of New Hampshire, Goshen Township, Auglaize County, Ohio, more particularly described as follows:

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The Petitioner states that it is the only abutting land owner as it owns both lot fifty-eight and fifty-nine; that that portion of the said alley has not been improved nor used as an alley for more than twenty-one years (21); and that Petitioner therefore requests that the Commissioners view the premises, hold a public hearing in accordance with the law, and that the alley be vacated in accordance with Chapter 5553. of the Ohio Revised Code.

Dated at New Hampshire, Ohio this 14 day of December, 1979.

Frederick D. Pepple

Attorney at Law

303 N. Westminister Street
Waynesfield, Ohio 45896
Telephone (419) 508-3434

17 Willipie Street
Wapakoneta, Ohio 45895
Telephone (419) 738-9696

THE NEW HAMPSHIRE GRAIN COMPANY

By Clarence E. Swartz
Clarence E. Swartz,
President

The undersigned, the township trustees of Goshen Township, Auglaize County, Ohio, having read the foregoing petition, viewed the premises proposed to be vacated, and being familiar with the said alley, hereby consent to the vacation of said alley as said alley has not been improved or used as such for many years, and as the vacation of such alley is consistent with the best interests of all parties concerned.

Gerald R. Horn
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Attorney at Law

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lxb 12/10/79

T. #67
Pages = 385
Jan. 11-1980

step: # 5

*Copy made
Long Gloss filled thru an
alloy closing this alloy on our maps.*
County Commissioners' Office
Auglaize County, Ohio
March 4th, 1980

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

Paul F. Reinhart

William Link

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 January 11th, 1980 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, no one appeared at the aforementioned Hearing- except the attorney -- acting agent in connection with said vacation- Frederick D. Pepple- attorney-at-law- ; and

WHEREAS, no objections were given in regards to the petition for vacation -- therefore be it

RESOLVED, that in granting the original petition as asked for the Board do this day authorize the county engineer, Clayton Stimmel to see that the county maps, 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 agent for the petitioner- F. Pepple-attorney-at-law.

Mr. Link 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: county engineer
F. Pepple
Goshen Twp. Trustees

Paul F. Reinhart
William Link
Howard Werner
Board of County Commissioners
Auglaize County, Ohio

step # 6:

AFFIDAVIT

I, Alberta Maxson, Clerk of the Board of County Commissioners do hereby certify that the following steps were taken in connection with the vacation of an alley located in the Village of New Hampshire, Ohio

Journal number	page	remarks
67- step # 1	<u>385</u>	petition filed with Board for vacation of alley- New Hampshire
67- step # 2	<u>386</u>	resolution accepting petition for vacation of alley- setting date of view and hearing
67- step # 3	<u>386</u>	copy of legal notice
67- step # 3-a	not in journal	letter to newspaper
67- step # 4-	map approved	engineer's report: vacation of alley
67- step # 5-	<u>485</u>	resolution granting vacation per original petition
67- step # 6-	<u>485</u>	affidavit

cc: county engineer
C. Swartz
Goshen Twp.
F. Pepple-agent for petitioners