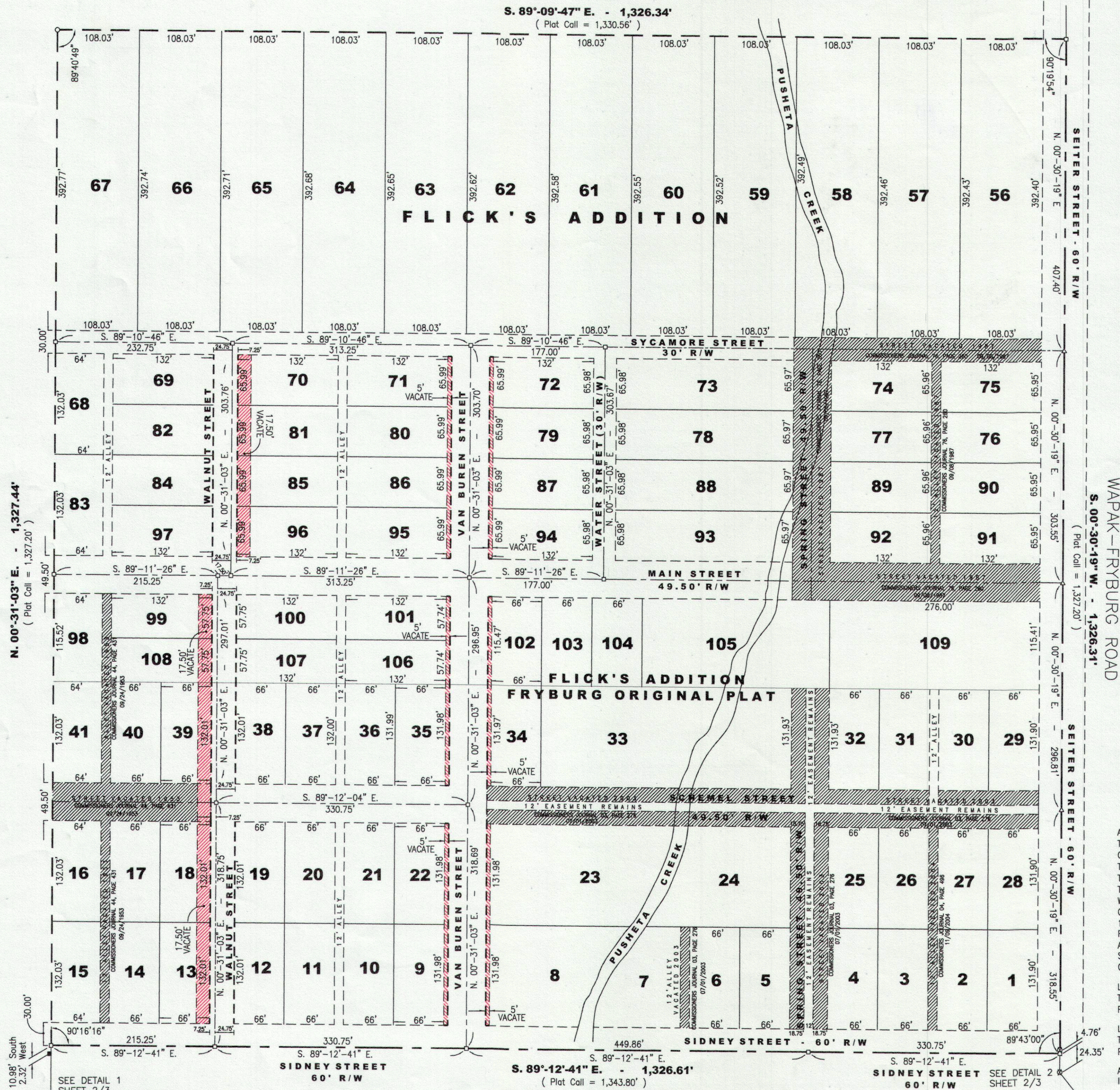
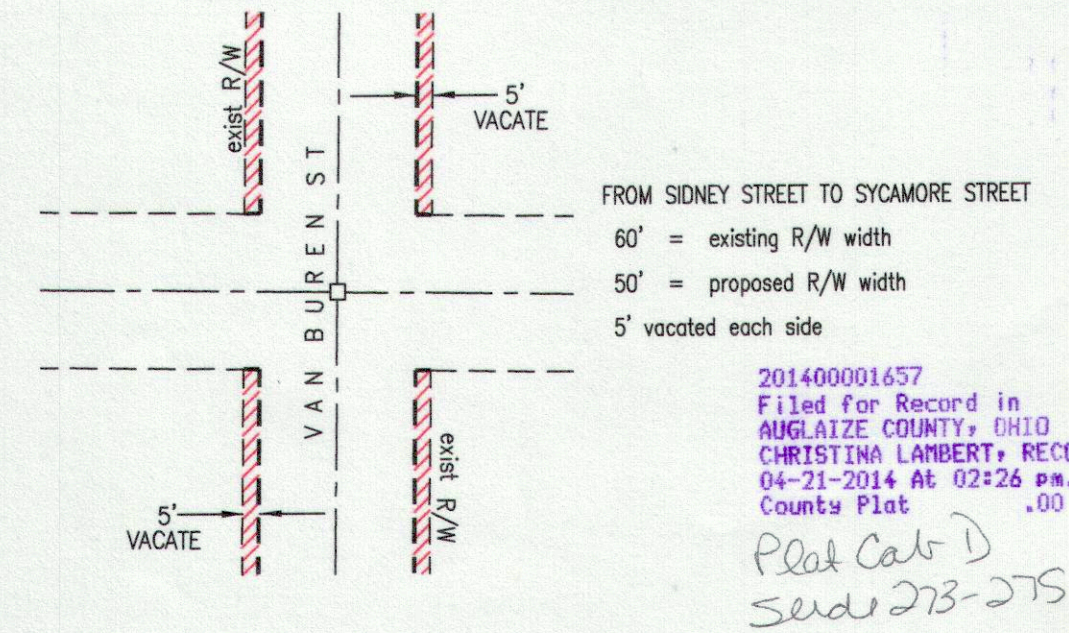


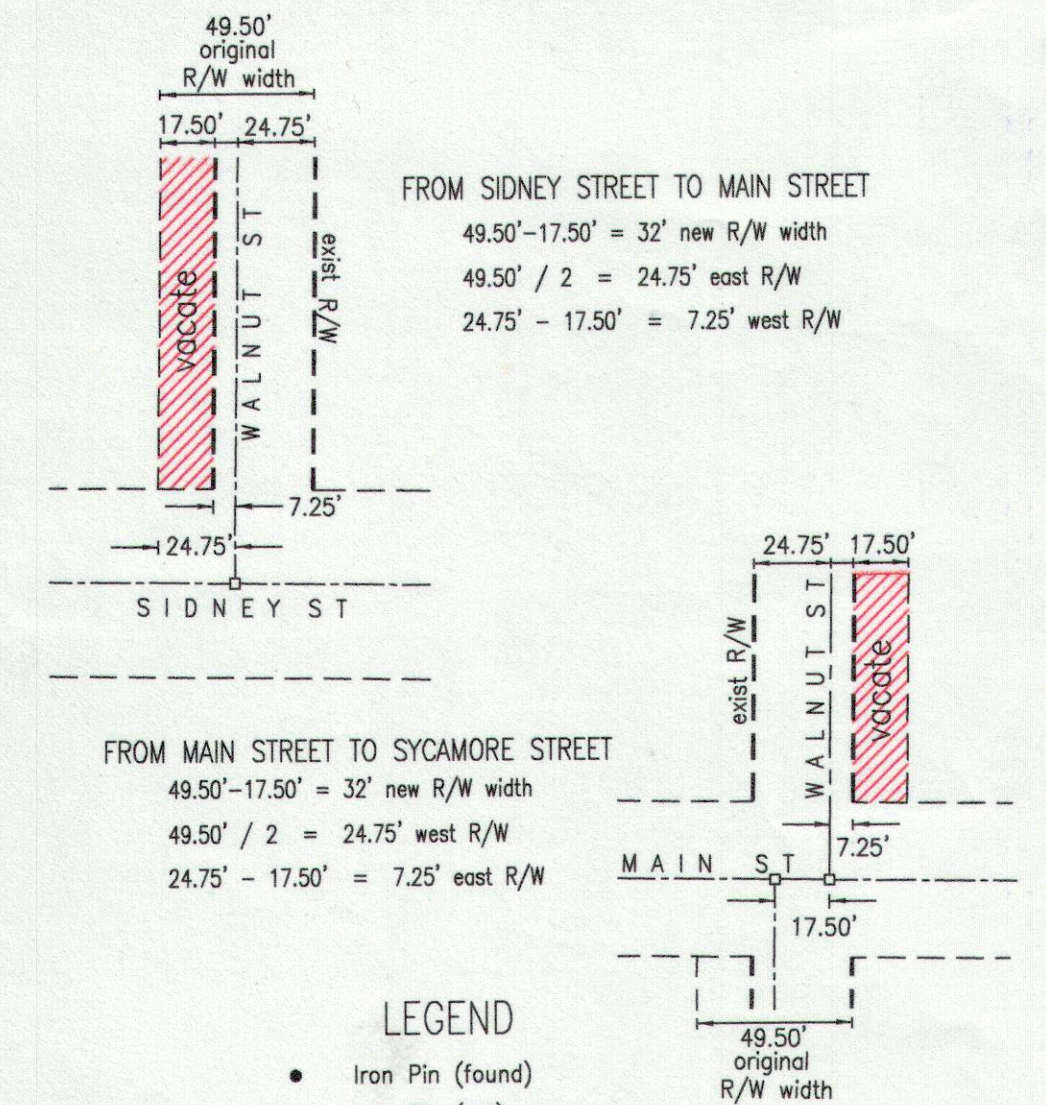
# Proposed Street Right-of-Way Vacation Plat - Village of Fryburg Pusheta Township Trustees



## PROPOSED VAN BUREN STREET VACATION



## PROPOSED WALNUT STREET VACATION



## VILLAGE OF FRYBURG - NOTES

AS A RESULT OF THIS SURVEY AND THE ENTIRE SOUTHEAST QUARTER OF SAID SECTION 15, PUSHETA TOWNSHIP, IT HAS BECOME EVIDENT THAT ERRORS WERE PRODUCED IN THE ORIGINAL LOCATION AND CONSTRUCTION OF WALNUT STREET AND VAN BUREN STREET FROM SIDNEY STREET TO MAIN STREET. THE ERRORS PRODUCED FROM THE ERRONEOUS LOCATION OF THAT CONSTRUCTION HAVE THENCE AFFECTED THE ADJOINING LOTS AND ALLEYS. THE ERRORS APPEAR TO BE THE RESULT OF A BAD ASSUMPTION THAT THE CENTERLINE OF RUPERT ROAD WAS BUILT ON A QUARTER-QUARTER SECTION LINE, AND THEREFORE WAS ERRONEOUSLY USED AS A REFERENCE POINT TO MEASURE OFF PLATTED STREETS, ALLEYS, AND LOTS ON THE WEST SIDE OF PUSHETA CREEK. THIS SURVEY SHOWS RUPERT ROAD ACTUALLY LIES APPROXIMATELY 17.50 FEET WEST OF THE QUARTER-QUARTER SECTION LINE AS EVIDENCED BY THE RESEARCH AND FIELD WORK PERFORMED. THE ERROR IN THE STARTING POINT LOCATION FOR ALL PRIOR MEASUREMENTS APPEAR TO BE APPROXIMATELY 17.50 FEET TOO FAR TO THE WEST BY EVIDENCE OF THE LINES OF OCCUPATION OF THE STREETS, ALLEYS, AND PROPERTY LINES TO THE WEST OF PUSHETA CREEK. ALL STREETS, ALLEYS, AND LOTS ON THE EAST SIDE OF PUSHETA CREEK APPEAR TO FIT EXISTING LINES OF OCCUPATION.

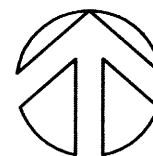
LOTS 13, 18, 39, 108, AND 99 WILL RECEIVE 17.50 FEET OF THE WALNUT STREET VACATION. THE 17.50 FEET OF STREET VACATION WILL THEN GIVE THOSE LOTS THEIR FULL RESPECTIVE PLAT CALL FRONTAGES.

LOTS 70, 81, 85, AND 96 WILL RECEIVE 17.50 FEET OF THE WALNUT STREET VACATION. THE 17.50 FEET OF STREET VACATION WILL THEN GIVE THOSE LOTS THEIR FULL RESPECTIVE PLAT CALL FRONTAGES.

ALL LOTS FRONTING ALONG VAN BUREN STREET WILL RECEIVE 5 FEET OF THE STREET VACATION IN ADDITION TO THEIR RESPECTIVE PLAT CALL DIMENSIONS AS SHOWN



# Survey of the Southeast Quarter of Section 15, Pusheta Township



Pusheta Township  
Trustees

CENTER OF SECTION 15  
NORTHING 314847.9153  
EASTING 1508422.0315

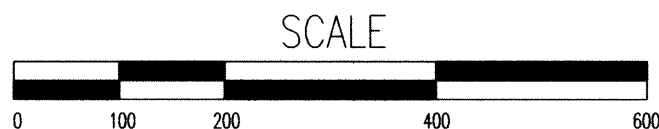
S. 89°-09'-47" E. - 1,326.34'

NORTHING 314828.5397  
EASTING 1509748.2273

S. 89°-09'-47" E. - 1,326.34'

(Plat Call = 12 Lots x 6 Rod 18 Link = 1,330.56')  
(Plat has no allowance given for 1/2 Right-of-Way for Seiter Street 30')

NORTHING 314809.1640  
EASTING 1511074.4230



NW 1/4  
SE 1/4  
Sec 15  
Pusheta Twp

## PLAT RESEARCH

ORIGINAL PLAT OF FRYBURG WAS BASED UPON A JULY 1, 1837, SURVEY PLAT BY H. DAVISON, SURVEYOR OF ALLEN COUNTY. THE TOWN PLAT WAS PRESENTED BEFORE JAMES H. COLEMAN, JUSTICE OF THE PEACE ON SAID JULY 1, 1837, AND TO JOHN WARD, RECORDER, THE SAME DAY. THE PLAT WAS TRANSCRIBED JANUARY 21, 1850 BY SIMON DRESHER, RECORDER, AND THEN TRANSCRIBED INTO THE BOOK OF PLATS BY ORDER OF THE COUNTY COMMISSIONERS OF AUGLAIZE COUNTY IN SEPTEMBER, 1853.  
RECORDED IN PLAT BOOK 1A, PAGE 15, AUGLAIZE COUNTY RECORDER'S OFFICE

FLICKS ADDITION TO THE TOWN OF FREYBURG WAS FILED AND RECORDED ON SEPTEMBER 15, 1856 TO J.D. WILLIAMS, RECORDED AND BASED UPON A PLAT OF SAID FLICKS ADDITION BY ASA W. RHODES, SURVEYOR.  
RECORDED IN PLAT BOOK 1A, PAGE 84, AUGLAIZE COUNTY RECORDER'S OFFICE

NORTHING 313519.4312  
EASTING 1508409.7548

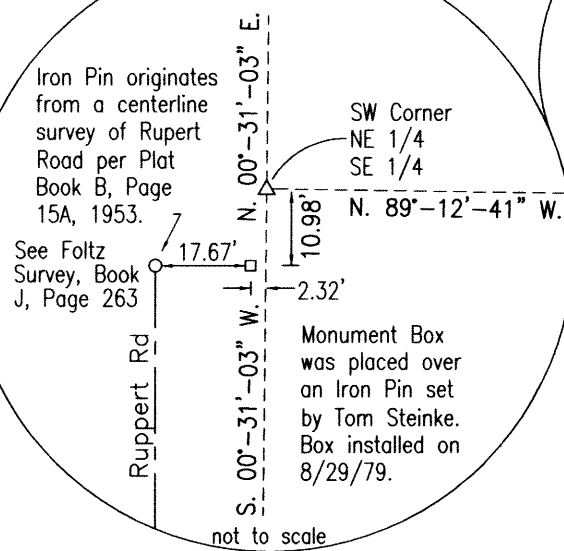
S. 89°-12'-41" E. - 1,326.61'

NORTHING 313501.1720  
EASTING 1509736.2401

S. 89°-12'-41" E. - 1,326.61'

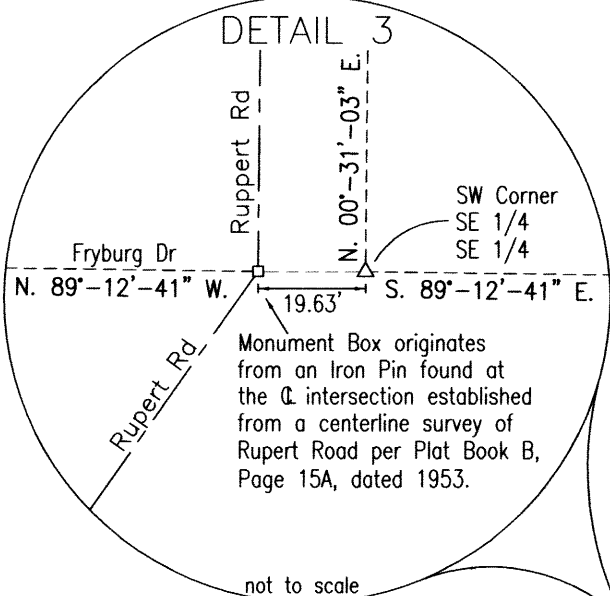
NORTHING 313482.9129  
EASTING 1511062.7254

### DETAIL 1

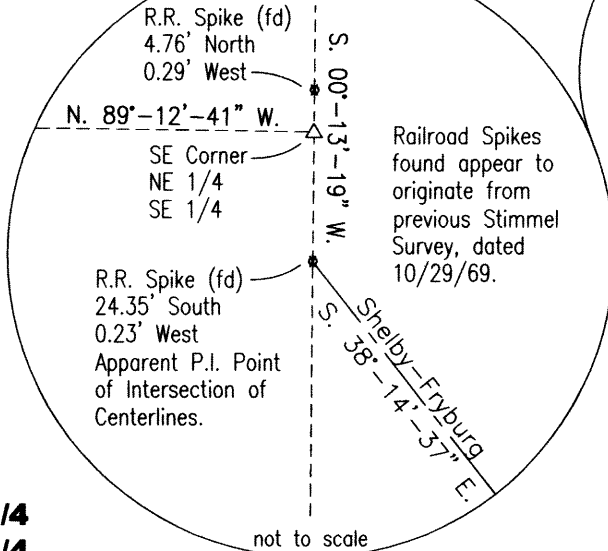


SW 1/4  
SE 1/4  
Sec 15  
Pusheta Twp

### DETAIL 3



### DETAIL 2



SE 1/4  
SE 1/4  
Sec 15  
Pusheta Twp

## Certification

I do hereby Attest that the Survey and Plat as Recorded is a true and accurate representation of the measurements taken by me. Permanent monumentation of the street intersections as shown on the Plat shall be set within 60 days of the recording of the Plat with the Auglaize County Recorder.

*Ted K. Schnell*

Ted K. Schnell PE, PS  
Assistant County Engineer

## LEGEND

- Iron Pin (found)
- Iron Pin (set)
- Monument Box (found)
- Monument Box (set)
- ⊗ Railroad Spike (found)
- △ Calculated Position
- ▲ Stone (found)

NORTHING 312190.9470  
EASTING 1508397.4780

N. 89°-15'-35" W. - 1,326.89'

NORTHING 312173.8044  
EASTING 1509724.2529

N. 89°-15'-35" W. - 1,326.89'

NORTHING 312156.6617  
EASTING 1511051.0278

# Proposed Street Right-of-Way Vacation Plat - Village of Fryburg

## Pusheta Township Trustees

**Proration of the North Line of Flick's Addition to Fryburg**

Proration

Lot Width = 6 Rod 18 Link = 6.72 Rod  
 12 Lots x 6.72 Rod = 80.64 Rod  
 80.64 Rod x 16.5 ft/rod = 1,330.56'  
 1,330.56 (call) - 1,326.34' (actual) = 4.22' shortage  
 Proration 4.22' / 12 Lots = 0.35' per Lot

Original Plat error on Flick's Addition

30 ft R/W of Seiter Street needs to be included into Proration  
 1,326.34' = measured North Line of the Southeast Quarter of Section 15  
 30' R/W / 12 Lots = 2.50' per Lot

Original Platted Lot = 1,330.56 (call) / 12 Lots = 110.88'  
 Proration for shortage = 0.35'  
 Proration for Plat error for R/W = 2.50'  
 Net Prorated Lot width = 108.03'

Alternate Justification

1,326.34 (meas) - 30.00 R/W for Seiter Street = 1,296.34'  
 1,296.34' / 12 Lots = 108.03'

**Proration of the South Line of Fryburg**

Proration

Measured 1/4 mile dist of South Line of Fryburg = 1,326.61'  
 Sum of Plat call distances = 1,343.80' (237.00' in R/W)  
 1,343.80' (call) - 1,326.61' (actual) = 17.19' shortage

Plat call (in Rod)      Plat call (in ft)      Prorated distance (in ft)

64.00'	Lot 15	64.00'	64.00'
4 Rod	Lot 14	66.00'	66.00'
4 Rod	Lot 13	66.00'	66.00'
4 Rod	Lot 12	66.00'	66.00'
4 Rod	Lot 11	66.00'	66.00'
4 Rod	Lot 10	66.00'	66.00'
4 Rod	Lot 9	66.00'	66.00'
7 R-15 L	Lot 8	125.40'	116.81'
7 R-15 L	Lot 7	125.40'	116.81'
4 Rod	Lot 6	66.00'	66.00'
4 Rod	Lot 5	66.00'	66.00'
4 Rod	Lot 4	66.00'	66.00'
4 Rod	Lot 3	66.00'	66.00'
4 Rod	Lot 2	66.00'	66.00'
4 Rod	Lot 1	66.00'	66.00'
Street R/W		237.00'	237.00'
63.2 Rod + R/W + 64' Lot		1,343.80' (plat)	1,326.61' (actual)

All shortage in the Plat has been allocated to the Lots that close to the "bank" of Pusheta Creek.

Street Right-of-Ways

4 x 12' Alleys		48.00'
Walnut St.	(3 Rod)	49.50'
Van Buren St.		60.00'
Spring St.	(3 Rod)	49.50'
1/2 of Seiter St.		30.00'
		237.00'

**Proration of the West Line of Fryburg**

Proration

Measured 1/4 mile dist of West Line of Fryburg = 1,327.44'  
 Sum of Plat call distances = 1,327.20' (70.8 Rod in Lots & 159.00' in R/W)  
 1,327.20' (call) - 1,327.44' (actual) = 0.24' excess (2.9")  
 Proration = 0.24'/70.8 Rod = 0.003389' per Rod call from Plat

Street Right-of-Ways

Sycamore St.		30.00'
Main St.	(3 Rod)	49.50'
Schemel St.	(3 Rod)	49.50'
1/2 of Sidney St.		30.00'
		159.00'

Plat call (in Rod)      Plat call (in ft)      Prorated distance (in ft)

23.8 Rod	Lot 67	392.70'	392.77'
8 Rod	Lot 68	132.00'	132.03'
8 Rod	Lot 83	132.00'	132.03'
7 Rod	Lot 98	115.50'	115.52'
8 Rod	Lot 41	132.00'	132.03'
8 Rod	Lot 16	132.00'	132.03'
8 Rod	Lot 15	132.00'	132.03'
Street R/W		159.00'	159.00'
70.8 Rod + R/W		1,327.20' (plat)	1,327.44' (actual)

NOTE: 23 Rod - 20 Link = 23.8 Rod (Lots 56 - 67)

**Proration of the East Line of Fryburg**

Proration

Split of East Line of the SE Quarter of Section 33  
 Total 1/2 mile measured = 2,652.62'  
 Total 1/2 mile split = 1,326.31'  
 Sum of Plat call distances = 1,327.20' (70.8 Rod in Lots & 159.00' in R/W)  
 1,327.20' (call) - 1,326.31' (actual) = 0.89' shortage (10.7")  
 Proration = 0.89'/70.8 Rod = 0.013' per Rod call from Plat

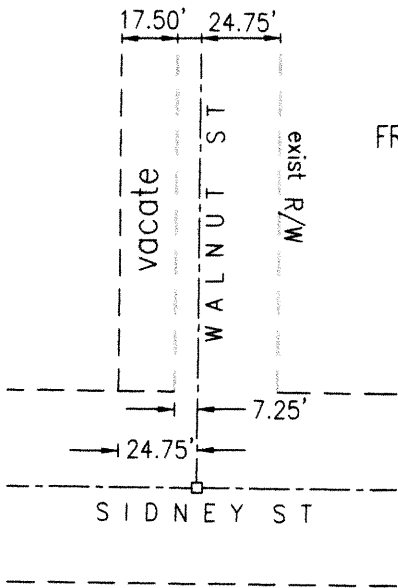
Plat call (in Rod)      Plat call (in ft)      Prorated distance (in ft)

23.8 Rod	Lot 56	392.70'	392.39'
4 Rod	Lot 75	66.00'	65.95'
4 Rod	Lot 76	66.00'	65.95'
4 Rod	Lot 90	66.00'	65.95'
4 Rod	Lot 91	66.00'	65.95'
7 Rod	Lot 109	115.50'	115.42'
8 Rod	Lot 29	132.00'	131.90'
8 Rod	Lot 28	132.00'	131.90'
8 Rod	Lot 1	132.00'	131.90'
Street R/W		159.00'	159.00'
70.8 Rod + R/W		1,327.20' (plat)	1,326.31' (actual)

Street Right-of-Ways

Sycamore St.		30.00'
Main St.	(3 Rod)	49.50'
Schemel St.	(3 Rod)	49.50'
1/2 of Sidney St.		30.00'
		159.00'

**Proposed Walnut Street Vacation**

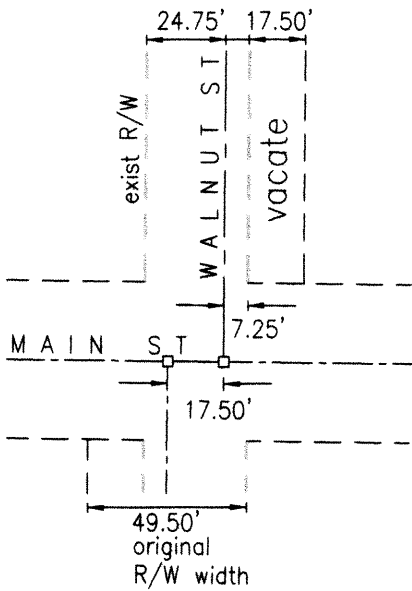


FROM SIDNEY STREET TO MAIN STREET

49.50' - 17.50' = 32' new R/W width  
 49.50' / 2 = 24.75' east R/W  
 24.75' - 17.50' = 7.25' west R/W

FROM MAIN STREET TO SYCAMORE STREET

49.50' - 17.50' = 32' new R/W width  
 49.50' / 2 = 24.75' west R/W  
 24.75' - 17.50' = 7.25' east R/W



LOTS 13, 18, 39, 108, AND 99 WILL RECEIVE 17.50 FEET OF THE WALNUT STREET VACATION. THE 17.50 FEET OF STREET VACATION WILL THEN GIVE THOSE LOTS THEIR FULL RESPECTIVE PLAT CALL FRONTAGES.

LOTS 70, 81, 85, AND 96 WILL RECEIVE 17.50 FEET OF THE WALNUT STREET VACATION. THE 17.50 FEET OF STREET VACATION WILL THEN GIVE THOSE LOTS THEIR FULL RESPECTIVE PLAT CALL FRONTAGES.

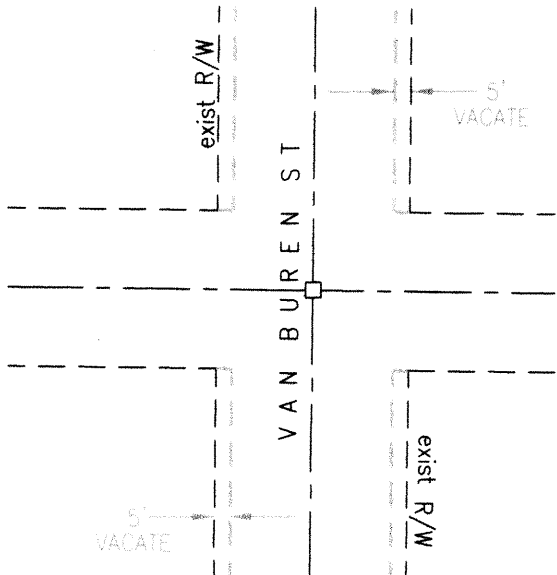
ALL LOTS FRONTING ALONG VAN BUREN STREET WILL RECEIVE 5 FEET OF THE STREET VACATION IN ADDITION TO THEIR RESPECTIVE PLAT CALL DIMENSIONS AS SHOWN

NOTES

All shortage in the South Line of the Plat of Fryburg (17.19') has been allocated to the Lots adjacent to Pusheta Creek for the following reasons:

- (1) When you compare the measured distances of the Northerly and Southerly boundary of Fryburg, the lengths of these lines are within 3" of being equal to each other. When comparing the Western and Eastern boundary, the lengths of these lines differ by only 1.13'. Therefore, there is a very small variation in the 4 opposite sides of the village from each other.
- (2) The intent of the subdivision Plat was that all lines are to run at Right Angles to each other. If the South line of Fryburg (17.19' shortage) would be prorated to each of the Lots, then the intent of the Plat would not stay consistent with the near-square tendencies of the entire Southeast Quarter Section that occupies the perimeter of Fryburg. All error in the Plat call dimensions for the South Line of Fryburg must have been in the error of measurement that included the lengths to the Lots that included the confines of the banks of Pusheta Creek.
- (3) The East-West dimensions for all Lots East of Pusheta Creek should be measured and held as Plat Call starting from the West right-of-way Line of Seiter Street (Wapak-Fryburg Road) which is 30.00 feet West of the East Line of the Northeast Quarter of the Southeast Quarter of Section 15, and measuring West to Pusheta Creek.
- (4) The East-West dimensions for all Lots West of Pusheta Creek should be measured and held as Plat Call starting from the West Line of the Northeast Quarter of the Southeast Quarter of Section 15, and measuring East to Pusheta Creek.
- (5) Some of the original Plat calls were not shown or included on this drawing of which specific Lots had a call dimension terminate to the bank of Pusheta Creek. It is apparent that the banks of Pusheta Creek have changed in time since the recording of the Original Plat of Fryburg, circa 1853, and the recording of Flick's Addition, circa 1856, either by natural events, or by manmade channel relocation and/or dredging activities.

**Proposed Van Buren Street Vacation**



FROM SIDNEY STREET TO SYCAMORE STREET

60' = existing R/W width  
 50' = proposed R/W width  
 5' vacated each side

**Pusheta Township Officers**

Jay Fisher  
 Trustee

John Kaeck  
 Trustee

Jim Schaub  
 Trustee

Jeff Ziegler  
 Fiscal Officer

Fritz Gerstner  
 Zoning Inspector

**Certification**

I do hereby Attest that the Survey and Plat as Recorded is a true and accurate representation of the measurements taken under my supervision.

Douglas P. Reinhart, P.E., P.S.  
 Auglaize County Engineer