

Office of
The State Board of Public Works

COLUMBUS, OHIO,

1914

Whereas, upon the 16th day of February 1914, The Jarvis Estates Co of Massillon, County of Stark, State of Ohio, entered its appearance before the Board of Public Works of the State of Ohio and submitted its claims to the award and decision of the said board for the purpose of determining the boundary line between its land and the lands of the State of Ohio and presented then and there the following application:

Superintendent of Public Works Columbus O - Sir: The undersigned respectfully represents that it is the owner of the following interest, to wit: an estate in fee simple in the following described, state state public lands claimed by the State of Ohio, situated in the city of Massillon, Township of Stark, State of Ohio, and described as follows:
Description: Being part of South Erie Street in said city, being that part of said lands belonging to The Jarvis Estates Co. lying east of the east line of the Ohio Canal as shown on map of D. C. Korman, recorded in Vol. 3, at page 8 of the Ohio Canal maps, which will be flooded by the waters of the Ohio Canal when said canal is filled to its proper level opposite said lands, together with the required levee bank. Said portion of said Jarvis Estates Co. land lying north of a tract owned by William Voght and described in the record of his deed therefor in volume 432 at page 291 of the Deed Records of Stark County, Ohio; also that part of lands belonging to the same company east of the same line and lying south of said Voght's tract of land and north of the north line of a tract owned by J. J. Jones described in the record of his deed in volume 435 at page 481 of said Deed Records, which will be flooded by the State of Ohio for the purpose of raising the level of the canal to its proper level opposite said lands, and further the required amount for a levee bank.

And that it desires to settle all disputes as to the boundary line between the above described land and the lands of the State of Ohio, and any claims that the State of Ohio may have to any portion of the above described land.

Now, therefore, the undersigned The Jarvis Estates Company, herewith, enters its appearance before the Superintendent of Public Works of the State of Ohio and submits all its claims as to said boundary line to the award and decision of said Superintendent of Public Works of the State of Ohio for the purpose of determining the boundary line between the above described lands and the lands of the State of Ohio and the ownership of the same, and it hereby agrees to accept as final and conclusive the award and decision of the Superintendent of Public Works thereon, as provided in Section 218-224 R.S.

Signed this 28th day of November A.D. 1913.

Witnesses:

"The Jarvis Estates Co."

By "Geo. W. Kratsch,"

Attorney for said,

The Jarvis Estates Company.

"George W. Williams."

"Ernest Paroz."

And, whereas, said Superintendent of Public Works of the State of Ohio has carefully investigated the claims of all parties in connection with the boundary line of said lands, and

Whereas, surveys of said lands have been made under the direction of the Superintendent ~~Chief Engineer~~ of the Board of Public Works of the State of Ohio, and

Whereas, all matters in relation to said boundary lines were fully considered at a meeting of the Board of Public Works of the State of Ohio, on the 11th day of December, 1911, and

Whereas, all of the provisions in section 218-224 of the Revised Statutes of Ohio have been fully complied with,

Now, Therefore, the Superintendent of Public Works of the State of Ohio herewith makes the following award and decision and fixes the boundary line between the lands of said The Jarvis Estates Company and the lands of the State of Ohio as follows:

So much of the following described line as determined by a survey made by E. E. Borton, Jan 30th, 1914, as the west of the two tracts of land in South Massillon, Stark County, Ohio, described in the application of The Jarvis Estates Company is recited above.
Commencing at a point opposite the lower end of the turnpike around original Lock No. 5 of the Ohio Canal in South Massillon, Stark Co. Ohio, which point is 12.12 feet east of the inner face of the easterly wall of said turnpike and running thence southeasterly by a straight line 200 feet to a point opposite station 681 of D. C. Korman's transit line of his survey of said Canal, made 1890 and 97.5 feet easterly thence measured at right angles thence southeasterly by a straight line 215.6 feet to a point opposite station 683 of said Korman's transit line, and 154 feet west of the inner face of the curbing on the west side of South Erie Street in said city, measured at right angles thence southeasterly on a line parallel to and 154 feet west of the inner face of the westerly curbing of South Erie Street 516 feet, more or less, to the south line of a certain lot owned by the said Jarvis Estates Co. excepting therefrom 100 feet of the line last described that lies in the rear of a lot owned by William Voght.

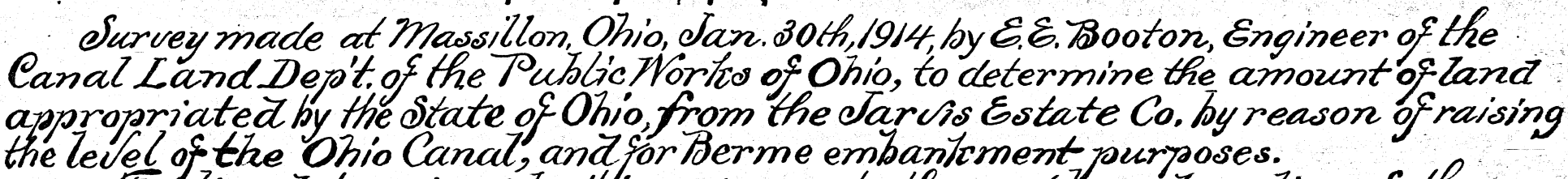
By mutual agreement the last described line was established so as to avoid the irregular contour line that would have been necessary had the line been extended around the bayou that projects from the canal, but it is understood that the State of Ohio shall not be liable for the overflow of any land east of the line herein established, or be required to fill any portion of the same to prevent such overflow.

For a more definite description of the boundary line thus established, reference is hereby made to a plat of the survey made by E. E. Borton, as referred to above, a correct copy of which is hereto attached and made a part of this finding.

IN WITNESS WHEREOF, I have hereunto subscribed my name, the day and date above written.

I hereby approve the above finding.

John J. Miller
Superintendent BOARD OF PUBLIC WORKS.



Approved February 6th, 1914.

John L. Miller
Superintendent of Public Works