

Afterward, to-wit, on the 23rd day of September, 1946, before the
honorable Frank M. Clevenger, Judge:--

ENTRY OF AUGUST 5th, 1946 CORRECTED:

THE DAYTON POWER AND LIGHT COMPANY)
OF DAYTON, OHIO, A CORPORATION)

VS

THE CITY OF WILMINGTON, OHIO, AN)
INCORPORATED CITY)

It appearing to the Court that heretofore, to-wit: on the 5th day of August, 1946, an entry was approved by the Court vacating a part of Columbus Street and two alleys in said City, in which entry there were certain errors in the descriptions of the lands so vacated, it is now ordered, by agreement of parties hereto that said entry be corrected to read as follows:

This cause came on for hearing upon the petition of the Dayton Power and Light Company, of Dayton, Ohio, a corporation, to vacate a part of street and two alleys, as hereinafter set forth, and the evidence, was argued by counsel for the applicant, and submitted to the Court, on consideration whereof, the Court, being fully advised, finds that a notice of the pendency of the petition was given as provided by the statute for such cases made and provided, and that no one has appeared to contest the application, and that said parts of said street and alleys described in the petition herein, is no longer of any public use, either to the lot owners of the vicinity thereof, or to the public, or to the City of Wilmington, Ohio.

It is therefore ordered, adjudged and decreed that all that portion of said Columbus Street and the parts of said alleys, in said City of Wilmington, Ohio, which lie entirely within the following described lots and lands of Plaintiff Corporation, be and the same are hereby vacated, viz: Beginning at the east side of Wall Street, and thenorth line of Locust Street, running thence northwardly to the north side of an alley, first and beyond and on the north side of Columbus street, and adjoining the south side of Lot No. 1, in Nathan Starbuck's Addition; That Plaintiff Corporation's said lands, starting at said corner of Wall and Locust Streets, runs 103.78 feet along the line of Locust street to the right-of-way of the C. & M. V. Railroad, and along the said right-of-way S 39° 46' W, passing the end of Columbus street at an angle, and extending beyond the north edge of said street for 151.8 feet along the said right of way, turning then N 1°30' E 76.9 feet, to a point, the northeast corner of the lands of Plaintiff corporation; thence N 88° 30' W to the east edge of said Wall street; and thence S 1° 15' W, to the beginning.

That each and all of the parts of street and alleys hereby vacated are entirely within the lines of Plaintiff's lands, as shown by a plat, a copy of which is on filedwith the petition herein, and are described as follows: the east end of Columbus street, being 49.5 feet wide, 349.8 feet long on the south side, and 390.1 feet long on the north side, the difference in the lengths of the two sides caused by its approaching the right of way at an angle; the part of said alley first north of said Columbus street which is

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hereby vacated begins 140 feet east of the east edge of said Wall street, and extends further east about 70 feet to the end thereof, as established, being 24.76 feet wide. Also an alley 12 feet wide, 132 feet E. of Wall street, connecting the two parts above described, and being 165 feet long.

Costs taxed and paid by Plaintiff Corporation.

Clevenger, Judge

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VACATION COLUMBUS: ST

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