

ROAD PETITION.

For J. C. Berry Road in Washington Twp.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners, resident freeholders of said county, residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience requires the alteration and improvement of a county road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to alter and improve such road, to wit: Beginning on the public road known as the Bryan run road at the railroad crossing in the north west quarter of Section 21, Township 5 of Range 4 east of A. B. Caldwell's store at Alledonia in Washington Twp., Belmont County, Ohio; thence north with said public road through the lands of said A. B. Caldwell to the intersection of said road with the Crabapple road on the lands of A. B. Caldwell; thence with the said Crabapple road and the lands of said A. B. Caldwell in a northeasterly direction to the lands of the heirs of John Shipman, to-wit: Emma Shipman, John I. Shipman, Grace Shipman, and Ross Shipman, a point where said Crabapple road intersects the county road leading up Captina Creek on lands of said Shipman's heirs; thence with the said Captina road and lands of Shipman's heirs in an easterly direction to a point in said road near an entrance gate to residence of said Shipman's heirs; thence leaving the public road and in an easterly direction with the lands of the said Shipman's heirs to the lands of Everhart and Agatha Perkins; thence by the lands of Everhart and Agatha Perkins in an easterly direction to the public road near an old log building; thence by the public road and the lands of said Everhart and Agatha Perkins in an easterly direction to the lands of J. C. Berry; thence by the lands of J. C. Berry and the right of way of the Ohio River and Western Railway Company in an easterly direction to the lands of the heirs of R. W. Lindsay, to wit: Wm. Lindsay, John A. Lindsay, David V. Lindsay, Laura E. Wilkinson, E. B. Armstrong and Julia A. Lindsay; thence by lands of said Lindsay heirs and said right of way to the public road at or near the mound and the lands of E. B. Armstrong; thence by the public road and the lands of said E. B. Armstrong and said right of way to lands of Jungle Armstrong; thence by the lands of said Jungle

Con. on P. 394.

Dated this _____ A. D. 19____

| PETITIONERS' NAMES | PETITIONERS' NAMES | PETITIONERS' NAMES | PETITIONERS' NAMES |
|--------------------|--------------------|--------------------|--------------------|
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Know all Men by these Presents:

That we, J. C. Berry, J. M. Wright and A. B. Caldwell
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of _____
Dollars, for the true and faithful payment of which well and truly to be made,
we bind ourselves, jointly and severally, our heirs, executors and administrators, by these presents.

Sealed with our seals and dated at _____ this _____ day of _____ 19____

The Conditions of the above obligations are such, That whereas application has been made to the Board of Commissioners of said Belmont County for the _____ of a _____ road on the following line, to-wit:

Road Petition Continued.

Armstrong and said right of way and the public road to lands of Mary A. Lendon, thence by lands of Mary A. Lendon and Quingle Armstrong and the public road and said right of way to the lands of the heirs of C. W. Armstrong, to wit: Frank B. Armstrong, Harry M. Armstrong, Sarah A. Armstrong, Beatrice Patton, Estelle Perkins, and Gertrude Armstrong, and lands of Quingle Armstrong, and said right of way to lands of A. J. Lindsay in the town of Armstrong's Mills, Belmont Co. Ohio; thence through said town on the streets and public road by lands of E. C. Danford, George Ault, Samuel Irwin, Henry Kinney, Catherine Owens, John Hess, Clarissa Hess, Richard Shepherd, Samuel Wright, Charles Kocher, Viola Kocher, and Julia A. Taylor, Charles Rankin and wife and Elizabeth Hendershot to the bridge across Captina Creek east of and near the said town of Armstrong's Mills and the lands of the heirs of Isaac Welsh, to wit: Cassadine E. Welsh, Louisa A. Welsh, thence by the lands of the said heirs of said Isaac Welsh and the public road to the bridge across Captina Creek west of the Captina coal works and lands of Emeline Armstrong, Caroline Armstrong, and Loretta Armstrong, the Captina Coal Co. and lands of James B. Caldwell to the lands of Samuel L. Mooney to a point on the public road at the intersection of the Ramsay Ridge Road and at or near the cemetery, in the North-west quarter of Section 4, Township 5, of Range 4 Washington Twp., Belmont Co. Ohio.

Feb. 14, 1912.

J. C. Berry, Principal Petitioner
and 64 others.

Now if the said applicants shall pay into the Treasury of the said County the amount of all costs and expenses accruing thereon, in case the prayer of said petitioners shall not be granted, or when the proceedings had in pursuance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to be in full force in law.

ATTEST:

SEAL.

SEAL.

SEAL.

St. Clairsville, O., Mar. 18, 1912

The Commissioners met in _____ session at their office, and the Board being satisfied that the foregoing petition was signed by at least twelve freeholders of the County, residing in the vicinity of the _____ of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed M. L. Bailey, Robt. Mc Kewey, Isaiah Owens three disinterested freeholders of the County, viewers, and D. C. Kennon surveyor of said proposed road, to meet _____ Apr. 24, 1912

for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. And the Auditor is authorized to notify all non-resident land owners by publication, as required by law.

ATTEST:

Emerson Campbell
County Auditor.

Jos. Mc Allister
Wm. Koehnline
Wm. Caldwell

Commissioners.

Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your March 18 session, A. D. 1912, we the undersigned, Viewers appointed under said order, met with D. C. Kennon Surveyor, at Alledonia on Apr. 24, 1912 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

If any Viewer is unable to attend here state by whom the vacancy was filled.

George Graham and John Shipman were selected by us as chain carriers, and Tillman Saffell as a marker, who were also duly sworn.

We then proceeded to view said proposed road on the line described in your order, and caused the same to be surveyed, "as prayed for in the petition, or as near the same as in our opinion a good road can be made at a reasonable expense, taking into consideration the utility, convenience, and inconvenience and expense which will result to individuals as well as the public," by the of said road as follows:

See Surveyor's Report

We would respectfully report that the said road ought to be estab-
lished for the following reasons:

- 1st. Better location and away from the stream.
- 2nd. Shortening the distance.
- 3rd. A great benefit to the public.

We have also determined that the public convenience requires that such road shall be established 33 feet in width.

All of which is respectfully submitted,

April 25th 1912

M. L. Bailey
Robert McKelvey
Isaiah Owens } Viewers.

FEES

| | |
|---|---|
| <u>M. L. Bailey</u> Viewer, 3 days, \$ <u>6.40</u> | <u>Geo. Graham</u> Chainman, 2 days, \$ <u>4.00</u> |
| <u>Robt. McKelvey</u> " 3 days, \$ <u>6.40</u> | <u>John Shipman</u> " 2 days, \$ <u>4.00</u> |
| <u>Isaiah Owens</u> " 3 days, \$ <u>6.00</u> | <u>Tillman Saffell</u> Marker, 2 days, \$ <u>4.00</u> |
| <u>D. C. Kennon</u> Surveyor, 4 days, \$ <u>20.00</u> | |

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the road petitioned for by J. C. Berry and others, make the following separate report of the compensation and damages assessed and awarded by them to persons entitled thereto. The parties named below have filed their written applications for the said allowances, according to law, and the same are hereto appended and returned with this report.

Compensation for land taken for said road has been awarded in the following sums:

| | | | |
|----|--|----------|----------|
| To | Shipman Heiss, For land + fence | \$25.00 | Dollars; |
| To | E. + A. Perkins 132 rds fence @ 75¢ | 100.00 | Dollars; |
| To | " " " 83 Acres | 200.00 | Dollars; |
| To | J. C. Berry Fence | 52.50 | Dollars; |
| To | " " " Land | 170.00 | Dollars; |
| To | R. W. Lindsay Estate Fence | 75.00 | Dollars; |
| To | " " " Land | 250.00 | Dollars; |
| To | Isaac Welsh " | 50.00 | Dollars; |
| | Captina Coal Co. Widening span | 50.00 | |
| | Thos. A. Welsh, Agt. for E. Armstrong Fence + land | \$250.00 | |

Each of the above sums has been assessed without deduction for benefits to any property of the owner, which would accrue by the opening of said road.

The following sums are allowed as damages to be paid to claimants whose premises will be rendered less valuable by the opening and construction of said road through the same:

| | | | |
|----|--|---------|----------|
| To | R. W. Lindsay Estate, moving building | \$30.00 | Dollars; |
| To | | | Dollars; |
| To | | | Dollars; |
| To | | | Dollars; |
| To | See Additional and Amended Report of Viewers on p. 400 | | Dollars; |
| To | | | Dollars; |
| To | | | Dollars; |
| To | | | Dollars; |

M. L. Bailey
Robt. Mc Kelvey
Isaiah Owens

Viewers and Jurors to
award damages.

Apr. 25 1912.

St. Clairsville, O., May 6 1912

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the first time.

ATTEST:

Emerson Campbell
County Auditor.

Jos. Mc Allister
Wm. Koehnline
Wm. Baldwin

Commissioners.

St. Clairsville, O., May 7 1912

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the second time.

ATTEST:

Emerson Campbell
County Auditor.

Jos. Mc Allister
Wm. Koehnline
Wm. Baldwin

Commissioners.

St. Clairsville, O., June 24, 1912.

The Commissioners met in regular session, and

The report of the viewers in favor of the establishment of the road petitioned for by J. C. Berry & others in Washington Twp., having been publicly read three times and said viewers having filed a separate report which was also publicly read setting forth the amount of compensation and damages assessed to land-owners by reason of the location of said road through their several premises, and the Board being of the opinion that the compensation and damages awarded by said viewers to the several claimants, to-wit:

Shipman Heirs, \$ 25.00

J. C. Berry \$222.50

R. W. Lindsay Estate \$355.00

Isaac Welsh Estate \$ 50.00

Captina Coal Co. \$50.00

Thos. A. Welsh, Agent for E. Armstrong et al, \$250.00

In the matter of the compensation for E. & A. Perkins, The Board of Commissioners increased the compensation and damages from \$300.00 to \$500.00. The viewers on first view awarding \$300.00, and an amended report of viewers awarded an additional \$375.00 making a total of \$675.00

are reasonable and just; that said road will be of public utility and of sufficient importance to the public to justify the payment of said compensation and damages out of the county treasury, and no petition for a review being filed, it is ordered that the County Auditor draw his order upon the County Treasurer, in favor of said claimants, for the amount of compensation and damages so awarded to them respectfully; that the several reports of the viewers with the survey and plat of said road, be recorded, and that said road be established a public highway 33 feet in width.

Yea. McAllister, Koehnline & Caldwell.

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated.....19....., proceeded on the..... day of.....to survey and mark the.....described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Description.

| Sta. | Course | Dist. |
|---|-----------|----------|
| 0-1 | N19°00'E. | 255' |
| 1-2 | N57°30'E. | 108' |
| 2-3 | N37°15'E. | 376' |
| 3-4 | S63°30'E. | 236' |
| 4-5 | N66°30'E. | 125' |
| 5-6 | N18°00'E. | 1042' |
| 6-7 | N17°15'E. | 416' |
| 7-8 | N36°45'E. | 132' |
| 8-9 | N46°15'E. | 206' |
| 9-10 | S72°15'E. | 62' |
| 10-11 | S48°00'E. | 214' |
| 11-12 | N47°00'E. | 243' |
| 12-13 | N52°30'E. | 278' |
| 13-14 | N58°00'E. | 261' |
| 14-15 | N63°00'E. | 142' |
| 15-16 | N78°50'E. | 456' |
| 16-17 | N73°30'E. | 631' |
| 17-18 | N73°00'E. | 565' |
| 18-19 | N60°00'E. | 141' |
| 19-20 | N43°00'E. | 112' |
| 20-21 | N39°00'E. | 182' |
| 21-22 | N63°00'E. | 274' |
| 22-23 | N80°30'E. | 154' |
| 23-24 | S76°15'E. | 21' |
| 24-25 | S83°45'E. | 310' |
| 25-26 | S66°15'E. | 185' |
| 26-27 | S72°00'E. | 155' |
| 27-28 | S82°00'E. | 356' |
| 28-29 | S84°00'E. | 213' |
| 29-30 | S86°37'E. | 500' |
| 30-31 | S84°00'E. | 147' |
| 31-32 | S87°00'E. | 300' |
| 32-33 | S72°30'E. | 146' |
| 33-34 | S47°15'E. | 51' |
| 34-35 | N87°00'E. | 315' |
| 35-36 | N63°45'E. | 157' |
| 36-37 | N66°00'E. | 182' |
| 37-38 | N49°00'E. | 177' |
| 38-39 | N88°15'E. | 488' |
| 39-40 | N89°33'E. | 500' |
| 40-41 | N88°30'E. | 480' |
| 41-42 | N21°15'E. | 542.5' |
| 42-43 | N18°30'E. | 796.5' |
| 43-44 | S88°45'E. | 220' |
| 44-45 | N78°15'E. | 122' |
| 45-46 | N85°30'E. | 140' |
| 46-47 | N65°00'E. | 467' |
| 47-48 | N74°15'E. | 320' |
| 48-49 | S65°15'E. | 256' |
| 49-50 | S72°30'E. | 232' |
| 50-51 | S73°05'E. | 442' |
| 51-52 | S63°03'E. | 708' |
| 52-53 | S66°45'E. | 154' |
| 53-54 | S32°00'E. | 422' |
| 54-55 | S71°30'E. | 243' |
| 55-56 | S74°00'E. | 325' |
| 56-57 | N76°00'E. | 130' |
| 57-58 | N55°15'E. | 264' |
| 58-59 | N42°45'E. | 174' |
| 59-60 | N64°15'E. | 207' |
| 60-61 | N70°00'E. | 350' |
| 61-62 | N75°15'E. | 1160' |
| 62-63 | N76°00'E. | 320' |
| 63-End. | N60°15'E. | 93' |
| V. 4°30' Total Dist. | | 3.72 Mi. |
| Width 40' Scale 1"=400' | | |
| Ending at a stone N10°W. 19' | | |
| From a post in S.W. corner of Grave No. | | |

I Certify, That the above is a correct plat and return of the survey of the.....Road..... named above.....

.....David C. Kennan.....Surveyor of said.....Road.....

