

ROAD PETITION

For the Laying Out and Establishing of a Road in Flushing Township,
 Improvement No. 1 Petitioned for by E. G. Nichols and Others.

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 Laying Out and Establishing of a Public Road on the line hereinafter described; and pray that you will institute and order the proper proceedings for said improvement, to-wit: Beginning at the turn in the Piedmont and Flushing Public road in the Northwest quarter of Section Nine (9), Township Ten (10) of Range Five (5), on the lands of Elmer E. Barger, in Flushing Township, Belmont County, Ohio; thence in a southerly direction around the Hill and through the lands of said Elmer E. Barger, to a point at or near a white oak stump at the end of the C. L. & W. R. R. Co.'s. partition wire fence; thence in a south-easterly direction curving around the hill on the land of the said C. L. & W. R. R. Co, to the Corporation line of the village of Holloway, Ohio, to or near the corner of the lands of Riccardo Di Vincenzo and the land of E. VanFossen, in the said Village of Holloway; thence in and easterly direction on the lands of said Riccardo DiVincenzo and E. VanFossen to and making a junction with what is called First Street on the recorded plat of the Holloway Real Estate Co's. First Addition to the said Village of Holloway. Being in all a distance of about one-half mile

Dated this 20 day of September A. D. 19 15

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
E. G. Nichols	J. O. Helter	G. G. Telle
Jno. M. Gier	Cole Headley	J. C. Howes
W. G. Staggs	R. C. Bethel	R. E. VanFossen
J. H. Whetsell	C. W. Jackson	J. C. Dunlap
		and 21 Others

Filed September 23 A. D. 19 15

KNOW ALL MEN BY THESE PRESENTS:

That we, E. G. Nichols, C. W. Jackson and E. E. Barger are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of Two Hundred (\$200.00) Dollars, to the payment of which well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at Holloway Ohio, this 20 day of September A. D. 19 15

The conditions of the above obligation are such, that WHEREAS, application has been made by E. G. Nichols and others to the Board of Commissioners of the said Belmont County, for the Laying out & Establishing of a public road, on briefly the following line, to-wit:

(For Description of Road See Page 13, this Volume)

THEREFORE if, 1st. The petition be not granted; or if 2nd. The Commissioners shall order a portion of the compensation and damages to be paid by the petitioners, and the petitioners fail to pay same by the time fixed by the Commissioners: Then in either such case the said applicants will pay into the treasury of said County the COSTS AND EXPENSES incurred in the proceedings for said improvement.

ATTEST:

E. G. Nichols

C. W. Jackson

E. E. Barger

Filed September 23, A. D. 1915

St. Clairsville, Ohio, September 29, 1915

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present W. N. Miller, W. R. King, and F. A. Hagedorn Commissioners, and Emerson Campbell Auditor and Secretary of the Board, and it appearing that E. G. Nichols and others, have filed a petition in the office of the Commissioners of the County, on the 23rd day of September 1915 for the Laying out and Establishing of a public road, along the following route, to-wit: Beginning

(For Description of Road, see Page 13, this Volume)

the same was this day considered by the Commissioners, and it appearing that said petition is regular and in conformity to law, and that the said E. G. Nichols has filed herein a bond as required by law. It is ordered that the 27th day of October 1915 at 10:00 o'clock A. M. be fixed as a date to view the same, at which date they will meet at the Beginning Point and go over the route of said proposed road.

They also fixed the 10:00 day of November 1915 at 1:00 o'clock P. M. as the date for final hearing at the office of the County Commissioners at which time it will be considered whether said improvement will be granted, and if granted, a time fixed for hearing claims for compensation and damages.

It is further ordered, that notice of the time and place of both such view and hearing be given by publication once a week for three consecutive weeks in the Belmont Chronicle a newspaper published and having a general circulation in the County of Belmont.

Attest:

Bert W. Hopkins
County Auditor.

W. N. Miller

W. R. King

F. A. Hagedorn

Commissioners of Belmont County.

St. Clairsville, Ohio, 19.....

The Board of Commissioners of Belmont County, Ohio, met this day in session,
present and Commissioners
and Auditor and Secretary of the Board and it appearing

St. Clairsville, Ohio, October 27 1915

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present W. N. Miller, W. R. King, and F. A. Hagedorn Commissioners and Bert W. Hopkins, Auditor and Secretary of the Board, and it appearing that in the matter of the Laying out and Establishing of the public road, petitioned for by E. G. Nichols and others, due and proper notice, proof of which is on file in this office, having been given of the time and place of meeting, to view the road petitioned for by E. G. Nichols and others, in the Belmont Chronicle, a newspaper of general circulation in said county as required by law, and the former orders of this Board, the commissioners on this 27th day of October 1915 met at the time and place in said notice designated, and did view the route of said proposed road improvement, and considering such improvement to be of sufficient public importance, it is ordered that the County Surveyor, make a plat and survey of the same and report to the Board in writing on or before the 10th day of November 1915 the time set for the hearing, and shall set forth in said report his opinion either for or against the granting of such proposed improvement, accompanied with a statement of the estimated compensation and damages due each person, firm or corporation, whose land is to be taken, if the proposed improvement is established. Such report shall also state the width of said improvement, which shall not be less than 30 feet nor more than 60 feet, and also recommend any changes in the improvement, which in his judgment, should be made.

Attest:

Bert W. Hopkins,
County Auditor.

W. N. Miller
W. R. King
F. A. Hagedorn
Commissioners.

SURVEYOR'S REPORT ON ROAD.

Surveyor's Office, Belmont County,
St. Clairsville, Ohio, November 10 1915

To the Board of Commissioners of Belmont County, Ohio:

Pursuant to your order dated October 29 1915, I make my report to you as follows in the matter of the Laying out and Establishing of the public road petitioned for by E. G. Nichols and others.

1. My opinion is in favor of the granting of the improvement; but with the following changes, which in my judgment should be made, to-wit:

That a road with excellent grades nearly level, till First Street is reached--then if the line follows "B" as shown on plat a good grade can be obtained.

2. The width should be 40 feet.

3. Estimated Compensation and Damages, due each person, firm or corporation, (with a * before the name of each minor or other person under disability) to-wit:

NAME	AMOUNT (Written out)	AMOUNT (In figures)
Elmer E. Barger	Fence 49 Rds @ 60¢	\$89.40
	Land \$75.00 per acre	84.00
B. & O.	Land \$50.00 per A.	68.50
	Fence, 181 R. 60¢ per Rd	108.60
Riccardo Vincenzo	Land .54 Acre @ \$50.00 per A.	27.00
	Fence, 71 Rd @ 60¢ per Rd	42.60
E. VanFossen Line "B"	Land	200.00
	Fence 26 Rd @ 60¢	15.60
E. VanFossen Line "A"	Land	100.00
	Fence 20 R. @ 60¢ per Rd	12.00

My plat and survey is also attached hereto.

Respectfully submitted,

 Harry E. Rice
 County Surveyor.

(For Surveyors Plat of Road see Page 20, this Volume)

St. Clairsville, Ohio, November 10, 1915

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present W. N. Miller, W. R. King, and F. A. Hagedorn Commissioners and Bert W. Hopkins Auditor and Secretary of the Board, and it appearing that in the matter of the Laying out and Establishing of the Public Road petitioned for by E. G. Nichols and others, the same came on to be heard for final hearing on the matter of granting said improvement, on this 10th day of November 1915, and find that notice thereof has been given as provided by law, and the former orders made herein, and after having made a view of said proposed road improvement, and having had the report of the surveyor read, and heard the protests for and against the same, find that said improvement will serve the public convenience and welfare and said improvement is granted, ~~and the same is hereby ordered~~ as prayed for in the petition and shown on the surveyor's plat as Route "B"

And the 8th day of December 1915 at 10:00 o'clock A.M. is fixed as the date for hearing claims for compensation and damages.

And it is further ordered that the Auditor cause notice in writing to be given to the owner or owners through or upon whose lands said improvement is established, and this matter is adjourned to said date.

Attest:

Bert W. Hopkins County Auditor.

W. N. Miller

W. R. King

F. A. Hagedorn

Commissioners.

St. Clairsville, Ohio, 19

The Board of Commissioners of Belmont County, Ohio, met this day in session, present, and Commissioners and, Auditor and Secretary of the Board, and it appearing that in the matter of the of the Public Road petitioned for by and others having given notice in writing of intention to appeal from

it is ordered that the amount of appeal bond, the said being, be fixed at \$ (no bond is required of) and upon the filing of such bond the Auditor is directed to make a transcript of the procedure herein, and file the same in the Probate Court of this County.

Attest:

County Auditor.

Commissioners.

In the Matter of the of a Public Road, Improvement No. Petitioned for by and others.

AS TO FILING APPEAL BOND

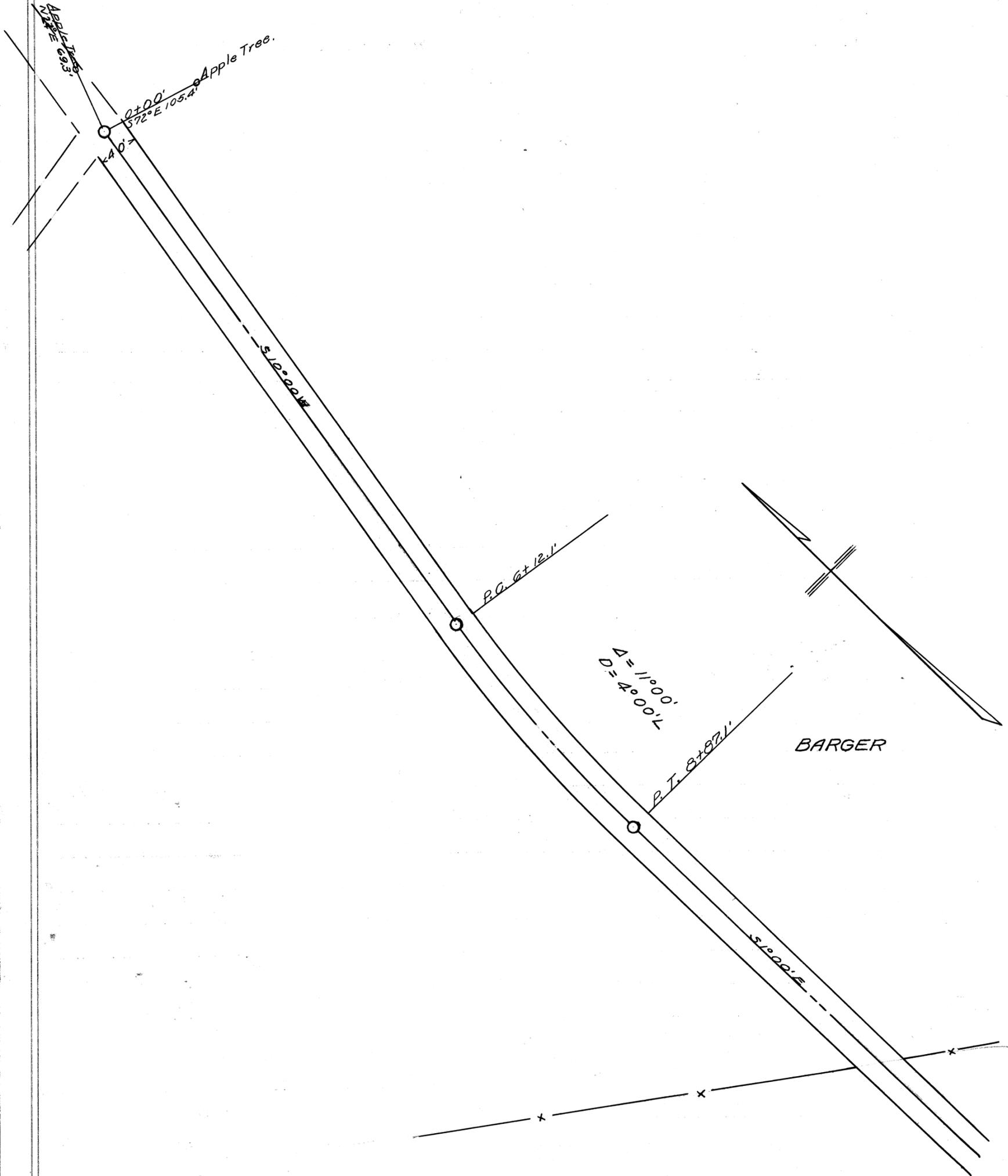
appeals from an order of the County Commissioners of Belmont County, Ohio, made at the session, 19, of said Public Road, and has this day filed appeal bond, approved by the County Auditor.

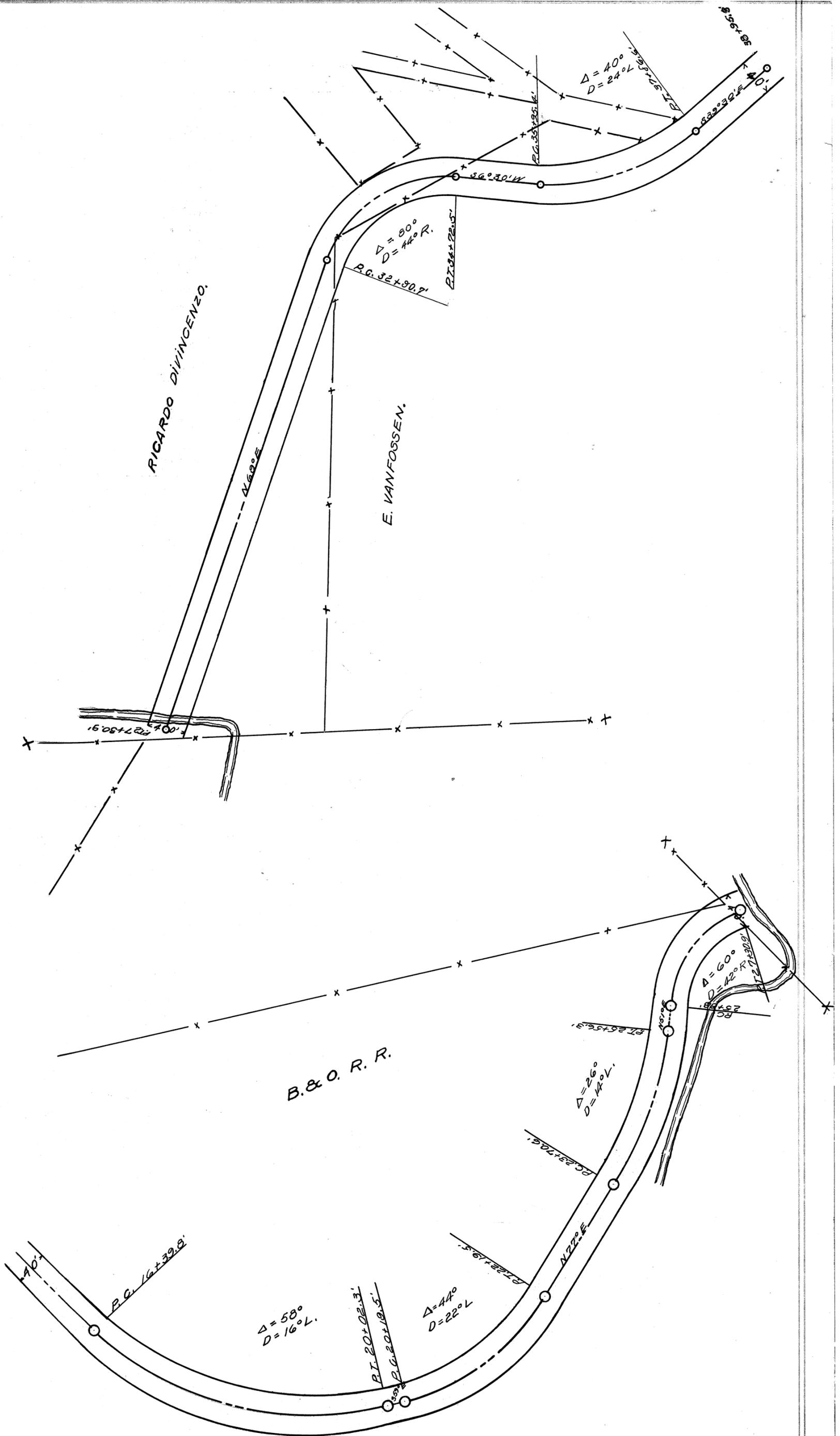
County Auditor.

Plat of the Laying out and Establishing a Public Road in Flushing Township

Range 5 Township 10 Section 9

E.G. NICHOLS.
FLUSHING TP., BELMONT CO.,
Scale 1"=100', Nov. 1915.





St. Clairsville, Ohio, December 8, 1915.

The Board of Commissioners of Belmont County, Ohio, met this day in special session, present W. N. Miller, W. R. King and F. A. Hagedorn, Commissioners and Bert W. Hopkins, Auditor and Secretary of the Board, and it appearing that this is the day and 10:00 o'clock A. M. the hour at which all claims for compensation and Damages, in the matter of the establishment of a County Road Improvement No. 1, petitioned for by E. G. Nichols, and others, must be on file, and for the hearing of such claims, and it appearing by the affidavits of E. G. Nichols, Harry E. Rice and Bert W. Hopkins County Auditor, and by proof of publication of Notice, published by the Belmont Chronicle, that notices in writing and by publication of the time and place of hearing claims for Compensation and Damages has been given as provided by law, to each of the owners thru or upon whose land said improvement is to be established; that B. H. VanFossen, Elmer N. VanFossen, Mrs. Laura E. Burris, O. A. VanFossen, Clarence A. VanFossen, Lila E. McCullough, Clara Nichols, Ella L. Koppel, and Lewis E. VanFossen, Heirs of Elizabeth VanFossen, and Carmine DiVincenzo and Giacondia DiVincenzo, prior to this time, to-wit: December 8, 1915, filed with this Board Claims for compensation and Damages as Follows:

Heirs of Elizabeth VanFossen

Compensation for land appropriated	\$300.00
Damage to the remaining abutting property consisting of Barn, Chicken House, Garden, Truck Patch, Four Town Lots and lawn	<u>1200.00</u>
Total	\$1500.00

Carmine & Giacondia DiVincenzo

Land for Roadway Purposes .54 of an acre	75.00
Land cut off on south side 1.00 acres	200.00

Whereupon the foregoing claimants being present, this matter came on for hearing and was heard, and on motion of King, seconded by Miller, all members voting "AYE" final action is hereby deferred until Tuesday, December 21, 1915, at 1:00 o'clock P. M.

ATTEST:

Bert W. Hopkins
County Auditor.

W. N. Miller

W. R. King

F. A. Hagedorn
Commissioners

St. Clairsville, Ohio, December 21, 1915

The Board of Commissioners of Belmont County, Ohio, met this day in special session, present W. N. Miller, W. R. King and F. A. Hagedorn, Commissioners and Bert W. Hopkins, Auditor and Secretary of the Board, and it appearing that this is the day and one o'clock P. M. the hour to which Final Action in the matter of the Hearing of Claims for Compensation and Damages, in the matter of the Laying out and Establishing of a Public Road, petitioned for by E. G. Nichols, and others, was deferred by this Board at its December 8th session, A. D. 1915, Final action is again hereby deferred until Monday, December 27th, A. D. 1915, at 1:00 o'clock P. M.

ATTEST:

Bert W. Hopkins,
County Auditor.

W. N. Miller,

W. R. King

F. A. Hagedorn
Commissioners

St. Clairsville, Ohio, December 27, 1915.

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present W. N. Miller, W. R. King, and F. A. Hagedorn Commissioners and Bert W. Hopkins Auditor and Secretary of the Board, and it appearing that in the matter of the Laying out and Establishing of the public road, Improvement No. 1 petitioned for by E. G. Nichols and others, this day this cause came on for hearing in the matter of award of compensation and damages to adjoining landowners and the commissioners find that notice of the time and place of this hearing has been given to all the owners of land taken for such improvement or abutting thereon, as provided by law, and the former orders herein. That after hearing all applications for compensation and damages filed herein, and considering all claims of minors and those under disabilities, in the judgment of the commissioners there is awarded and due to the following persons the sums respectively opposite their names.

Carmine & Giacondia DiVincenzo	Compensation	\$ 32.40	Damages	\$ 42.60
Heirs of E. VanFossen, viz:				
E. H. Vanfossen	Compensation	\$	Damages	\$
Elmer N. VanFossen	Compensation	\$	Damages	\$
Mrs. Laura E. Burris	Compensation	\$	Damages	\$
O. A. VanFossen	Compensation	\$ 160.00	Damages	\$ 15.60
Clarence A. VanFossen	Compensation	\$	Damages	\$
Lila E. McCullough	Compensation	\$	Damages	\$
Clara Nichols	Compensation	\$	Damages	\$
Ella K. Koppel	Compensation	\$	Damages	\$
Lewis E. VanFossen	Compensation	\$	Damages	\$

The Commissioners further find and are of the opinion that said improvement is of sufficient importance to the public for all of the Compensation and Damages to be paid from the County Treasury.

It is further ordered that a record of the proceedings and the plat and survey be entered upon the road records of this County.

It is further ordered that upon the compensation and award being paid to the owners as above herein ordered, that the public road described as follows:

(For Description of Road See Surveyor's Plat Page 20, this Volume)

be

Attest: Bert W. Hopkins, County Auditor.

W. N. Miller, W. R. King, F. A. Hagedorn

Commissioners.
