

ROAD PETITION

For the Alteration of a Road in Smith Township,
Improvement No. 5 Petitioned for by W. E. Duvall 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 Alteration and change of location 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 a point in the road leading from Warnock to Jacobsburg at the first bridge over a little ravine about 100 feet northerly from the residence of Clara V. Duvall on the lands of Clara V. Duvall; thence in a southeasterly direction to, along and over the lands of the following persons in the order named, to wit, Clara V. Duvall O. K. Dunfee, Eliza E. Phillips and A. R. Kelsey to a point on the ridge road leading from Jacobsburg to Kelsey where this road proposed to be altered intersects with said ridge road, following the line of the old road as nearly as possible so as to give a good grade and location for said road when altered and changed.

Dated this _____ day of January A. D. 1916

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
W. E. Duvall	Clara V. Duvall	Jesse Duvall
E. M. Ramage	C. R. Wiley	H. D. Workman
J. M. Higgins	R. J. Workman	E. W. Irwin
A. B. Phillips	J. K. McKelvey	E. V. Phillips
		and 28 others.

Filed February 14, A. D. 19 16

KNOW ALL MEN BY THESE PRESENTS:

That we, W. E. Duvall, Dessa Duvall, Clara V. Duvall and O. K. Dunfee
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of
Two Hundred 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 Jacobsburg Ohio, this 29 day of January, A. D. 19 16

The conditions of the above obligation are such, that WHEREAS, application has been made by
W. E. Duvall and others to the Board of Commissioners of the said Belmont County, for the Alteration and Change of a public road, on briefly the following line, to-wit:

(For Description of Road see page 73 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:

Clara Duvall

W. E. Duvall

O. K. Dunfee

Dessa Duvall

Filed February 14, 1916. A. D. 19

St. Clairsville, Ohio, February 14, 1916 19

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 W. E. Duvall and others, have filed a petition in the office of the Commissioners of the County, on the 14 day of February 1916 for the Alteration and change of a public road, along the following route, to-wit: Beginning

(For Description of Road see page 73, 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 W. E. Duvall has filed herein a bond as required by law. It is ordered that the 11th day of April 1916 at 10:00 o'clock A.M. be fixed as a date to view the same, at which date they will meet at Beginning Point and go over the route of said proposed road.

They also fixed the 25th day of April 1916 at 10:00 o'clock A.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 Bellaire Daily Leader 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, April 11 19 16

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 Alteration and Change of the public road, petitioned for by W. E. Duvall 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 W. E. Duvall and others, in the Bellaire Daily Leader, a newspaper of general circulation in said county as required by law, and the former orders of this Board, the commissioners on this 11th day of April 19 16 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 11th day of April 19 16 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, April 21 19 16

To the Board of Commissioners of Belmont County, Ohio:

Pursuant to your order dated April 11 19 16, I make my report to you as follows in the matter of the Alteration and Change of the public road petitioned for by W. E. Duvall and others.

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

That the present road has heavy grades, in places as much as 19% i.e. 19 feet per 100 ft. Stony with many protruding, making traveled road rough, in places the banks are higher than center of road, thus throwing the flow of water toward the center of the road bed. A grade of 7% for 1100 feet, then 8% for thirty three ^{Hundred} feet and remainder 3% running from the north end of bridge over O. R. & W. R. R. North westerly direction down the hill to the pt. as mentioned as the place of Beg. See plat, profile and cross-section

2. The width should be forty (40) feet Total distance 5700 feet or 1.08 miles

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:

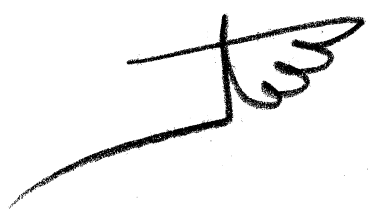
NAME	AMOUNT (Written out)	AMOUNT (In figures)
A. R. Kelsey, Kelsey, Ohio	Fence, 200 R.@ 60¢	\$120.00-
	Land	60.00
Eliza E. Phillips, Ethel, Monroe Co. 6.	Fence 108 R. @ 60¢	64.80
	Land	35.00
O.K.Dunfee, Jacobsburg, R.F.D.2	Fence 160 R. @ 60¢	96.00
	Land	40.00
Clara V. Duvall, Jacobsburg, O.R.F.D 2	None	None

My plat and survey is also attached hereto.

Respectfully submitted,

Harry E. Rice
County Surveyor.

(For Plat of Road see page 58 this Volume)



St. Clairsville, Ohio, April 25 1916

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 Alteration and Change of the Public Road petitioned for by W. E. Duvall and others, the same came on to be heard for final hearing on the matter of granting said improvement, on this 25th day of April 1916, 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 Established a public highway forty (40) feet wide

And the 5th day of September 1916 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 Alteration and Change of a Public Road in Smith Township

Range.....*Township*.....*Section*.....

St. Clairsville, Ohio, September 5, 1916

The 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 being the day and 10:00 o'clock A. M. the Hour at which hearing of claims for compensation and damages the same having been fixed by the Commissioners at their April 25th session, A. D. 1916, and the Board being not fully advised in the premises adjourns the time of such hearing until the 20th day of September, A. D. 1916.

ATTEST:

Bert W. Hopkins
County Auditor.

W. N. Miller

W. R. King

F. A. Hagedorn
Commissioners.

(For Hearing of Claims for Compensation and Damages see
page 83 this Volume)

St. Clairsville, Ohio, September 20, 1916

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 Alteration & Change of the public road, Improvement No. 5 petitioned for by W. E. Duvall 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.

A. R. Kelsey	Compensation	\$ 80.00	Damages	\$ 140.00
Eliza E. Phillips	Compensation	\$ 25.00	Damages	\$ 75.60
O.K. Dunfee	Compensation	\$	Damages	\$ 105.00
	Compensation	\$	Damages	\$
	Compensation	\$	Damages	\$
	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.

in favor of the claimants above named for the amounts awarded them as aforesaid

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:

be opened up and established, and shall thereafter be a permanent public road to be kept and maintained as provided by law.

Attest: Bert W. Hopkins, County Auditor. W. N. Miller, W. R. King, F. A. Hagedorn Commissioners.

