

ROAD PETITION

For the Alteration of a Road in Kirkwood Township,
Improvement No. ----- Petitioned for by W. S. Clay 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 Change

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 an iron stake 47 feet south of a Honey

Locust tree that stands on the bounds of the Public Road leading from Smyrna to Sewellsville, thence through lands of Lessie Hinds and Worthy Hinds as follows: Thence in a southerly direction to a stake No. 2; thence in a southerly direction to mark No. 3 on north end of the wagon shed belonging to said parties; thence south to a stake No. 4---16 feet east of the north east corner of the stable owned by the above parties; thence south to a stake No. 5, west of the barn owned by said parties; thence south to stake No. 6; thence south to an iron stake in center of the said Smyrna and Sewellsville Road, said iron stake stands 34 feet and 4 in. west of a tool house on the land of the J. C. McCormick Heirs.

Dated this 12 day of August A. D. 19 15

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
W. S. Clay	R. A. Frizzell	E. B. Ennis
Edgar Wheaton	D. A. Reynolds	J. W. Smith
Bailes Stine	Charles Schrader	H. C. Frizzell
B. H. Frizzell	Elias Stine	C. S. Frizzell
		and Nine Others

Filed October 11th A. D. 19 15

11

St. Clairsville, Ohio, November 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 Bert W. Hopkins Auditor and Secretary of the Board, and it appearing that in the matter of the Alteration of the public road, Improvement No. petitioned for by W. S. Clay 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.

To Lessie Hinds	Compensation	\$230.00	Damages	\$95.00
	Compensation	\$	Damages	\$
	Compensation	\$	Damages	\$
	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.

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 as Granted and established see
Surveyor Plat Page 8 this Volume,)

be it further ordered that that part of old road rendered unnecessary by the establishment of said alteration, be and the same is hereby vacated as shown by the surveyor's report and Plat.

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

KNOW ALL MEN BY THESE PRESENTS:

That we, W. S. Clay, T. E. Shry and A. J. Wheaton
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of
One Hundred (\$100.00) 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 Sewellsville Ohio, this 4 day of
September A. D. 1915

The conditions of the above obligation are such, that WHEREAS, application has been made by
W. S. Clay and others to the Board of Commissioners of the said Bel-
mont County, for the Altering of a public road, on briefly the following line, to-wit:

(For Description see Page 1 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:

B. N. Frizzell

E. B. Ennis

W. S. Clay Principal Petitioner

Ervin Shry

A. J. Wheaton

Filed October 11 A. D. 1915

St. Clairsville, Ohio, October 11 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 W. S. Clay and others, have filed a petition in the office of the Commissioners of the County, on the 11th day of October 1915 for the Alteration of a public road, along the following route, to-wit: Beginning

(For Description see Page 1 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. S. Clay has filed herein a bond as required by law. It is ordered that the 29th 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 Beginning Point and go over the route of said proposed road.

They also fixed the 10th day of November 1915 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 Belmont Chronicle a newspaper published and having a general circulation in the County of Belmont.

Attest:

Emerson Campbell
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 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 Bert W. Hopkins, Auditor and Secretary of the Board, and it appearing that in the matter of the Alteration of the public road, petitioned for by W. S. Clay 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. S. Clay 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 29th 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 Alteration of the public road petitioned for by W. S. Clay 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:

As shown on the attached plat marked line "A" (purple) and being the best allignment grade and road material on which to construct the road; best suited to the residence and farm buildings and easily adjusted farm fences and lots; if improved this line would be used, being shorter and best; the grade on the old road is very impracticable, maximum 24% grade.

Route "B" as shown on the attached plat in red ink is too close in front of the house or residence to be advisable, when the road is constructed a fill on the side next the house will be made, the residence now being considerable lower than the present surface; it will make two bad turns, with obstructed view. If the road should be improved, this line being longer and a dangerous turn, would not be used. Also is too far east at the south barn making it close to the road, close above the barn

2. The width should be Forty 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)
Lessie and Worty minds	Land, Route "A" 12 acres, One Hundred and Twenty	\$120.00
	154 Rods of fence @ 60¢	22.40
	Moving Bulding	25.00
	Fruit Trees	25.00
do	By Route "B" Land 1 Acre	\$100.00
	Moving Bulding	25.00
	Fencing 131 Rds @ 60¢	78.60
	Fruit Trees	20.00
do	By Route "C" Land 1.25 Acres	\$125 00
	Fencing 161 Rods @ 60¢	96.60
	Fruit Trees	15.00
	Damage to Garden	25 00

My plat and survey is also attached hereto.

Respectfully submitted,

Harry E. Rice
County Surveyor.

(For Plat see Page 8 this Volume)

St. Clairsville, Ohio, ~~NOVEMBER 10~~ 19~~15~~

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 of the Public Road petitioned for by
W. S. Ulay 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 19~~15~~, 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 heraby granted, and the same is hereby ordered established a public highway 40
feet wide as shown on the surveyors plat as "Route B"

And the 17th day of November 19~~15~~ 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: W. N. Miller
Bert W. Hopkins W. R. King
County Auditor. 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.

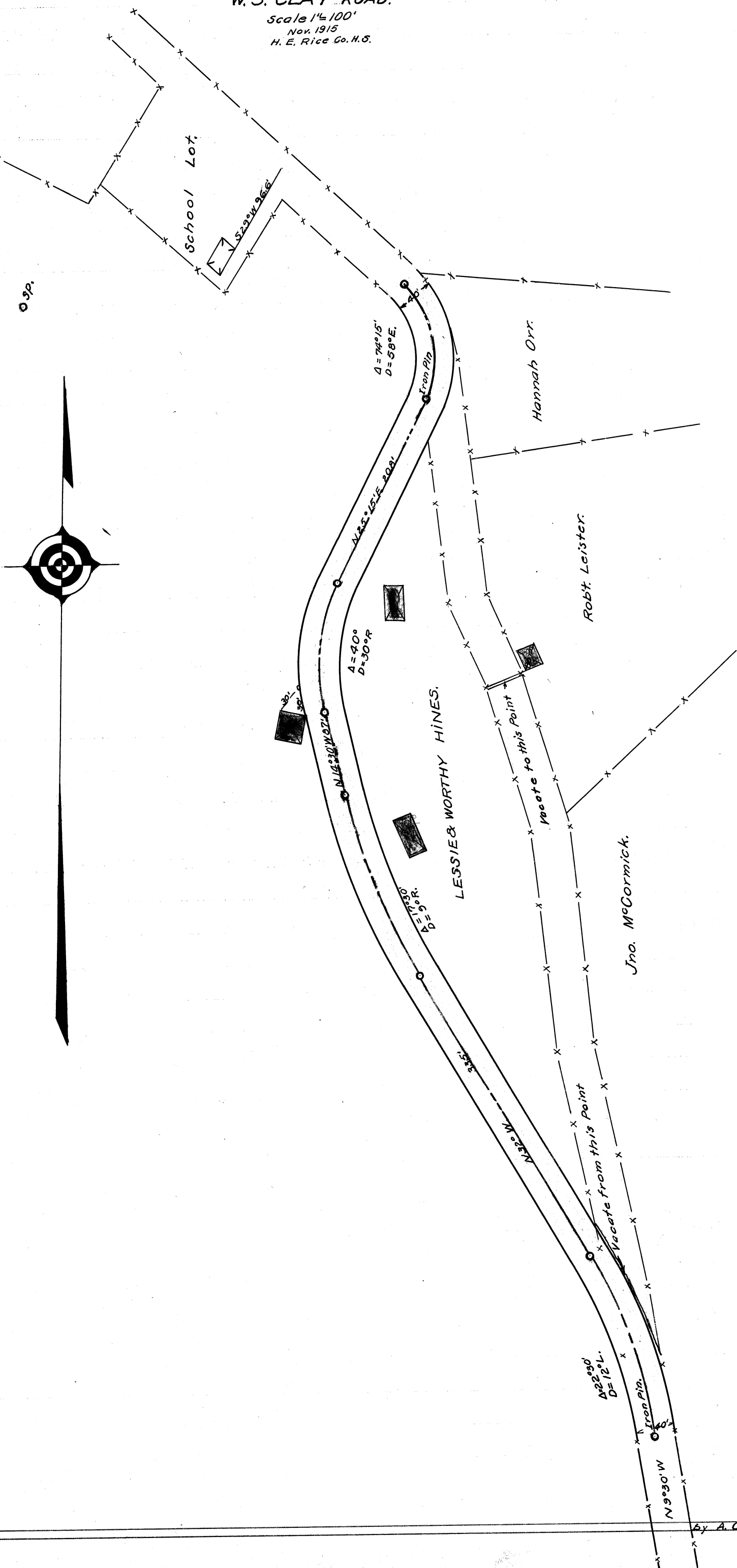
AS TO FILING APPEAL BOND

appeals from an order of the County Commissioners of Bel-
mont 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 of a Public Road in Kirkwood Township
Range 6 Township 9 Section 35

W. S. CLAY ROAD.
Scale 1"=100'
Nov. 1915
H. E. Rice Co. H. S.



St. Clairsville, Ohio, November 17, 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 by affidavit duly made by Bert W. Hopkins, ZCounty Auditor, that notice in writing, of the time and place of hearing claims for compensation and Damages, has been duly given to each of the owners through or upon whose land said improvement is to be established; tha t Lessie Hinds, prior to this time to-wit: November 10, 1915 filed with this Board a claim for Compensation and Damages as follows:

Compensation	\$125.00	Damages	\$475.00
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Whereupon, said Claimant being present, this matter came on for hearing, and was heard, and on Motion of Hagedorn, seconded by King, all members voting "AYE", final action action was deferred until Tuesday, the 23rd day of November, A. D. 1915, at 10:00 A. M.

ATTEST:

Bert W. Hopkins
County Auditor

W. N. Miller,

W. R. King

F. A. Hagedorn
Commissioners

St. Clairsville, Ohio, November 23, 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 to which action inthe matter of the hearing of Claims for Compensation and damages in the matter of the Alteration of the Public Road petitioned for by W. S. Clay and others, was deferred, by this Board at its November 17th session, 1915, on Motion of Miller, seconded by Hagedorn, all members voting "AYE", final action was again deferred until the 29th day of November, A. D. 1915. at 10:00 o'clock A. M.

ATTEST:

Bert W. Hopkins,
County Auditor.

W. N. Miller

W. R. King

F. A. Hagedorn
Commissioners
