

ROAD PETITION

For the Establishment of a Road in Union Township,
 Improvement No. 11 Petitioned for by George W. Humphrey 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 Location and Opening 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 small Oak Tree on the Roadside a few rods east of the residence of Howard Humphrey, in Section 29, Union Township, Belmont County, Ohio; thence in a northeastern direction on the most practical route with due regard for the future improvement of roads in that community, through the lands of Howard Humphrey, Minerva Humphrey, Thomas Gilham, E. E. Brown, G. W. & Alex Berry, crossing the private road of Thomas Gilham; thence through the lands of the late Harry Howell, to a point a few rods west of where the east boundary line of the said Harry Howell Farm crosses the Morristown and Flushing Road.

Dated this _____ day of _____ A. D. 19 _____

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Geo. W. Humphrey	Geo. E. Smith	Noah J. Grimes
Maggie Stiles	James A. Major	W. P. Majors
F. A. Groves	Emmett Lynn	John T. Lynn
T. H. Smith	J. O. Smith	O. H. Grache and 20 others

Filed July 3, A. D. 19 16

KNOW ALL MEN BY THESE PRESENTS:

That we, George W. Humphrey, J. O. Smith and George E. Smith are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of One Hundred Dollars 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 St. Clairsville, O Ohio, this 3rd day of July A. D. 19 16.

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

(For Description of Route see Page 149)

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:

Willard S. Dunlap

Geo. W. Humphrey
J. O. Smith
Geo. E. Smith

Filed A. D. 19

St. Clairsville, Ohio, July 3, 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 Geo. W. Humphrey and others, have filed a petition in the office of the Commissioners of the County, on the 3rd day of July 1916 for the Location and Opening of a public road, along the following route, to-wit: Beginning

(For Description of Route see Page 149)

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 Geo. W. Humphrey has filed herein a bond as required by law. It is ordered that the 29th day of August 1916 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 12th day of September 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 Belmont Chronicle a newspaper published and having a general circulation in the County of Belmont.

Attest:

Bert W. Hopkins
County Auditor.

W. N. Miller
F. A. Hagedorn
W. R. King
Commissioners of Belmont County.

St. Clairsville, Ohio, August 29, 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

this being the day and ten o'clock A. M. the hour fixed as the date fixed at which to view the proposed improvement herein, according to notice duly published according to law in the Belmont Chronicle, a newspaper printed and of general circulation in Belmont County, Ohio, and the Board being unable on account of weather conditions to view the proposed improvement, it is ordered by the Board that said view be deferred, and thereupon it is further ordered by the Board that the 12th day of September, A. D. 1916, at 10:00 o'clock A. M. be fixed as the date to view the same at which date, the Commissioners will meet at the beginning point of said proposed improvement and go over the route of the same. They also fix the 26th day of September, A. D. 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 the hearing of claims for Compensation and Damages.

W. N. Miller,

F. A. Hagedorn

W. R. King,

Commissioners

ATTEST:

Bert W. Hopkins, County Auditor.

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St. Clairsville, Ohio, September 12, 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 Location and Opening of the public road, petitioned for by Geo. W. Humphrey 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 Geo. W. Humphrey 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 12th day of September 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 26th day of September 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
F. A. Hagedorn
W. R. King
Commissioners.

SURVEYOR'S REPORT ON ROAD.

Surveyor's Office, Belmont County,

St. Clairsville, Ohio, October 2, 1916

To the Board of Commissioners of Belmont County, Ohio:

Pursuant to your order dated September 12 1916, I make my report to you as follows in the matter of the Location and Opening of the public road petitioned for by Geo. W. Humphrey 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 by the accompanying plat; that an excellent grade shortens distance for sectional travel, easily constructed on good road material, good alignment cheaply maintained and always in good condition owing to the sandy nature of soil.

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:

<i>NAME</i>	<i>AMOUNT (Written out)</i>	<i>AMOUNT (In figures)</i>
Howard Humphrey	1.14 Acres @ \$50.00 per acre	\$57.00
	100 Rods fence @ \$0.60	60.00
Minor Humphrey	6 Rods fence @ \$0.60	3.60
E. E. Brown	20 Rods Fence @ \$0.60	12.00
Thomas Gilham	42/100 Acres @ \$60.00	25.30
	55 Rods Fence @ \$0.60	33.00
Alex Berry	1.66 Acres, @ \$60.00	99.60
	223 Rods Fence @ \$0.60	133.80
W. H. Howell	28/100 Acres @ \$60.00	16.80
	35 Rods Fence @ \$0.60	21.00

My plat and survey is also attached hereto.

Respectfully submitted,

Harry E. Rice
County Surveyor.

St. Clairsville, Ohio, September 26, 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 this being the day and 10;00 o'clock A. M. the hour at which final hearing, shall be had in the above entitled matter, as fixed by the Board at its August 29th, A. D. 1916, Session, and the Board not being fully advised in the premises, adjourned the time of such hearing until the 2nd day of October 1916, at 10;00 o'clock A. M.

ATTEST:

Bert W. Hopkins, County Auditor

W. N. Miller,

F. A. Hagedorn

W. R. King

Commissioners

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St. Clairsville, Ohio, October 2, 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 this being the day and 10;00 o'clock A. M. the hour at which final hearing shall be had in the above entitled matter as fixed by the Board at its September 26th, A. D. 1916, session, and the Board being not fully advised in the premises adjourned the time of such hearing until the 16th day of October, 1916 at 10;00 o'clock A. M.

ATTEST:

Bert W. Hopkins, County Auditor.

W. N. Miller,

W. R. King

F. A. Hagedorn

Commissioners

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St. Clairsville, Ohio, October 16, 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 this being the day and 10;00 o'clock A. M. being the hour at which final hearing shall be had in the above entitled matter, as fixed by the Board at its October 2nd, A. D. 1916, session, and the Board not being fully advised in the premises adjourned the time of such hearing until the 30th day of October, 1916 at 10;00 o'clock A. M.

ATTEST:

Bert W. Hopkins, County Auditor.

W. N. Miller,

F. A. Hagedorn

W. R. King

Commissioners

St. Clairsville, Ohio, October 30, 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 this being the day and 10;00 o'clock A. M. being the hour at which final hearing shall be had in the above entitled matter as fixed by the Board at its October 16th A. D. 1916 Session, and the Board not being fully advised in the premises, adjourned the time of such hearing until the 20th day of November A. D. 1916 at 10;00 o'clock A.M.

ATTEST:

Bert W. Hopkins, County Auditor.

W. N. Miller,

F. A. Hagedorn

W. R. King.

Commissioners

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St. Clairsville, Ohio, November 20, 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 in the matter of the Location and Opening of the Public Road petitioned for by Geo. W. Humphrey and others, the same came on to be heard for final hearing on the matter of granting said improvement, on this 20th day of November 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

And the 26th day of December 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.....of a Public Road in.....Township

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

see Book 5A - P. 175

St. Clairsville, Ohio, December 26, 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 in the matter of the Location and Opening of the public road, Improvement No. 11 petitioned for by Geo. W. Humphrey 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.

Howard Humphrey	for Land Taken Compensation	\$ 89.50	For Fencing Compensation	\$ 75.00	for Damages Compensation	\$ 35.25
Minor Humphrey	for Land Taken Compensation	\$	For Fencing Compensation	\$ 4.50		\$
E. E. Brown	for Land Taken Compensation	\$	For Fencing Compensation	\$ 15.00		\$
Thomas Gilham	for Land Taken Compensation	\$ 31.50	For fencing Compensation	\$ 35.25		\$
Alex Berry	for Land Taken Compensation	\$ 124.50	For Fencing Compensation	\$ 167.25		\$ 500.00
W. H. Howell	for Land Taken Compensation	\$ 21.00	For Fencing Compensation	\$ 26.25		\$ 23.50

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.

but that it is of sufficient importance that all of said compensation and damages allowed excepting the sum of \$300.00 be paid from the County Treasury. It is therefore ordered that upon said petitioners paying the said sum of \$300.00 within thirty days from this date, that the remaining sum due for compensation and damages be paid out of 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 Surveyors Report and Plat)

be opened up and established and shall thereafter be a public road to be kept and maintained and improved as provided by law. And now come Benson Brown, Joseph Brown, Frank Bryan, Belle Henderson, Florence Alkire, Mary A. Bryan, a person of unsound mind, by her Guardian B. Bryan, and Eva McCallum, and Irene Underwood, Children of said Mary A. Bryan, being the Heirs at law of Alex Berry, deceased, together with E.E. Brown, as administrator of the estate of Alex. Berry, Deceased, Howard Humphrey, Minor Humphrey, A.O. McFadden, Geo. D. McFadden and E.E. Brown by A.M. Brown their Attorney and each give notice of his intention in writing to appeal from the Decision of the Commissioners granting the within improvement, to the Probate Court of Belmont County, Ohio, and the Commissioners fixed the amount of Bond to be given for such appeal at the sum of \$300.00.

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

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