

ROAD PETITION

For the Alteration of a Road in Somerset Township,
Improvement No. 51 Petitioned for by William Mayberry 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 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 for the same at a point in the road leading from Barnesville to Boston, near the north end of a small strip of timber which said point is about 200 yards north of the point where said Barnesville and Boston Road crosses the Somerton and Temperanceville Road on what is commonly known as the Neptune Hill, and running thence in a general easterly direction around the hill as nearly as practicable along a line of stakes set to intersect said Somerton and Temperanceville Road at or near a scored post opposite the barn on the farm upon which William Mayberry now Resides.

Dated this 4th day of June A. D. 19 18

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
William Mayberry	J. O. Mayberry	B. F. Neptune
George Neptune	John Curry	Edward Montgomery
Samuel Shuman	E. H. Anshutz	D. M. Huntsman
T. M. McCort	W. M. McCort	Joseph Brown
		J. R. Wells

Filed September 9, 1918 A. D. 19

KNOW ALL MEN BY THESE PRESENTS:

That we, W. M. Mayberry and C. R. Burdette
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of
One 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 Barnesville Ohio, this 31st day of
August A. D. 1918

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

(For Description of Road see Page 435 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:

W. M. Mayberry
C. R. Burdette

Filed September 9, 1918 A. D. 1918

St. Clairsville, Ohio, September 9, 1918 19

The Board of Commissioners of Belmont County, Ohio, met this day in Regular session, present J. R. Greenlee, A. J. Geller, and W. R. King Commissioners, and Bert W. Hopkins Auditor and Secretary of the Board, and it appearing that William Mayberry and others, have filed a petition in the office of the Commissioners of the County, on the 9th day of September 1918 for the

Alteration of a

public road, along the following route, to-wit: Beginning for the same at a point in the road leading from Barnesville to Boston, near the north end of a small strip of timber which said point is about 200 yards north of a point where said Barnesville and Boston Road crosses the Somerton and Temperanceville Road, on what is commonly known as the Neptune Hill, and running thence in a general easterly direction around the hill as nearly as practicable along the line of stakes set to intersect said Somerton and Temperanceville Road at or near a scored post opposite the barn on the farm, upon which William Mayberry now resides.

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 William Berry has filed herein a bond as required by law. It is ordered that the 15th day of October 1918 at 1:00 o'clock P.M. be fixed as a date to view the same, at which date they will meet at the Commencing point and go over the route of said proposed road.

They also fixed the 11th day of November 1918 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 Barnesville Whetstone a newspaper published and having a general circulation in the County of Belmont.

Attest: Bert W. Hopkins County Auditor. J. R. Greenlee, A. J. Geller, W. R. King 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 15, 1918 1918

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present J. R. Greenlee, A. J. Geller, and W. R. King 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 William Mayberry 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 William Mayberry and others, in the Barnesville Whetstone, a newspaper of general circulation in said county as required by law, and the former orders of this Board, the commissioners on this 15th day of October 1918 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 November 1918 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 lands 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.

J. R. Greenlee,
A. J. Geller
W. R. King
Commissioners.

SURVEYOR'S REPORT ON ROAD.

Surveyor's Office, Belmont County,

St. Clairsville, Ohio, _____ 19_____

To the Board of Commissioners of Belmont County, Ohio:

Pursuant to your order dated _____ 19_____, I make my report to you as follows in the matter of the _____ of the public road petitioned for by _____ and others.

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

2. The width should be 33 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)

My plat and survey is also attached hereto.

Respectfully submitted,

County Surveyor.

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St. Clairsville, Ohio, November 11, 1918

The Board of Commissioners of Belmont County, Ohio, met this day in Special Session; Present J. R. Greenlee, A. J. Geller and W. R. King, Commissioners and Bert W. Hopkins, Auditor and Secretary of the Board. The minutes of the preceding meeting read, approved and signed, and it appearing that this being the hour for which final hearing shall be had in the above entitled matter, according to the order of the Board of Commissioners, made September 9, 1918, and the Board not being fully advised in the premises, adjourns the time of such hearing until November 18, 1918, at 9;00 o'clock A. M.

J. R. Greenlee,

A. J. Geller

W. R. King

Commissioners

ATTEST: Bert W. Hopkins, County Auditor.

St. Clairsville, Ohio, November 18, 1918 19

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present J. R. Greenlee, A. J. Geller, and W. R. King 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 William Mayberry and others, the same came on to be heard for final hearing on the matter of granting said improvement, on this 18th day of November, 1918, 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 designated on the plat filed herein by the County surveyor and it is further ordered that said road improvement as granted above be established.

And the 23rd day of December 19 18 at 1:00 o'clock P.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. J. R. Greenlee, A. J. Geller, W. R. King 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

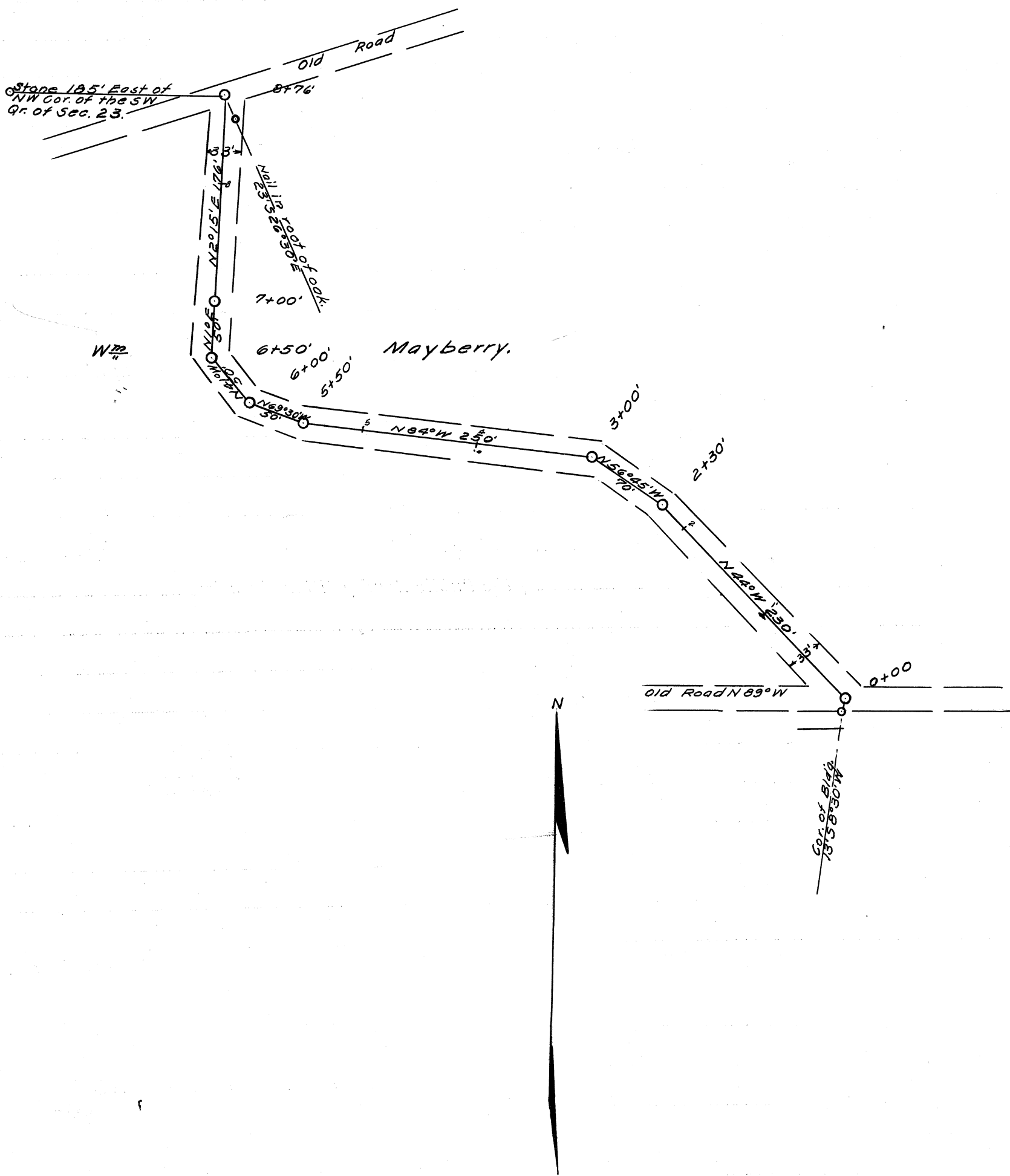
appeals from an order of the County Commissioners of Belmont County, Ohio, made at the session, 19, of said Public Road, and has this day filed appeal bond, approved by the County Auditor.

County Auditor.

Plat of the Alteration of a Public Road in Somerset Township

Range 6 Township 7 Section 23

Scale 1" = 100'



A.C. Murphy

St. Clairsville, Ohio, December 23, 1918 19

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present J. R. Greenlee, A. J. Geller, and W. R. King 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. 51 petitioned for by William Mayberry 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 no claims for compensation and Damages have been filed herein, the Board makes no allowance for Compensation and Damages in this Matter ~~as provided herein, and considering the claims of owners and those under disabilities, the judgment of the court is that there is awarded and due to the following persons the sums respectively opposite their names.~~

..... Compensation	\$.....	Damages	\$.....
..... Compensation	\$.....	Damages	\$.....
..... Compensation	\$.....	Damages	\$.....
..... Compensation	\$.....	Damages	\$.....
..... Compensation	\$.....	Damages	\$.....
..... Compensation	\$.....	Damages	\$.....

~~The Commissioners further find and are of the opinion that said improvement is xxxxxxxxxxxx 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 damages being paid to the owners as above herein ordered~~ that the public road described as follows ~~xxx~~ said public road described and designated on the plat herein

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

Attest: J. R. Greenlee,
A. J. Geller
W. R. King
Commissioners.
Bert W. Hopkins
County Auditor.

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