

### ROAD PETITION

For the Vacation of a Road in Kirkwood Township,  
Improvement No. 409 Petitioned for by W. C. Boyd 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 vacation 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 W. C. Boyd residence on the Kirkwood Twp. North road and running in a Northerly direction through the land of said W. C. Boyd to the section line thence continuing north on the line between the lands of W. C. Boyd and H. M. Showalter terminating at the Stevens-Starkey Road, a distance of approximately one-half (1/2) mile.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
W. V. Boyd W. W. Hinds W. C. Boyd E. J. Willis H. M. Showalter E. B. Ennis K. G. Temple Elmer Workman O. S. Starkey Roy Smith Clyde Acton Earl Brooks J. G. Boyd H. L. Bell A. R. Reynolds W. E. Groves R. M. Shepherd D. O. Sheppard	C. E. Kaiser James Kaiser	

Filed \_\_\_\_\_ A. D. 19\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

That we, \_\_\_\_\_ and \_\_\_\_\_  
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of \_\_\_\_\_  
\_\_\_\_\_ Dollars, to the payment of  
which well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and admin-  
istrators.

Signed by us and dated at \_\_\_\_\_ Ohio, this \_\_\_\_\_ day of  
\_\_\_\_\_ A. D. 19\_\_\_\_

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

THEREFORE if first, The petition be not granted; or if, second, 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 of such improvement.

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Filed \_\_\_\_\_ A. D. 19\_\_\_\_

St. Clairsville, Ohio, January 4, 1939

The Board of Commissioners of Belmont County, Ohio, met this day in \_\_\_\_\_ session, present Hochevar, Fulton, and Phillips Commissioners, and \_\_\_\_\_, Auditor and Secretary of the Board, and it appearing that W. C. Boyd and others, have filed a petition in the office of the Commissioners of the County, on the 4th day of January 1939 for the \_\_\_\_\_ Vacation of a public road, along the following route, to wit: Beginning

See Petition

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. C. Boyd has filed herein a bond as required by law. It is ordered that the 7th day of February 1939, at 2:00 o'clock P. M., be fixed as a date to view the same, at which date they will meet at the commencing point of said road and go over the route of said proposed road.

They also fixed the 13th day of February 1939, at 2:00 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 The Daily Times a newspaper published and having a general circulation in the County of Belmont.

Attest:

E. E. Taylor  
County Auditor.

Jas. Fulton  
Phillips  
Hochevar  
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, February 7, 1939

The Board of Commissioners of Belmont County, Ohio, met this day in \_\_\_\_\_ session, present Hochevar, Fulton, and Phillips Commissioners and \_\_\_\_\_, Auditor and Secretary of the Board, and it appearing that in the matter of the vacation of the public road, petitioned for by W. C. Boyd 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 road petitioned for by W. C. Boyd and others, in the The Daily Times, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 7th day of February 1939, 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 13th day of February 1939, 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 thirty feet \_\_\_\_\_ and also recommend any changes in the improvement, which in his judgment, should be made.

Attest: \_\_\_\_\_  
E. E. Taylor  
 County Auditor.

\_\_\_\_\_ Hochevar  
 \_\_\_\_\_ Fulton  
 \_\_\_\_\_ Phillips  
 Commissioners.

**SURVEYOR'S REPORT ON ROAD**

**Surveyor's Office, Belmont County,**  
 St. Clairsville, Ohio, February 13, 1939

To the Board of Commissioners of Belmont County, Ohio:

Pursuant to your order dated February 7, 1939, I make my report to you as follows, in the matter of the vacation of the public road petitioned for by W. C. Boyd and others.

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

2. The width should be \_\_\_\_\_ 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)
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See Plat for description

My plat and survey is also attached hereto.

Respectfully submitted,  
 \_\_\_\_\_ A. C. Murphy  
 County Surveyor.

Hendrysburg - Sewellsville  
North Road #27

N12°00'E

796.60'

W.C. Boyd

W.C. Boyd

N5°53'E

685.75'

N8°54'W

257.60'

Section 22  
Section 23

N14°30'E

T.9-R.6  
T.9-R.6

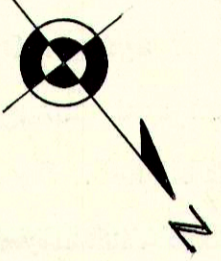
Kirkwood Twp.

Henry M. Showalter

N5°14'E

853.00'

28789.45' End  
Stevens - Starkey Road



# Vacation of W.C. Boyd Road

Kirkwood Twp. Sects. 22 & 23 T.9-R.6  
Belmont County

A.C. Murphy  
Scale 1" = 200'

Co. Engineer  
Feb. 1939

Plat of the \_\_\_\_\_ of a public road in \_\_\_\_\_ Township.

Range \_\_\_\_\_ Township \_\_\_\_\_ Section \_\_\_\_\_

St. Clairsville, Ohio, February 13, 1939

The Board of Commissioners of Belmont County, Ohio, met this day in \_\_\_\_\_ session, present Hochegar, Phillips, and Fulton Commissioners and \_\_\_\_\_, Auditor and Secretary of the Board, and it appearing that in the matter of the vacation of the public road petitioned for by W. C. Boyd and others, the same came on to be heard for final hearing in the matter of granting said improvement, on this 13th day of February 1939, and 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 improvement is \_\_\_\_\_ granted, and the same is hereby ordered \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

and the 27th day of February 1939, at 2:00 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 owners through or upon whose lands said improvement is established, and this matter is adjourned to said date.

Attest:

\_\_\_\_\_  
E. E. Taylor  
 County Auditor.

\_\_\_\_\_  
Phillips  
 \_\_\_\_\_  
Fulton  
 \_\_\_\_\_  
 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 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, made at the ----- session, 19-----,  
of said public road, and has this day filed ----- appeal bond approved by County Auditor.

-----  
County Auditor.



St. Clairsville, Ohio, February 27, 1939

The Board of Commissioners of Belmont County, Ohio, met this day in session, present Hochevar, Fulton, and Phillips Commissioners and Auditor and Secretary of the Board, and it appearing that in the matter of the vacation of the public road, Improvement No. 409 petitioned for by W. C. Boyd 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.

No. Awards Made	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 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:

be

Attest: E. E. Taylor  
County Auditor.

Fulton  
Phillips  
Commissioners.

