

ROAD PETITION

For the Establishing of a Road in Mead Township,
 Improvement No. 546 Petitioned for by Walter S. McGuire 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 Establishing 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 the Cash Hill Road with what is now the private slag surfaced road being built and maintained by Walter S. McGuire the present property owner. Said road to be located on the present roadbed now in use as a private driveway. Said road to run at right angle from Cash Hill road in a south direction a distance of 100 feet, then turn left and in an easterly direction over present roadbed 1650 feet to a point 425 feet west of the residence of Walter S. McGuire. At this point the road shall fork to the right in a southeasterly direction and passing between two rows of hickory trees to the property line, a distance of about 250 feet. From here it shall continue across the W. H. Gimby Farm to a point where the R.E.A. power lines cross the old township road to Cave Run, a distance of about 1350 feet. A total length of approximately 3350 feet. The right of way to be free of damage claims, providing certain conditions are complied with.*

These are as follows:

- (1) *The road to be maintained on the present slag surface to a point 1750 feet inward from the Cash Hill entrance.*
- (2) *The present road now in use to be widened and maintained at a minimum width of 15 feet from ditch to shoulder and over a length of 1750 feet from Cash Hill road.*
- (3) *All trees outside the 30' right of way to be protected.*
- (4) *Road to be kept open for travel at all times from Walter S. McGuire residence to the Cash Hill Road.*
- (5) *Work to be completed within one year of above date.*

See Comm's Journal Vol. 33 Page 514

Dated this 14 day of September A. D. 1950

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Walter S. McGuire John R. Futhy E. E. Herman L. E. Hoskins Paul M. Albright Harold M. Day Harry Tribble Joseph S. Czyzewski Paul B. Kirkland John Koonce James Montgomery Alfred Kennedy	Waldo Workman Walter Workman Clarence Dixon Robert Bonar Mrs. Frank Koci W. S. Day Philip B. McMillen E. E. Neff Howard K. Dunfee Harry L. Albright Thomas C. Howell Andrew Borsch	

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, Sept 25th 1950

The Board of Commissioners of Belmont County, Ohio, met this day in special session,
 present Reasbeck, Mackey, and _____ Commissioners,
 and Geneva Beck (Clerk), Auditor and Secretary of the Board, and it appearing that
Walter S. McGuire and others, have filed a petition in the office of the Com-
 missioners of the County, on the 25th day of September 1950 for the _____
Establishment of a
 public road, along the following route, to-wit: Beginning see previous page.

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 _____ has filed herein a bond as
 required by law. It is ordered that the 18th day of October 1950, at 2:00
 o'clock P. M., be fixed as a date to view the same, at which date they will meet at beginning of the
Route and go over the route of said proposed road.

They also fixed the 30th day of October 1950, at 11 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 Barnesville Whetstone a newspaper published and
 having a general circulation in the County of Belmont.

Attest:

Geneva Beck (Clerk)
 County Auditor.

Hardesty

Reasbeck

Mackey
 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 25th 1951

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Hardesty, Reasbeck, and Maackey Commissioners and Geneva Beck (Clerk), Auditor and Secretary of the Board, and it appearing that in the matter of the _____ of the public road, petitioned for by _____ 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 _____ and others, in the _____, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 18 day of October 1950, met at the time and place in said notice designated ^{view postponed} 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 15 day of January 1951, 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:

_____ Hardesty _____
 _____ Reasbeck _____
 _____ Geneva Beck (Clerk) _____
 County Auditor. Commissioners.

SURVEYOR'S REPORT ON ROAD

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio:

St. Clairsville, Ohio, July 16, 1951

Pursuant to your order dated January 15th 1951, I make my report to you as follows, in the matter of the Establishing of the public road petitioned for by Walter S. McEvire and others.

1. My opinion is For that the granting of the improvement but with the following changes, which in my judgment should be made, to-wit: providing there is no cost for right-of-way and property damage. The road is of local interest to Mead Township and therefore if granted, the road should be constructed by Mead Township at no cost to Belmont County.
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:

NAME	AMOUNT (Written Out)	AMOUNT (In Figures)
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My plat and survey is also attached hereto.

Respectfully submitted,

Notice of Hearing Claims

In the Matter of Walter S. McGuire imp. No. 546
 Petitioned for by Walter S. McGuire & others
 You are hereby notified that the 13th day of August 1951, at 11:00 A.M. has been fixed as the date,
 for the Board of Commissioners to hear claims for Compensation and Damages.

County Commissioners Office
 July 23rd, 1951

NAME OF Person	PROOF OF Personal Notice July 28, 1951		How served 'D' or 'R'	When served	We acknowledge service of above Notice
John R. Futhy	D.	7-28-51			John R. Futhy
Walter S. McGuire	D.	7-28-51			Walter S. McGuire
Walter Workman	D.	7-28-51			Walter Workman

Nicholas Javelak Asst. County Engineer

Walter S. McGuire Box 94 Shadyside, Ohio

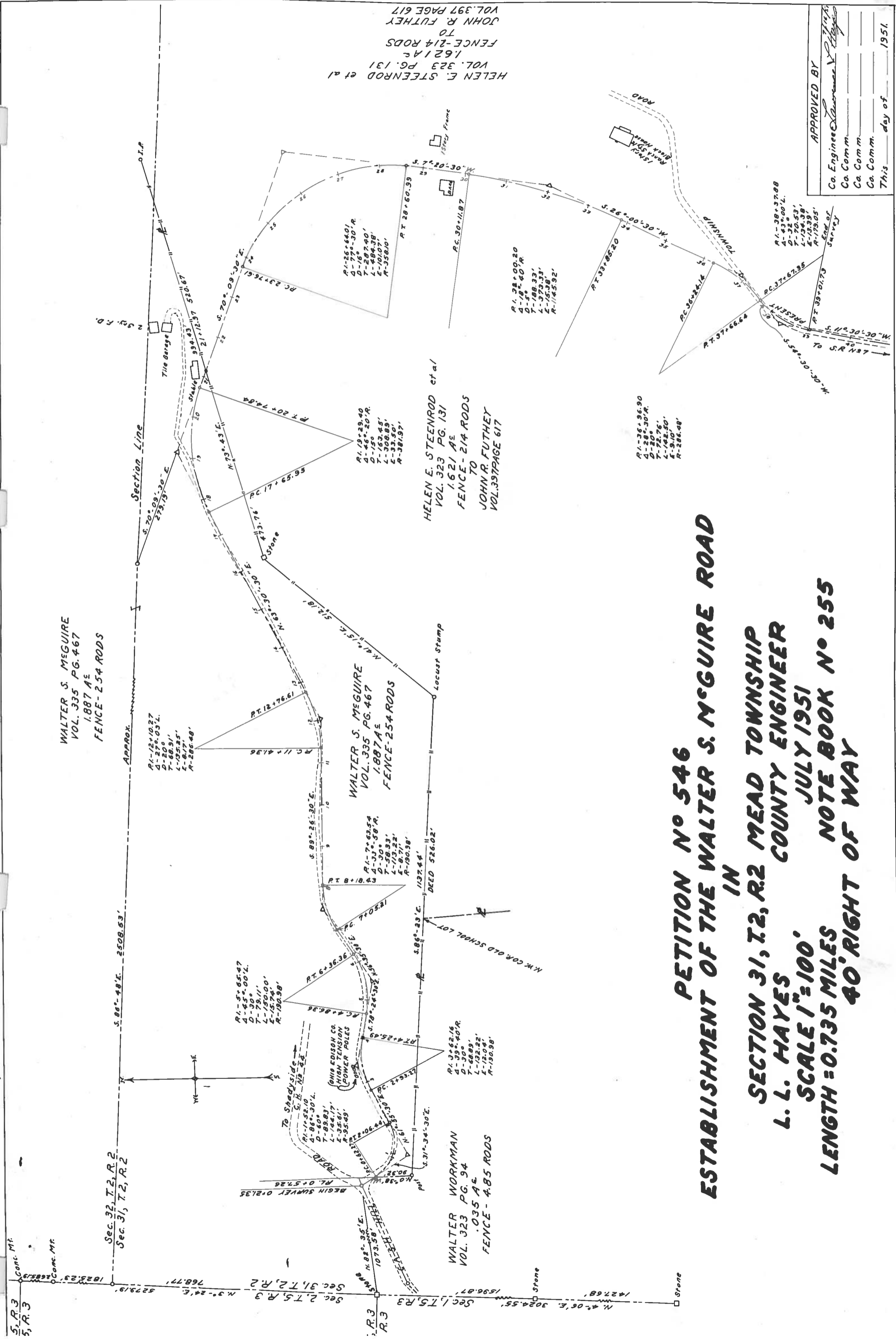
To the Belmont County Commissioners.
 Claims pertaining to road from Cash Hill road, to Cove Run road.
 The petition calls for a 30' right of way. The road was first surveyed for that width with no appreciable damage apparent. Later the engineers relocated and widened to 40 feet involving valuable frontage on four sites that I had been working on for years keeping clear, and in good condition, the loss of frontage renders the grounds less accessible as well as much less attractive. This extra width and new location also involves five fine shade trees all in their prime, and will require a lifetime to replace (photographs will be furnished day of hearing) It is not my idea to ask an unreasonable amount. I think that every one concerned would have been pleased to have accepted the first survey as sufficient for all traffic ever to be using this route, it would have involved very little valuable land. It would have made a good two lane surface with ditch. It just so happens that this extra ten feet catches valuable frontage and nice shade trees. The main reason for me petitioning for a public road was, to give an outlet to people living back of me. I had already built a road to serve my own home and land, I put it where I wanted it and would be pleased to see it remain on its present location. I do not want to stand in the way of my neighbors having a good road, I therefore leave it with you the Commissioners of Belmont County, to offer me a sum equal to the loss required of me by the relocation of this road. If I must set the figure, I can do that on day of hearing. Claims: 10' strip of land. 5 shade trees. 25 rods fence.

Yours truly
 Walter S. McGuire
 Filled August 10, 1951
 Gene W. Beck
 Commissioners Clerk

(See Commissioners Journal Vol. 34 Page 185)

Final Hearing August 13th 1951

Mr. Furbee moved the adoption of the following resolution:
 Whereas, this being the time heretofore fixed by the Board of County Commissioners for hearing claims for compensation and damages in the matter of the said road improvement, and it appearing to said Board that due notice of said hearing has been given in all respects as required by law; and
 Whereas, the following named persons, through or upon whose lands said improvement is to be established or located, to wit: John R. Futhy, Walter S. McGuire and Walter Workman, has this day appeared before this Board and waived all claims for compensation and damages; and
 Whereas, no one else appeared and no other claims were presented;
 Therefore, Be it Resolved, that the Trustees of Mead Township be ordered, at the expiration of ten days from date to open said road.
 The resolution was seconded by Mr. Hardesty and upon roll call the vote resulted as follows:
 Mr. Hardesty "yes" Mr. Furbee "yes"



WALTER S. MCGUIRE
VOL. 335 PG. 467
1.887 AE
FENCE - 254 RODS

WALTER S. MCGUIRE
VOL. 335 PG. 467
1.887 AE
FENCE - 254 RODS

HELEN E. STEENROD et al
VOL. 323 PG. 131
1.621 AE
FENCE - 214 RODS
TO
JOHN R. FUTHEY
VOL. 397 PAGE 617

WALTER WORKMAN
VOL. 323 PG. 94
.035 AE
FENCE - 485 RODS

**PETITION NO 546
ESTABLISHMENT OF THE WALTER S. MCGUIRE ROAD
IN
SECTION 31, T.2, R.2 MEAD TOWNSHIP
L. L. HAYES
COUNTY ENGINEER
JULY 1951
NOTE BOOK NO 255
LENGTH = 0.735 MILES
40' RIGHT OF WAY**

APPROVED BY
Co. Engineer *L. L. Hayes*
Co. Comm. _____
Co. Comm. _____
Co. Comm. _____
This _____ day of _____ 1951.



Plat of the _____ of a public road in _____ Township.
Range _____ Township _____ Section _____

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, the same came on to be heard for final hearing in the matter of granting
said improvement, on this _____ day of _____ 19 _____, 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 improve-
ment, 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 _____ day of _____ 19 _____, at _____ o'clock _____ 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:

County Auditor.

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 _____, 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, _____ 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, Improvement No. _____ petitioned for by _____ 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.

_____	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:

(See Commissioners Journal Vol. 34 Page 195)

be Road to be opened August 23rd 1951 by Township Trustees

Attest: _____ *Hardesty*
_____ *Frank*

