

ROAD PETITION

For the Relocation & Vacation of a Road in Union Twp. & Kirkwood Township,
 Improvement No. 639 Petitioned for by Fred E. Roedger, President, Seaway Coal Co. 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 Relocation & 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 a point approx. 300 feet south of the north section line of section 2, T. 9, R. 5, Kirkwood Township, on lands of Seaway Coal Company, thence thru the lands of Seaway Coal Company and crossing the section line between Sec. 2, T. 9, R. 5, Kirkwood Township & sec. 32, T. 8, R. 4, Union Township; thence thru the lands of J. H. Shepherd and to the south line of section 32, T. 8, R. 4, Union Township and there end.*

Said relocation being approx. 1800 feet in length of the road known as the McMillen Road (County Hwy. #100).

Commissioners Journal Vol. 39 Pg. 417

Dated this 6th day of December A. D. 19 61

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
<i>Fred E. Roedger - President Virginia Roedger, Sec'y. Jos. H. Shepherd Virginia Shepherd</i>		

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, December 6 1961

The Board of Commissioners of Belmont County, Ohio, met this day in Regular session, present Furbee, Salvador, and Dorsey Commissioners, and Geneva Beck, [redacted] and Secretary of the Board, and it appearing that Fred E. Roedger, President of Seaway Coal Co. and others, have filed a petition in the office of the Commissioners of the County, on the 6th day of December 1961 for the Relocation and Vacation of a

public road, along the following route, to-wit: Beginning

See Preceding Page

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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 Relocation Seaway Coal Co. has filed herein a bond as required by law. It is ordered that the day of 19, at o'clock M., be fixed as a date to view the same, at which date they will meet at and go over the route of said proposed road.

They also fixed the day of 19, at o'clock 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 a newspaper published and having a general circulation in the County of Belmont.

Attest:

Geneva Beck
County Clerk

Furbee
Salvador
Dorsey
Commissioners of Belmont County.

St. Clairsville, Ohio,.....19.....

The Board of Commissioners of Belmont County, Ohio, met this day in.....session,
present....., andCommissioners,
and, Auditor and Secretary of the Board and it appearing



Commissioners Journal Vol. 40 Pg. 129

St. Clairsville, Ohio, November 19, 1962

The Board of Commissioners of Belmont County, Ohio, met this day in Regular session, present Furbee, Salvador, and Dorsey Commissioners and Geneva Beck, Clerk and Secretary of the Board, and it appearing that in the matter of the Relocation & Vacation of the public road, petitioned for by Fred E. Roedger President, Seaway Coal Company 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 Fred E. Roedger President Seaway Coal Co. 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 19 day of November 1962, 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 5th day of December 1962, 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:

Geneva Beck
County Clerk

Furbee
Salvador
Dorsey
Commissioners.

SURVEYOR'S REPORT ON ROAD

Commissioners Journal Vol. 40 Pg. 149

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio:

St. Clairsville, Ohio, December 5th 1962

Pursuant to your order dated November 19th 1962, I make my report to you as follows, in the matter of the Relocation of the public road petitioned for by Fred E. Roedger, President Seaway Coal Company and others.

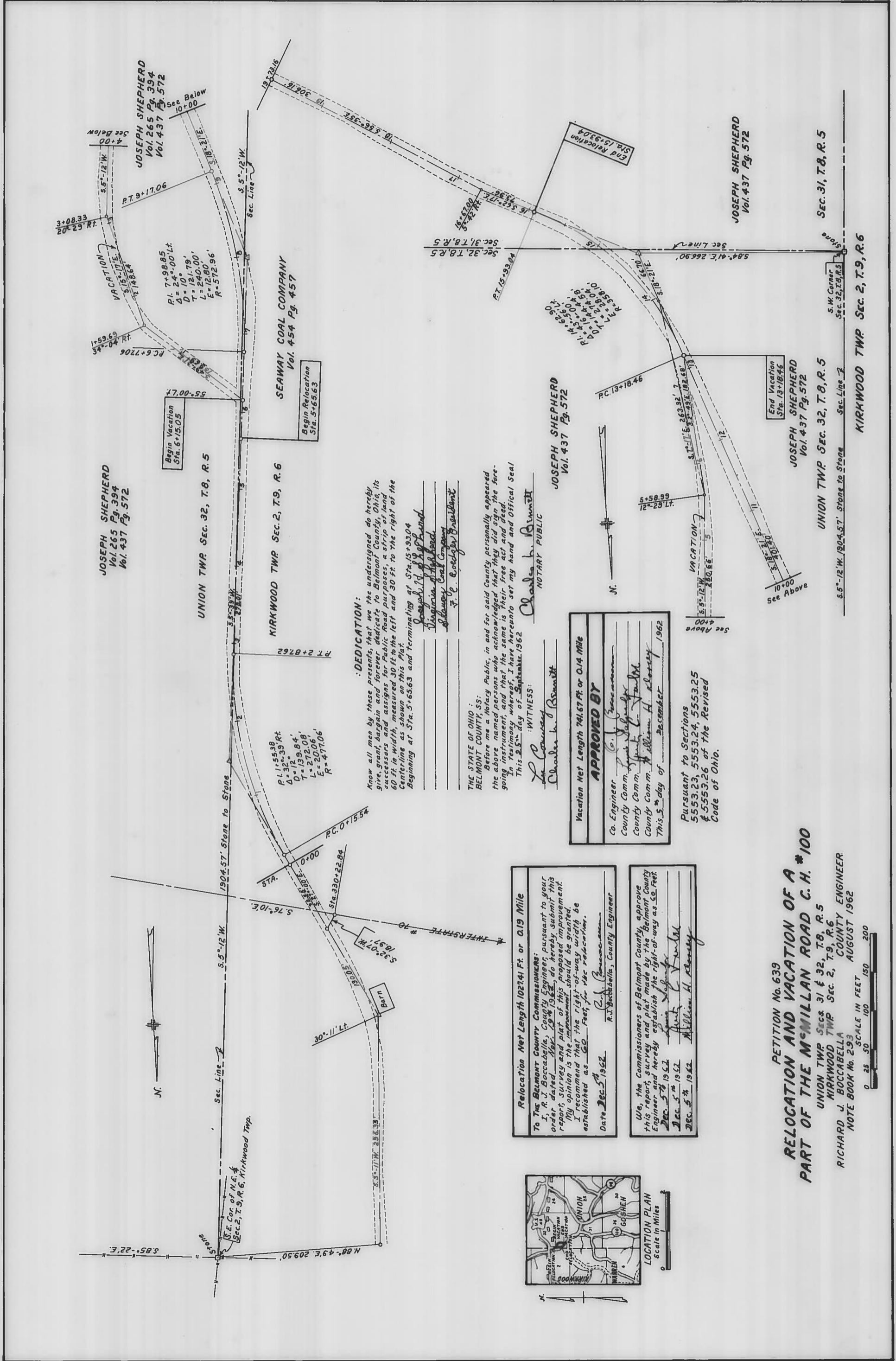
1. My opinion is _____ the granting of the improvement but with the following changes, which in my judgment should be made, to-wit:
2. The width should be 60 feet For Right-of-Way
3. Estimated compensation and damages, due each person, firm or corporation (with a * before the name of each minor or other 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,





JOSEPH SHEPHERD
Vol. 265 Pg. 394
Vol. 437 Pg. 572

UNION TWP SEC. 32, T. 8, R. 5

KIRKWOOD TWP SEC. 2, T. 9, R. 6

SEAWAY COAL COMPANY
Vol. 454 Pg. 457

JOSEPH SHEPHERD
Vol. 437 Pg. 572

UNION TWP SEC. 32, T. 8, R. 5

KIRKWOOD TWP SEC. 2, T. 9, R. 6

DEDICATION:

Know all men by these presents, that we the undersigned do hereby give, grant, bargain and forever dedicate to Belmont County, Ohio, its successors and assigns for public road purposes, a strip of land 60 ft. in width, measured 30 ft. to the left and 30 ft. to the right of the centerline as shown on this plat. Beginning at Sta. 5+65.63 and terminating at Sta. 15+93.04

Joseph J. J. J. J. J.
Virginia J. J. J. J. J.
Seaway Coal Company
F. C. Coediger President

THE STATE OF OHIO:
BELMONT COUNTY, SS:

Before me a Notary Public, in and for said County, personally appeared the above named persons who acknowledged that they did sign the foregoing instrument, and that the same is their free act and deed. In testimony whereof, I have hereunto set my hand and Official Seal This 5th day of September, 1962

Charles L. Bennett
NOTARY PUBLIC

APPROVED BY
Vacation Net Length 741.67 Ft. or 0.14 Mile
Co. Engineer _____
County Comm. _____
County Comm. _____
County Comm. _____
This 5th day of _____ 1962

Pursuant to Sections
5553.23, 5553.24, 5553.25
& 5553.26 of the Revised
Code of Ohio.

Relocation Net Length 1027.41 Ft. or 0.19 Mile
To THE BELMONT COUNTY COMMISSIONERS:
I, R. J. Boccabella, County Engineer, pursuant to your order dated Apr. 29th 1962, do hereby submit this report, survey and plat of this proposed improvement. My opinion is the improvement should be granted. I recommend that the right-of-way width be established as 60 Feet for the relocation.
Date Dec 5th 1962
R. J. Boccabella, County Engineer

We, the Commissioners of Belmont County, approve this report, survey and plat made by the Belmont County Engineer and hereby establish the right-of-way as 60 feet.
Dec 5th 1962
Dec 5th 1962
AUGUST 1962

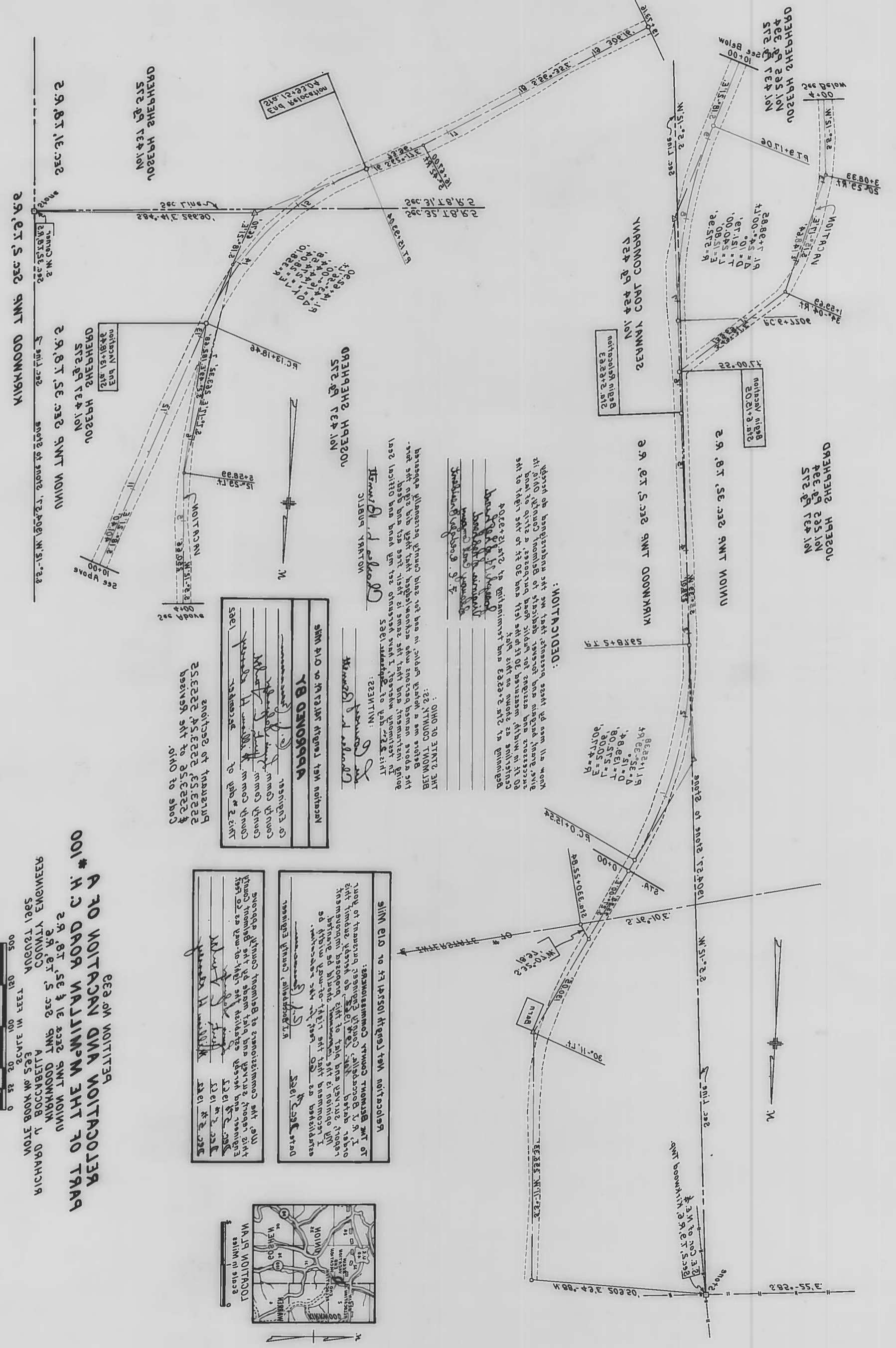


LOCATION PLAN
Scale in Miles

PETITION No. 639
RELOCATION AND VACATION OF A PART OF THE McMILLAN ROAD C.H. #100
UNION TWP SEC. 31 & 32, T. 8, R. 5
KIRKWOOD TWP SEC. 2, T. 9, R. 6
RICHARD J. BOCCABELLA COUNTY ENGINEER
NOTE BOOK No. 293
AUGUST 1962

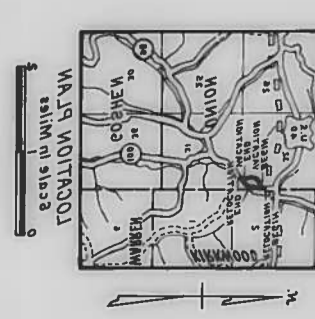


RICHARD J. BOCCABELLA COUNTY ENGINEER
 AUGUST 1988
 29.87.5 & 31.87.2
 WILKINSON TWP SEC 5, T. 29. S., R. 2
 UNION TWP SEC 31 & 32, T. 29. S., R. 2
 A 70 NOTARSKAN DVA NOTARSKOZJA
 PVA 70 NOTARSKAN DVA NOTARSKOZJA
 001 # .H. 2. PVA NAJLIMPAZHT 70 TPA



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Plat of the Relocation & Vacation of a public road in Union & Kirkwood Township.
Range 56 Township 89 Section 2 ^{31 & 32}

St. Clairsville, Ohio, Dec. 5th 1962

The Board of Commissioners of Belmont County, Ohio, met this day in Regular session,
present Furbee, Salvador, and Dorsey Commissioners
and Geneva Beck, ^{clerk} and Secretary of the Board, and it appearing that
in the matter of the Relocation & Vacation of the public road petitioned for by Fred E. Roedger
President of Seaway Coal Co. and others, the same came on to be heard for final hearing in the matter of granting
said improvement, on this 5th day of December 1962, 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 17th day of December 1962, at 11:00 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 owners through or upon whose
lands said improvement is established, and this matter is adjourned to said date.

Attest:

Geneva Beck
County Clerk

Furbee
Salvador
Dorsey
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.

Commissioners Journal Vol. 40 Pg. 157

St. Clairsville, Ohio, Decembe 17th 1962

The Board of Commissioners of Belmont County, Ohio, met this day in Regular session, present Furbee, Salvador, and Dorsey Commissioners and Geneva Beck, Clerk and Secretary of the Board, and it appearing that in the matter of the Relocation & Vacation of the public road, Improvement No. 639 petitioned for by Fred E. Roedger President Seaway Coal Co. 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	\$.....
<u>NONE</u>	Compensation	\$ <u>NONE</u>	Damages	\$ <u>NONE</u>
.....	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 futher ordered that upon the compensation and award being paid to the owners as above herein ordered, that the public road described as follows:

Bocabella Viewed the Improvement, Road Relocation Declared a Public Hwy. Co. Engr. Make record in Road Book Pursuant to Sections 5553.23, 5553.24, 5553.25 & 5553.26 of the Revised Code of Ohio

be

Attest:

Geneva Beck

*Furbee
Salvador*

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