

PUBLIC ROAD PETITION No. 656

St. Clairsville, Ohio, Oct. 15, 1963

To the Honorable Board of County Commissioners of Belmont County, Ohio:

The undersign petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the vacating of certain streets and alleys in Webb Heights as hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Being the following named streets and alleys and portions of streets and alleys in the plat of Webb Heights, a subdivision which is situated in Mead Township, Sec. 32-T.2-R.2 and Sec. 2-T.5-R.3, and is recorded in Vol. 8, P. 28 of the Belmont County Records of Plats: (1) All of Alley "B", (2) All of Henson Avenue, (3) All of Willard Lane, (4) All of Zane Street, (5) All of Meade Street, and (6) All that portion of Alley "A" which lies northwest of a line which is formed by extending the west line of Frank Hocker's parcel, as recorded in Vol. 438 P. 526 of the Deed Records of Belmont County, to the north line of Alley "A" (The west line of the Hocker parcel being at right angles to the lines of Alley "A", and the distance to the northwest corner of the Hocker parcel, measured along the south line of Alley "A" from the intersection of the south line of Alley "A" and the west line of Spencer Street, being 111.33 feet).

We humbly request that said streets and Alleys be vacated under Section 5553.042 of the Ohio Revised Code as amended and effective since August 19, 1963. The abutting property owners to said streets and alleys are W. M. Johnson and Robert R. and Ursula Mayhugh. The signing of this petition also constitutes our testimony that said streets and alleys have not been used in the last twenty-one years.

Commissioners Journal Vol. 40 Pg. 429

Dated this 16th day of October, A. D. 1963

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Includes names Robert R. Mayhugh, Ursula Mayhugh, W. M. Johnson and their respective addresses in Mead Township, Shadyside, Ohio.

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION

IN THE MATTER OF THE

Office of County Commissioners,

Vacation

Belmont County, Ohio

of certain streets & Alleys

Webb Heights

Public Road.

Mead Township - Imp. 656

Petitioned for by Robert R. Mayhugh

, and others.

The Board of County Commissioners of Belmont County, Ohio, met in special session

on the 16th day of Oct., 1963, at the office of County Commissioners

with the following members present:

Louis Salvador

Austin C. Furbee

Wm. H. Dorsey

Mr. Salvador moved the adoption of the following Resolution:

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate certain streets

and Alleys as described therein; therefore, be it

RESOLVED, That the 6th day of Nov., 1963, at 2 o'clock P.M. (EST), be fixed as the date when

we will view the proposed improvement, on which date we will meet at the commencing point of said proposed vacation

and go over the line of said proposed improvement; and be it further

RESOLVED, That the 13th day of Nov., 1963, at 11 o'clock A.M. (EST), be fixed as the date for

a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and he is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the St. Clairsville Gazette

a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

Mr. Dorsey seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Salvador Yes

Mr. Furbee Yes

Mr. Dorsey Yes

Adopted the 16th day of October, 1963

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
Vacation of Certain
Streets & Alleys
Public Road.
in Webb Heights
Mead Twp.

Office of County Commissioners
Belmont County, Ohio
Imp. #656

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 13 day of November, 1963, at the office of County Commissioners

with the following members present:

Louis Salvador
Austin C. Furbee
Wm. H. Dorsey

Mr. Furbee moved the adoption of the following Resolution:
Commissioners Journal Vol. 40 Pg. 452 view Had

WHEREAS, On the 6th day of November, 1963, the time heretofore fixed for view of the
proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement
and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions
pertaining thereto; therefore, be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate
survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way
lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken
in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between
such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property
owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 4th
day of December, 1963, the date fixed for the final hearing, setting forth his opinion either for or against said proposed
improvement, and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by
said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this cause is continued until said date.

Mr. Salvador seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. Salvador Yes
Mr. Furbee Yes
Mr. Dorsey Yes

Adopted the 13th day of November, 1963

Commissioners Journal Vol. 40 Pg. 460 Geneva Beck

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Certain
Streets & Alleys
Public Road.
in Webb Heights
Mead Twp.

County Engineer's Office,

Belmont County, Ohio.

Nov. 30, 19 63

To the Board of County Commissioners of Belmont County, Ohio:

The undersigned in obedience to your order dated Nov. 13, 19 63, proceeded on the 20th day of Nov., 19 63, to make an accurate survey and plat of the Public Road proposed to be improved, and respectfully submits the following report:

In the opinion of the undersigned the proposed ~~improvement~~ ^{vacation} should be granted.

The width to which said improvement should be opened is _____ feet.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"see attached plat"

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

R. A. B...

Alley B, 15 ft. wide, along the south line of vacated lots 43, 46 and 49, also along the north line of lots 35 to 42 inclusive and lots 35 to 42 inclusive along the south line of vacated lots 22 to 31 part, inclusive and along the north line of Alley A, 15 ft. wide, along the south line of vacated lot 52 through Robert & Ursula Mayhugh property lots 10 to 21 inclusive. Also along the north line of vacated lots 6 to 9 inclusive. The N.E. part of the south line of vacated lot 58 and along the north line of vacated Alley A, and the West line of Spencer St. lot 6 is N.35°21'30"W, 111.33 ft. from the intersection of the south line of Alley A, and the West line of Spencer St. Millard Lane, 30 ft. wide along the N.W. lines of vacated lots, 21, 32, 42, 43, 44 and 45, and along S.W. line of lots 31 and 32.

Line St., 30 ft. wide along the N.W. lot lines of vacated lots 37, 49, 50 & 51 and the S.E. lot lines of vacated lots 38, 46, 47, & 48 Meade St., 30 ft. wide and a triangular piece along the S.E. line of vacated lots 49, 50, & 51 and along the north line of lots 33 & 34. Also S.E. lines of vacated lots 10, 22 & 33. Also along the N.W. lines of vacated lots 9, 52, 54 inclusive, and also lot 53. Part of triangular piece is along the Robert & Ursula Mayhugh property also. Henson Ave., 30 ft. wide, along the north line of vacated lots 22 to 32 inclusive and also along the line of vacated lots 33 to 42 inclusive.

PETITION No. 656
Ohio Revised Code, Section 5553.042

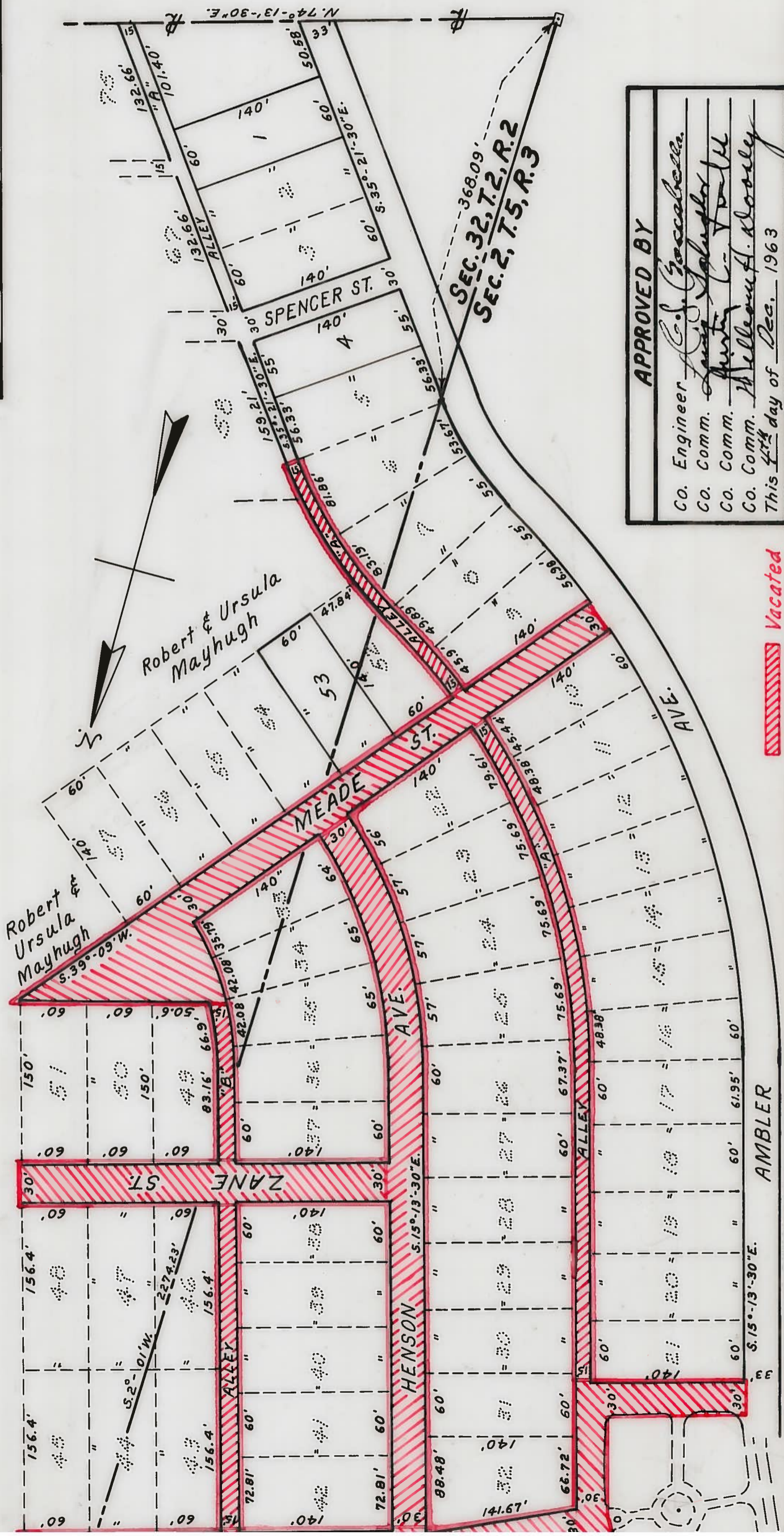
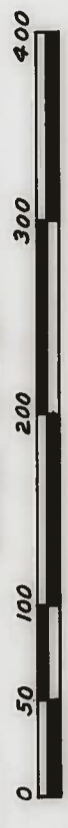
VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS VOL. 8, Pg. 28
MEAD TWP SEC. 32, T.2, R.2 & SEC. 2, T.5, R.3

RICHARD J. BOCCABELLA
Belmont County, Ohio
COUNTY ENGINEER

December, 1963

SCALE IN FEET



APPROVED BY

Co. Engineer *Richard J. Boccabella*
Co. Comm. *James J. ...*
Co. Comm. *Arthur C. ...*
Co. Comm. *William H. ...*

This 4th day of Dec., 1963

Vacated

AMBLER

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacation of Certain Streets & Alleys in Webb Hgts. - Mead Twp. Public Road.

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session on the 4th day of December, 1963, at the office of County Commissioners with the following members present:

Louis Salvador Austin C. Furbee Wm. H. Dorsey

Mr. Furbee moved the adoption of the following Resolution:

WHEREAS, This day this matter came on to be heard on the report, survey, plat and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further RESOLVED and determined to proceed with said improvement, it being the opinion of this Board of County Commissioners that the improvement is of sufficient importance to the public to cause the compensation and damages on account thereof to be paid to the persons entitled thereto out of the County Treasury, and such method of payment of compensation and damages is hereby ordered; and be it further

RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages or such part thereof as this Board may deem reasonable and just be paid by the landowners owning lands within the vicinity who will be benefited by the improvement, and the balance, if any, be paid out of the County Treasury, it being the opinion of this Board of County Commissioners that the improvement is not of sufficient importance to cause all compensation and damages to be paid from the County Treasury. On failure of such benefited landowners to pay

such compensation and damages as may be adjudged against them by the day of 19 it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated under authority of Sec. 5553.042 Revised Code of Ohio feet in width; and be it further

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal;

and be it further

RESOLVED, That the County Engineer be and he is hereby directed to cause a record of the proceedings, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County;

RESOLVED, That the day of 19 at o'clock M., at the office of this Board, be and the same are hereby fixed as the time and place for hearing of such claims for compensation and damages as may be filed in writing with the Clerk of this Board on or before said date; and be it further

RESOLVED, That notice of the time and place of such hearing be given by the County Engineer or his Deputy or Assistant, and the Clerk of this Board, as required by law; and be it further

RESOLVED, That this cause be and the same is hereby continued to said date above fixed.

Mr. Salvador seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Salvador Yes Mr. Furbee Yes Mr. Dorsey Yes

Adopted the 4th day of December, 1963

RESOLUTION—AWARDING COMPENSATION AND DAMAGES

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio.

Public Road.

The Board of County Commissioners of Belmont County, Ohio, met in _____ session
on the _____ day of _____, 19____, at the office of _____
with the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHERSAS, This day the matter of award of compensation and damages to landowners through or upon whose lands said improvement is located, came on to be heard, and the Board finds that notice of the time and place of this hearing has been given to all such owners as provided by law and our former order and the Board has heard all applications for compensation and damages filed herein, and considered all claims of minors and those under legal disabilities; therefore, be it

RESOLVED, That we do find and allow compensation and damages, in amounts as held to be just and equitable to the following landowners, to-wit:

No Hearing on Compen. & Damage

and be it further

RESOLVED, That, when the amount of compensation and damages is paid to the owners, as herein ordered, or the amount thereof as allowed by this Board is deposited with the Probate Court, upon an appeal being perfected, for the use of the appellants, said improvement described as follows:

None

be and the same is hereby established.

Mr. _____ seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. _____
Mr. _____
Mr. _____

Adopted the _____ day of _____, 19____

and the same is hereby established