

## PUBLIC ROAD PETITION #663

, Ohio, Sept. 14, 1964

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 vacation of a part of Twp. Road T-81 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacation such road, the same not being a road on the State Highway System.

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

Beginning at The intersection of T-81 and S.R. 145 in Sec. 1, T.6, R.5, of Wayne Township, thence through the lands of Ward & Mabel McCabe northwesterly for about 875 feet, thence through Paul & Helen Warfield land bordering Ward & Mabel McCabe northerly about 200 feet to the north line of Sec. 1, T.6, R.5; thence northeasterly through Warfield and Albert Burkhardt lands to Warfield lands about 2440 feet, thence northeasterly through Warfield lands about 270 feet, thence through Warfield's land and Ralph Bondy land about 2650 feet, thence through Warfield land 1200 feet to end at W.D. Reed land, being about 6560 feet, or 1.24 miles.

Also vacation of T-80 beginning at the intersection of T-80 and T-804 through Paul & Helen Warfield land in S.E. Qr. of Sec. 8, T.6, R.5 Wayne Township, in a southeasterly direction about 1650 feet to the east section line of Sec. 8, Thence southeasterly through Warfield's land in S/W Qr. of Sec. 2, T.6, R.5, about 300 feet to where T-80 intersects T-81 in Sec. 2. Being about 1950 feet or 0.35 mi.

Dated this 14<sup>th</sup> day of Sept., A. D. 1964

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Hilles Neptune	Barnesville School District
Vernon Jenewein	Switzerland of Ohio
Neal Jenewein	Switzerland of Ohio
John Crum	Switzerland of Ohio
Ocie Hatcher	Switzerland of Ohio
Ward McCabe	Switzerland of Ohio
Mabel McCabe	Switzerland of Ohio
C. L. Wilson	Switzerland of Ohio
Harry Davis	Switzerland of Ohio
J. W. Perkins	Switzerland of Ohio
Albert W. Burkhardt	Switzerland of Ohio
Floyd Lucas	Switzerland of Ohio
Paul Warfield	Switzerland of Ohio

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

IN THE MATTER OF THE

Vacation of  
Twp. Road T-81  
Public Road.

Office of County Commissioners,

Belmont County, Ohio  
(Wayne Township)

Petitioned for by Hilles Neptune  
\_\_\_\_\_, and others.

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

on the 14<sup>th</sup> day of Sept., 19 64, at the office of County Commissioners  
with the following members present:

Wm. H. Dorsey

Austin C. Furbee

Louis Salvador

Mr. Furbee 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

a part of a Public Road as described therein; therefore, be it

RESOLVED, That the 14<sup>th</sup> day of October, 19 64, at 2:00 o'clock P. <sup>(D.S.T.)</sup> M., 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 28<sup>th</sup> day of October, 19 64, at 11 o'clock A. <sup>(D.S.T.)</sup> M., 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 she 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 Times-Leader

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

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

Mr. Dorsey Yes

Mr. Furbee Yes

Mr. Salvador Yes

Adopted the 14<sup>th</sup> day of September, 19 64

Renata Reik

St. Clairsville, Ohio, Oct. 7, 1964

The Board of Commissioners of Belmont County, Ohio, met this day in special session. Present: Wm. H. Dorsey, Austin C. Furbee and Louis Salvador, Commissioners, and Geneva Beck, Clerk of the Board. Minutes of the meeting of October 5, 1964, were read, approved and signed.

In the Matter of Vacation of a part  
of Twp. Road T-81, in Wayne Township,  
petitioned for by Hilles Neptune, et al, "View Postponed"  
Imp. #663

Motion was made by Mr. Salvador, seconded by Mr. Dorsey, that view of the vacation of a part of Twp. Road T-81, in Wayne Township, as petitioned for by Hilles Neptune, et al, Imp. #663, to be continued until Wednesday, October 28, 1964, at 2:00 O'clock P.M. (EST) and that final hearing on said petition be continued until Wednesday, Nov. 4, 1964, at 11:00 O'clock A.M. (EST).

Upon roll call the vote was as follows:

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

I hereby certify the foregoing to be a true copy of journal entry of Oct. 7, 1964, as recorded in Vol. 41 Pg. 199 of the County Commissioners' Journal.

Geneva Beck  
Clerk



St. Clairsville, Ohio, Oct. 28, 1964

The Board of Commissioners of Belmont County, Ohio, met this day in special session. Present: Wm. H. Dorsey, Austin C. Furbee and Louis Salvador, Commissioners, and Geneva Beck, Clerk of the Board. Minutes of the meeting of Oct. 26, 1964, were read, approved and signed.

In the matter of Vacation of a part  
of Twp. Road T-81, in Wayne Township, "View Had"  
petitioned for by Hilles Neptune, et al,  
Imp. #663

This being the day and 2:00 o'clock P. M. being the hour at which time the Commissioners were to view the proposed vacation of a part of Twp. Road T-81, in Wayne Township, petitioned for by Hilles Neptune, et al, Imp. #663, according to notice duly published in The Times-Leader, a newspaper published and of general circulation in the County of Belmont, the board went this day upon line of said vacation as described in the petition and viewed same.

Mr. Dorsey Yes

Mr. Furbee Yes

Mr. Salvador Yes

I hereby certify the foregoing to be a true copy of journal entry of Oct. 28, 1964, as recorded in Volume 41 Pg- 215, of the County Commissioners' Journal.

Geneva Beck

Clerk, Board of County Commissioners

## RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

## ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of  
 Tup. Road T-81  
 Public Road.  
 Wayne Township

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in special session  
 on the 4<sup>th</sup> day of November, 19 64, at the office of County Commissioners  
 with the following members present:

Wm. H. DorseyAustin C. FurbeeLouis Salvador

Mr. Furbee moved the adoption of the following Resolution:

WHEREAS, On the 28<sup>th</sup> day of October, 19 64, 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 25<sup>th</sup> day of November, 19 64, 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. Dorsey Yes

Mr. Furbee Yes

Mr. Salvador Yes

Adopted the 4<sup>th</sup> day of November, 19 64

Genera Beck

Clerk, Board of County Commissioners

## REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Twp.Road T-80 & T-81

Public Road.

Wayne Twp.

County Engineer's Office,

Belmont County, Ohio.

Nov. 20, 1964

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

The undersigned in obedience to your order dated Nov. 4, 1964, proceeded on the 9<sup>th</sup> day of November, 1964, 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~~ <sup>vacation</sup> 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 plat attached "

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:

E. J. Bassett

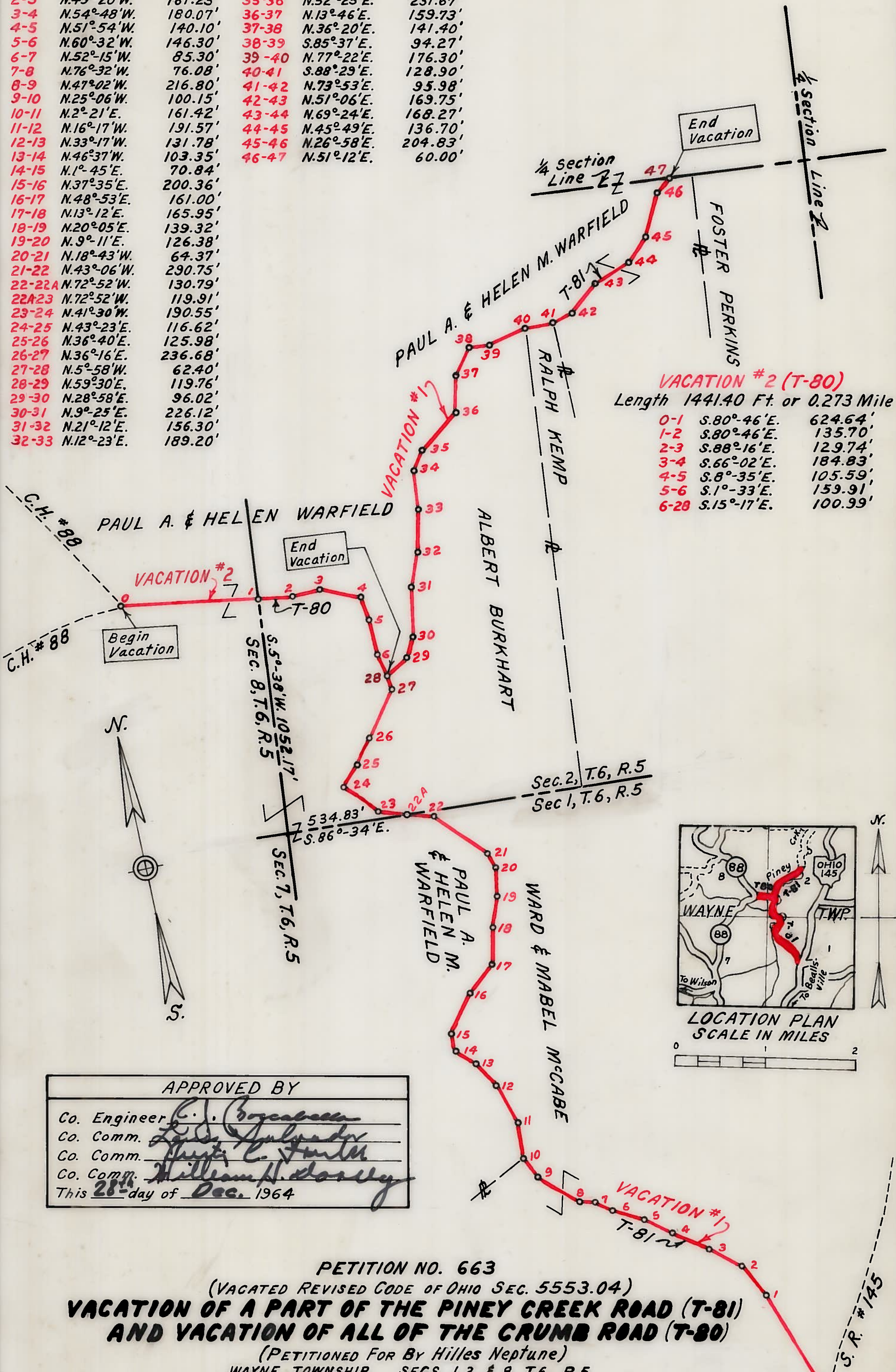


**VACATION #1 (T-81) Total Length = 7409.80 Ft. or 1.403 Mile**

0-1	N.19°00'W.	512.78'	33-34	N.6°05'E.	178.40'
1-2	N.27°32'W.	169.57'	34-35	N.33°26'E.	97.80'
2-3	N.49°20'W.	161.23'	35-36	N.52°25'E.	231.67'
3-4	N.54°48'W.	180.07'	36-37	N.13°46'E.	159.73'
4-5	N.51°54'W.	140.10'	37-38	N.36°20'E.	141.40'
5-6	N.60°32'W.	146.30'	38-39	S.85°37'E.	94.27'
6-7	N.52°15'W.	85.30'	39-40	N.77°22'E.	176.30'
7-8	N.76°32'W.	76.08'	40-41	S.88°29'E.	128.90'
8-9	N.47°02'W.	216.80'	41-42	N.73°53'E.	95.98'
9-10	N.25°06'W.	100.15'	42-43	N.51°06'E.	169.75'
10-11	N.2°21'E.	161.42'	43-44	N.69°24'E.	168.27'
11-12	N.16°17'W.	191.57'	44-45	N.45°49'E.	136.70'
12-13	N.33°17'W.	131.78'	45-46	N.26°58'E.	204.83'
13-14	N.46°37'W.	103.35'	46-47	N.51°12'E.	60.00'
14-15	N.1°45'E.	70.84'			
15-16	N.37°35'E.	200.36'			
16-17	N.48°53'E.	161.00'			
17-18	N.13°12'E.	165.95'			
18-19	N.20°05'E.	139.32'			
19-20	N.9°11'E.	126.38'			
20-21	N.18°43'W.	64.37'			
21-22	N.43°06'W.	290.75'			
22-22A	N.72°52'W.	130.79'			
22A-23	N.72°52'W.	119.91'			
23-24	N.41°30'W.	190.55'			
24-25	N.43°23'E.	116.62'			
25-26	N.36°40'E.	125.98'			
26-27	N.36°16'E.	236.68'			
27-28	N.5°58'W.	62.40'			
28-29	N.59°30'E.	119.76'			
29-30	N.28°58'E.	96.02'			
30-31	N.9°25'E.	226.12'			
31-32	N.21°12'E.	156.30'			
32-33	N.12°23'E.	189.20'			

**VACATION #2 (T-80)**  
Length 1441.40 Ft. or 0.273 Mile

0-1	S.80°46'E.	624.64'
1-2	S.80°46'E.	135.70'
2-3	S.88°16'E.	129.74'
3-4	S.66°02'E.	184.83'
4-5	S.8°35'E.	105.59'
5-6	S.1°33'E.	159.91'
6-28	S.15°17'E.	100.99'



APPROVED BY

Co. Engineer *C. J. Boyce*

Co. Comm. *L. J. Gulyard*

Co. Comm. *W. E. Funder*

Co. Comm. *William H. Dancy*

This 28 day of Dec. 1964

PETITION NO. 663  
(VACATED REVISED CODE OF OHIO SEC. 5553.04)  
**VACATION OF A PART OF THE PINEY CREEK ROAD (T-81)  
AND VACATION OF ALL OF THE CRUMB ROAD (T-80)**

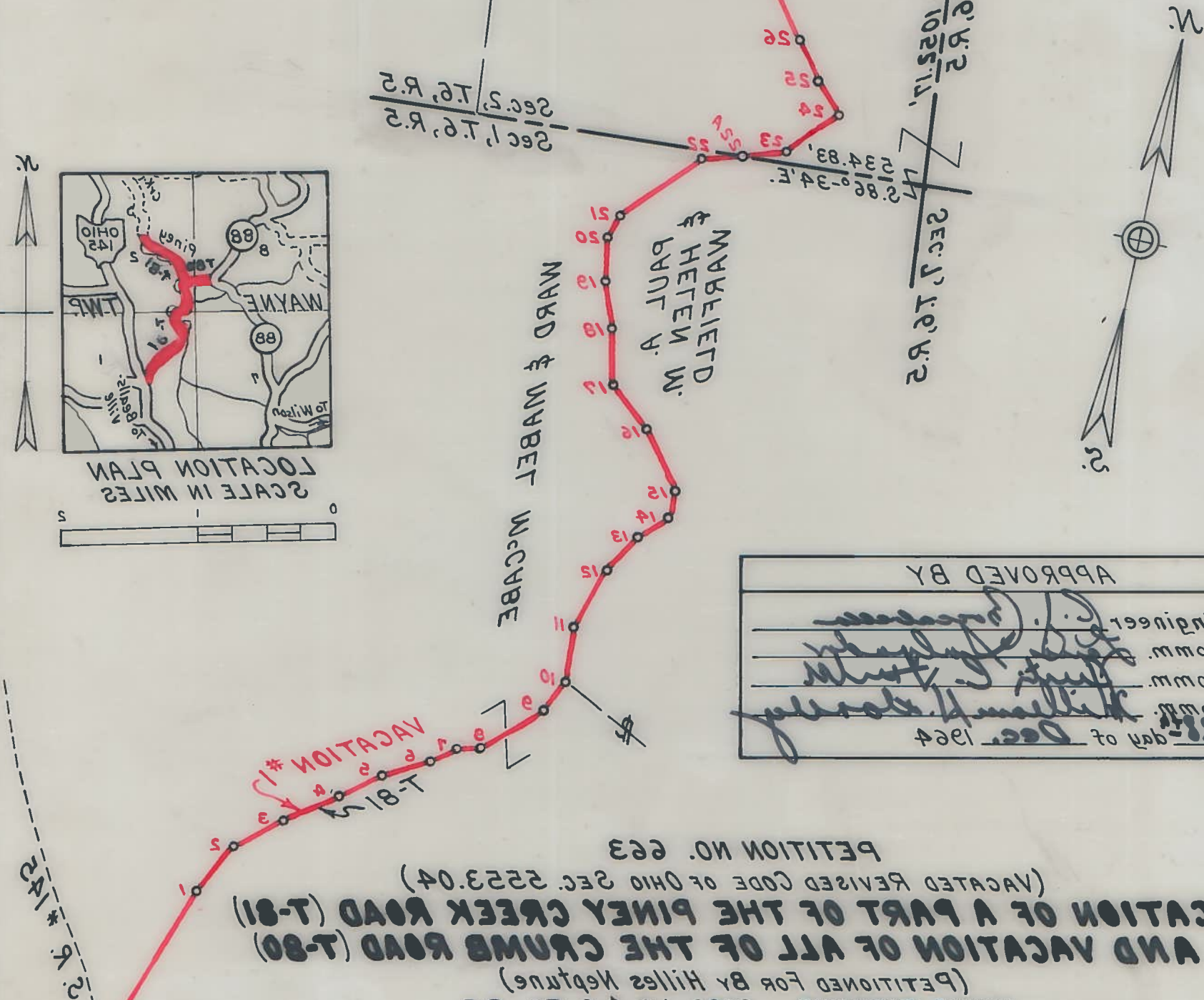
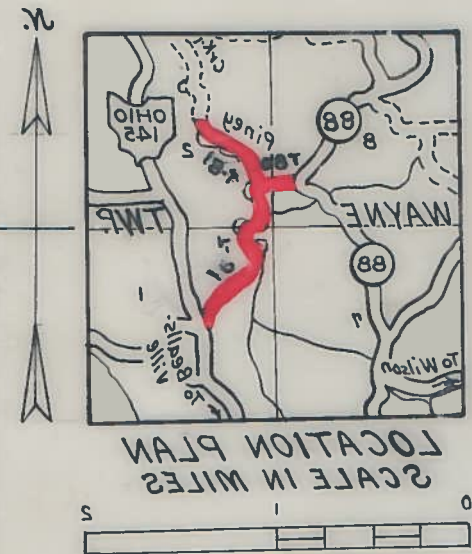
(PETITIONED FOR BY HILLES NEPTUNE)  
WAYNE TOWNSHIP SECS. 12 & 13 T.6 R.5



# AND VACATION OF ALL OF THE CRUMB ROAD (T-80) VACATION OF A PART OF THE PINEY CREEK ROAD (T-81) (VACATED REVISED CODE OF OHIO SEC. 2523.04) PETITION NO. 663

(Petitioned for by Hilleg Neptune)

APPROVED BY  
 Co. Engineer  
 Co. Comm.  
 Co. Comm.  
 Co. Comm.  
 Co. Comm.  
 This day of Dec. 1964





**RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.**

IN THE MATTER OF THE

Vacation of Tap. Rd T-81

Wayne Tap.

Public Road.

Petitioned for by Hilles Neptune  
et al

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in special session  
on the 25<sup>th</sup> day of November, 1964, at the office of County Commissioners  
with the following members present:

Wm. H. Dorsey

Austin C. Furbee

Louis Salvador

Mr. Salvador 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  
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; and be it further

RESOLVED, That the 16<sup>th</sup> day of December, 1964, at 11 o'clock A.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. Dorsey seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Dorsey Yes

Mr. Furbee Yes

Mr. Salvador Yes

Adopted the 25<sup>th</sup> day of November, 1964

**RESOLUTION—AWARDING<sup>No</sup> COMPENSATION AND DAMAGES**

IN THE MATTER OF THE

Vacation of Twp.

Road T-81

Public Road.

Wayne Twp.

by Hilles Neptune

Office of County Commissioners,

Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in special session  
on the 16<sup>th</sup> day of December, 1964, at the office of County Commissioners  
with the following members present:

William H. Dorsey

Austin C. Furbee

Louis Salvador

Mr. Furbee moved the adoption of the following Resolution:

WHEREAS, 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:

None

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

Commissioners Journal Vol. 41 Pg. 261

be and the same is hereby established.

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

Mr. <u>Dorsey</u>	<u>Yes</u>
Mr. <u>Furbee</u>	<u>Yes</u>
Mr. <u>Salvador</u>	<u>Yes</u>

Adopted the 16<sup>th</sup> day of December, 1964

General Beck