

PUBLIC ROAD PETITION No. 671

Bridgeport, Ohio, July 27, 1965

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 a Public Road on the line 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:

Situated in the Township of Pease, County of Belmont, and State of Ohio, and shown and designated on the Plat of Brookview Terrace, of record in Volume 13, Page 8, Record of Plats, Belmont County, Ohio, and being all of Summit Avenue and that part of West View Drive and that part of Brookview Drive, as shown and designated on said Plat, which are situated south of the southerly line of Sunset Avenue extended to the westerly line of West View Drive and the easterly line of Brookview Drive.

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Dated this 9th day of August, A. D. 1965

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Lists names like Irvin D. Mellott, Mrs Mary H. Mellott, Gerald J. Comas, Donna Comas, Edward A. Zini, Joseph E. Zini, Josephine Zini, William Davis Jr, Nancy A. Davis, Stanley J. Fornal, Irene Fornal, Johanna J. Strauss, Frank Kovask, all in Pease Township.

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

a part of

Public Road.

Petitioned for by Irvin O. Mellott

, and others.

Office of County Commissioners,

Belmont County, Ohio

(Pease Twp.)

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

on the 9th day of August, 1965, at the office of County Commissioners

with the following members present:

Louis Salvador

Wm. H. Dorsey

Louis Salvador

Mr. Dorsey 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 1st day of Sept., 1965, at 2:00 o'clock P.M., (OST) be fixed as the date when

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

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

RESOLVED, That the 8th day of Sept., 1965, at 11 o'clock A.M., (OST) 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 s/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. Salvador seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Salvador Yes

Mr. Dorsey Yes

Mr. Blake Yes

Adopted the 9th day of August, 1965

Comm. Jr. Vol. 41 Pg. 473 Aug. 16, 1965

Hearing Cont. & View

View Sept. 8, 1965 2:00 P.M. (DST)

Hearing Sept. 15, 1965 11:00 A.M. (DST)

Salvador, Dorsey, Blake

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Part of

Irwin O. Mellett

Public Road.

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in special session on the 8th day of Sept., 1965, at the office of County Commissioners

with the following members present:

Wm. H. Dorsey

Arthur Blake

Mr. Blake moved the adoption of the following Resolution:

WHEREAS, On the 8th day of Sept., 1965, 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 15th day of Sept., 1965, 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. Dorsey seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Dorsey Yes

Mr. Blake Yes

Mr.

Adopted the 8th day of sept., 1965.

Geneva Beck

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of

Part of

Public Road.

Pet. by Irvin Mellett

County Engineer's Office,

Belmont County, Ohio.

Sept. 13, 1965

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

The undersigned in obedience to your order dated Sept. 8, 1965, proceeded on the 10th day of Sept., 1965, 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 vacation should be granted.

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

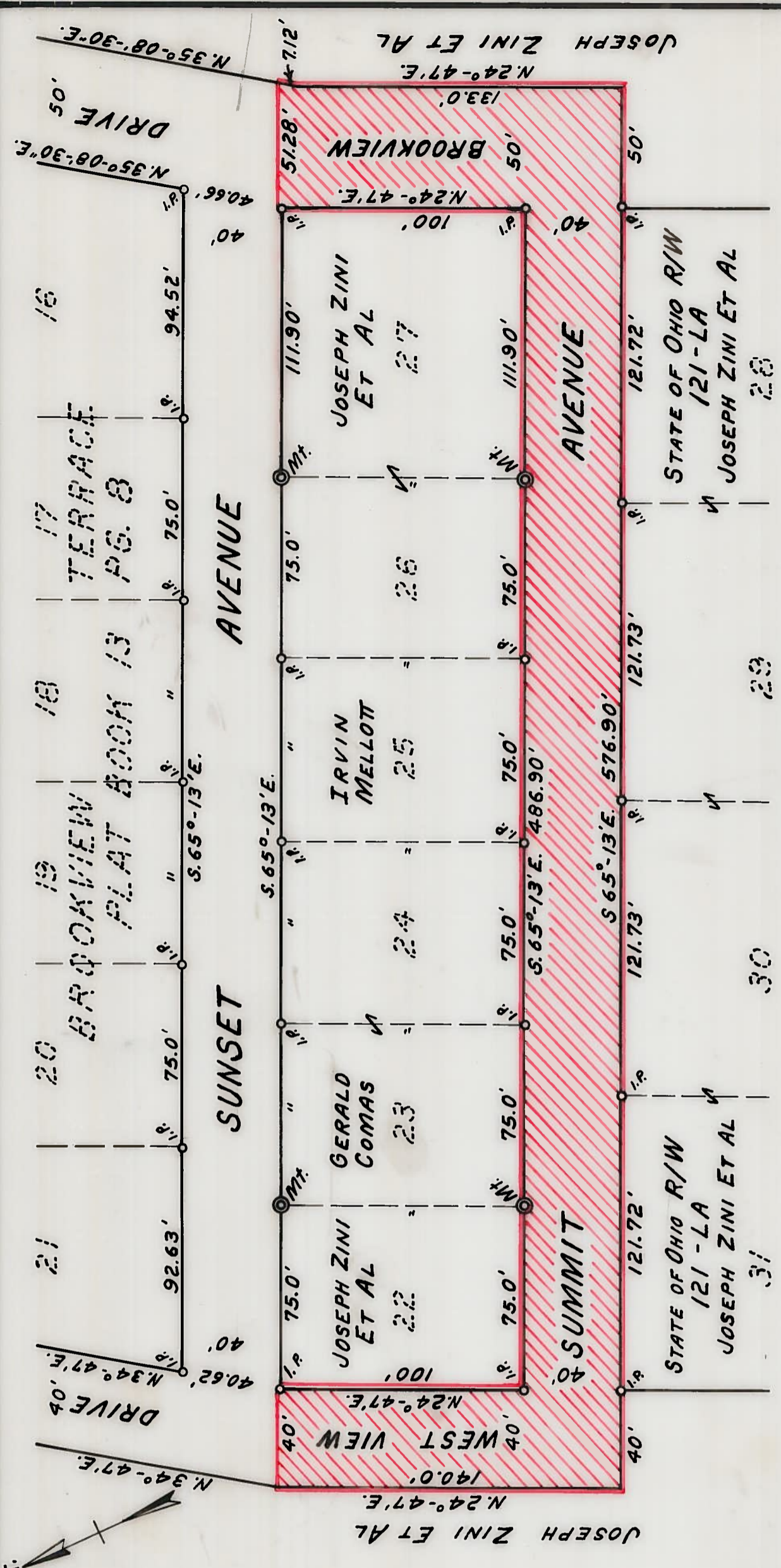
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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:

G. J. Buncick



PETITION No. 671
 (VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.04)

VACATION OF SUMMIT AVE. AND A PART OF BROOKVIEW DRIVE AND A PART OF WEST VIEW DRIVE

In Brookview Terrace As Recorded In Belmont County Record Of Plats Vol. 13, Pg. 8
 (PETITIONED BY IRVIN MELLOTT)
 Pease Twp. Sec. 3, T. 6, R. 3
 Belmont County, Ohio

RICHARD J. BOCCABELLA COUNTY ENGINEER

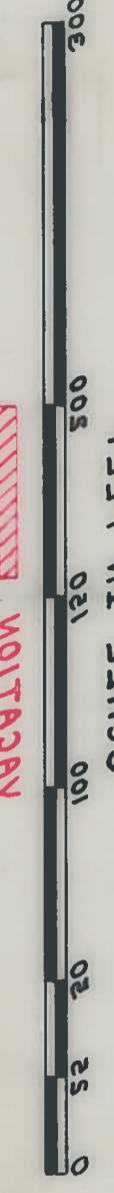
September 1965
 SCALE IN FEET



VACATION

APPROVED BY
 Engineer *[Signature]*
 m.m. *[Signature]*
 m.m. *[Signature]*
 m.m. *[Signature]*
 15th day of Oct. 1965

APPROVED BY
[Signature]
 1999/09/01
 2001-09-01



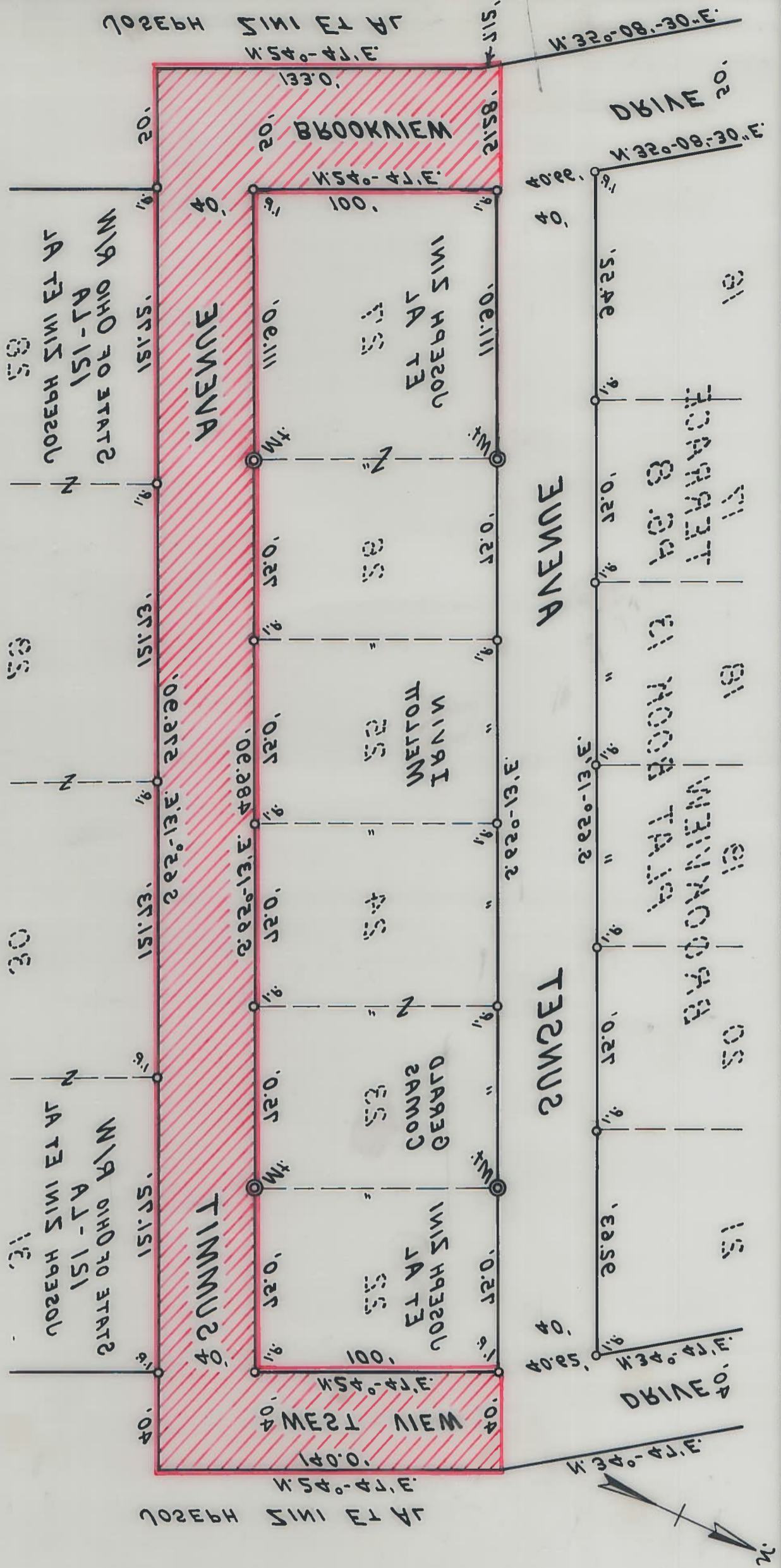
COUNTY ENGINEER

ALLEN BELLETT

BEFORE ME, COUNTY ENGINEER, on this day of September, 1998, at Columbus, Ohio, I presented to me the following:

WARRANT FOR REVISION OF THE DEEDS TO THE TRACTS OF BROOKVIEW DRIVE AND TIMMUS ROAD, TOWN OF BROOKVIEW, COLUMBIA COUNTY, OHIO

FILE NO. 178-101178-04 (40.3223 NOTION CODE SECTION WITH OHIO REVISED CODE SECTION 2223.04)



2001-09-01

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

Office of County Commissioners, Belmont County, Ohio

IN THE MATTER OF THE Vacation of Part of Public Road. in Pease Twp. Petitioned for by Irwin D. Mellott et al

The Board of County Commissioners of Belmont County, Ohio, met in Special session on the 15th day of Sept., 1965, at the office of County Commissioners with the following members present:

Wm. H. Dorsey Arthur Blake

Mr. Dorsey 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; there fore, 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 improve- ment 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 29th day of Sept., 1965, at 11:00 o'clock A. M. (DST) 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. Blake seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Dorsey Yes Mr. Blake Yes

Adopted the 15th day of Sept., 1965

NO
RESOLUTION—AWARDING COMPENSATION AND DAMAGES

IN THE MATTER OF THE

Office of County Commissioners,

Vacation of

a Part of a Public Road

Public Road.

Belmont County, Ohio.

petitioned for by Irvin D.

Mellott, et al

The Board of County Commissioners of Belmont County, Ohio, met in *special* session
on the *29th* day of *Sept.*, 19 *65*, at the office of *County Commissioners*
with the following members present:

Louis Salvador

Wm. H. Dorsey

Arthur Blake

Mr. *Dorsey* 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:~~

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be and the same is hereby established.

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

resulted as follows:

Mr. <i>Salvador</i>	<i>Yes</i>
Mr. <i>Dorsey</i>	<i>Yes</i>
Mr. <i>Blake</i>	<i>Yes</i>

Adopted the *29th* day of *Sept.*, 19 *65*

Geneva Beck