

PUBLIC ROAD PETITION 697

St. Clairsville

Ohio,

Nov. 3rd, 1969

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 a part of ^{C.H. #102} 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:

Beginning at the centerline intersection of Belmont County Highway #102 and old National Road Route #40, said beginning point situated in State of Ohio, County of Belmont, Township of Kirkwood, and Section #8, T-9-N. and R-6-W. Said beginning point referenced as follows from the southwest corner of Section #8, north along the west line of said section for a distance of 1,650 feet more or less; thence at a right angle thereto east for a distance of 2,100 feet more or less to the place of beginning; thence following along the centerline of Belmont County Highway #102 northerly for a distance of 1,000 feet more or less; thence northeasterly for a distance of 1,550 feet more or less; thence in a northerly direction for a distance of 7,100 feet more or less; thence in a northeasterly direction for a distance of 2,600 feet more or less; thence in an easterly direction for a distance of 2,100 feet more or less to the centerline intersection of Belmont County highway #102 and Kirkwood Township road #343, the terminus of the portion of County Highway #102 herein petitioned for vacation. Said terminus situated in State of Ohio, County of Belmont, Township of Kirkwood, Section #4, T-9, R-6
The total distance of County Highway #102 petitioned for vacation being 14,350 feet (2.7 miles).

Consolidation Coal Company, the petitioner herein states that it is the owner of all the surface and/or the right to mine coal underlying and adjacent to said portion of road, and that no inconvenience will be caused the traveling public

Dated this 3rd day of November, A. D. 1969

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Consolidation Coal Company BY: Elmer E. Loper AGENT	Kirkwood Township

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,

Vacating of a Part of C.H. 102

Belmont County, Ohio

Kirkwood Township

Public Road.

Petitioned for by Consolidation Coal Co.

Imp. #697

, and others.

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

on the 3rd day of November, 1969, at the office of the County Commissioners

with the following members present:

A. J. Sargus

Earnest C. Loy

W. H. Dorsey

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 8th day of December, 1969, at 9:00 o'clock P.M., be fixed as the date when

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

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

RESOLVED, That the 10th day of December, 1969, at 8:00 o'clock P.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 Martins Ferry 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. Loy seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Sargus Yes

Mr. Loy Yes

Mr. Dorsey Yes

Adopted the 3rd day of november, 1969

Janet K. Lou

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating of a part of C. H. 102,
Kirkwood Township, petitioned for by
Public Road.
Consolidation Coal Company, Imp. #697

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 8th day of December, 1969, at the office of the County Commissioners

with the following members present:

A. J. Sargus

Earnest C. Loy

W. Dorsey

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, On the 8th day of December, 1969, 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; ~~██████████~~ and WHEREAS, **Written notice has been sent to the abutting land-owners in accordance with Section 5553.05 of the Revised Code of Ohio; 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 10th day of December, 1969, 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. Loy seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Sargus

Mr. Loy

Mr. Dorsey

Adopted the 8th day of December, 1969

Janet K. Loy

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of part of C.H. #102
Kirkwood Twp. (John Ball Rd.)
Public Road.
Petitioned for by Consol.
Imp. #697

County Engineer's Office,

Belmont County, Ohio.

Dec. 10, 1969

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

Dec 8

19 69, proceeded on the 9th

The undersigned in obedience to your order dated
day of December, 1969, 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 should be granted.

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

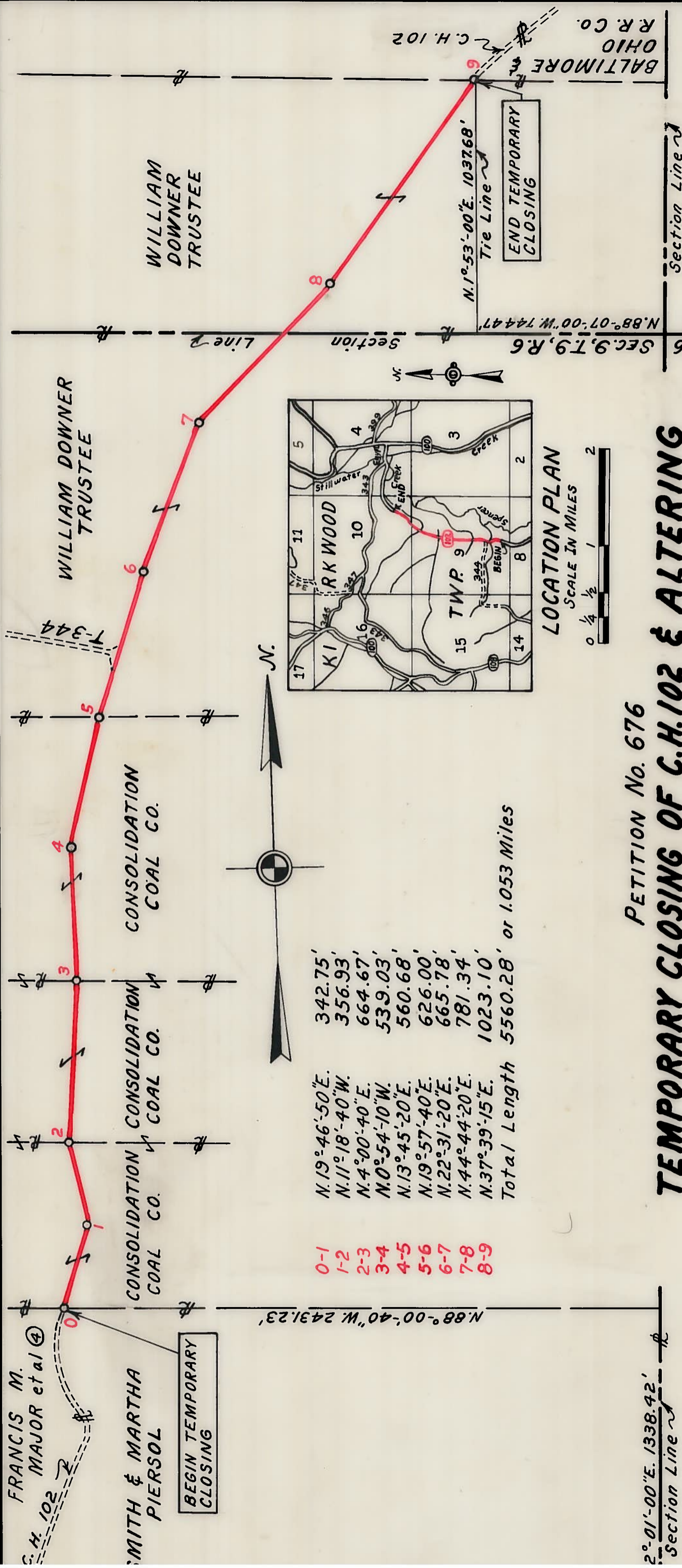
~~An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.~~

An accurate and detailed description of the proposed improvement describing therein the center line _____ follows:

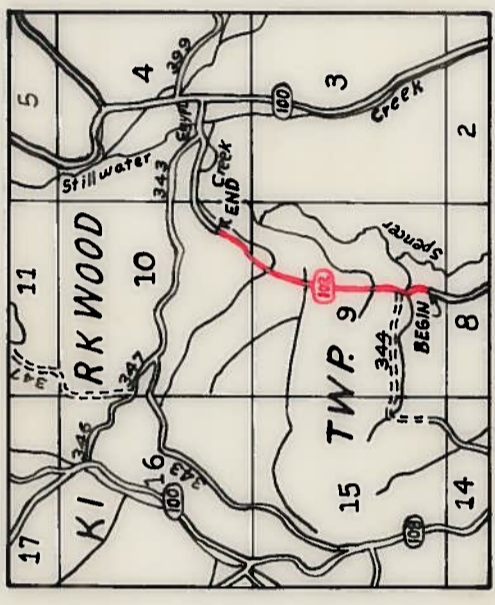
"See attached plat"

~~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:~~

[Handwritten Signature]

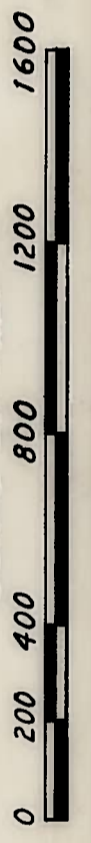


0-1	N. 19°-46'-50" E.	342.75'
1-2	N. 11°-18'-40" W.	356.93'
2-3	N. 4°-00'-40" E.	664.67'
3-4	N. 0°-54'-10" W.	539.03'
4-5	N. 13°-45'-20" E.	560.68'
5-6	N. 19°-57'-40" E.	626.00'
6-7	N. 22°-31'-20" E.	665.78'
7-8	N. 44°-44'-20" E.	781.34'
8-9	N. 37°-39'-15" E.	1023.10'
Total Length		5560.28' or 1.053 Miles



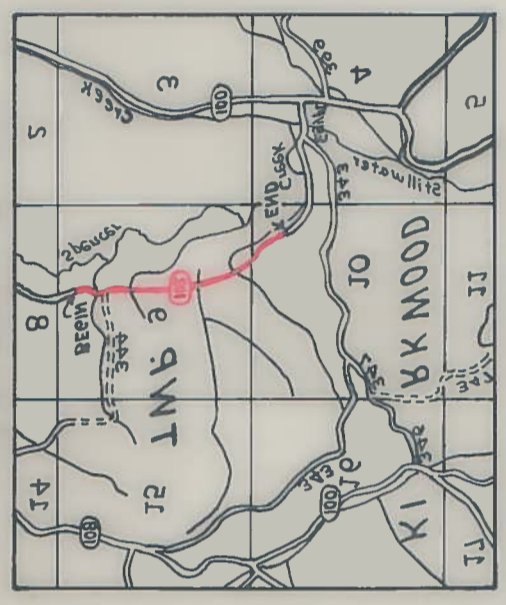
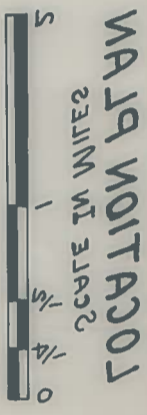
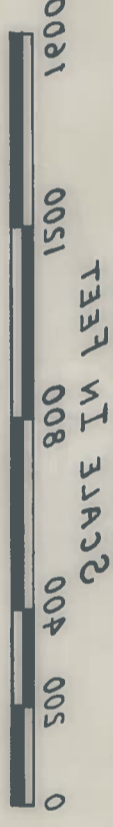
PETITION No. 676
TEMPORARY CLOSING OF C.H.102 & ALTERING
WIDENING & RECONSTRUCTION IMPROVEMENT
 In Accordance With Ohio Revised Code Section 5553.04
 (PETITIONED FOR BY CONSOLIDATION COAL COMPANY (BY ELMER E. LOPER AGT.)
 KIRKWOOD TWP. SECTIONS 9 & 10, T.9, R.6
 BELMONT COUNTY, OHIO
 RICHARD J. BOCCABELLA COUNTY ENGINEER
 APRIL 1966
 SCALE IN FEET

APPROVED BY _____
 Engineer *R.J. Boccabella*
 Comm. _____
 Comm. _____
 Comm. _____ day of _____ 1966

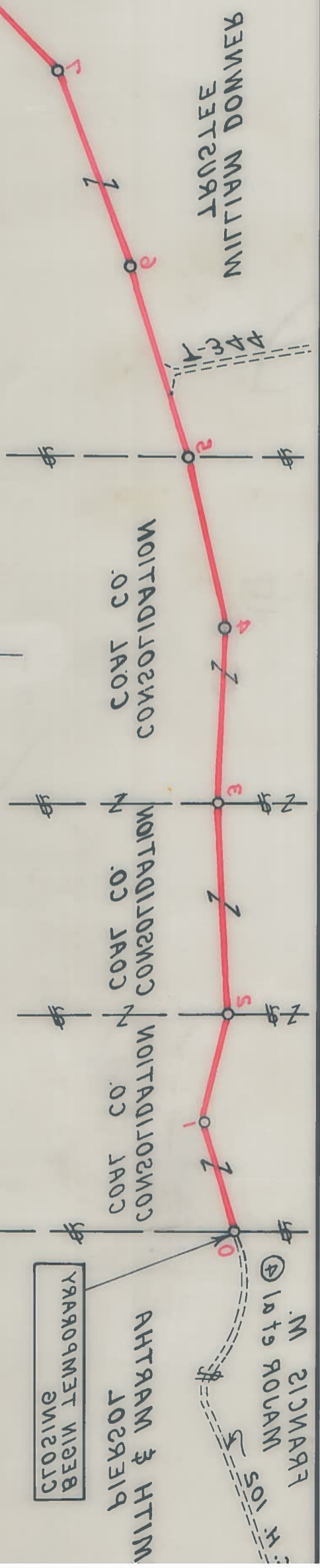
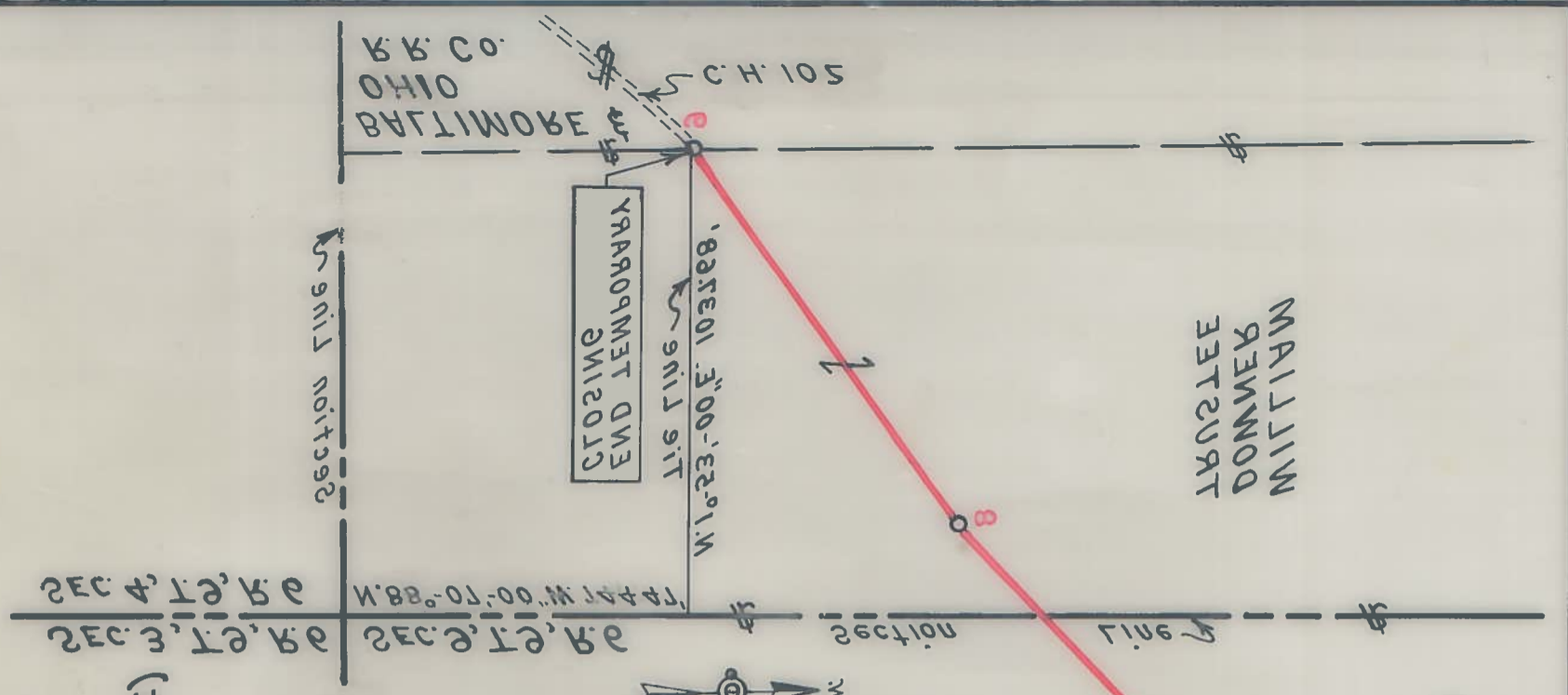


APPROVED BY
 [Signature]
 ENGINEER
 COMM. NO. _____
 COMM. NO. _____
 COMM. NO. _____
 DATE _____

WIDENING & RESURFACING OF S.O.H.S. ROADWAY TEMPORARY IMPROVEMENTS
 PETITION NO. 928
 IN ACCORDANCE WITH OHIO REVISED CODE SECTIONS 40.0301 TO 40.0305
 FOR THE PURPOSE OF IMPROVING THE ROADWAY AND TEMPORARILY IMPROVING THE ROADWAY
 IN THE TOWNSHIP OF KIRKWOOD, COUNTY OF COLUMBIA, STATE OF OHIO
 RICHARD J. BOCCABELLA
 ATTORNEY AT LAW
 1200 LEXINGTON AVENUE
 NEW YORK, N.Y. 10017
 (BY) RICHARD J. BOCCABELLA
 COUNTY ENGINEER



1-0	345.12	345.12	E 0° 21' 34" E	101.10
1-1	320.23	320.23	W 11° 18' 40" W	101.10
1-2	230.03	230.03	E 04° 00' 40" E	101.10
1-3	220.28	220.28	W 05° 24' 10" W	101.10
1-4	200.25	200.25	E 13° 42' 50" E	101.10
1-5	181.18	181.18	W 05° 13' 55" W	101.10
1-6	105.01	105.01	E 05° 44' 44" E	101.10
1-7	85.02	85.02	W 31° 00' 00" W	101.10
1-8	01.35	01.35	E 21° 00' 00" E	101.10



CONCRETE PAVEMENT
 12' TO 14' M
 50' H
 10' TO 12' M
 10' TO 12' M

RESOLUTION

Belmont County Highway No. 102

WHEREAS, ^{on} [redacted] November 3, 1969 [redacted]
[redacted] Consolidation Coal
Company [redacted] petitioned for ^{the vacation of} a part of Belmont County Highway No.
102; [redacted]
[redacted] and

WHEREAS, said petition was advertised in accordance with law,
viewing made and hearing held on same petition, and

WHEREAS, no valid objections nor claims for damages pertaining
to said petition were presented at time of hearing.

Now therefore, be it resolved by Board of Commissioners of
Belmont County, Ohio that prayer of said petition be granted and the
portion of Belmont County Highway No. 102 as petitioned be vacated and
stricken from the records of public roads of Belmont County, Ohio.

Upon motion by Mr. Dorset,
seconded by Mr. Loy.

The foregoing resolution adopted by the following vote:

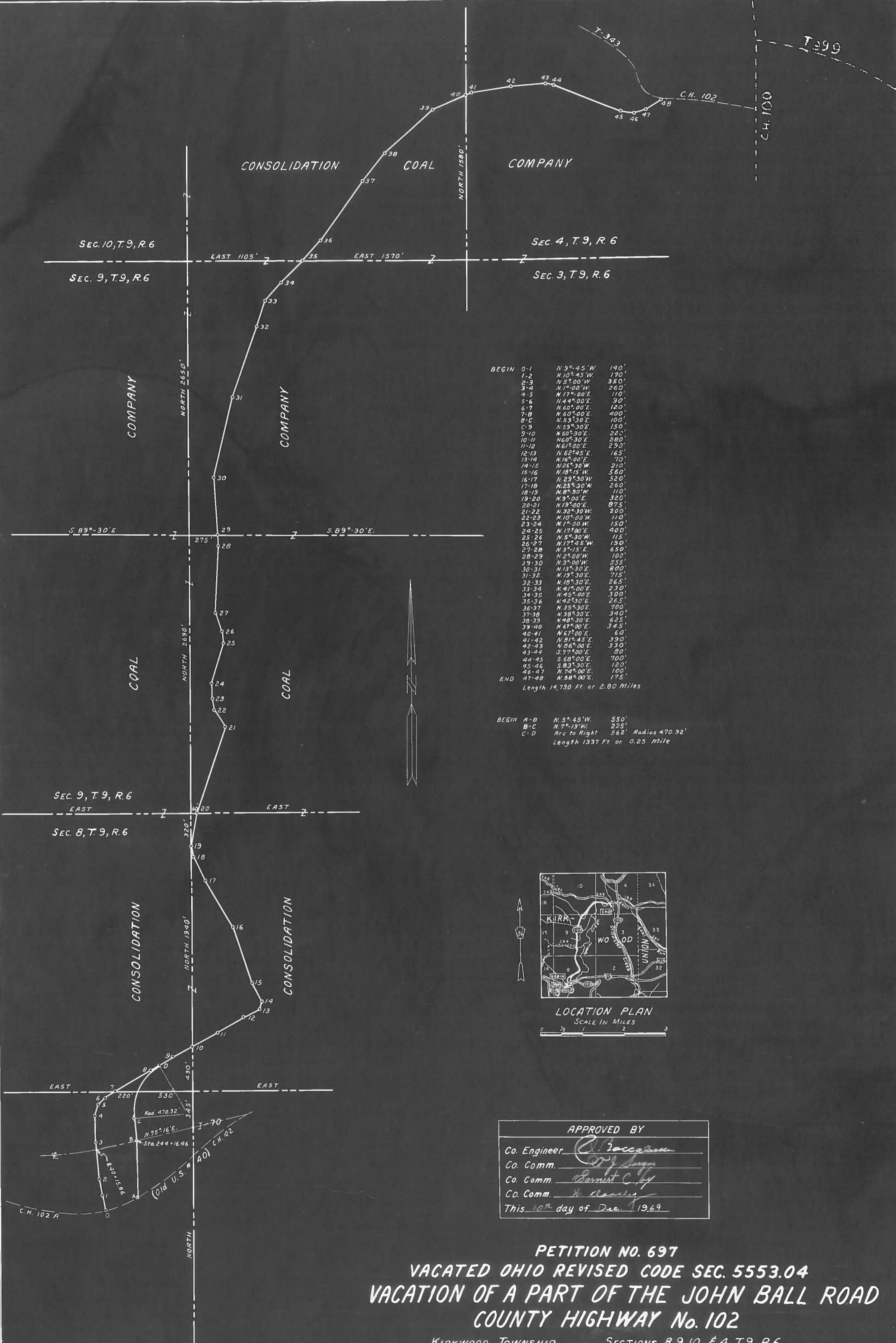
Mr. <u>A. J. Dargus</u>	<u>YES</u>
Mr. <u>Barnest C. Loy</u>	<u>YES</u>
Mr. <u>H. Alonely</u>	<u>YES</u>

Dated at Belmont County, Ohio Court House this 10th
day of December, 1969.

Janet K. Loy
CLERK OF BOARD

Commissioners Journal Vol. 44 P. 56





BEGIN	0-1	N 39° 45' W	140'
	1-2	N 10° 45' W	170'
	2-3	N 5° 00' W	350'
	3-4	N 17° 00' W	260'
	4-5	N 17° 00' E	110'
	5-6	N 44° 00' E	90'
	6-7	N 60° 00' E	120'
	7-8	N 60° 00' E	400'
	8-C	N 59° 30' E	100'
	C-9	N 59° 30' E	150'
	9-10	N 60° 30' E	220'
	10-11	N 60° 30' E	280'
	11-12	N 61° 00' E	290'
	12-13	N 62° 45' E	165'
	13-14	N 16° 00' E	70'
	14-15	N 25° 30' W	210'
	15-16	N 18° 15' W	560'
	16-17	N 29° 30' W	520'
	17-18	N 25° 30' W	260'
	18-19	N 8° 30' W	110'
	19-20	N 3° 00' E	320'
	20-21	N 19° 00' E	875'
	21-22	N 32° 30' W	200'
	22-23	N 10° 00' W	110'
	23-24	N 1° 00' W	150'
	24-25	N 17° 00' E	400'
	25-26	N 5° 30' W	115'
	26-27	N 17° 45' W	190'
	27-28	N 3° 15' E	650'
	28-29	N 2° 00' W	100'
	29-30	N 3° 00' W	555'
	30-31	N 13° 30' E	800'
	31-32	N 19° 30' E	715'
	32-33	N 18° 30' E	265'
	33-34	N 41° 00' E	230'
	34-35	N 45° 00' E	300'
	35-36	N 42° 30' E	265'
	36-37	N 39° 30' E	700'
	37-38	N 38° 30' E	340'
	38-39	N 48° 30' E	625'
	39-40	N 67° 00' E	345'
	40-41	N 67° 00' E	60'
	41-42	N 81° 45' E	390'
	42-43	N 86° 00' E	330'
	43-44	S 77° 00' E	80'
	44-45	S 68° 00' E	700'
	45-46	S 83° 30' E	120'
	46-47	N 74° 00' E	100'
END	47-48	N 38° 00' E	175'

Length 14,730 Ft. or 2.80 Miles

BEGIN	A-B	N 5° 45' W	550'
	B-C	N 7° 13' W	225'
	C-D	Arc to Right	562' Radius 470.92'

Length 1337 Ft. or 0.25 Mile



LOCATION PLAN
SCALE IN MILES

APPROVED BY

Co. Engineer *C. Baccaloni*

Co. Comm. *D. J. Long*

Co. Comm. *Barnett C. By*

Co. Comm. *H. Cloninger*

This 10th day of Dec. 1969

PETITION NO. 697
 VACATED OHIO REVISED CODE SEC. 5553.04
 VACATION OF A PART OF THE JOHN BALL ROAD
 COUNTY HIGHWAY No. 102
 KIRKWOOD TOWNSHIP SECTIONS 8, 9, 10, & 4 T. 9, R. 6



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

IN THE MATTER OF THE
Vacation a part of C. H. #102
.....
Public Road.
.....
.....

Office of County Commissioners,
Belmont County, Ohio

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

- Mr.
- Mr.
- Mr.

Adopted the day of, 19.....

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:

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:

10 days elapsed Order to Co. Engineer
Commissioners Journal Vol. 44 Pg. 151

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.....