

PUBLIC ROAD PETITION No. 704

Bridgeport, Ohio, July 18, 1970

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 Township Road 1425 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:

Township Road 1425 also known as Bearing Road located in Colerain Township, Section 10, Township 6, and Range 3, and being a part of Graphite Bronze Subdivision as recorded in Volume 12, at Page 104, of the Plat Records of Belmont County, Ohio, and being more particularly described as follows:

Beginning for the same at a concrete monument at the most southerly corner of Lot No. One of said Subdivision; thence from this place of beginning North 54°-38' West 275.35 feet along the lot line of Lot No. One to an iron pin; thence with the curve to the right having a radius of 34.90 feet whose arc distance is 53.63 feet to an iron pin on the right-of-way of Route 40; thence following the right-of-way line of Route 40 South 33°-25' West 164.10 feet to an iron pin from which a concrete monument bears South 52°-08' East 5.52 feet; thence with a curve to the right having a radius of 30.94 feet whose arc distance is 49.65 feet to an iron pin; thence South 54°-38' East 277.01 feet to a concrete monument at the corner of Outlot A in said Subdivision; thence North 33°-27' East 50.02 feet to the place of beginning containing 0.376 acres more or less.

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Dated this 22nd day of July, A. D. 1970

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Steve Uhrick	BPT. School district, Colerain Twp.
John Uhrick	" " " " "
Virginia J. Balk	Bpt. School Dist. Colerain Twp.
Edward L. Dubis	Blaine, Ohio Pease Twp.
Walter J. Cybulski	Larasing, Ohio Colerain
Henry Batnick	Bpt. School Dist. Colerain Twp.
Mary Husvar	Bpt. School Dist. Colerain Twp.
David W. Johnson	st. Clairsville School Dist. Richland Twp.
John T. Bader	Bpt. School Dist. Pease Twp.
Robert O. Bowman	Bpt. School district Pease Twp.
William L. Zenba	Bpt. School district Pease Twp.
Harry H. Coss	Bpt. School district Pease Twp.
Samuel J. Mille	Bpt. School dist. Pease Twp.
Edwin C. Pekula Sr	Bpt. School dist. Colerain
Edward J. Ajmber	Bpt. School dist. Pease
John V. Gregis	Bpt. School Dist. Colerain
Ann R. Kozanski	Bpt. School Dist. Pease Twp.
Mary R. Pogan	Bpt. School Dist. Pease Twp.
Betty Kupronis	Bpt. School Colerain

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

IN THE MATTER OF THE

Vacating Township Road No. 1425,

Colerain Township

Public Road.

Petitioned for by Steve Uhrick

, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the 22nd day of July, 1970, at the office of the county commissioners

with the following members present:

W. Dorsey

Earnest C. Loy

A. J. Sargus

Mr. Sargus 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 Public Road as described therein; therefore, be it

RESOLVED, That the 10th day of August, 1970, at 9:00 o'clock A.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 2nd day of September, 1970, at 8 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. Dorsey YES

Mr. Loy YES

Mr. Sargus YES

Adopted the 22nd day of July, 1970.

T Janet K Lou

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating Township Road No. 1425,
Colerain Township, petitioned for by
Public Road.
Steve Uhrick et al, Imp. #704

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 10th day of August, 1970, at the office of the County Commissioners

with the following members present:

W. Dorsey
Earnest C. Loy
A. J. Sargus

Mr. Loy moved the adoption of the following Resolution:

WHEREAS, On the 10th day of August, 1970, 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 2nd day of September, 1970, the date fixed for the final hearing, setting forth his opinion either for or against said proposed improvement, and the plat and detailed and accurate descriptions, and filed with the County Commissioners, and this cause is continued until said date.

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

Mr. Dorsey YES
Mr. Loy YES
Mr. Sargus YES

Adopted the 10th day of August, 1970.

Janet K. Loy

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating Twp. Rd. No. 1425

Colerain Twp. - Pet. by
Public Road.

Steve Uhrick et. al.

Imp. #704

County Engineer's Office,

Belmont County, Ohio.

August 27, 1970

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

The undersigned in obedience to your order dated Aug. 10, 1970, proceeded on the 11th day of August, 1970, 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.

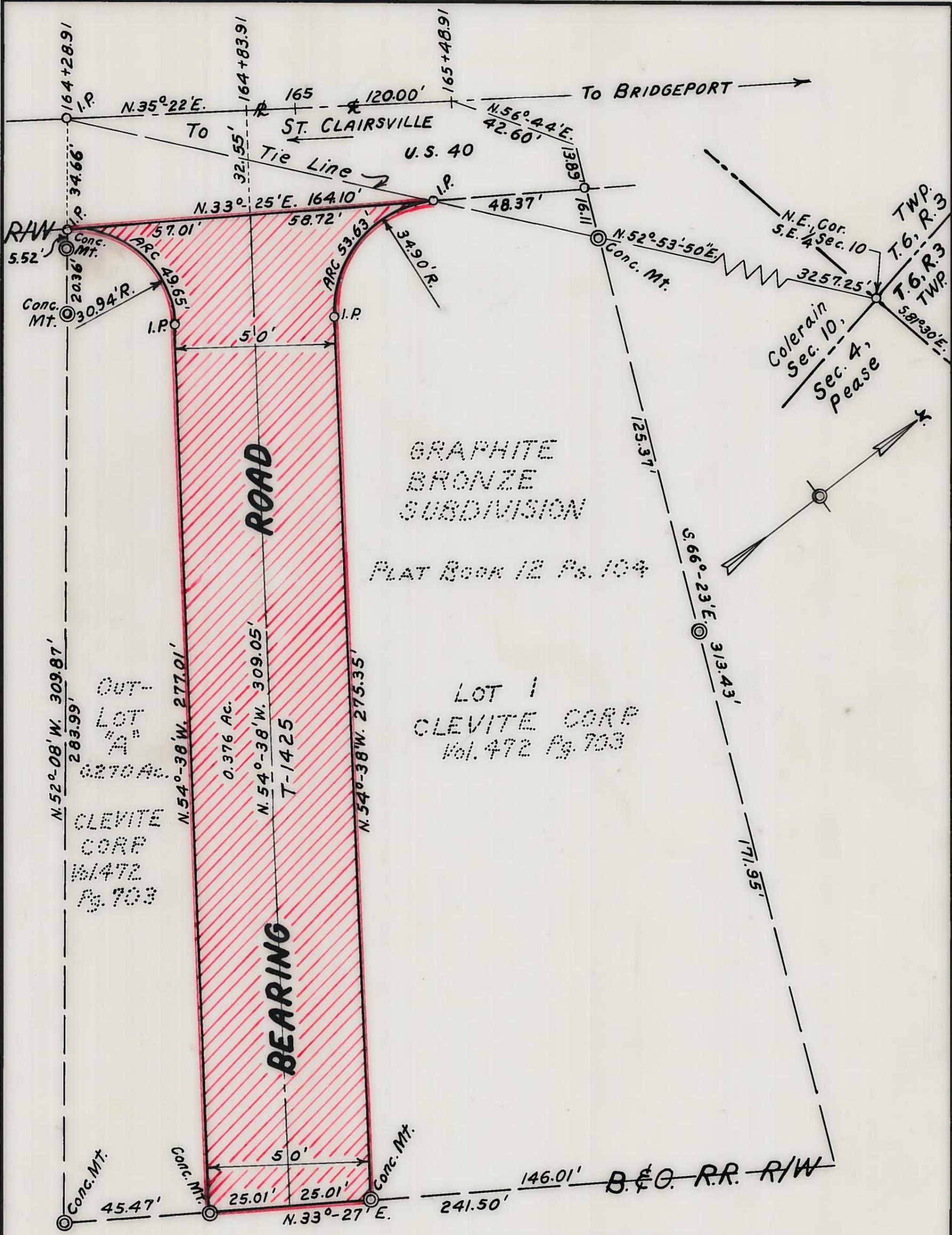
~~The right to which said improvement should be granted is~~
~~the center line and right of way lines and an accurate and detailed description of each tract of land which the undersigned~~
~~is necessary to show in the event the proposed improvement is made, together with the names of each owner, company, the report and~~
~~map thereon.~~

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:~~

Ed [Signature]



VACATION

APPROVED BY	
Co. Engineer	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
This 2nd day of Sept. 1970	

PETITION No. 704
VACATION OF BEARING ROAD T-1425

COLERAIN TOWNSHIP SECTION 10, T.6, R.3

OHIO REVISED CODE SEC. 5553.042

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE Vacating Township Road No. 1425, Colerain Township, petitioned for by Public Road. Steve Uhrick et al

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 2nd day of September, 1970, at the office of the county Commissioners with the following members present:

- Mr. Dorsey Mr. Loy Mr. Sargus

Mr. Sargus 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

~~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 1970, 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. Loy seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. Dorsey Mr. Loy Mr. Sargus

Adopted the 2nd day of September, 1970

RESOLUTION - ~~AWARDING COMPENSATION AND DAMAGES~~

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio.

Vacation Township Road No. 1425
Colerain Twp, Bearing Road
Public Road.

Petitioned For by
Steve Uhrick et al

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 14th day of September, 1970, at the office of the county Commissioners
with the following members present:

Mr. Dorsey

Mr. Loy

Mr. Sargus

Mr. Loy 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:

Order To Trustees
10 day elapsed

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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:~~

be and the same is hereby established.

Mr. Sargus 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>Loy</u>	<u>YES</u>
Mr. <u>Sargus</u>	<u>YES</u>

Adopted the 14th day of September, 1970.

Janet K. Loy