

PUBLIC ROAD PETITION NO. 713

St. Clairsville

Ohio,

July 29

1971

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 request

vacating

of parts of three alleys

hereinafter described, and make

application to you to institute and order proper proceedings in the premises, for vacating such alleys

alleys, the same not being on the State Highway System.
a description of said alleys:

The following is

situated in the unincorporated Village of New Castle, Belmont County and State of Ohio.

Tract No. 1. Known as Pine Alley, beginning at the northwest corner of Lot No. 10 in said Village, thence South 60°-00' West 12.0 feet; thence South 30°-00' East 324.0 feet to the southwest corner of said alley; thence North 60°-00' East 12.0 feet to the southwest corner of Lot No. 18 in said Village; thence North 30°-00' West 324.0 feet along the rear lines of Lots 18, 16, 14, 12 and 10 to the place of beginning, containing .089 acres.

Tract No. 2. Known as Jefferson Alley, beginning at the Northeast corner of Lot No. 18 in said Village; thence N. 30°-00' West along the line of Main St. 12.0 feet to the southeast corner of Lot No. 16; thence South 60°-00' West along the south line of said Lot No. 16 165.0 feet to the southwest corner of said Lot No. 16; thence South 30°-00' East along the east line of Pine alley 12.0 feet to the northwest corner of Lot No. 18; thence North 60°-00' East along the north line of said Lot No. 18 165.0 feet to the place of beginning, containing .045 acres.

Tract No. 3 Known as Morgan Alley, beginning at the Northeast corner of Lot No. 14 in said Village; thence N. 30°-00' West along the line of Main St., 12.0 feet to the southeast corner of Lot No. 12; thence South 60°-00' West along the south line of Lot No. 12 165.0 feet to the southwest corner of said lot; thence South 30°-00' East along east line of Pine Alley 12.0 feet to the northwest corner of Lot No. 14; thence along the north line of said Lot 165.0 feet to the place of beginning, containing .045 acres

Petitioners further represent that they are the sole owners of all land abutting said alleys sought to be vacated and that said alleys have not been used for more than twenty one years prior to the date of filing this petition.

Dated this 16th day of August, A. D. 1971.

PETITIONERS' NAMES

Hillis R. Jenewein
Ellen Jane Jenewein

TAXING DISTRICT OF COUNTY IN WHICH
PETITIONER OWNS REAL ESTATE

Wayne Township, Belmont County, Ohio
Switzerland of Ohio School District

**RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND
NOTICE THEREOF ON PUBLIC ROAD PETITION No. 713**

IN THE MATTER OF THE

*Vacating parts of three Alleys
Wayne Township*

Public Road.

Office of County Commissioners,

Belmont County, Ohio

Petitioned for by *Hillis R. Jenewein*
Ellen Jane Jenewein, and others.

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

on the *16th* day of *August*, 19 *71*, at the office of *Belmont County Commissioners*
with the following members present:

Mr. Sargus

Mr. Giffen

Mr. Linch

Mr. *Giffen* 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 parts of three*
alleys a Public Road as described therein; therefore, be it

RESOLVED, That the *20th* day of *September*, 19 *71*, at *2:00* o'clock *P.* M., be fixed as the date when
we will view the proposed improvement, on which date we will meet at *Belmont County Court House*
and go over the line of said proposed improvement; and be it further

RESOLVED, That the *22nd* day of *September*, 19 *71*, 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 *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 *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. *Linch* seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. *Sargus* *YES*

Mr. *Giffen* *YES*

Mr. *Linch* *YES*

Adopted the *16th* day of *September*, 19 *71*.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT #713
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating Parts of Three Alleys
in Wayne Township

Public Road.

Petitioned by Hillis R. and
Ellen Jane Jenewein

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session
on the *20th* day of *September*, 19 *71*, at the office of *Belmont County Commissioners*
with the following members present:

Mr. Giffen

Mr. Linch

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, On the *20th* day of *September*, 19 *71*, 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 *22nd* day of *September*, 19 *71*, 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. *Giffen* seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. *Giffen* *YES*

Mr. *Linch* *YES*

Mr. _____

Adopted the *22nd* day of *September*, 19 *71*

Jeanne P. Harris

REPORT OF COUNTY ENGINEER

Imp. #713

IN THE MATTER OF THE

Vacating parts of three
alleys in Wayne Twp.
Public Road.

Petitioned by Hillis R. and
Ellen Jane Jenewein

County Engineer's Office,

Belmont County, Ohio.

, 19

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

The undersigned in obedience to your order dated Sept. 20, 19 71, proceeded on the 21st
day of 21st September, 19 71, 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.

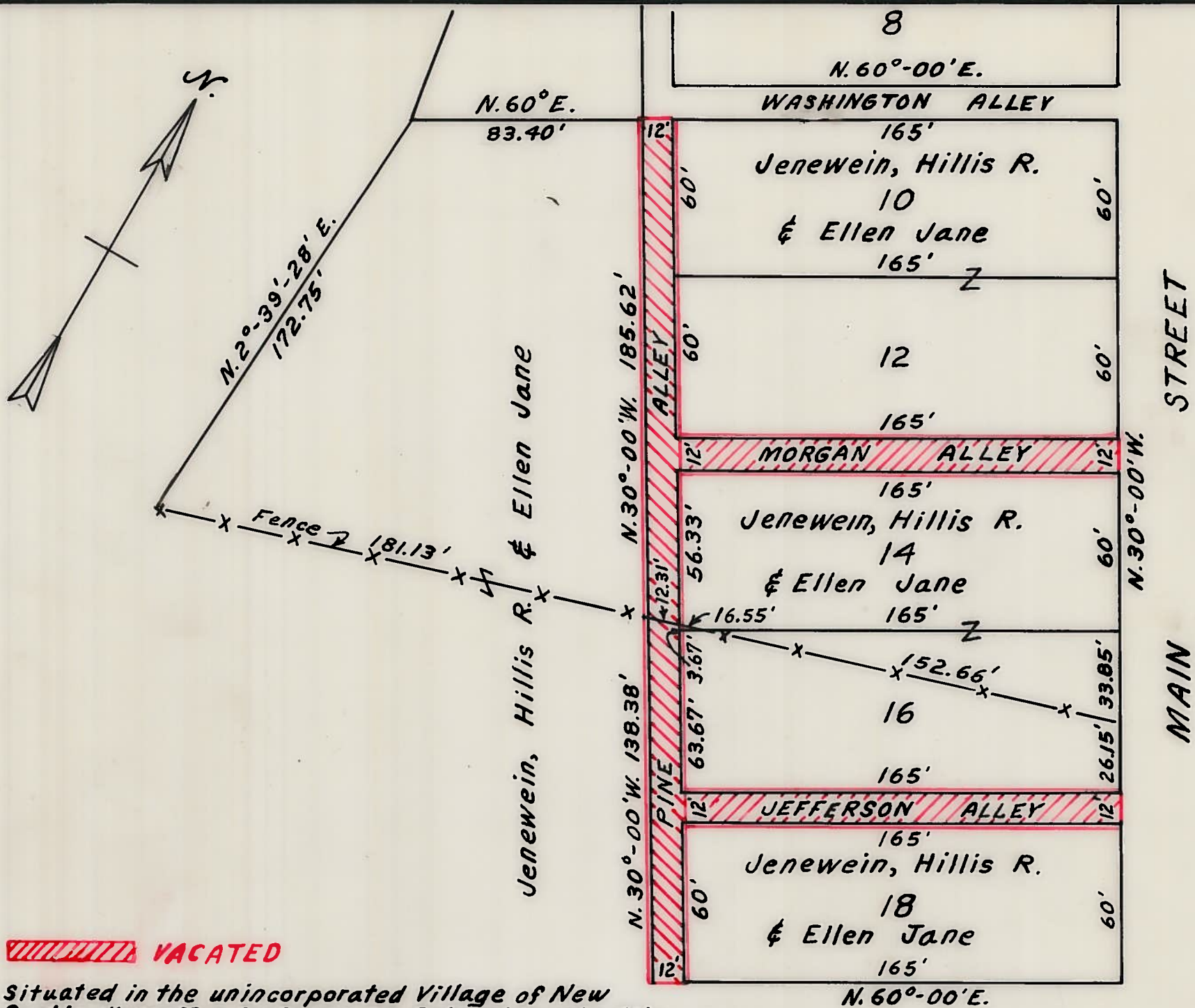
~~An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will
be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made
a part hereof.~~

An accurate and detailed description of the proposed improvement describing therein the center line 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 B. [Signature]



VACATED

Situated in the unincorporated Village of New Castle, Wayne Twp. Sec 20, T.6, R.5, Belmont County, Ohio

PINE ALLEY: Beginning at the Northwest corner of Lot No. 10 in said Village; thence S. 60°-00'W., 12.0 Feet; thence S. 30°-00'E., 324.0 Feet to the Southwest corner of said Alley; thence N. 60°-00'E., 12.0 Feet to the Southwest corner of Lot No. 18 in said Village; thence N. 30°-00'W., 324.0 Feet along the rear lines of Lots 18, 16, 14, 12 and 10 to the place of beginning, containing 0.089 Acres.

JEFFERSON ALLEY: Beginning at the Northeast corner of Lot 18 in said Village; thence N. 30°-00'W., along the line of Main St. 12.0 Feet to the Southeast corner of Lot No. 16; thence S. 60°-00'W., along the South line of said Lot No. 16, 165.0 Feet to the Southwest corner of said Lot No. 16; thence S. 30°-00'E., along the East line of Pine Alley 12.0 Feet to the Northwest corner of Lot No. 18; thence N. 60°-00'E. along the North line of said Lot No. 18, 165.0 Feet to the place of beginning, containing 0.045 Acres.

MORGAN ALLEY: Beginning at the Northeast corner of Lot No. 14 in said Village; thence N. 30°-00'W. along the line of Main St., 12.0 Feet to the Southeast corner of Lot No. 12; thence S. 60°-00'W., along the South line of Lot No. 12, 165.0 Feet to the Southwest corner of said lot; thence S. 30°-00'E., along East line of Pine Alley 12.0 Feet to the Northwest corner of Lot No. 14; thence along the North line of said Lot 165.0 Feet to the place of beginning, containing 0.045 Acres.

APPROVED BY	
Co. Engineer	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
This <u>22</u> day of <u>Sept.</u> 1971	

PETITION No. 713
(VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.042)
VACATION OF ALLEYS
IN UNINCORPORATED VILLAGE OF NEW CASTLE

As Recorded In Belmont County Record of Deeds Vol. R, Pg. 536

(PETITIONED BY HILLIS R. JENEWEIN)

Wayne Twp. Sec. 20, T.6, R.5

Belmont County, Ohio

RICHARD J. BOCCABELLA

COUNTY ENGINEER

IN UNINCORPORATED VILLAGE OF NEW CASTLE

VACATION OF ALLEYS

(VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 2523.042)

PETITION NO. 713

As Recorded in Belmont County Record of Deeds Vol. R, Pg. 236
(Petitioned by Hillis R. Jenewein)
Wayne Twp. Sec. 20, T.6, R.2
Belmont County, Ohio

This 25 day of Sept. 1971	
CO. Comm.	<i>[Signature]</i>
CO. Comm.	<i>[Signature]</i>
CO. Comm.	<i>[Signature]</i>
CO. Engineer	<i>[Signature]</i>
APPROVED BY	

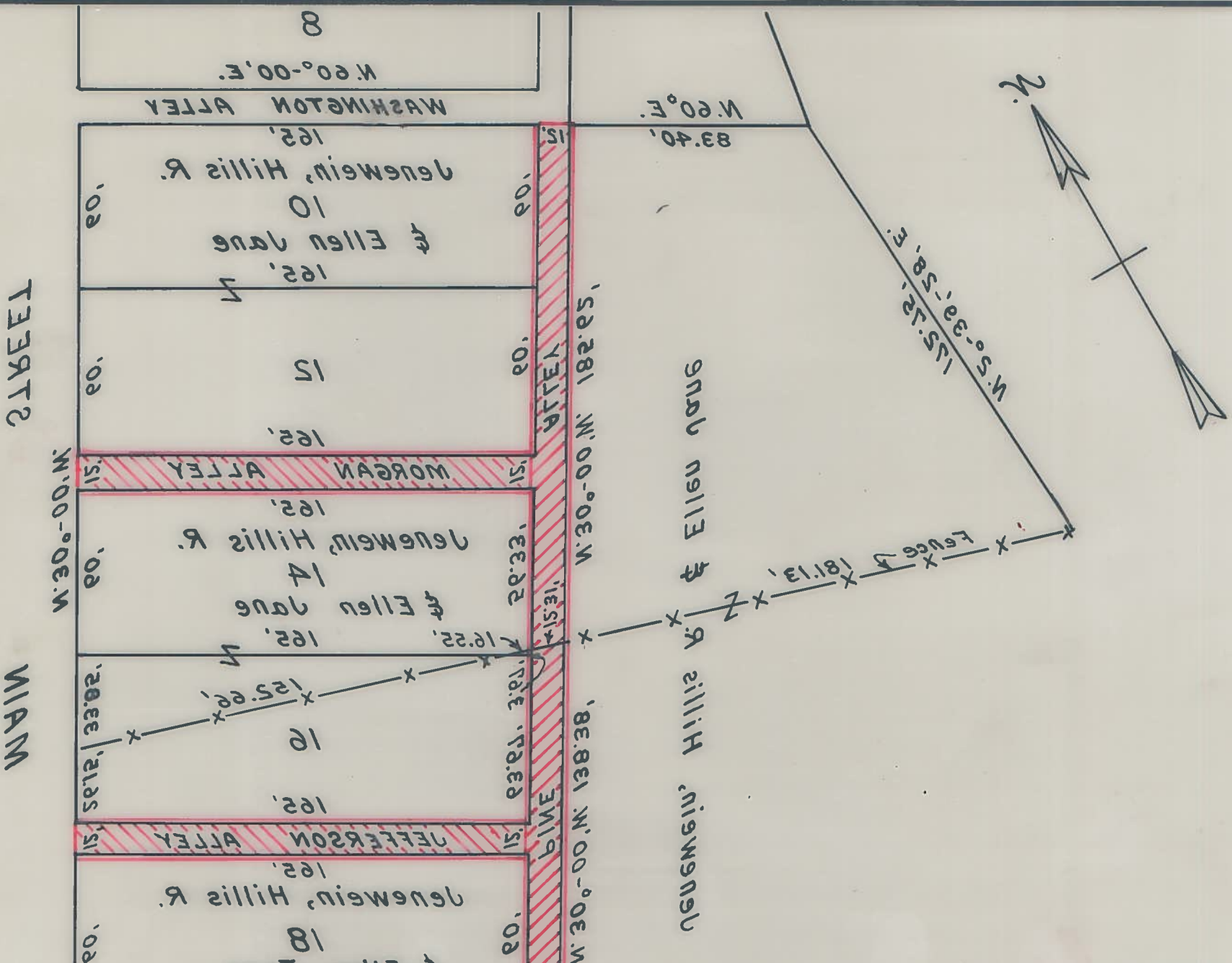
MORGAN ALLEY: Beginning at the Northwest corner of Lot No. 14 in said Village; thence N. 30°-00' W. along the line of Main St. 15.0 feet to the Southeast corner of Lot No. 15; thence S. 60°-00' W. along the South line of Lot No. 15, 165.0 feet to the Southwest corner of said lot; thence S. 30°-00' E., along East line of Pine Alley 15.0 feet to the Northwest corner of Lot No. 14; thence along the North line of said Lot 165.0 feet to the place of beginning, containing 0.42 Acres.

JEFFERSON ALLEY: Beginning at the Northeast corner of Lot 18 in said Village; thence N. 30°-00' W. along the line of Main St. 15.0 feet to the Southeast corner of Lot No. 16; thence S. 60°-00' W. along the South line of said Lot No. 16, 165.0 feet to the Southwest corner of said Lot No. 16; thence S. 30°-00' E., along the East line of Pine Alley 15.0 feet to the Northwest corner of Lot No. 18; thence along the North line of said Lot No. 18, 165.0 feet to the place of beginning, containing 0.42 Acres.

PINE ALLEY: Beginning at the Northwest corner of Lot No. 10 in said Village; thence S. 60°-00' W. 15.0 feet; thence S. 30°-00' E., 324.0 feet to the Southwest corner of said Alley; thence N. 60°-00' E., 15.0 feet to the Southwest corner of Lot No. 18 in said Village; thence N. 30°-00' W., 324.0 feet along the rear lines of Lots 18, 16, 14, 12 and 10 to the place of beginning, containing 0.89 Acres.

Situated in the unincorporated Village of New Castle, Wayne Twp. Sec. 20, T.6, R.2, Belmont County, Ohio

VACATED



RESOLUTION—GRANTING PROPOSED IMPROVEMENT # 713
ORDERING RECORD, ETC.

IN THE MATTER OF THE

*Vacating parts of three Alleys in
 Wayne Township*

Public Road.

*Petitioned by Hillis R. and
 Ellen Jane Jenewein*

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Special* session
 on the *22nd* day of *September*, 19 *71*, at the office of *Belmont County Commissioners*
 with the following members present:

Mr. Giffen

Mr. Linch

Mr. *Linch* 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 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 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*

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

Mr. _____, _____

Mr. *Giffen* *YES*

Mr. *Linch* *YES*

Adopted the *22nd* day of *September*, 19 *71*

RESOLUTION—~~REPEALED~~ COMPENSATION AND DAMAGES

Imp. # 713

IN THE MATTER OF THE

Vacating parts of the Alleys in
Wayne Township

Public Road.

Petitioned by Hillis R. and
Ellen Jane Jenewein

Office of County Commissioners,

Belmont County, Ohio.

Regular

session

The Board of County Commissioners of Belmont County, Ohio, met in
on the 6th day of December, 1971, at the office of Belmont County Commissioners

with the following members present:

Sargus

Giffen

Linch

Mr. Giffen 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~~

~~with~~ WHEREAS, Ten days have elapsed since our order vacating parts of three alleys in Wayne Township, petitioned for by Hillis R. and Ellen Jane Jenewein, and it appears that no appeal has been submitted from our order in the matter of said vacation; therefore be it

RESOLVED, That said alleys be vacated as set forth in Journal Entry of September 22, 1971, and be it further

~~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~~

RESOLVED, That the Clerk of this Board be and she is ordered to forward to the Trustees of Wayne Township a copy of this journal entry and a copy of the plat of said vacation.

~~be and the same is hereby established~~

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

resulted as follows:

Mr. Sargus YES

Mr. Giffen YES

Mr. Linch YES

Adopted the 6th day of December, 1971,

Teanne P. Harris