

PUBLIC ROAD PETITION Imp. 719

St. Clairsville

Ohio,

August 31, 1972

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 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 intersection of Township Road T-269 with T-268, which lies South about 450 feet from the Northeast corner of Richland Township, Section 31, Township 7, Range 4; thence leave said place of beginning in a Southwesterly direction through the land of Roy W. Lewis for a distance of about 1010 feet or 0.19 mile to its intersection with Township Road T-267 and end of vacation.

Begin at a point in Township Road T-267 which part is to be vacated, said point lies West about 1000 feet from the Northeast Corner of Richland Township, Section 31, Township 7, Range 4; thence leave said place of beginning in a southeasterly, direction through the land of Roy W. Lewis for a distance of about 500 feet; thence in a Southerly direction through Lewis land a distance of about 680 feet; thence in a Southeasterly direction for a distance of about 320 feet to the intersection of Township Road T-269 on the left; thence continue in a southeasterly direction for a distance of about 1460 feet or 0.56 mile to the South property line of Roy W. Lewis and end of vacation.

Commissioners Journal Vol. 45 Pg. 441

Dated this 25th day of August September, A. D. 19 72

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Barricklow Lodge	St. Clairsville - Richland Local School District
Robert E. Costine	St. Clairsville - Richland Local School District
Jack A. Hans	Rt. #1, St. Clairsville, Ohio Richland Local School District
Mrs. Frank Opatrny	Rt. #1, St. Clairsville, Ohio Richland Local School District
Floy Rinkes	RD #4, St. Clairsville, Ohio Richland Local School District
Harold Rinkes	RD #4, St. Clairsville, Ohio Richland Local School District
Wilma C. Fox	RD #1, St. Clairsville, Ohio Richland Local School District
Henry C. Fox	R.D. #1, St. Clairsville, Ohio Richland
Helen Coffield	RD #1 St. Clairsville, Ohio Richland
Earl Coffield	RD #1 St. Clairsville, Ohio Richland
Gladys Fogle	RD #1 St. Clairsville, Ohio Richland
Myron Fogle	RD #1 St. Clairsville, Ohio Richland
C. E. Higginbotham	RD #1 St. Clairsville, Ohio Richland
Lucy Higginbotham	RD #1 St. Clairsville, Ohio Richland
Jean Baumberger	RD #1 St. Clairsville, Ohio Richland
Donna L. Burghy	RD #1 St. Clairsville, Ohio Richland
Violet C. Miller	Rt. 1 St. Clairsville, Ohio Airport Rd. Richland
Louise Starkey	Rt. 1 St. Clairsville, Ohio Richland
Robert Lee Starkey	Rt. 1 St. Clairsville, Ohio Richland
Robert J. Pirozale	RD #1 St. Clairsville, Ohio Richland
Mrs. James A. Wright	Rt. #1 St. Clairsville, Ohio Richland
Mrs. Mike L. McKay	Rt. #1 St. Clairsville, Ohio Richland

**RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND
NOTICE THEREOF ON PUBLIC ROAD PETITION IMP. # 719**

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

*Vacating a part of Township Rd. #267
and Township Road #269 known as Ray &
Higginbottom Rds. Public Road.*

Petitioned for by *Barricklow Lodge*
_____, and others.

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session
on the *25th* day of *September*, 19 *72*, at the office of *Belmont County Commissioners*
with the following members present:

Sargus

Giffen

Linch

Mr. *Linch* 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 pre-
sented to this Board of County Commissioners requesting said Board to *Vacate parts of*

_____ a Public Road as described therein; therefore, be it

RESOLVED, That the *18th* day of *October*, 19 *72*, at *1:30* o'clock *P.* M., *(DST)* be fixed as the date when
we will view the proposed improvement, on which date we will meet at *the beginning*

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

RESOLVED, That the *15th* day of *November*, 19 *72*, at *10:00* o'clock *A.* M., *(EST)* 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 improve-
ment.

Mr. *Giffen* 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 *25th* day of *September*, 19 *72*

Tennor P. Harris

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT ^{#719}
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a part of Township
Road #267 and Township Road
 Public Road.

#269, Known as Ray & Higgin-
bottam Roads.

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Special* session
 on the *18th* day of *October*, 19 *72*, at the office of *Belmont County Commissioners*
 with the following members present:

Mr. Sargus

Mr. Giffen

Mr. Linch

Mr. *Linch* moved the adoption of the following Resolution:

WHEREAS, On the *18th* day of *October*, 19 *72*, 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 *November*, 19 *72*, 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. *Sargus* *YES*

Mr. *Giffen* *YES*

Mr. *Linch* *YES*

Adopted the *18th* day of *October*, 19 *72*.

Jeanne P. Harris

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a part of Township
Road #267 and Township Road
269
Public Road.

County Engineer's Office,

Belmont County, Ohio.

October 19, 1972

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

The undersigned in obedience to your order dated October 18, 1972, proceeded on the 19th
day of October, 1972, 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.

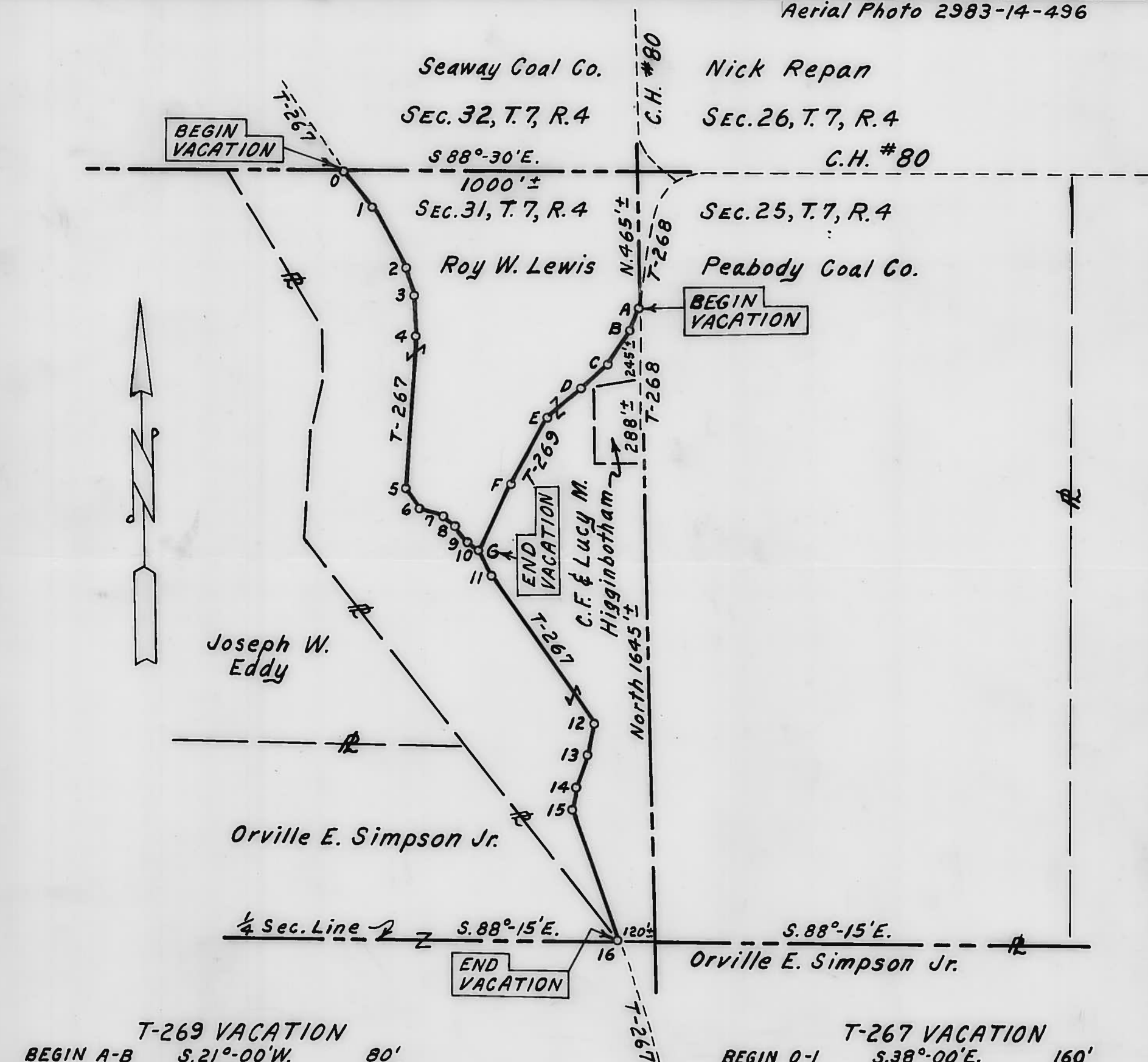
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will
be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made
a part hereof.

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:~~

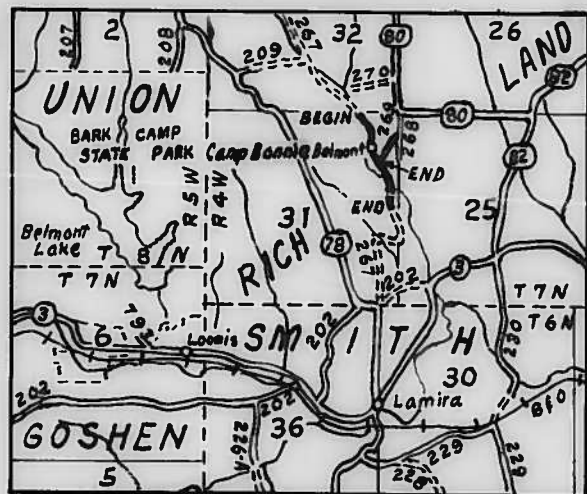
Pol G. ...



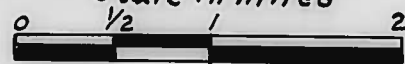
T-269 VACATION

BEGIN A-B	S. 21°-00'W.	80'
B-C	S. 34°-30'W.	140'
C-D	S. 47°-30'W.	120'
D-E	S. 52°-00'W.	155'
E-F	S. 30°-00'W.	255'
END F-G	S. 26°-00'W.	255'

Length 1005 Ft. or 0.19 Mile ±



LOCATION MAP
Scale in Miles



T-267 VACATION

BEGIN 0-1	S. 38°-00'E.	160'
1-2	S. 27°-00'E.	240'
2-3	S. 15°-30'E.	100'
3-4	S. 2°-00'E.	140'
4-5	S. 5°-00'W.	510'
5-6	S. 35°-00'E.	80'
6-7	S. 73°-00'E.	75'
7-8	S. 51°-00'E.	60'
8-9	S. 36°-00'E.	70'
9-10	S. 57°-30'E.	45'
10-11	S. 24°-00'E.	95'
11-12	S. 33°-30'E.	625'
12-13	S. 12°-00'W.	110'
13-14	S. 20°-00'W.	120'
14-15	S. 8°-00'W.	75'
END 15-16	S. 18°-00'E.	480'

Length 2985 Ft. or 0.57 Mile ±

APPROVED BY

Co. Engineer *[Signature]*
 Co. Comm. *[Signature]*
 Co. Comm. *[Signature]*
 Co. Comm. *[Signature]*
 This 15th day of November 1972

PETITION No. 719
 VACATION OHIO REVISED CODE 5553.04
**VACATION OF A PART OF TOWNSHIP ROAD T-267
 AND ALL OF TOWNSHIP ROAD T-269**
 (T-267 RAY ROAD & T-269 HIGGINBOTHAM ROAD)
 Petitioned For By Barricklow Lodge
 RICHLAND TOWNSHIP SECTION 31, T.7, R.4
 BELMONT COUNTY, OHIO

AND ALL OF TOWNSHIP ROAD T-25
VACATION OF A PART OF TOWNSHIP ROAD T-25

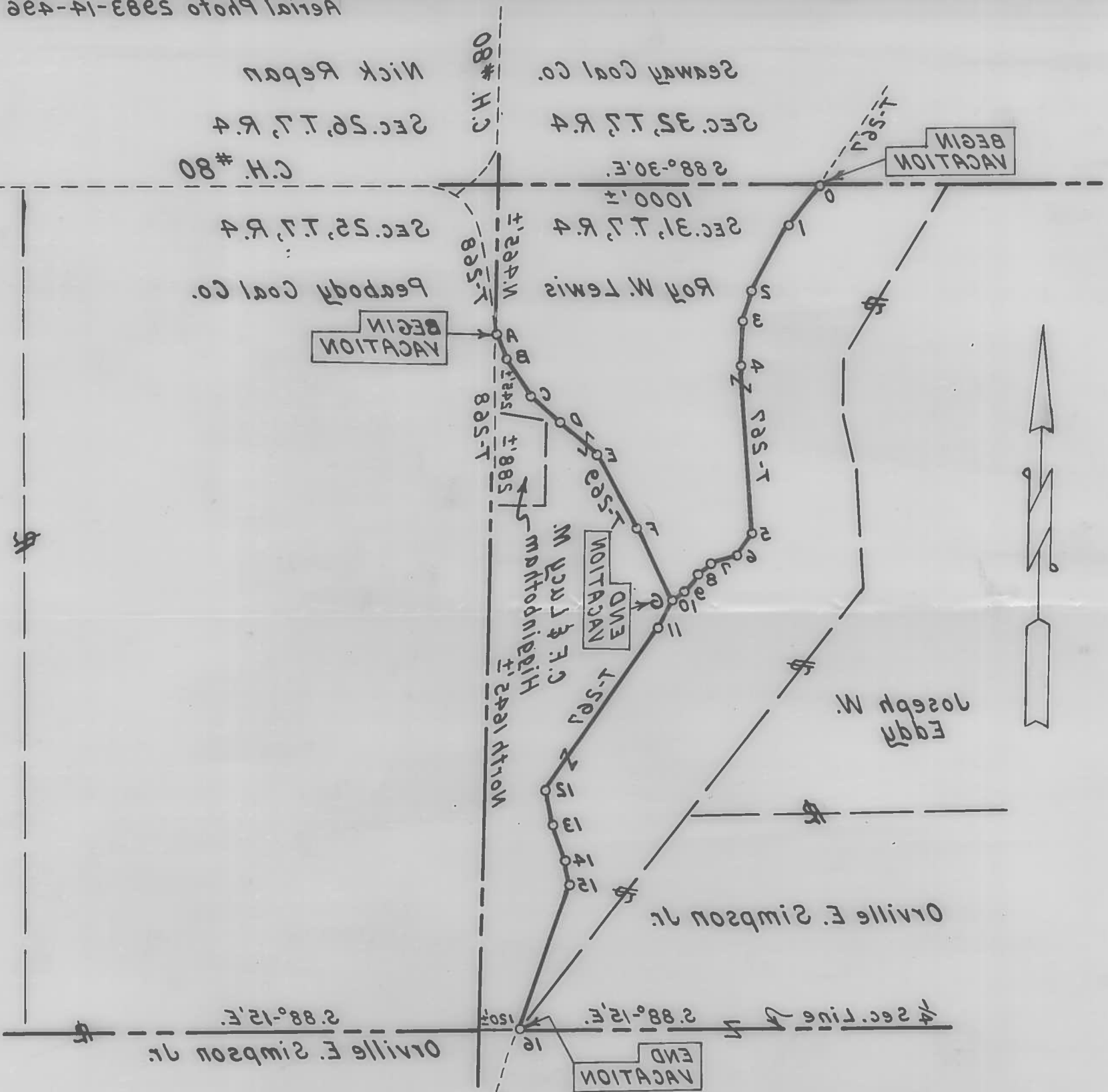
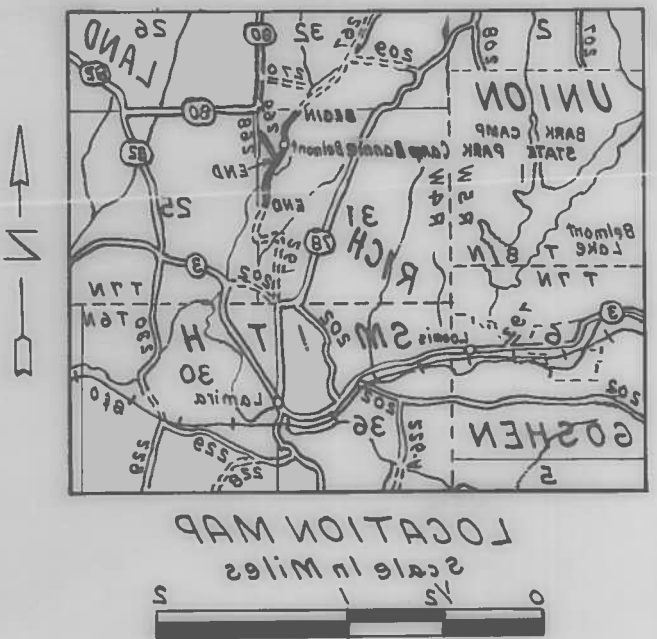
219

This 1st day of November
Co. Comm. Co. Comm. Co. Comm. Co. Engineer

Length 582 ft. or 0.27 mile ±

TIME	WAVELENGTH	FLUX	WAVELENGTH	FLUX
00:00	3.00-0.00	2.0	12:16	END
00:05	3.00-0.05	2.0	12:17	14.12
00:10	3.00-0.10	2.0	12:18	13.14
00:15	3.00-0.15	2.0	12:19	11.15
00:20	3.00-0.20	2.0	12:20	11.01
00:25	3.00-0.25	2.0	12:21	10.01
00:30	3.00-0.30	2.0	12:22	8.08
00:35	3.00-0.35	2.0	12:23	7.02
00:40	3.00-0.40	2.0	12:24	6.02
00:45	3.00-0.45	2.0	12:25	5.03
00:50	3.00-0.50	2.0	12:26	4.04
00:55	3.00-0.55	2.0	12:27	3.05
01:00	3.00-1.00	2.0	12:28	2.06
01:05	3.00-1.05	2.0	12:29	1.07
01:10	3.00-1.10	2.0	12:30	0.08
01:15	3.00-1.15	2.0	12:31	0.09
01:20	3.00-1.20	2.0	12:32	0.10
01:25	3.00-1.25	2.0	12:33	0.11
01:30	3.00-1.30	2.0	12:34	0.12
01:35	3.00-1.35	2.0	12:35	0.13
01:40	3.00-1.40	2.0	12:36	0.14
01:45	3.00-1.45	2.0	12:37	0.15
01:50	3.00-1.50	2.0	12:38	0.16
01:55	3.00-1.55	2.0	12:39	0.17
02:00	3.00-2.00	2.0	12:40	0.18
02:05	3.00-2.05	2.0	12:41	0.19
02:10	3.00-2.10	2.0	12:42	0.20
02:15	3.00-2.15	2.0	12:43	0.21
02:20	3.00-2.20	2.0	12:44	0.22
02:25	3.00-2.25	2.0	12:45	0.23
02:30	3.00-2.30	2.0	12:46	0.24
02:35	3.00-2.35	2.0	12:47	0.25
02:40	3.00-2.40	2.0	12:48	0.26
02:45	3.00-2.45	2.0	12:49	0.27
02:50	3.00-2.50	2.0	12:50	0.28
02:55	3.00-2.55	2.0	12:51	0.29
03:00	3.00-3.00	2.0	12:52	0.30
03:05	3.00-3.05	2.0	12:53	0.31
03:10	3.00-3.10	2.0	12:54	0.32
03:15	3.00-3.15	2.0	12:55	0.33
03:20	3.00-3.20	2.0	12:56	0.34
03:25	3.00-3.25	2.0	12:57	0.35
03:30	3.00-3.30	2.0	12:58	0.36
03:35	3.00-3.35	2.0	12:59	0.37
03:40	3.00-3.40	2.0	13:00	0.38
03:45	3.00-3.45	2.0	13:01	0.39
03:50	3.00-3.50	2.0	13:02	0.40
03:55	3.00-3.55	2.0	13:03	0.41
04:00	3.00-4.00	2.0	13:04	0.42
04:05	3.00-4.05	2.0	13:05	0.43
04:10	3.00-4.10	2.0	13:06	0.44
04:15	3.00-4.15	2.0	13:07	0.45
04:20	3.00-4.20	2.0	13:08	0.46
04:25	3.00-4.25	2.0	13:09	0.47
04:30	3.00-4.30	2.0	13:10	0.48
04:35	3.00-4.35	2.0	13:11	0.49
04:40	3.00-4.40	2.0	13:12	0.50
04:45	3.00-4.45	2.0	13:13	0.51
04:50	3.00-4.50	2.0	13:14	0.52
04:55	3.00-4.55	2.0	13:15	0.53
05:00	3.00-5.00	2.0	13:16	0.54
05:05	3.00-5.05	2.0	13:17	0.55
05:10	3.00-5.10	2.0	13:18	0.56
05:15	3.00-5.15	2.0	13:19	0.57

Length	1002 Ft.	to 0.19 Mile ±
END F-6	2.56°-00'W.	522'
E-F	2.30°-00'W.	522'
D-E	2.25°-00'W.	122'
C-D	2.47°-30'W.	150'
B-C	2.34°-30'W.	140'
A-B	2.51°-00'W.	80'
BEGIN		



RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacating a part of Township
Road #267 and Township Road

Public Road.

#269, Known as Ray & Higgin-
bottam Roads

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 15th day of November, 1972, at the office of Belmont County Commissioners
with the following members present:

A. J. Sargus

J. F. Giffen

C. A. 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 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

~~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. Sargus YES

Mr. Giffen YES

Mr. Linch YES

Adopted the 15th day of November, 1972

~~RESOLUTION—AWARDING COMPENSATION AND DAMAGES~~ Imp. 719

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio.

Vacating a part of Township
Road #267 and Township Road #269
Public Road.
Known as Ray & Higginbottom Roads
Richland Township

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 29th day of November, 1972, at the office of Belmont County Commissioners
with the following members present:

GiffenLinch

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~~

ten days or more have elapsed since our order to vacate parts of T-267 and T-269 in Richland Township and it appears that no appeal has been submitted from our order in the matter of said Vacation;

THEREFORE BE IT RESOLVED, That said Ray & Higginbottom Roads in part be vacated as set forth in Journal Entry of November 15, 1972;

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 authorized 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:~~

That the Clerk of this Board be and she is hereby ordered to forward to the Belmont County Engineer a copy of this Journal Entry and a copy of the plat of said vacation.

be and the same is hereby established.

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

resulted as follows:

Mr. GiffenYESMr. LinchYES

Mr. _____

Adopted the 29th day of November, 1972

Thorne R. Harris