

April 23, 1973

5-36-1.

How' Pgr. Co., Col., O.

Form 8502

RESOLUTION

Vacating a PUBLIC ROAD WITHOUT PETITION AND FIXING TIME OF VIEW AND FINAL HEARING

Gen'l Code, Sec. 6562-2.

IMP. #727

(Wayne Township)

Office of the Board of County Commissioners, Belmont County, Ohio.

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

Regular session on the 23rd day of April, 1973, at the office of Belmont County Commissioners with the following members present:

Mr. James Giffen

Mr. A. J. Sargus

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, This Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to vacate a part of two Public Road on the line hereinafter described, known as the Mayhugh & Piney Creek 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 a point in Township Road T-87, from which point the Northeast corner of Section 3, Township 6, Range 5, Wayne Township bears the following three courses and distances ; (1) North 50°-34' 47" West, 79.62 feet, (2) North 84°-37' - 47" West, 79.62 feet and (3) North 54°26'25" East, 5312.24 feet; thence leave beginning point South 17° - 38' East, 135.00 feet to a point; thence South 35° - 17' East, 76.00 feet to a point; thence South 65°-20' East, 112.00 feet to a point; thence South 52° 17' East 208.00 feet to a point; thence South 63° - 18' East, 83.00 feet to a point and the end of vacation. Length 614.00 feet or 0.12 miles.

Beginning at a point in Township Road T-81, from which point the center of Section 3, T 6, R 5, Wayne Township bears the following two courses and distances; (1). North 86°-30' West, 190.00 feet; (2) North 3° - 45' East, 910.00 feet; thence leave beginning point and along said road North 12°-20' East, 216.00 feet to a point; thence North 36° 30' East, 140.00 feet to a point; thence North 59°-03' East, 122.00 feet to a point; thence North 66°-00' East, 120.00 feet to a point; thence North 47°00' East, 400.00 feet to a point; thence North 54° - 00' East, 140.00 feet to a point; thence North 33°-30' East, 100.00 feet to a point; thence North 33°-30' East, 100.00 feet to a point; thence North 33° - 30' East, 160.00 feet to a point; thence North 22° - 00' East, 160.00 feet to a point; thence North 11°-00' East, 150.00 feet to a point; thence North 1°-00' West, 185.00 feet to a point; thence North 8°-00' West, 235.00 feet to a point; thence North 15°-00' West, 130.00 feet to a point; thence North 17°-00' West, 340.00 feet to a point; thence North 11° 00' West, 110.00 feet to a point; thence North 1°-00' West, 110.00 feet to a point; thence North 6°30' West, 245.00 feet; thence North 2°-00' West, 285.00 feet to a point; thence North 8°-00' West, 110.00 feet to a point, thence North 23°-30' West, 125.00 feet to a point, thence North 38° - 30' West, 155.00 feet to a point; thence North 45° 00' West, 485.00 feet to a point; thence North 25°-00' West, 445.00 feet to a point in Township Road T-74 and being end of vacation. Length 4668 Feet or 0.88 miles.

Beginning at a point in Township Road T-88, said point is on the East line of Section 3, Township 6, Range 5, Wayne Township and said point lies North 2° - 23' East, 65.00 feet from the Northeast corner of the Southeast Quarter of Section 3; thence along said road which is the property line between Y & O Coal Company, and Verna M. Crooks North 67°-27' West, 125.00 Feet to a point in said line; thence North 86° - 49' West, 241.00 feet to a point in said line; thence South 74° - 38' West, 158.00 feet to a point in said line; thence South 62° - 52' West, 96.00 feet to a point in said line; thence South 42° - 04' West, 145.00 feet to a point in said line; thence leaving property line and following centerline of said road South 50° - 00' West, 100.00 feet to a point; Thence South 78°-00' West, 140.00 feet to a point; thence South 65°-30' West, 140.00 feet to a point; thence South 73° - 00' West, 80.00 feet to a point; thence north 88° - 00' West, 155.00 feet to a point; thence South 76° -00' West, 230.00 feet to a point; thence South 52°-00' West, 90.00 feet to a point; thence South 42°-30' West, 140.00 feet to a point; thence South 63° -30' West, 115.00 feet to a point; thence North 87° - 30' West, 115.00 feet to a point; thence North 67°-00' West, 75.00 feet to a point; North 41° -00' West, 150.00 feet to a point; thence North 55° 00' West, 75.00 feet to a point; thence South 80° - 00' West, 90.00 feet to a point in Township Road T-81 end of vacation. Length 2460 feet or 0.47 miles.

cribed, respectfully

scribed, and make

.....; therefore, be it  
**RESOLVED, That the 6th day of June, 1973, at 2:30 o'clock**  
**.....P.M., be fixed as the date when said Board will view the proposed improvement, on**  
**which date we will meet at the site**

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

**RESOLVED, That the 11th day of June, 1973, at 10:30 o'clock**  
**A.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 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. Giffen seconded the Resolution and the roll**  
**being called upon its adoption the vote resulted as follows:**

Mr. Giffen .....	YES
Mr. Sargus .....	YES
Mr. ....	

**Adopted the 23rd day of April, 1973.**

**Vicki Boughner, Secretary**  
**Clerk, Board of County Commissioners of**  
**Belmont County, Ohio.**

1. "locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing the direction of."  
 2. "locate," "establish," "alter," "widen," "straighten," "vacate," or "change the direction of."  
 3. Insert "a part of" if so.  
 4. Strike out the word "not" if the proposed improvement is on the State Highway System, in which case the approval of the Director of Highways shall be had before proceeding further. See Sec. 2550 G. C.  
 5. Here set forth the general route and termini of the Road, or part thereof, to be located, established, or vacated, or the general manner in which such Road is to be altered, widened, straightened, or the direction thereof changed.

No. ....	County, Ohio.	Public Road.	RESOLUTION	Adopted .....	Journal No. .... Page.....
	IN THE MATTER OF THE		WITHOUT PETITION, AND FIXING	....., 19.....	
			TIME OF VIEW AND FINAL HEARING		

Blount Co., Colh., O.

..... session

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view and hearing

l proposed improve-

s adoption, the vote

Commissioners Journal Vol. 46 Pg. 65

Mr. ....

### PUBLIC ROAD PETITION

....., Ohio, ....., 19.....

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.....  
of ..... a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for .....  
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

*[Large handwritten scribble in blue ink, possibly representing a route or signature]*

Dated this..... day of....., A. D. 19.....

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH  
PETITIONER OWNS REAL ESTATE

*[Large handwritten scribble in blue ink, possibly representing names or district information]*

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD ~~PETITION~~ IMP. 727

IN THE MATTER OF THE

Vacating a part of two Public Rds. (Mayhugh T-88 & Piney Crk. T-81) Public Road.

Office of County Commissioners, Belmont County, Ohio

Petitioned for by without Petition, and others.

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

on the 23rd day of April, 1973, at the office of Belmont County Commissioners

with the following members present:

Mr. James Giffen

Mr. 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 part of two

Public Road as described therein; therefore, be it

RESOLVED, That the 6th day of June, 1973, at 2:30 o'clock P.M., be fixed as the date when

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

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

RESOLVED, That the 11th day of June, 1973, at 10:30 o'clock A.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 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. Giffen seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Giffen Yes

Mr. Sargus Yes

Mr.

Adopted the 23rd day of April, 1973

Vicki Brubaker Secretary

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT #727  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE  
Vacating a part of T-87 in Wayne Twp.  
Known as Mayhugh & Piney Creek Road  
Public Road.

Office of County Commissioners  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 11th day of June, 1973, at the office of the County Commissioners

with the following members present:

J. F. Giffen

C. A. Linch

A. J. Sargus

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, On the 6th day of June, 1973, 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 11th day of June, 1973, 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. Linch seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Giffen Yes  
Mr. Linch Yes  
Mr. Sargus Yes

Adopted the 11th day of June, 1973

Jeanne P. Harris

Clerk, Board of County Commissioners

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a part of T-87 in Wayne Twp.  
Known as Mayhugh & Piney Creek Road  
Public Road.

County Engineer's Office,

Belmont County, Ohio.

June 9, 1973

Imp. 727

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

The undersigned in obedience to your order dated June, 1973, proceeded on the 7<sup>th</sup> day of June, 1973, 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:~~

RR

VACATION PART OF T-81

0-1	N. 12°-20' E.	216.00'
1-2	N. 36°-30' E.	140.00'
2-3	N. 59°-03' E.	122.00'
3-4	N. 66°-00' E.	120.00'
4-5	N. 47°-00' E.	400.00'
5-6	N. 54°-00' E.	140.00'
6-6A	N. 33°-30' E.	100.00'
6A-7	N. 33°-30' E.	160.00'
7-8	N. 22°-00' E.	160.00'
8-9	N. 11°-00' E.	150.00'
9-10	N. 1°-00' W.	185.00'
10-11	N. 8°-00' W.	235.00'
11-12	N. 15°-00' W.	130.00'
12-13	N. 17°-00' W.	340.00'
13-14	N. 11°-00' W.	110.00'
14-15	N. 1°-00' W.	110.00'
15-16	N. 6°-30' E.	245.00'
16-17	N. 2°-00' W.	285.00'
17-18	N. 8°-00' W.	110.00'
18-19	N. 23°-30' W.	125.00'
19-20	N. 38°-30' W.	155.00'
20-21	N. 45°-00' W.	485.00'
21-22	N. 25°-00' W.	445.00'

Length 4,668 Ft. or 0.88 Mile ±

VACATION PART OF T-87

0-1	S. 17°-38' E.	135.00'
1-2	S. 35°-17' E.	76.00'
2-3	S. 65°-20' E.	112.00'
3-4	S. 52°-17' E.	208.00'
4-5	S. 63°-18' E.	83.00'

Length 614.00 Ft. or 0.12 Mile ±

APPROVED BY

Co. Engineer \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 This 17th day of June 1973

VACATION OHIO REVISED CODE 5553.04

PETITION No. 727

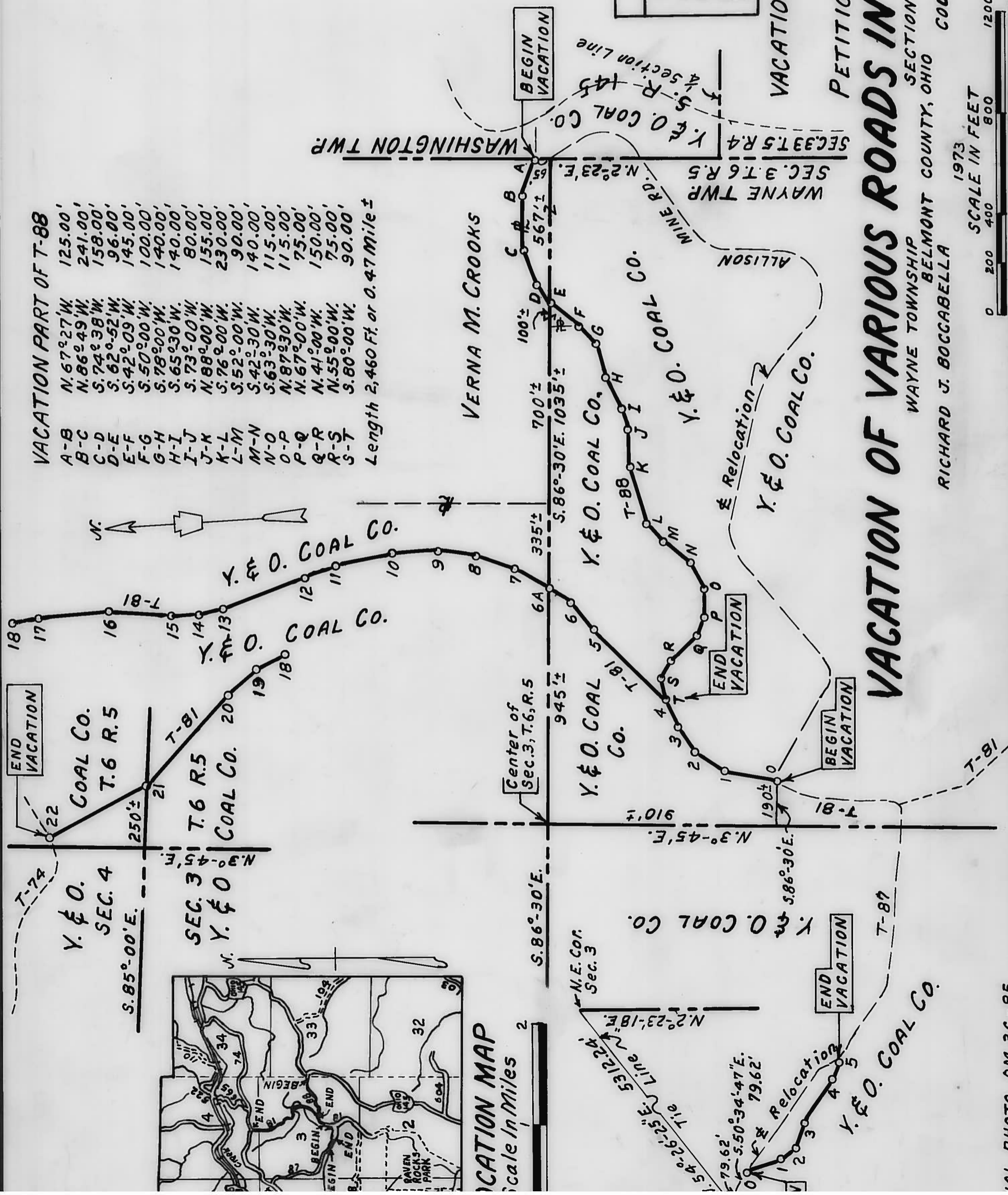
VACATION OF VARIOUS ROADS IN WAYNE TOWNSHIP

WAYNE TOWNSHIP  
 BELMONT COUNTY, OHIO  
 COUNTY ENGINEER

RICHARD J. BOCCABELLA

1973

SCALE IN FEET



VACATION PART OF T-88

A-B	N. 67°-27' W.	125.00'
B-C	N. 86°-49' W.	241.00'
C-D	S. 74°-38' W.	158.00'
D-E	S. 62°-52' W.	96.00'
E-F	S. 42°-09' W.	145.00'
F-G	S. 50°-00' W.	100.00'
G-H	S. 78°-00' W.	140.00'
H-I	S. 65°-30' W.	140.00'
I-J	S. 73°-00' W.	80.00'
J-K	N. 88°-00' W.	155.00'
K-L	S. 76°-00' W.	230.00'
L-M	S. 52°-00' W.	90.00'
M-N	S. 42°-30' W.	140.00'
N-O	S. 63°-30' W.	115.00'
O-P	N. 87°-30' W.	115.00'
P-Q	N. 67°-00' W.	75.00'
Q-R	N. 41°-00' W.	150.00'
R-S	N. 55°-00' W.	75.00'
S-T	S. 80°-00' W.	90.00'

Length 2,460 Ft. or 0.47 Mile ±

VACATION MAP

Scale in Miles



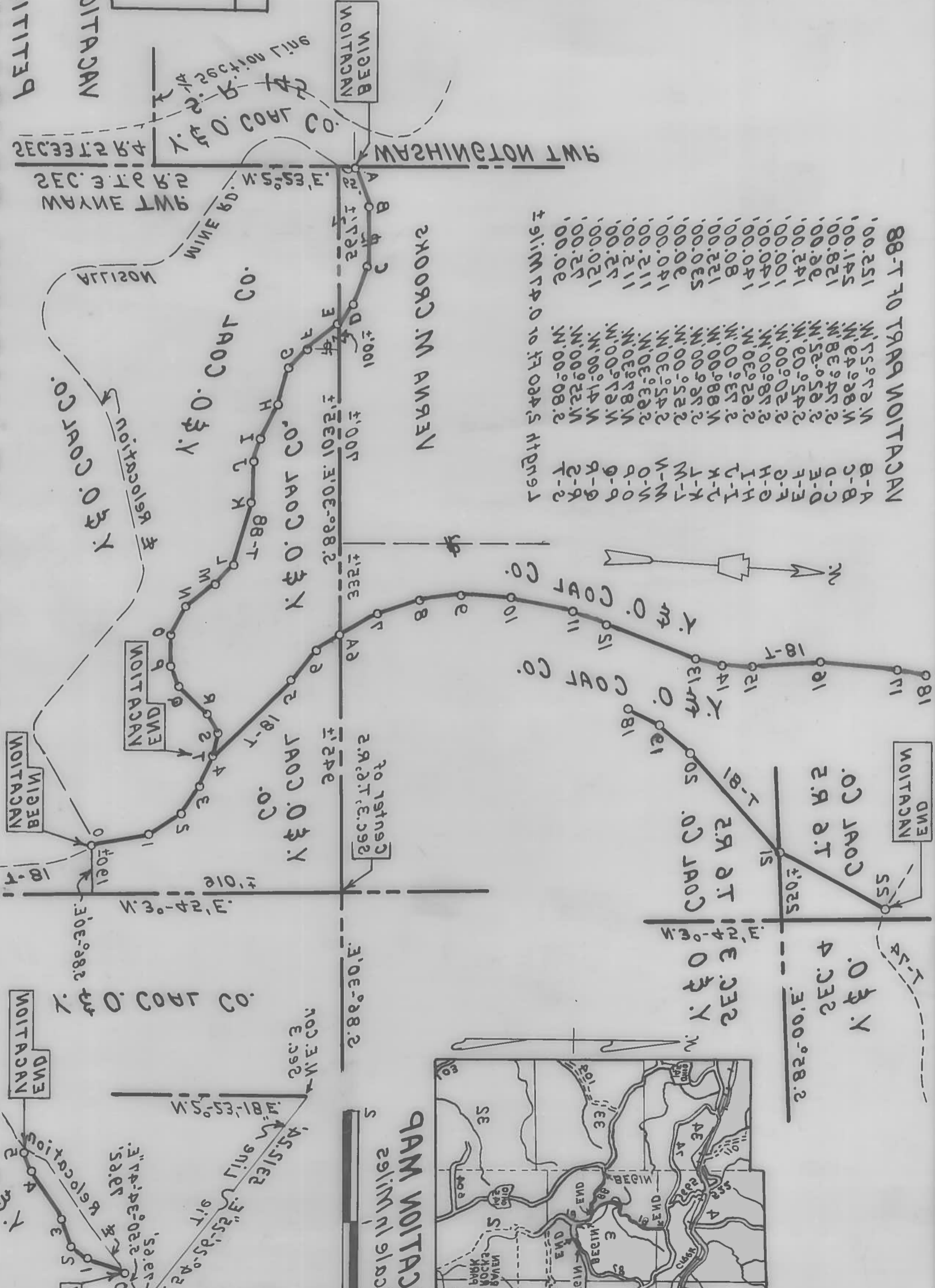
# ДИНСИНОТ ЭМГАН И ЗОАДОЯ ЗУОИРАЛ 70 ВОИТАСАЛ

РЭЭИИДЭА УТИУОС  
 БЭР, ДТ, Е ВОИТАСЭ  
 ОИНО УТИУОС ТИОМЛЭВ  
 ДИНСИНОТ ЭМГАН  
 АЛДЭВЭДЭОВ Т ДРЯНДИЯ

УВА ДЭХОДРАА
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CO. COMM.
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40.ЭЭЭЭ ДООД ДЭВИНЭЯ ОИНО ВОИТАСАЛ



0051  
 ТЭЭИ И ДАРАС  
 008 004 005 0

28-ЭЭМЭ ОТОНЯ ДАИ



18-T 70 TPAQ VOITACAN

100.215	3'05°51.1M	1-0
100.041	3'0E°2E.M	5-1
100.551	3'EO°2E.M	E-5
100.051	3'00°22.M	4-E
100.004	3'00°14.M	2-4
100.041	3'00°42.M	2-2
100.001	3'0E°EE.M	AD-2
100.021	3'0E°EE.M	T-AD
100.021	3'00°55.M	8-R
100.021	3'00°11.M	e-8
100.281	W'00°01.M	01-e
100.281	W'00°08.M	51-01
100.0E1	W'00°21.M	51-11
100.0E1	W'00°21.M	E1-51
100.04E	W'00°21.M	E1-51
100.011	W'00°11.M	41-E1
100.011	W'00°01.M	21-41
100.245	3'0E°2.M	21-21
100.285	W'00°2.M	11-21
100.011	W'00°08.M	81-11
100.251	W'0E°E5.M	E1-81
100.251	W'0E°8E.M	05-E1
100.284	W'00°24.M	15-05
00.244	W'00°25.M	55-15

± glim 86.0 to 77.822P HTPH9J

88-T 70 TPAQ VOITACAN

100.251	W'75°22.M	B-A
100.145	W'49°28.M	C-B
100.821	W'8E°2E.M	D-C
100.221	W'5E°52.M	E-D
100.221	W'20°54.M	F-E
100.001	W'00°02.M	G-F
100.041	W'00°8E.M	H-G
100.041	W'0E°22.M	I-H
100.041	W'00°E7.M	J-I
100.08	W'00°88.M	K-J
100.221	W'00°22.M	L-K
100.0E5	W'00°22.M	M-L
100.041	W'0E°54.M	N-M
100.211	W'0E°E2.M	O-N
100.211	W'0E°78.M	P-O
100.27	W'00°72.M	Q-P
100.021	W'00°14.M	R-Q
100.27	W'00°22.M	S-R
100.0E	W'00°08.M	T-S

± glim 74.0 to 77.024.5 HTPH9J

2XOOPD.M APHAN

9AM VOITACAN



RESOLUTION—GRANTING PROPOSED IMPROVEMENT #727 ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacating a part of T-87 in Wayne Twp. Known as Mayhugh & Piney Creek Road Public Road.

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 11th day of June, 1973, at the office of the County Commissioners with the following members present:

- Mr. Giffen
Mr. Linch
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 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,

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

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 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;

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;

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

- Mr. Giffen Yes
Mr. Linch Yes
Mr. Sargus Yes

Adopted the 11th day of June, 1973

RESOLUTION—~~AWARDING COMPENSATION AND DAMAGES~~  
IMP. #727

IN THE MATTER OF THE

Office of County Commissioners,

Vacating a part of T-87 known as  
Mayhugh & Piney Creek Road  
Public Road.

Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 25<sup>th</sup> day of June, 1973, at the office of the County Commissioners  
with the following members present:

- Mr. Giffen
- Mr. Sargus
- Mr. Linch

Mr. Linch moved the adoption of the following Resolution:

WHEREAS, ~~the Board of County Commissioners of Belmont County, Ohio, on June 11, 1973, by its resolution, ordered the vacation of a part of T-87, known as Mayhugh & Piney Creek Road, in Wayne Township, and it appears that no appeal has been submitted from our order in the matter of said vacation;~~

~~ten days or more have elapsed since our order to vacate a part of T-87, known as Mayhugh & Piney Creek Road, in Wayne 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 Mayhugh & Piney Creek Roads be vacated in part as set forth in Journal Entry of June 11, 1973;

and be it further

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

~~That the Clerk of this Board be and she is hereby 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- |                   |            |
|-------------------|------------|
| Mr. <u>Giffen</u> | <u>Yes</u> |
| Mr. <u>Sargus</u> | <u>Yes</u> |
| Mr. <u>Linch</u>  | <u>Yes</u> |

Adopted the 25<sup>th</sup> day of June, 1973

Jeanne R Harris