

PUBLIC ROAD PETITION IMP. #739

St. Clairsville, Ohio, April 15th, 1974

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 (Union Township Road No. 349) 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 a point in the centerline of Union Township Road No. 349; said point situated in State of Ohio, County of Belmont, Township of Union, Section No. 36 and referenced as follows: From the southeast corner of Section No. 36 west along the south line of said section for a distance of 2,470 feet more or less; thence at a right angle thereto north for a distance of 770 feet more or less, the place of beginning; thence southeasterly for a distance 700 feet more or less; thence easterly for a distance of 1,850 feet more or less; thence southeasterly for a distance of 2,100 feet more or less; thence easterly for a distance of 350 feet more or less to the terminus of the road herein petitioned for vacation; said terminus situated in the State of Ohio, County of Belmont, Township of Union, Section No. 29 and referenced as follows: From the northwest corner of said section south along the west line for a distance of 1,050 feet more or less; thence at a right angle thereto east for a distance of 1,890 feet more or less to the terminus at the intersection of Union Township Road No. 349 and Belmont County Road No. 104. Total distance overall being 5,000 feet more or less (0.95 Mile).

Consolidation Coal Company, Central Division, states that it is the owner of surface or right to mine coal underlying and adjacent to said road and that the traveling public will not be inconvenienced by said vacation.

Dated this 15th day of April, A. D. 1974

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Consolidation Coal Company By: <u>Elmer Loper</u> , Agent	April 3-74
Charles L. Smith	April 4-74
Gerald A. Gossett	April 10-74
John J. Spiga	April 10-74

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

IMP #739

Office of County Commissioners, Belmont County, Ohio

IN THE MATTER OF THE

Vacation of T-349 Known as Murphy's Ridge Road Union Township Public Road.

Petitioned for by Consolidation Coal Co. Central Division, and others.

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

on the 15th day of April, 1974, at the office of Belmont County Commissioners with the following members present:

- C. A. Linch
A. J. Sargus
J. F. Giffen

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 Vacation of T-349 Known as Murphy's Ridge a Public Road as described therein; therefore, be it

RESOLVED, That the 8th day of May, 1974, 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 the site

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

RESOLVED, That the 5th day of June, 1974, 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. C. A. Linch YES
Mr. A. J. Sargus YES
Mr. J. F. Giffen YES

Adopted the 15th day of April, 1974.

Tranna P Harris

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IMP # 739

IN THE MATTER OF THE
Vacation of T-349 Known as Murphy's
Ridge Road Union Township
Public Road.
Consolidation Coal Company
Central Division

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 8th day of May, 1974, at the office of Belmont County Commissioners
with the following members present:

Charles A. Linch

A. J. Sargus

James F. Giffen

Mr. J. F. Giffen moved the adoption of the following Resolution:

WHEREAS, On the 8th day of May, 1974, 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 5th
day of June, 1974, 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. A. J. Sargus seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. C. A. Linch YES

Mr. A. J. Sargus YES

Mr. J. F. Giffen YES

Adopted the 8th day of May, 1974.

Jeanne P. Harris

REPORT OF COUNTY ENGINEER

IMP # 739

County Engineer's Office,

Belmont County, Ohio.

May 15, 1974

IN THE MATTER OF THE

Vacation of T-349 known as
Murphy's Ridge Road Union Township
Public Road.

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

The undersigned in obedience to your order dated May 8, 1974, proceeded on the 9th day of May, 1974, 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~~

~~an accurate survey and plat, and an accurate and detailed description of the lot or lots of land which the undersigned County Engineer believes will~~

~~be necessary to be taken in order that the proposed improvement be made, together with the name of each owner, accompany this report and~~

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 has the following things in the proposed improvement which in his judgment should be made in the proposed~~

Commissioners Journal Vol. 46 Pg. 512

June 5 1974 Linch-Sargus-Giffen Hearing Continued

Commissioners Journal Vol. 46 Pg. 540 - June 26, 1974

Hearing Continued to Wed. July 3, 1974 Linch-Giffen-Sargus Ju

Commissioners Journal Vol. 46 Pg. 550 July 3, 1974

Hearing Continued to Wed. July 17, 1974 Linch-Giffen-Sargus

[Handwritten Signature]

END VACATION

CONSOLIDATION COAL COMPANY

15 T-349

CONSOLIDATION COAL COMPANY

T.8, R.5 East 2500'±
T.8, R.5

VACATION OF T-349

1	N.72°-00'W.	45'
2	N.86°-30'W.	170'
3	S.89°-00'W.	140'
4	N.71°-00'W.	175'
5	N.55°-00'W.	165'
6	N.45°-00'W.	235'
7	N.36°-30'W.	475'
8	N.45°-00'W.	195'
9	N.47°-30'W.	290'
10	N.46°-30'W.	440'
11	N.55°-00'W.	140'
12	N.65°-30'W.	100'
13	N.76°-00'W.	75'
14	N.86°-00'W.	180'
15	S.89°-00'W.	560'
16	S.86°-00'W.	545'
17	S.83°-00'W.	195'
18	WEST	175'
19	N.80°-30'W.	185'
20	N.74°-30'W.	145'
21	N.63°-00'W.	245'
22	N.57°-30'W.	265'
23	N.61°-30'W.	75'

Length 5,115 Ft. or 0.97 Mile ±

450'±

600'± East

East 2110'±

CONSOLIDATION COAL COMPANY

CONSOLIDATION COAL COMPANY

CONSOLIDATION COAL COMPANY

T-349

Aerial Photo QM-2G-44

APPROVED BY	
Co. Engineer	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
This 17 th day of July 1974	

OHIO REVISED CODE SEC. 5553.04

VACATION OF MURPHY RIDGE ROAD T-349

PETITION No. 739

SECTION 29, 30 & 36, T.8, R.5

BELMONT COUNTY, OHIO

UNION TOWNSHIP

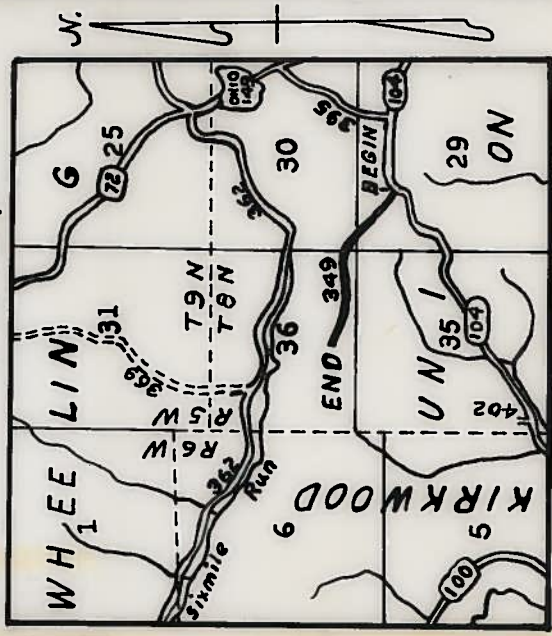
(Petitioned by Consolidation Coal Co.; Elmer Loper, Agent)
RICHARD J. BOCCABELLA COUNTY ENGINEER

1974
SCALE IN FEET
0 200 400 800 1200

N.1°-30'W. 1/4 Sec. Line

SEC. 30, T.8, R.5
SEC. 29, T.8, R.5

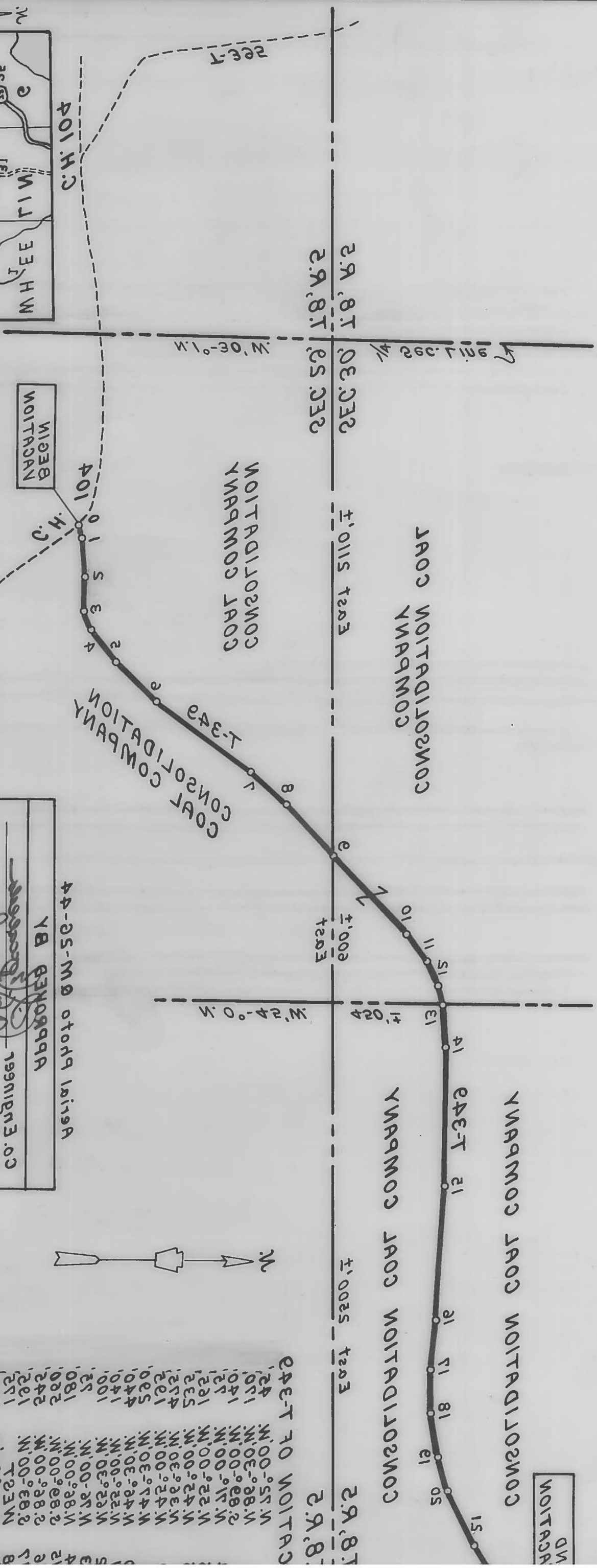
BEGIN VACATION



LOCATION MAP
Scale in Miles
0 1 2

D.M.
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MOITPAIIO2MOC JIACD
YHAPMOC JIACD MOITPAIIO2MOC
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RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IMP #739

Office of County Commissioners, Belmont County, Ohio

IN THE MATTER OF THE

Vacation of T-349 Known as Murphy's Ridge Road Union Township Public Road.

The Board of County Commissioners of Belmont County, Ohio, met in session on the day of 19, at the office of Belmont County Commissioners with the following members present:

Mr. moved the adoption of the following Resolution: WHERSAS, 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; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further and determined to proceed with said improvement in being the opinion of this Board of County Commissioners that the improvement is a public improvement and that the compensation and damages to be paid to the persons entitled thereto shall be paid by the County Treasurer out of the County Treasury, and such method of payment as may be determined by the Board of County Commissioners.

RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages 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 that the compensation and damages to be paid for such County Treasury, and be it further

it is hereby determined that said proposed improvement be abandoned. It is further ordered that the compensation and damages to be paid by the landowners owning lands within the vicinity who will be benefited by the improvement, and that the compensation and damages to be paid for such County Treasury, 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; and be it further

RESOLVED and determined to proceed with said improvement in being the opinion of this Board of County Commissioners that the improvement is a public improvement and that the compensation and damages to be paid to the persons entitled thereto shall be paid by the County Treasurer out of the County Treasury, and such method of payment as may be determined by the Board of County Commissioners.

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 day of 19, at the office of this Board be and the same be 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, and be it further

RESOLVED, That the cause be and the same be hereby continued to and be it further

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~~

IMP #739

IN THE MATTER OF THE

Vacation of T-349, Known as Murphy's Ridge Road, Union Township, Public Road.

Office of County Commissioners,

Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 5th day of August, 1974, at the office of Belmont County Commissioners with the following members present:

- Linch
- Sargus
- Giffen

Mr. Sargus moved the adoption of the following Resolution:

~~WHEREAS, the Board has the honor of award of compensation and damages to landowners through or upon whose lands said improvement is located 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 for and the Board has heard all applications for compensation and damages filed herein, and considered all claims of minors and those under legal disability, thereupon~~

~~RESOLVED, That the Board find and award compensation and damages in amounts as held to be just and equitable to the following landowners~~

WHEREAS, Ten days or more have elapsed since our order vacating T-349, Known as Murphy's Ridge Road in Union Township, and it appears that no appeals have been submitted from our order in the matter of said vacation;

THEREFORE BE IT RESOLVED, 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.

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 is allowed by the Board, it be paid with the Probate Court, upon an appeal being perfected for the use of the appellants, said improvement described as follows:~~

I do hereby certify the foregoing to be a true and correct copy of Journal Entry of August 5, 1974, as recorded in Vol. 46, Page 584 of the County Commissioners' Journal,

be and the same is hereby ~~estimated~~ vacated

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

resulted as follows:

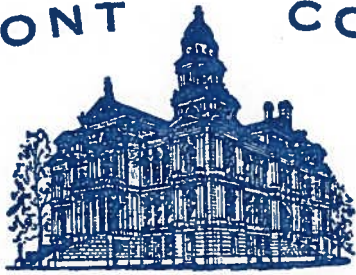
- Mr. Linch YES
- Mr. Sargus YES
- Mr. Giffen YES

Adopted the 5th day of August, 1974

Jeanne P. Harris

Office of the
COMMISSIONERS

BELMONT COUNTY



CHARLES A. LINCH
President

A. J. SARGUS
JAMES F. GIFFEN

MS. JEANNE P. HARRIS
Clerk

St. Clairsville, Ohio

August 5, 1974

In the Matter of the Vacation
of T-349, known as Murphy's
Ridge Road, Union Township.

IMP. #739

"Order to County Engineer"

Mr. Sargus moved the adoption of the following resolution:

WHEREAS, Ten days or more have elapsed since our order vacating T-349, known as Murphy's Ridge Road in Union Township, and it appears that no appeals have been submitted from our order in the matter of said vacation;

THEREFORE BE IT RESOLVED, 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.

Mr. Linch seconded the motion and upon roll call the vote was as follows:

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

I do hereby certify the foregoing to be a true and correct copy of Journal Entry of August 5, 1974, as recorded in Vol. 46, Page 584 of the County Commissioners' Journal.

Jeanne P. Harris
Jeanne P. Harris, Clerk

BELMONT COUNTY



CLERK OF COURTS
BELMONT COUNTY, OHIO

CLERK OF COURTS
BELMONT COUNTY, OHIO

IN SENATE
JANUARY 1, 1914

IN SENATE
JANUARY 1, 1914
The following bills were introduced:
S. 1000, by Mr. [Name], for the purpose of [purpose]
S. 1001, by Mr. [Name], for the purpose of [purpose]
S. 1002, by Mr. [Name], for the purpose of [purpose]
S. 1003, by Mr. [Name], for the purpose of [purpose]
S. 1004, by Mr. [Name], for the purpose of [purpose]
S. 1005, by Mr. [Name], for the purpose of [purpose]
S. 1006, by Mr. [Name], for the purpose of [purpose]
S. 1007, by Mr. [Name], for the purpose of [purpose]
S. 1008, by Mr. [Name], for the purpose of [purpose]
S. 1009, by Mr. [Name], for the purpose of [purpose]
S. 1010, by Mr. [Name], for the purpose of [purpose]

YES
YES
YES

Approved in Senate
JANUARY 1, 1914

CLERK OF COURTS
BELMONT COUNTY, OHIO