

PUBLIC ROAD PETITION IMP. #740

St. Clairsville, Ohio, May 14, 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 vacating a portion of Locust Drive and Stewart Drive 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 present northern right of way boundary for Interstate 70 and proceeding north to the northern most boundary of Lot No. 11 of Grandview Heights as depicted in Plat Book No. 11; Page 41, Belmont County Plat Records. (See: Attached Map).

STEWART DRIVE - Beginning at the present northern right of way boundary for Interstate 70 and proceeding north to the northern most boundaries of Lots No. 12 and 33, of Grandview Heights as depicted in Plat Book No. 11; Page 41, Belmont County Plat Records. (See: Attached Map).

Dated this 3rd day of June, A. D. 1974

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Thomas R. Stewart	Richland Township
Thoburn R. Stewart	Richland Township
Carter Thornburg	St. Clairsville - Richland School District
Marianne Jenkin's	Richland Township
Marlene A. Bukmir	St. Clairsville Richland School District
Charles H. Bean	St. Clairsville - Richland School Dist.
Walter A. Stewart	St. Clairsville - Richland School Dist.
Lewis P. Henderson	St. Clairsville Richland School Dist.
Mary Shores	St. Clairsville Richland School Dist.
Robert L. Bethel	St. Clairsville - Richland
Howard C. Brokaw	St. Clairsville Richland
Jack Hans (Trustee)	St. Clairsville Rt. #1, Richland, Ohio
Milton Porter (Trustee)	St. Clairsville RD 5 Richland
Thomas W. Costine	St. Clairsville RFD #5 Richland, Ohio

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION IMP. #740

IN THE MATTER OF THE

Vacating a portion of Locust Drive and Stewart Drive Public Road.

Office of County Commissioners, Belmont County, Ohio

Petitioned for by Thomas R. Stewart, and others.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 3rd day of June, 1974, at the office of the County Commissioners with the following members present:

C. A. Linch

J. F. Giffen

A. J. Sargus

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 a portion of Locust & Stewart Drive a Public Road as described therein; therefore, be it

RESOLVED, That the 10th day of July, 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 17th day of July, 1974, at 10 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 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. Linch YES
Mr. Giffen YES
Mr. Sargus YES

Adopted the 3rd day of June, 1974

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IMP. # 740

IN THE MATTER OF THE  
Vacating a portion of Locust Drive  
and Stewart Drive  
Public Road.  
Known as Grandview Heights

Office of County Commissioners  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session  
on the 10<sup>th</sup> day of July, 1974, at the office of Belmont County Commissioners

with the following members present:

C. A. Linch

J. F. Giffen

(Excused)

Mr. Giffen moved the adoption of the following Resolution:

WHEREAS, On the 10<sup>th</sup> day of July, 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 17<sup>th</sup> day of July, 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. Linch seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Linch YES

Mr. Giffen YES

Mr. Sargus (Excused)

Adopted the 10<sup>th</sup> day of July, 1974.

Jeanne P. Harris

Clerk, Board of County Commissioners

REPORT OF COUNTY ENGINEER

IMP. #740

County Engineer's Office,

Belmont County, Ohio.

July 15, 1974

IN THE MATTER OF THE

Vacating a portion of Locust Drive and Stewart Drive

Public Road.

Known as Grandview Heights

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

The undersigned in obedience to your order dated July 10, 1974, proceeded on the 11th day of July, 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.

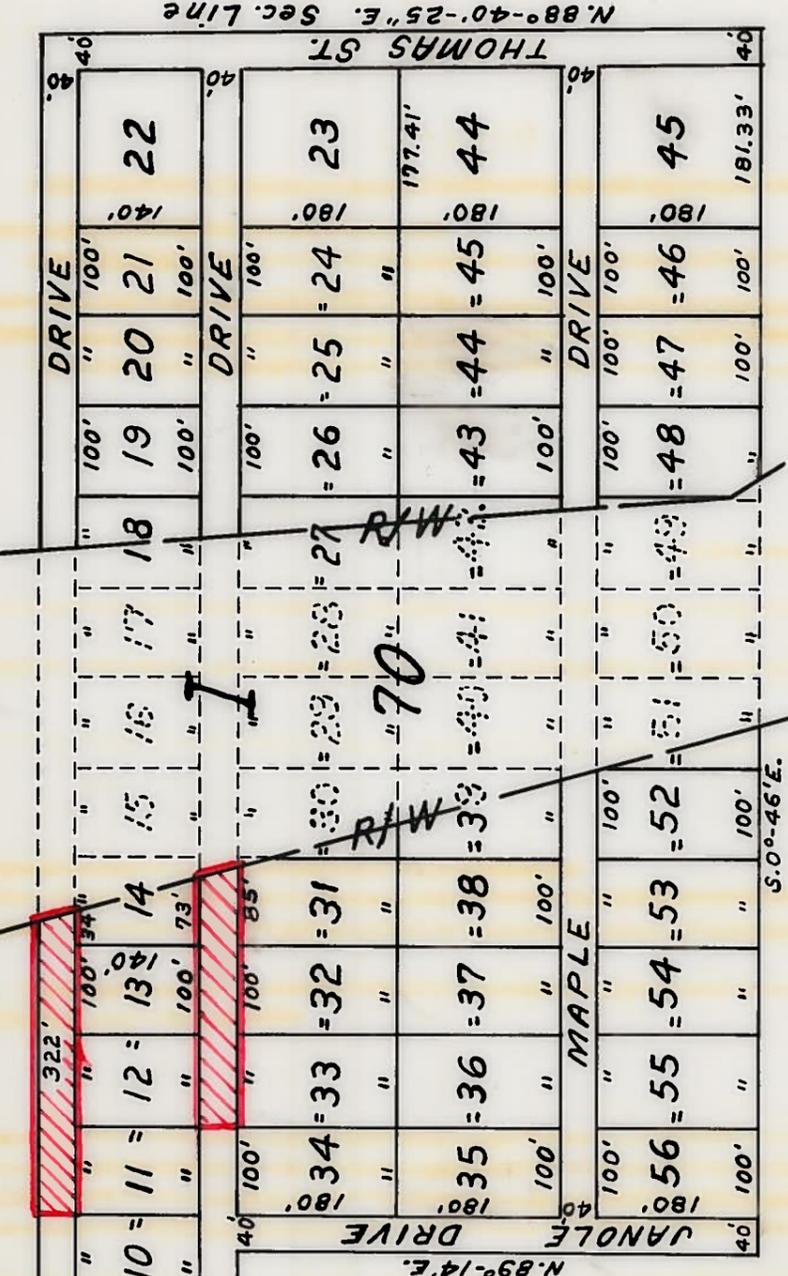
[Redacted text]

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

See attached Plat

[Redacted text]

[Handwritten signature]



**VACATED**

ed in Grandview Heights Subdivision, Richland Township  
28, T.6, R.3, Belmont County, Ohio.

T DRIVE: Beginning at the Northeast corner of Lot 11; thence  
14'E., 40 feet to a point in the East line of Locust Drive;  
along the East line of Locust Drive S.0°-46'E., 322 feet to a  
point in the North Right-of-Way line of Interstate 70; said point is  
set left of Station 1060+17.43; thence along the North Right-  
of-Way line of Interstate 70 S.72°-32'W, 41.8 feet to a point; thence  
along the West line of Locust Drive N.0°-46'W., 334 feet to the  
place of beginning. Containing 0.30 Acres more or less.

RT DRIVE: Beginning at the Northeast corner of Lot 33; thence  
14'E., 40 feet to the East line of Stewart Drive and North west  
corner of Lot 12; thence along the East line of Stewart Drive S.0°-46'E.,  
322 feet to a point in the North Right-of-Way line of Interstate 70;  
said point is set left of Station 1060+17.43; thence along the North Right-  
of-Way line of Interstate 70 S.72°-32'W, 41.8 feet to a point; thence  
along the West line of Locust Drive N.0°-46'W., 334 feet to the  
place of beginning. Containing 0.26 Acres  
more or less.

APPROVED BY  
 Engineer \_\_\_\_\_  
 Comm. \_\_\_\_\_  
 Comm. \_\_\_\_\_  
 day of \_\_\_\_\_ 1974

SCALE IN FEET  
 200 400 600 800

PETITION No. 740  
 (VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.042)  
**VACATION OF A PART OF LOCUST & STEWART DRIVE**  
**GRANDVIEW HEIGHTS SUBDIVISION**

As Recorded in Belmont County Record of Plats Vol. 11, Pg. 41  
 (PETITIONED BY THOMAS R. STEWART)  
 Richland Twp. Sec. 28, T.6, R.3

RICHARD J. BOCCABELLA  
 Belmont County, Ohio COUNTY ENGINEER  
 JULY 1974



RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IMP. #740

Office of County Commissioners, Belmont County, Ohio

IN THE MATTER OF THE Vacating a portion of Locust Drive & Stewart Drive Public Road. Known as Grandview Heights

The Board of County Commissioners of Belmont County, Ohio, met in Special session on the 17th day of July, 1974, at the office of Belmont County Commissioners with the following members present:

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

[REDACTED]

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,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] 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

[REDACTED]

[REDACTED]

[REDACTED]

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;

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Giffen 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 17th day of July, 1974

RESOLUTION—~~AWARDING COMPENSATION AND DAMAGES~~  
IMP. # 740

IN THE MATTER OF THE  
*Vacating a Portion of Locust Drive and  
Stewart Drive Known as Grandview  
Public Road.  
Heights in Richland Twp.*

Office of County Commissioners,  
Belmont County, Ohio.

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

Linch  
Sargas  
Gissen

Mr. Sargas 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 by  
law and the Board has heard all applications for compensation and damages filed herein, and considered all claims of owners and those under  
legal disability, therefore it~~

~~RES. IT, That two thirds of the compensation and damages to amounts as held to be just and equitable to the following landowners to~~  
WHEREAS; ten days or more have elapsed since our order vacating a  
portion of Locust Drive and Stewart Drive, Known as Grandview Heights, in  
Richland 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 set out, or the amount thereof is allowed by  
the Board to be paid with the Probate Court, upon an appeal being perfected, for the use of the appellants, and in payment of said~~

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 ~~vacated~~ vacated

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

resulted as follows:

Mr. Linch YES  
Mr. Sargas YES  
Mr. Gissen YES

Adopted the 5<sup>th</sup> day of August, 1974.

Jeanne P. Harris