

PUBLIC ROAD PETITION IMP. No. 764

St. Clairsville, Ohio, June - 25th, 1975

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 of Flushing Township Road No. 416 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 centerline intersection of Flushing Township Road No. 416, and the north line of Section 21 Flushing Township, Belmont County, Ohio. Beginning point referenced from the Northwest corner of Section 21 East along the North line of section for a distance of 10 feet, more or less, the place of beginning. Thence South for a distance of 50 feet, more or less, to East line of Section No. 27; thence Southwesterly for a distance of 820 feet, more or less, to the centerline intersection of Flushing Township Road No. 371, now vacated. Thence Northwesterly for a distance of 1250 feet, more or less, to the North boundary of Section No. 27. The terminus of the road herein described and petitioned for vacation, said terminus point also being in the North boundary line of Belmont County, Ohio.

The herein described road constitutes a length of 2,120 feet, more or less (0.40 Mi.).

Consolidation Coal Company, the petitioner, states that it is the owner of surface and or the right to mine coal in the vicinity, and adjacent to said road, and that due to the road now being inundated by waters of the Village of Flushing water supply lake, no inconvenience will be caused the traveling public due to said vacation.

Dated this 30th day of June, A. D. 1975

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Consolidation Coal Company Central Division	Flushing Township
BY: <u>Elmer E. Loper</u> AGENT:	
Darrel Van Curan Trustee	"
William Melchori Trustee	"
John Skillett Trustee	"

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

IMP. No. 764

IN THE MATTER OF THE

Office of County Commissioners,

Vacating Flushing Township Road No. 416

Belmont County, Ohio

Public Road.

Petitioned for by Elmer Loper Agent

and others.

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

on the 30th day of June, 1975, at the office of the Commissioners

with the following members present:

A. J. Sargus

C. A. Linch

J. F. Giffen

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 presented to this Board of County Commissioners requesting said Board to Vacating Flushing Township Road No. 416 a Public Road as described therein; therefore, be it

RESOLVED, That the 23rd day of July, 1975, 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 18th day of August, 1975, 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 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. Sargus YES

Mr. Giffen YES

Mr. Linch YES

Adopted the 30th day of June, 1975

Mari Kapolka

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. No. 764

IN THE MATTER OF THE

Vacating Flushing Township Road
No. 416

Public Road.

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 28th day of July, 1975, at the office of the Commissioners

with the following members present:

A. J. Sargus

C. A. Lynch

Mr. Lynch moved the adoption of the following Resolution:

WHEREAS, On the 23rd day of July, 1975, 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 18th day of August, 1975, 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Sargus YES

Mr. Lynch YES

Mr. Giffen ABSENT

Adopted the 28th day of July, 1975

Mary Kapolka

Clerk, Board of County Commissioners

REPORT OF COUNTY ENGINEER

IMP. No. 764

IN THE MATTER OF THE

Vacating Flushing Township Road

No. 416

Public Road.

County Engineer's Office,

Belmont County, Ohio.

August 18, 1975

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

The undersigned in obedience to your order dated July 18, 1975, proceeded on the 29th day of July, 1975, 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.

~~_____~~
~~_____~~
~~_____~~
~~_____~~

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

See attached plat

[Handwritten signature]

~~_____~~
~~_____~~

[Handwritten signature]



RICHARD J. BOCCABELLA COUNTY ENGINEER
BELMONT COUNTY OHIO
FLUSHING TWP SECTION 5 & 6 T. 37 R. 2
 (Petitioned for Consolidation Coal Co.-Elmer Lober Agent)
VACATION OF TOWNSHIP ROAD T-416
 VACATION OHIO REVISED CODE 2223
 TWR No. 264

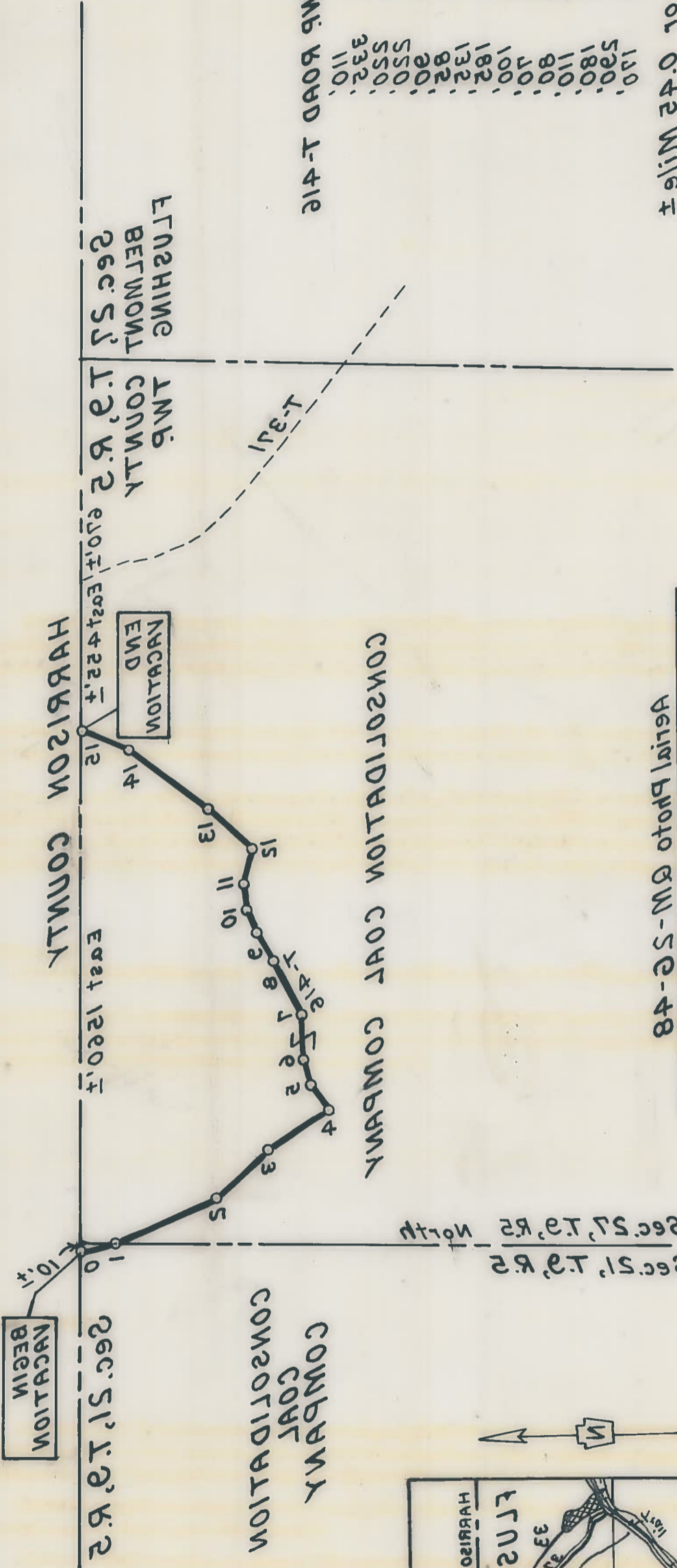
This map was prepared August 1922
 Co. Comm. _____
 Co. Comm. _____
 Co. Comm. _____
 Co. Engineer _____
APPROVED BY

Aerial Photo GW-5G-48

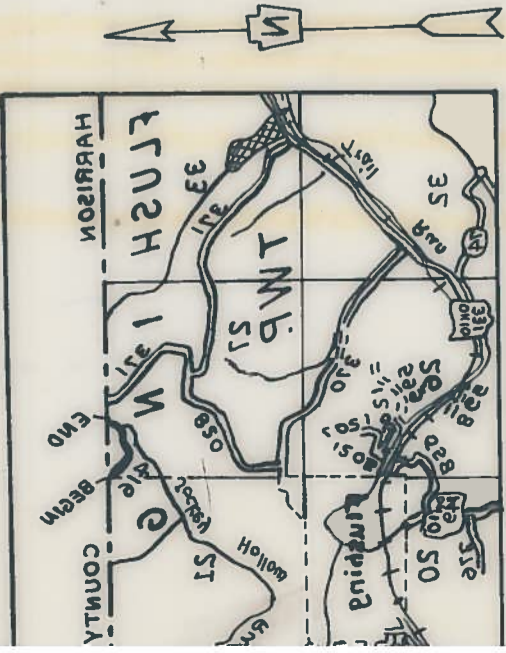
Length 5380 Ft. or 0.42 Miles ±

14-12	W. 51° 00' N.	130'
13-14	W. 36° 30' N.	520'
15-13	W. 45° 00' N.	180'
11-15	S. 76° 00' W.	110'
10-11	W. 83° 00' N.	80'
9-10	W. 28° 30' N.	110'
8-9	W. 28° 00' N.	100'
7-8	W. 23° 00' N.	182'
6-7	W. 91° 30' N.	132'
5-6	W. 12° 00' N.	82'
4-5	W. 20° 30' N.	90'
3-4	W. 34° 30' N.	550'
2-3	S. 43° 30' W.	550'
1-2	S. 54° 00' W.	332'
0-1	S. 13° 00' N.	110'

VACATION OF TWP ROAD T-416



Sec. 5, T. 37 R. 2 North
 Sec. 1, T. 37 R. 2

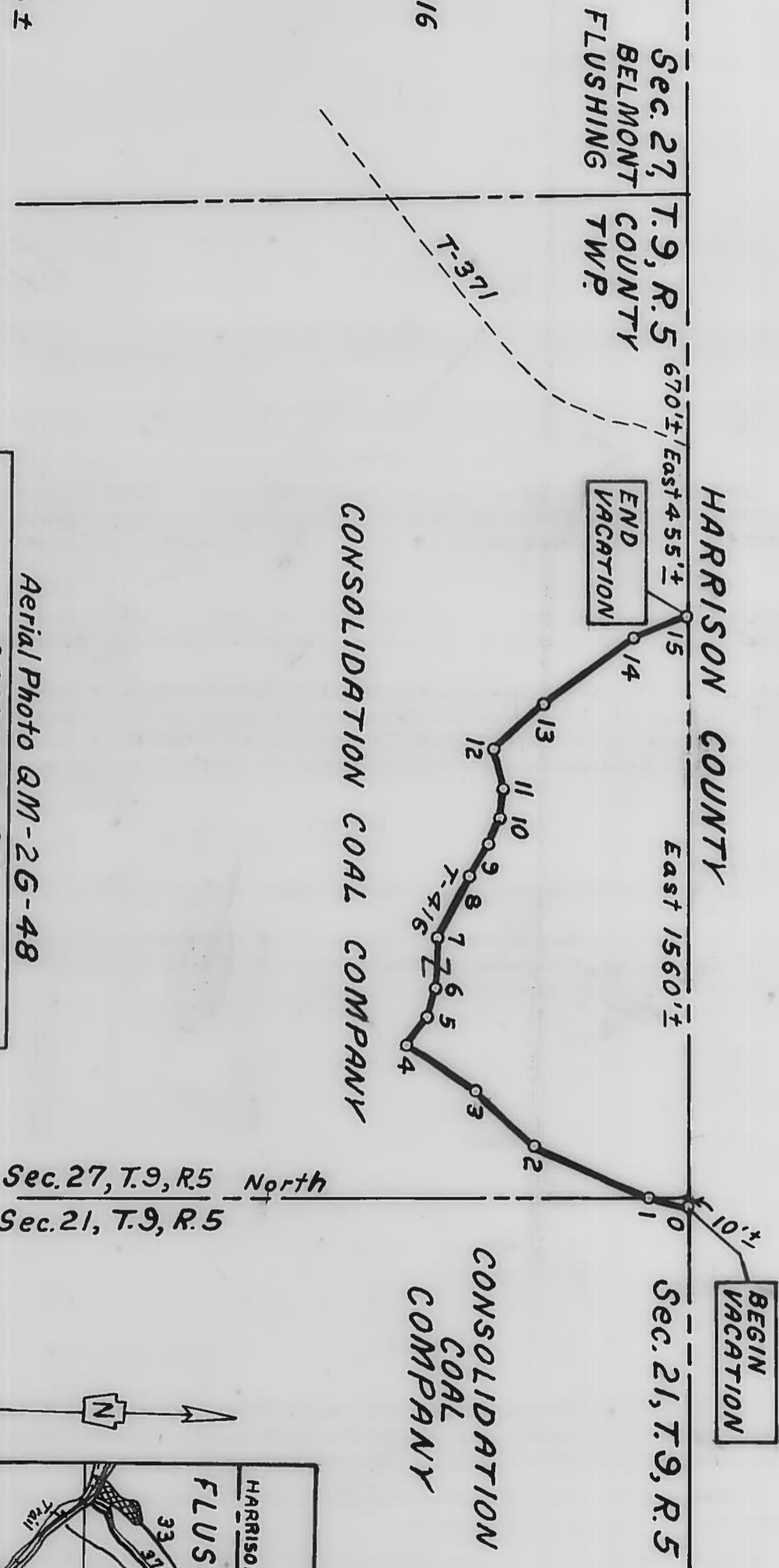


0 1/5 1 mile
 LOCATION MAP

VACATION OF TWP ROAD T-416

0-1	S.13°-00'W.	110'
1-2	S.24°-00'W.	335'
2-3	S.43°-30'W.	220'
3-4	S.34°-30'W.	220'
4-5	N.50°-30'W.	90'
5-6	N.75°-00'W.	85'
6-7	N.87°-30'W.	135'
7-8	N.63°-00'W.	185'
8-9	N.59°-00'W.	100'
9-10	N.68°-30'W.	70'
10-11	N.83°-00'W.	80'
11-12	S.76°-00'W.	110'
12-13	N.42°-00'W.	180'
13-14	N.36°-30'W.	290'
14-15	N.21°-00'W.	170'

Length 2380 Ft. or 0.45 Miles ±



Aerial Photo QM-2G-48

APPROVED BY

Co. Engineer *[Signature]*

Co. Comm. _____

Co. Comm. *[Signature]*

Co. Comm. _____

This 18th day August, 1975

IMP. No. 764

VACATION OHIO REVISED CODE 5553

VACATION OF TOWNSHIP ROAD T-416

(Petitioned by Consolidation Coal Co.-Elmer Loper Agent)

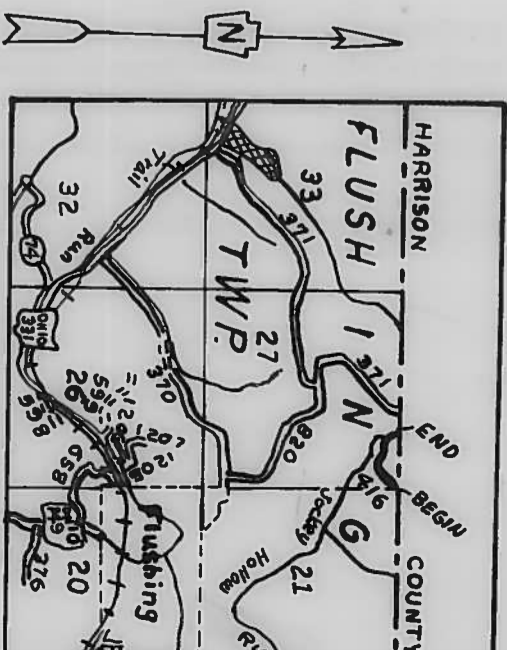
FLUSHING TWP SECTION 27 & 21, T.9, R.5

BELMONT COUNTY, OHIO

RICHARD J. BOCCABELLA COUNTY ENGINEER

1975

SCALE IN FEET



RESOLUTION—GRANTING PROPOSED IMPROVEMENT

ORDERING RECORD, ETC.

IMP. No. 764

IN THE MATTER OF THE

Vacating Flushing Township Road

No. 416

Public Road.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 18th day of August, 1975, at the office of with the following members present:

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; 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

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;

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 18th day of August, 1975

ORDER TO CLOSE

RESOLUTION

SEC. 5563.01 R.C.

IMP. No. 76A

IN THE MATTER OF THE

Vacating Flushing Township Road

No. 416

Public Road.

Flushing Township

Office of County Commissioners,

Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in Special session on the 3rd day of September, 1975, at the office of the 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, At least ten days have elapsed since the final order of the board in the matter of this improvement, and
WHEREAS, No person, firm or Corporation interested, has effected an appeal from our orders in the matter of the above named improvement, therefore be it,

RESOLVED; That it is hereby ordered that the proceedings be recorded as provided by law, and that said road be vacated, as order heretofore, made on our journal of the date of September 3, 1975, and a copy of this resolution be forwarded to the Flushing Township Trustees.

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 3rd day of September, 1975.

Marie Kanaka