

## PUBLIC ROAD PETITION IMP. No. 776

Jacobsburg, Ohio, April 5, 1976

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

The undersigned 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 an Alley in Jacobsburg 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 being an Alley in the Town of Jacobsburg in Smith Township, Section 2, Township 6, Range 4 and recorded in Plat Book J Page 536 of the Belmont County Record of Plats and described as follows: Begin at the S.W. Corner of Lot 56 and on the east line of Main Street, then with the South line of said Lot 56 to the South East Corner of said lot thence with the east line of said lot North 33 feet thence east 20 feet to the east line of a 20 foot alley thence south with the east line of said alley to a point 20 feet opposite of the S.E. Corner of Lot 57, at right angle, thence west 20 feet to the S.E. Corner of said Lot 57, thence North with the east line of Lot 57, 66 feet to the N.E. Corner thereof thence west with the North line of Lot 57 to the N.W. corner thereof and the east line of Main Street. Thence North therewith 20 feet to the place of beginning. Said petitioners Carl Neff and Eula Neff, the owners of the South half of Lot No. 56 and all of Lot No. 57 also own four acres of ground east of said Lots, do hereby request that the Commissioners proceed under Section 5553.042 Ohio Revised Code in that said alley herein requested to be vacated has not been open or used during the preceeding twenty one years.

Dated this 12<sup>th</sup> day of April, A. D. 1976

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
1 Carl Neff	
2 Eula Neff	
3 L. R. Thompson	
4 Blanch Thompson	
5 Audrey Skukan	
6 Frank Skukan	
7 Shirley R. Wharton	
8 Wilfred D. Wharton	
9 Minnie Beck	
10 Clyde Z Beck	
11 Eleanor Beltz	
12 Joseph R. Beltz	
Smith Twp. Trustees	
D. L. Clegg	

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

IMP. No. 776

IN THE MATTER OF THE

Vacating of an Alley in Jacobsburg  
in Smith Township

Public Road.

Petitioned for by Carl Neff

, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the 12<sup>th</sup> day of April, 1976, at the office of the Commissioners

with the following members present:

C. A. Linch

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 an Alley in Jacobsburg

a Public Road as described therein; therefore, be it

RESOLVED, That the 26<sup>th</sup> day of May, 1976, 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 2nd day of June, 1976, 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. Linch seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Giffen, Absent

Mr. Linch, Yes

Mr. Sargus, Yes

Adopted the 12<sup>th</sup> day of April, 1976

Mary Kanilka



## RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

## ORDER TO COUNTY ENGINEER

IMP. No. 776

IN THE MATTER OF THE

Vacating of an Alley in Jacobsburg  
in Smith 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 26<sup>th</sup> day of May, 1976, at the office of The Commissioners  
 with the following members present:

J. F. GiffenC. A. LinchA. J. Sargus

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, On the 26<sup>th</sup> day of May, 1976, 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 2<sup>nd</sup> day of June, 1976, 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 26<sup>th</sup> day of May, 1976

Mary Kapolka

## REPORT OF COUNTY ENGINEER

IMP. No. 776

IN THE MATTER OF THE

Gen'l. Code Sec. 5553.06

Vacating of an Alley in Jacobsburg  
in Smith Township  
Public Road.

County Engineer's Office,

Belmont County, Ohio

June 2, 1976

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

The undersigned in obedience to your order dated May 26, 1976, proceeded on the 27<sup>th</sup>  
day of May, 1976, 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]

[REDACTED]

[REDACTED]

[REDACTED]

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

See Plat

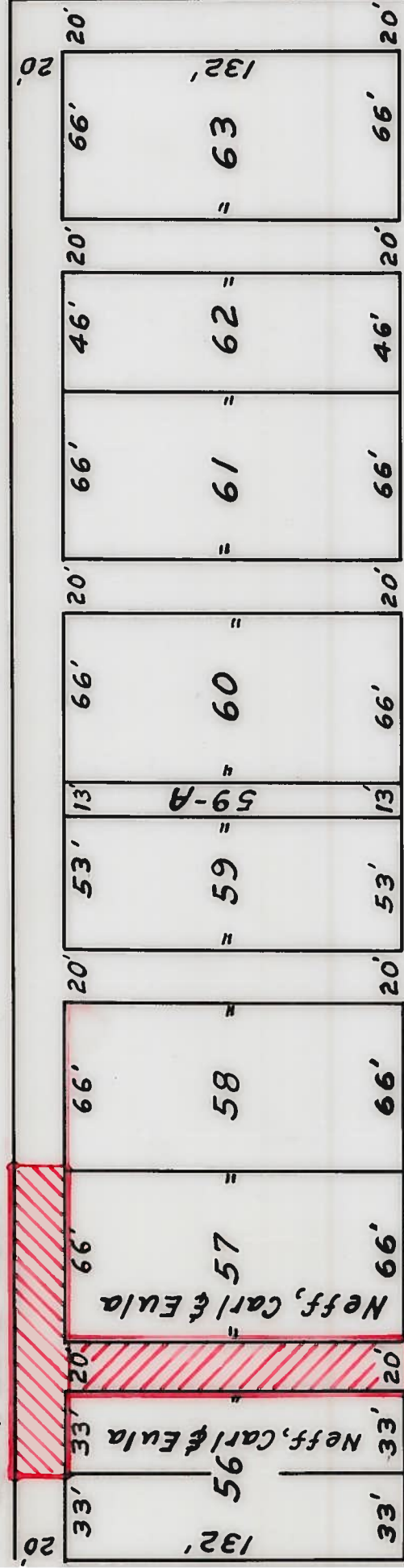
[REDACTED]

[REDACTED]

[Signature]



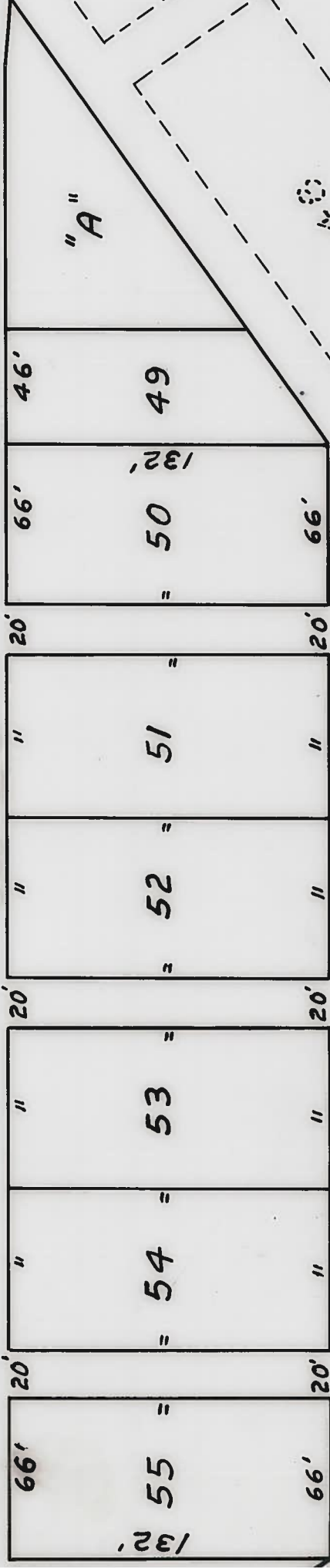
Carl & Eula Neff



MAIN

STREET

S. 55°-30' E.



VACATION

APPROVED BY

Co. Engineer

Co. Comm.

Co. Comm.

Co. Comm.

This 2 day June 1976

IMP. No. 776

VACATION OHIO REVISED CODE 5553.042

# VACATION OF AN ALLEY & PART OF AN ALLEY IN JACOBSBURG, OHIO

PLAT BOOK J PG. 536

(Petitioned by Carl Neff et al)

SMITH TOWNSHIP SECTION 2, T.6, R.4

BELMONT COUNTY, OHIO

RICHARD J. BOCCABELLA

COUNTY ENGINEER

SCALE IN FEET

0 30 60 120 180 240

0 30 02 051 081 545

АЛЕКСАНДР Ю. ДАНИЛА  
СЛАДКОЕ ВЕЩАНИЕ  
СОВЕТСКИЙ ИНЖЕНЕР

4.9.27.5 МОИТСЭЭ  
ОИНО УТНУОС ТИОНЛАВ  
БЕГМОНТ СОНУЛЪ ОИНО  
ПИНСИНОТ ИТИМС

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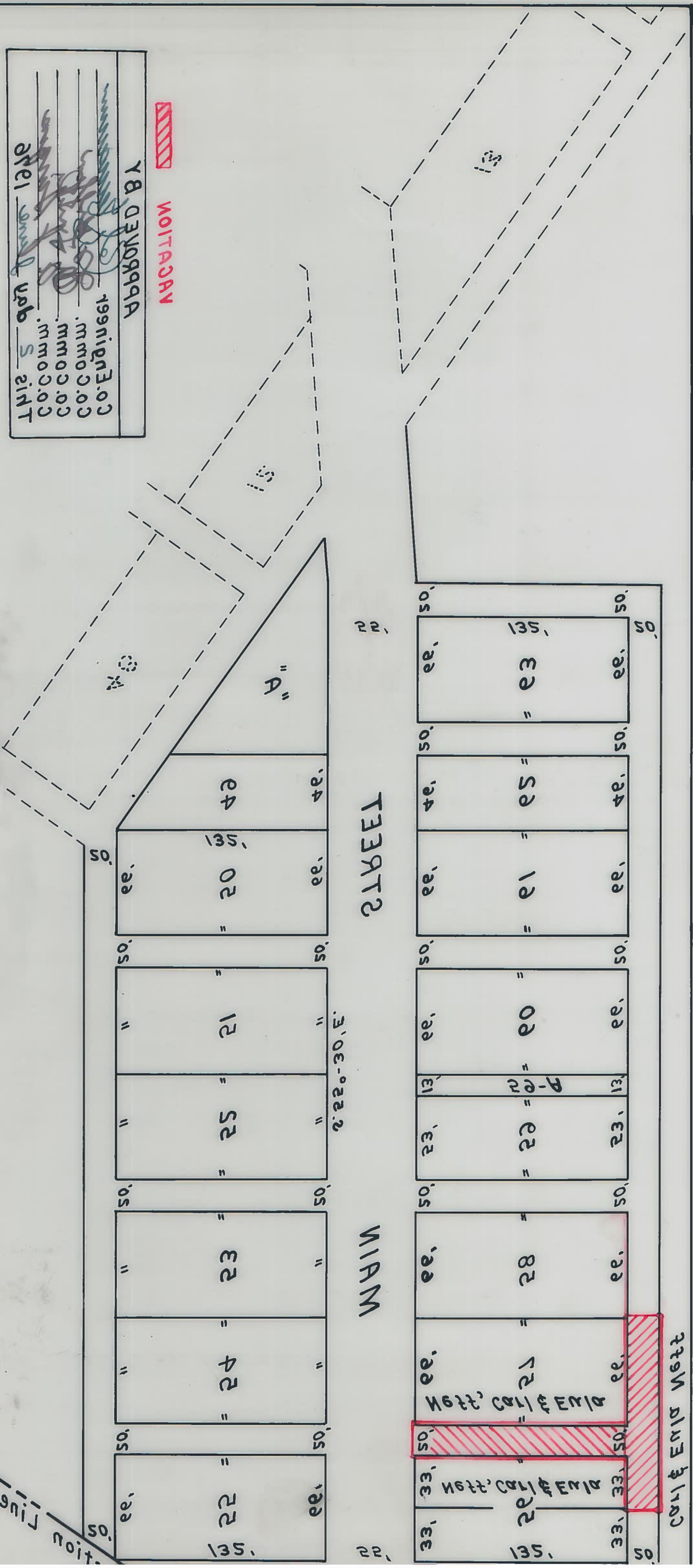
УЗЛЛА МА ДО ТРАД Э УЗЛЛА МА ДО МОИТАСАН  
ОИНО, ЭДУВЭВОСАУ МИ

540.6222 ADQ D3N39 01H0 W01TADAN

257.0M 9MI

[illegible]

МОИТАДАН





## RESOLUTION—GRANTING PROPOSED IMPROVEMENT

ORDERING RECORD, ETC.

IMP. No. 776

IN THE MATTER OF THE

*Vacating of an Alley in Jacobsburg*  
*in Smith 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 *2nd* day of *June*, 19*76*, at the office of *the Commissioners*  
 with the following members present:

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

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 description 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.

*[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]*

*[REDACTED]*

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]*

Mr. *Sargus* 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 *2nd* day of *June*, 19*76*.

*Mary Kapolka*

Clerk Board of County Commissioners

RESOLUTION—ORDER TO Close ROAD

Sec. 5563.01 R.C.

IMP. No. 776

IN THE MATTER OF THE

Vacating of an Alley in Jacobsburg,  
in Smith Township  
 Public Road.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, metin Regular session on the 14<sup>th</sup> day of June, 1976,  
 (Regular )at the office of the Commissioners with the following members present:J. F. GiffenC. A. LinchA. J. SargusMr. 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 Vacatedas order heretofore, made on our journal of the date of June 14, 1976,and a copy of this resolution be forwarded to the Smith Township Trustees.Mr. Sargus seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:Mr. Giffen YesMr. Linch YesMr. Sargus YesAdopted the 14<sup>th</sup> day of June, 1976Mary Kapolka

Clerk, Board of County Commissioners.

Belmont

County, Ohio