

PUBLIC ROAD PETITION IMP. No. 782

St. Clairsville, Ohio, December, 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 Partial Vacation of Twp. Rds. 263, 264, 383, and 385 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for Partial Vacation 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

TWP. ROAD NO. 263:

Situated in Section 10, Twp. 8, Union Twp. Rg. 5, Belmont County, Ohio.

Beginning at a point in the South line of Section 10, said point being West, 2640 feet more or less from the Southeast corner of said section; thence West, 600 feet more or less; thence North 1450 feet more or less to the intersection with Twp. Road 264.

TWP. ROAD NO. 264:

Situated in Sections 10 and 4, Twp. 8, Union Township, Rg. 5, Belmont County, Ohio;

Beginning at the Southwest corner of Section 10, Thence N. 5°-45'E. 669.90 feet to a point; thence N. 4°-07'E, 1145.93 feet to a point; thence S. 85°-53'E., 419.0 feet to a point in the East Right of way line of County Road No. 76, being the place of beginning of relocation of T.R. 264; thence S. 76°-23'E., 2153 feet more or less; thence N. 1°-20'E. 600 feet more or less; thence Northeasterly, 1050 feet more or less; thence East 2480 feet more or less to the East line of Section 10; thence continuing through Section 4, southeasterly, 2300 feet more or less to the intersection with County Road No. 78.

TWP. ROAD NO. 383:

Situated in Sections 10 and 11, Twp. 8, Union Township, Rg. 5, Belmont County, Ohio:

Beginning at a point in the half section line of Section 10, said point being West, 2470 feet more or less from the East line of Section 10, also being the intersection with T.R. No. 264; thence from said beginning, Northerly, 2650 feet more or less, to the North line of Section 10, thence continuing through Section 11, Northerly, 1384 feet more or less; thence Southeasterly, 380.0 feet; thence Northeasterly, 2310 feet more or less; thence Northerly, 550 feet more or less.

TWP. ROAD NO. 385:

Situated in Section 11, Twp. 8, Union Township, Rg. 5, Belmont County, Ohio.

Beginning at the Southeast corner of Section 11, thence with the East line of said section North 1734 feet more or less to a point; thence West, 175 feet more or less to a point being the place of beginning of vacation; thence Northwesterly, 520 feet more or less to the intersection with Twp. Rd. 383.

The above descriptions as per attached plat there of.

Dated this 12th day of January, A. D. 1977

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Rows include William W. Wehr (Trustee), John Bedway, Toni Bedway, BEDWAY COAL COMPANY, and J. Benjamin Scales, all listed as Union Township.

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

IMP. No. 782

IN THE MATTER OF THE

Partial Vacation of Township

Roads Nos. 263, 264, 383, 385

Public Road.

Petitioned for by Bedway Coal Company

, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the 12th day of January, 1977, 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 Partially Vacate Township Roads Nos. 263, 264, 383 & 385 a Public Road as described therein; therefore, be it

RESOLVED, That the 31st day of January, 1977, 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 7th day of February, 1977, 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. Linch, Yes

Mr. Giffen, Yes

Adopted the 12th day of January, 1977

Mary Kadonka

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP No. 782

IN THE MATTER OF THE

Partial vacation of Township

Roads Nos. 263, 264, 383, 385

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 February, 1977, at the office of the Commissioners

with the following members present:

A. J. Sargus

C. A. Linch

J. F. Giffen

Mr. Giffen moved the adoption of the following Resolution:

WHEREAS, On the 31st day of January, 1977, 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 7th day of February, 1977, 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. Sargus Yes

Mr. Linch Yes

Mr. Giffen Yes

Adopted the 2nd day of February, 1977

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. No. 782

Genl. Code Sec. 5553.06

IN THE MATTER OF THE

Partial vacation of Township

Roads Nos. 263, 264, 383, 385

Public Road.

County Engineer's Office,

Belmont County, Ohio

February 7, 1977

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

The undersigned in obedience to your order dated Jan. 31, 1977, proceeded on the 1st day of Feb., 1977, 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 block]

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 block]

Red F Bennett

VACATION PART OF T-264

BEGIN	0-1	S.63°00'E.	65'
	1-2	S.76°00'E.	140'
	2-3	S.83°00'E.	245'
	3-4	S.75°30'E.	320'
	4-5	S.81°00'E.	485'
	5-6	S.79°00'E.	295'
	6-7	N.1°00'E.	430'
	7-8	N.1°00'E.	65'
	8-9	N.24°00'E.	100'
	9-10	N.50°00'E.	150'
	10-11	N.53°30'E.	815'
	11-12	N.21°30'E.	60'
	12-13	N.88°30'E.	575'
	13-14	East	285'
	14-15	N.89°00'E.	745'
	15-16	S.73°30'E.	345'
	16-17	N.88°00'E.	200'
	17-18	N.83°30'E.	345'
	18-19	S.82°30'E.	55'
	19-20	S.62°00'E.	105'
	20-21	S.52°00'E.	245'
	21-22	S.42°00'E.	375'
	22-23	S.38°30'E.	325'
	23-24	S.53°30'E.	355'
	24-25	S.56°30'E.	240'
	25-26	S.70°00'E.	60'
	26-27	S.61°00'E.	145'
	27-28	S.54°00'E.	215'
	28-29	S.71°00'E.	85'
END	29-30	S.85°30'E.	225'

Length 8775 Ft or 1.66 Mile

VACATION PART OF T-263

BEGIN	6-A1	SOUTH	1440'
	A1-A2	S.48°30'E.	90'
	A2-A3	N.87°30'E.	460'
END	A3-A4	S.68°30'E.	70'

Length 2060 Ft. or 0.39 Mile

VACATION PART OF T-383

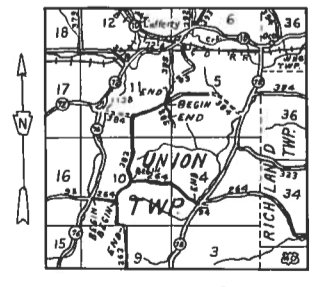
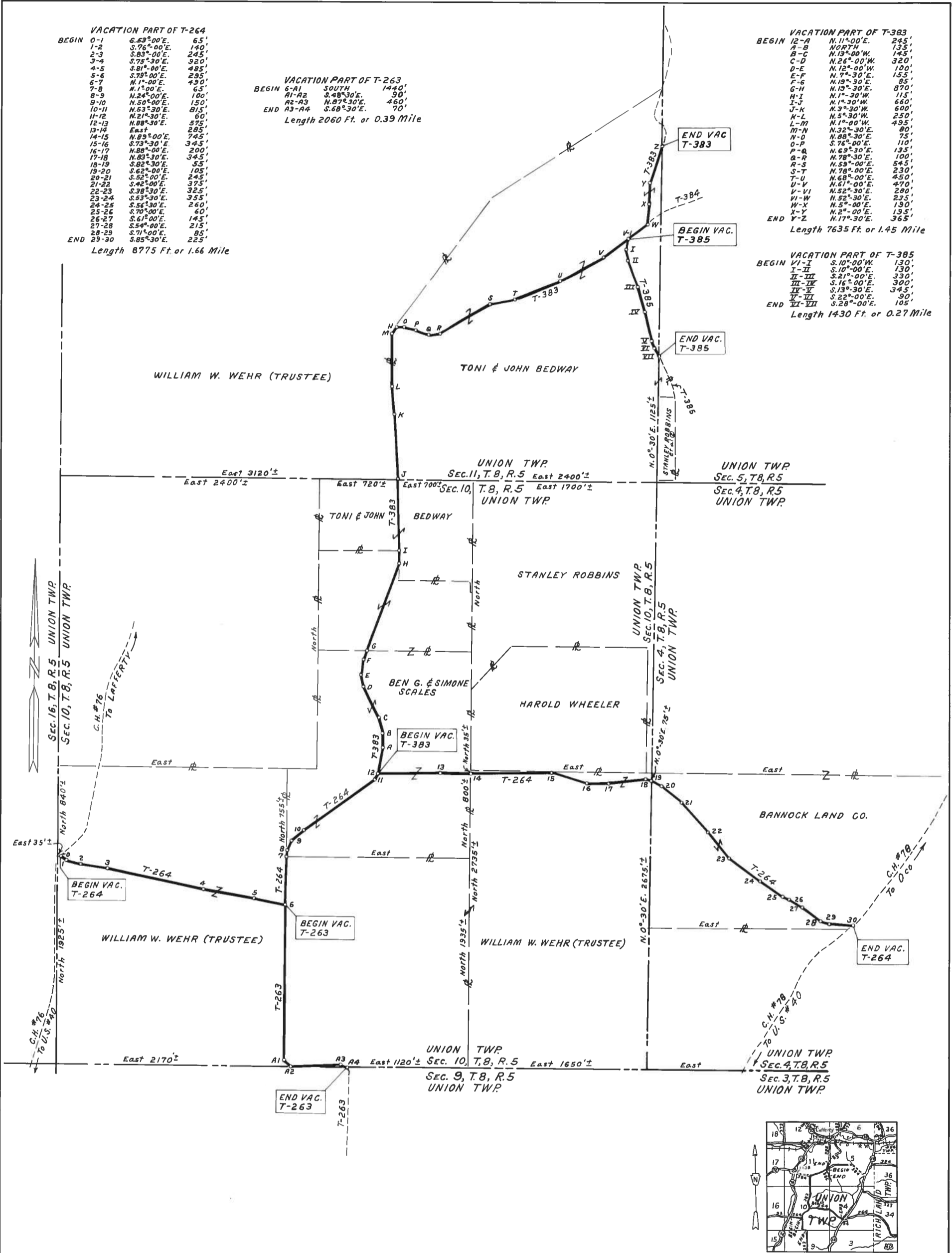
BEGIN	12-A	N.11°00'E.	245'
	A-B	NORTH	135'
	B-C	N.13°00'W.	145'
	C-D	N.25°00'W.	320'
	D-E	N.12°00'W.	100'
	E-F	N.7°30'E.	155'
	F-G	N.19°30'E.	85'
	G-H	N.19°30'E.	870'
	H-I	N.1°30'W.	115'
	I-J	N.1°30'W.	660'
	J-K	N.3°30'W.	600'
	K-L	N.5°30'W.	250'
	L-M	N.1°00'W.	495'
	M-N	N.32°30'E.	80'
	N-O	N.88°30'E.	75'
	O-P	S.76°00'E.	110'
	P-Q	N.69°30'E.	135'
	Q-R	N.78°30'E.	100'
	R-S	N.59°00'E.	545'
	S-T	N.78°00'E.	230'
	T-U	N.68°00'E.	450'
	U-V	N.61°00'E.	470'
	V-VI	N.52°30'E.	200'
	VI-W	N.52°30'E.	235'
	W-X	N.5°00'E.	130'
	X-Y	N.2°00'E.	135'
END	Y-Z	N.17°30'E.	365'

Length 7635 Ft. or 1.45 Mile

VACATION PART OF T-385

BEGIN	VI-I	S.10°00'W.	130'
	I-II	S.10°00'E.	130'
	II-III	S.21°00'E.	330'
	III-IV	S.15°00'E.	300'
	IV-V	S.13°30'E.	345'
	V-VI	S.22°00'E.	90'
END	VI-VII	S.28°00'E.	105'

Length 1430 Ft. or 0.27 Mile



APPROVED BY

Co. Engineer *Fred F. Bennett, P.E.*

Co. Comm. *L. J. ...*

Co. Comm. *A. G. ...*

Co. Comm. *...*

This 7th day of Feb. 1977

IMP. No. 782

(VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.04)

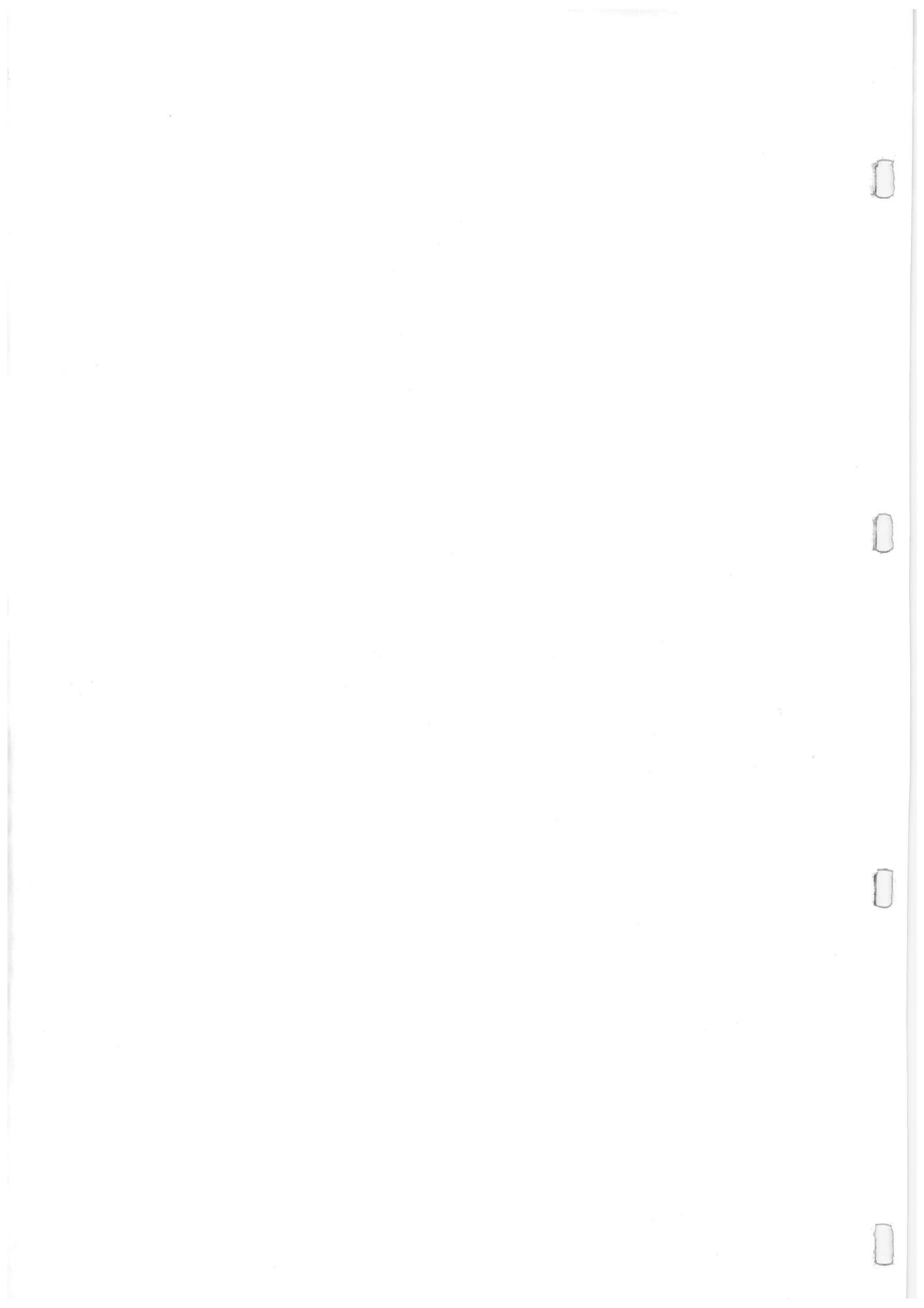
VACATION OF PARTS OF TWP. ROADS T-263, T-264, T-383 AND T-385 IN UNION TWP.

(PETITIONED FOR BY WILLIAM W. WEHR (TRUSTEE))

BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

1977



RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 782

IN THE MATTER OF THE
Partial vacation of Township Roads
Nos. 263, 264, 383, 385
Public Road.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session
on the *7th* day of *February*, 19*77*, at the office of *the Commissioners*
with the following members present:

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

Mr. *Giffen* 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]

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 *Partially Vacated*
and be it further

[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;

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

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

Adopted the *7th* day of *February*, 19*77*

Marg Kapolka
Clerk Board of County Commissioners

RESOLUTION—ORDER TO Close ROAD
Sec. 5563.01 R.C. (~~Close~~)
IMP. No. 782

IN THE MATTER OF THE
Partial vacation of Township
Roads Nos. 263, 264, 383, 385
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 February, 1977,
(Regular or ~~Special~~)
at the office of the 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, 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 Partially
Vacated, as order heretofore, made on our journal of the date of February 28, 1977,

and a copy of this resolution be forwarded to the Union 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 28th day of February, 1977.

Mary Kapolka
Clerk, Board of County Commissioners.

Belmont County, Ohio