

PUBLIC ROAD PETITION IMP. No. 798

Belmont County, Ohio, April 27, 1978

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 Vacating of Kirkwood Township Road 519A 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 Kirkwood Township Road No. 519A and Kirkwood Township Road No. 546, said point situated in the state of Ohio, County of Belmont, Township of Kirkwood, Section 23, thence from the place of beginning northerly for a distance of 2,000 feet, more or less; thence northeasterly for a distance of 1,600 feet, more or less to the terminus. Being all of Kirkwood Township Road No. 519A situated in Section 23, Kirkwood Township, Belmont County, Ohio

Dated this 27<sup>th</sup> day of April, A. D. 1978

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Consolidation Coal Company Charles M. Hedges, Director Special Services Agent	
Harrison Leasing Company Michael Puskarich Agent	

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

IMP. No. 798

IN THE MATTER OF THE

Vacating of Kirkwood

Township 519 A

Public Road.

Office of County Commissioners,

Belmont County, Ohio

Petitioned for by

Charles M. Hedges, Agent, and others.

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

Regular

session

on the 10<sup>th</sup> day of May, 1978, at the office of The Commissioners

with the following members present:

Mr. Sargus

Mr. Linch

Mr. 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 Vacate

Kirkwood Twp. 519 A a Public Road as described therein; therefore, be it

RESOLVED, That the 5<sup>th</sup> day of June, 1978, at 1:30 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 12<sup>th</sup> day of June, 1978, at 10:00 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 he 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. Sargus, Yes

Mr. Linch, Yes

Mr. Giffen, Yes

Adopted the 10<sup>th</sup> day of May, 1978

Mary Kanalt, Clerk

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER  
Gen'l. Code, Sec. 6865  
IMP. No. 798

IN THE MATTER OF THE

Vacating 519 A  
Kirkwood 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 7<sup>th</sup> day of June, 1978, 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 5<sup>th</sup> day of June, 1978, 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 12<sup>th</sup> day of June, 1978, 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 7<sup>th</sup> day of June, 1978

Mary Kapolka



## REPORT OF COUNTY ENGINEER

IMP. No. 798

Rev. Code Sec. 5553.06

IN THE MATTER OF THE

Vacating 519 A

Kirkwood Township  
Public Road.

County Engineer's Office,

Belmont County, Ohio

June 12, 1978

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

The undersigned in obedience to your order dated June 5, 1978, proceeded on the 7<sup>th</sup> day of June, 1978, 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.

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

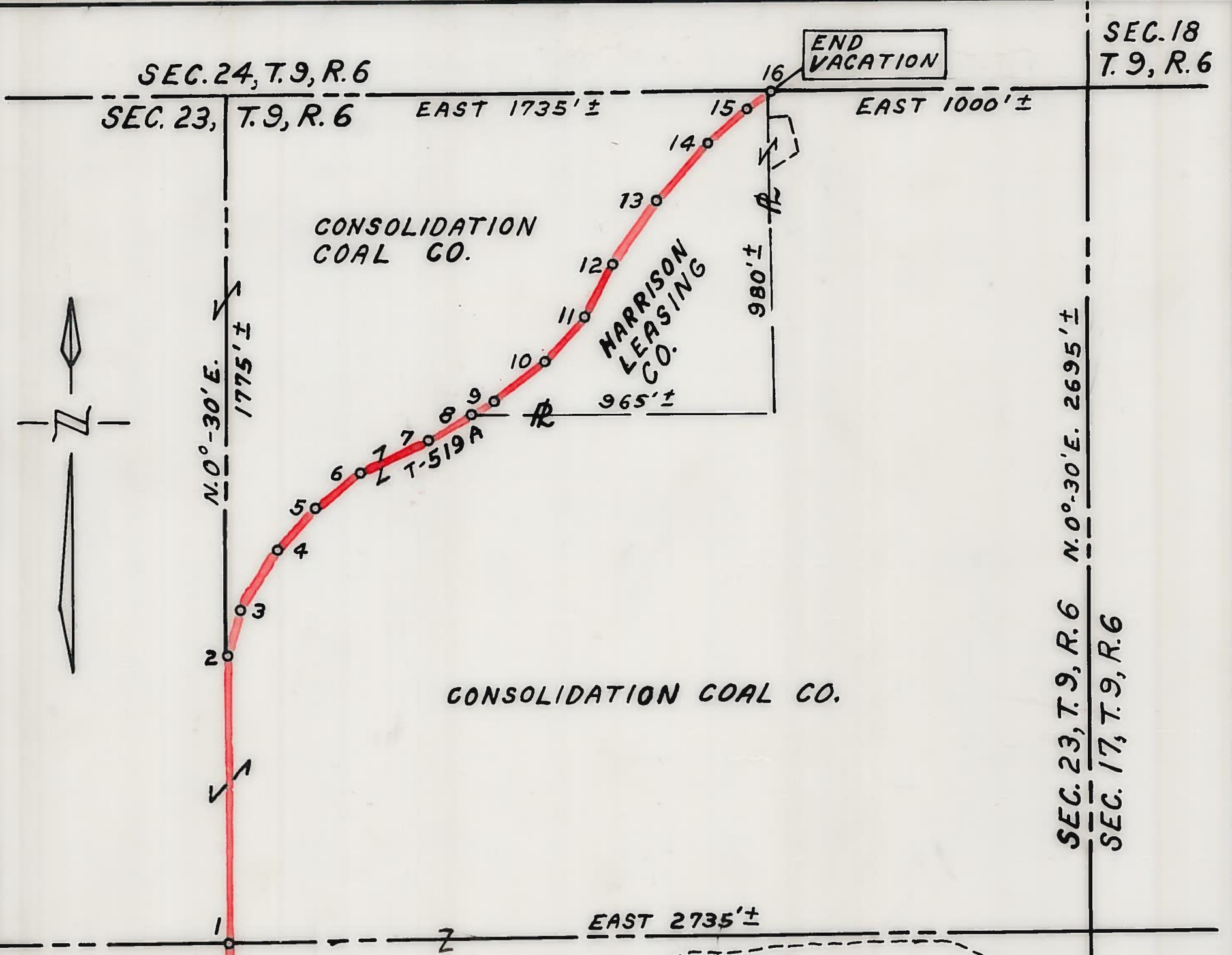
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See attached plat"

\_\_\_\_\_

\_\_\_\_\_

And F. Bennett



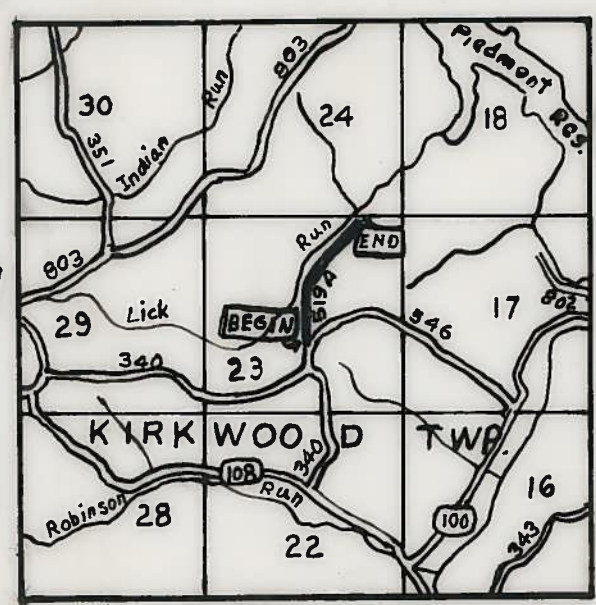
**VACATION**

**BEGIN VACATION**

**VACATION OF LICK RUN ROAD T-519A**

0-1	N. 0°-30' E.	1180'
1-2	N. 0°-30' E.	920'
2-3	N. 15°-00' E.	150'
3-4	N. 32°-30' E.	235'
4-5	N. 42°-00' E.	175'
5-6	N. 53°-00' E.	190'
6-7	N. 65°-00' E.	245'
7-8	N. 59°-00' E.	165'
8-9	N. 59°-00' E.	85'
9-10	N. 53°-30' E.	210'
10-11	N. 43°-00' E.	190'
11-12	N. 28°-00' E.	200'
12-13	N. 35°-00' E.	245'
13-14	N. 42°-00' E.	245'
14-15	N. 49°-30' E.	155'
15-16	N. 56°-00' E.	95'

Length 4685 Ft. or 0.89 Mile ±



**LOCATION MAP**  
Scale in Miles  
0 1/2 1 2  
1978

**APPROVED BY**

Co. Engineer [Signature]

Co. Comm. [Signature]

Co. Comm. [Signature]

Co. Comm. [Signature]

This 24<sup>th</sup> day July 1978

Aerial Photo 2983-3-98

**IMP. No. 798**

**VACATION OHIO REVISED CODE 5553**

**VACATION OF LICK RUN ROAD T-519A**

(Petitioned by Consolidation Coal Co.-Charles M. Hedges Agent)  
KIRKWOOD TOWNSHIP SECTION 23, T. 9, R. 6



# VACATION OF LICK RUN ROAD T-219A

VACATION OHIO REVISED CODE 2523

IMR No. 798

Aerial Photo 583-3-28

This 24th day of July 1978

Co. Comm. \_\_\_\_\_

Co. Comm. \_\_\_\_\_

Co. Comm. \_\_\_\_\_

Co. Engineer \_\_\_\_\_

APPROVED BY \_\_\_\_\_

1978

Scale 1/4 Miles

LOCATION MAP



Length 4882 Ft. or 0.89 Mile ±

12-16	N. 26°-00' E.	122.2
14-12	N. 43°-30' E.	122.2
13-14	N. 45°-00' E.	54.2
15-13	N. 35°-00' E.	54.2
11-15	N. 58°-00' E.	150.0
10-11	N. 43°-00' E.	150.0
9-10	N. 23°-30' E.	510.0
8-9	N. 23°-00' E.	82.0
7-8	N. 23°-00' E.	192.0
6-7	N. 23°-00' E.	54.2
5-6	N. 23°-00' E.	150.0
4-5	N. 45°-00' E.	142.2
3-4	N. 35°-30' E.	53.2
2-3	N. 15°-00' E.	150.0
1-2	N. 0°-30' E.	950.0
0-1	N. 0°-30' E.	1180.0

VACATION OF LICK RUN ROAD T-219A

T-246

VACATION

BEGIN VACATION

SEC. 17, T. 219A  
SEC. 53, T. 219A  
SEC. 54, T. 219A  
SEC. 18, T. 219A

CONSOLIDATION COAL CO.

CONSOLIDATION COAL CO.  
HARRISON



SEC. 53, T. 219A  
SEC. 54, T. 219A

END VACATION

SEC. 18, T. 219A



RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
IMP. No. 798

IN THE MATTER OF THE  
Vacating 519 A  
Kirkwood 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 12<sup>th</sup> day of June, 1978, at the office of Belmont County Commissioners  
with the following members present:

Mr. Sargus  
Mr. Linch  
Mr. Giffen

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.

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.....

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,

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.....  
.....

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

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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 and be it further

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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 12<sup>th</sup> day of June, 1978

Patricia Bittengle, Assistant  
Clerk, Board of County Commissioners

RESOLUTION—ORDER TO Close ROAD  
 Sec. 5563.01 R.C. IMP. No. 798 <sup>(Close)</sup>

IN THE MATTER OF THE

Vacation of Lick Run Road T-519A  
Kirkwood 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 24<sup>th</sup> day of July, 1978,  
 (Regular ~~session~~)  
 at the office of the Commissioners with the following members present:

A. J. Sargus

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 July 24, 1978,

and a copy of this resolution be forwarded to the Kirkwood Township Trustees.

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

Mr. Sargus Yes

Mr. Linch Yes

Mr. \_\_\_\_\_

Adopted the 24<sup>th</sup> day of July, 1978.

Mary Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio