

PUBLIC ROAD PETITION

I.M.P. #804

To the

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Heer Ptg. Co., Coln., O.

Form 3592

RESOLUTION

PUBLIC ROAD WITHOUT PETITION
AND FIXING TIME OF VIEW AND FINAL HEARING

Gen'l Code, Secs. 6302-3.

IMP #804

Office of the Board of County Commissioners,

Belmont

County, Ohio.

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

regular session on the 19th day of July, 1978, at the office of

said Commissioners

with the following members present:

A. J. Sayre
C. C. Lynch

Mr. Lynch moved the adoption of the following Resolution:

WHEREAS, This Board of County Commissioners is of the opinion that it will be
for the public convenience or welfare to vacate

a part of a Public Road on the line hereinafter described, known

as the Ebberts Road (Twp. 219) ~~being~~ 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 in Richland Township in Sections 21, 22, 27 and 28, Twp.

6, Range 3 and being that portion of Ebberts Road (Twp. 219) described as follows:

Beginning at a point in the northerly limited access right of way for Interstate
Route 70, said point being 0.15 mile, more or less, as measured southwesterly
and southerly along existing T. R. 219 from its junction with U. S. 40;
thence continuing southerly for a distance of 0.09 mile, more or less to a point
in the southerly limited access right of way line for Interstate Route 70
and there terminate.

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

I.M.P. #804

IN THE MATTER OF THE

VACATION OF A PART OF TOWNSHIP
ROAD #219 EBBERTS RD, RICHLAND TWP.
Public Road.

Office of County Commissioners,

Belmont County, Ohio

Petitioned for by OHIO DEPT. OF
TRANSPORTATION, and others.

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

on the 19TH day of July, 1978, 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, 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 PART OF a Public Road as described therein; therefore, be it

RESOLVED, That the 21ST day of AUGUST, 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 23RD day of AUGUST, 1978, 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. 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 19TH day of July, 1978

MAYOR KADILLAK

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP #804

IN THE MATTER OF THE

VACATION OF A PART OF TOWNSHIP
ROAD #219, EBBERTS ROAD
Public Road.
Richland Township

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 21ST day of AUGUST, 1978, 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, On the 21ST day of AUGUST, 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 23RD
day of AUGUST, 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. 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 21ST day of AUGUST, 1978

MARY KAPOLKA

REPORT OF COUNTY ENGINEER

IMP #804

IN THE MATTER OF THE

VACATION OF A PART OF
TOWNSHIP ROAD #219, EBBERTS
Public Road.
ROAD RICHLAND TOWNSHIP

County Engineer's Office,

Belmont County, Ohio

August 23, 1978

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

The undersigned in obedience to your order dated August 21, 1978, proceeded on the 22nd day of August, 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.

~~The width to which said improvement should be opened is feet.~~

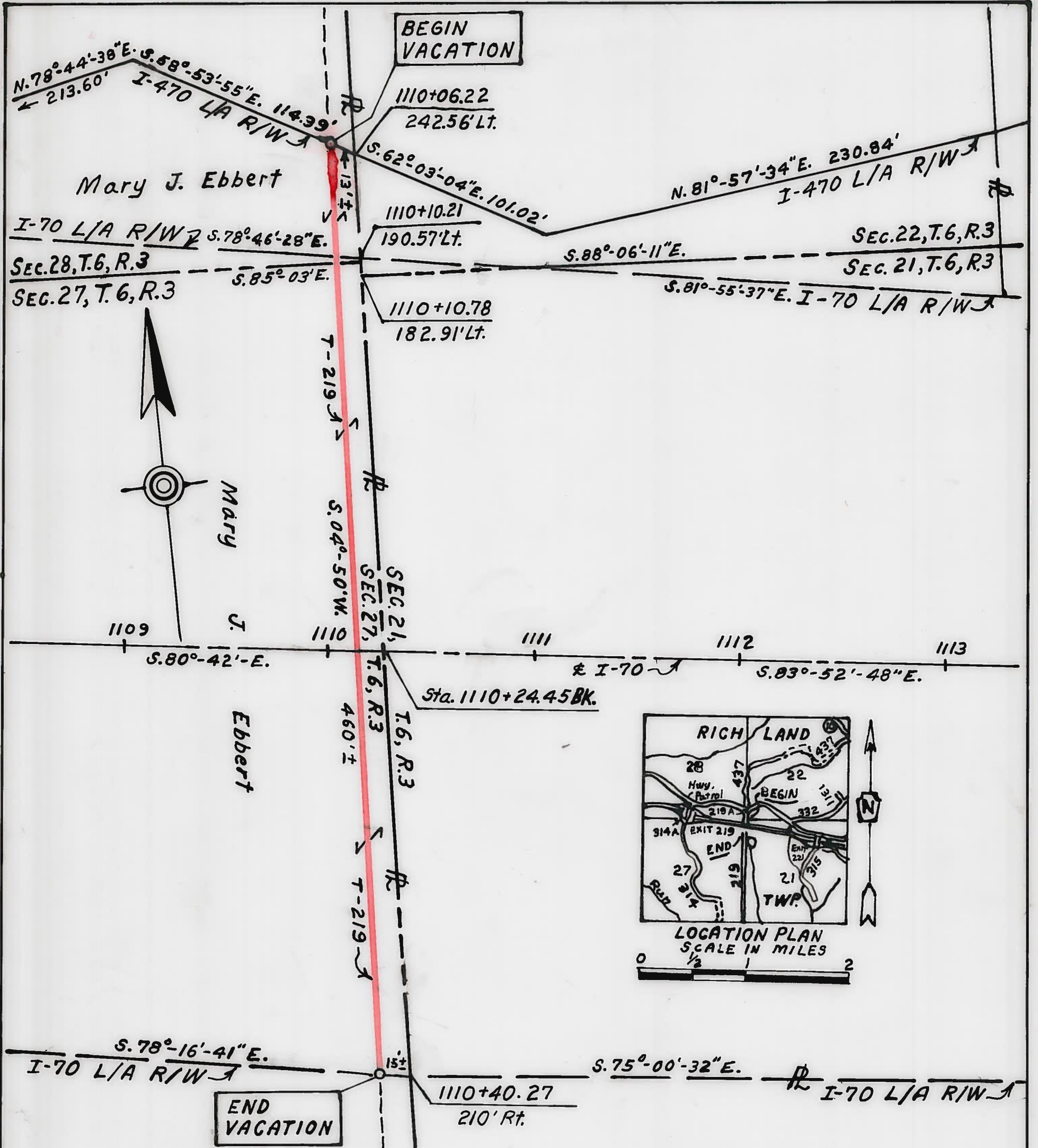
~~An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.~~

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

"SEE ATTACHED PLAT"

~~The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to wit:~~

And F Bennett P.E.

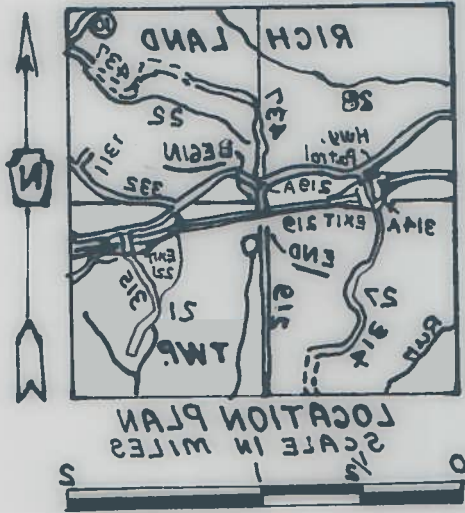
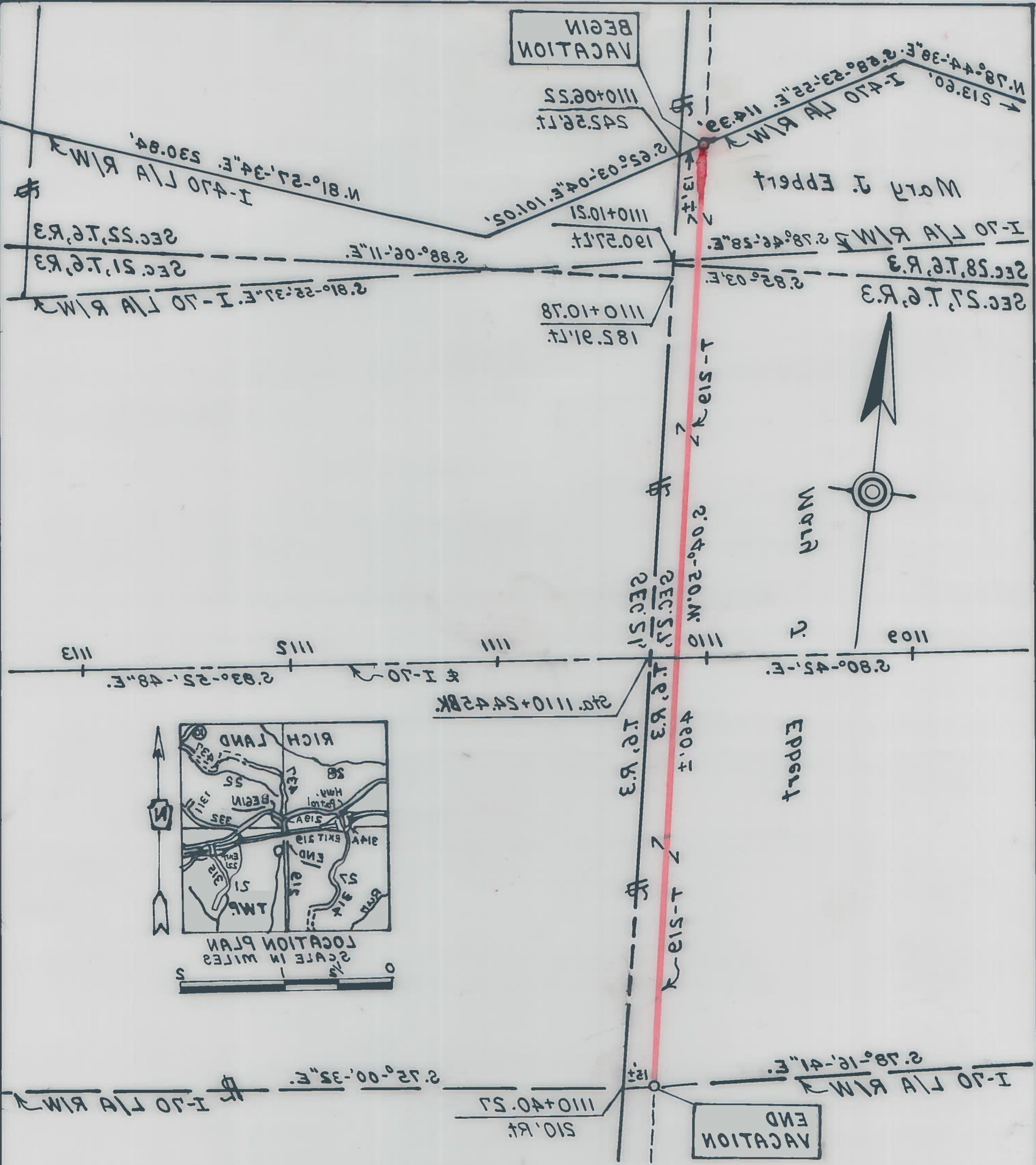


APPROVED BY	
Co. Engineer	<i>Fred F. Bennett</i>
Co. Comm.	<i>J. J. Hargus</i>
Co. Comm.	<i>W. J. Smith</i>
Co. Comm.	<i>J. S. Miller</i>
This <u>13th</u> day of <u>Sept.</u> , 1978	

IMP. No. 804
VACATION OF A PART OF EBBERT'S ROAD T-219
 (OHIO STATE HWY. PLANS BEL-470-000 BEL-70-20.41)
 (Petitioned by Ohio Dept. of Transportation)
 (C. Clark Street Dist. Deputy Dir.)
 RICHLAND TOWNSHIP SECTIONS 27 & 28, T. 6, R. 3
 BELMONT COUNTY, OHIO
 FRED F. BENNETT COUNTY ENGINEER

COUNTY ENGINEER
 BELMONT COUNTY, OHIO
 RICHLAND TOWNSHIP
 SECTIONS 27 & 28, T.6, R.3
 (C. Clark Street Dist. Deputy Dir.)
 (Petitioned by Ohio Dept. of Transportation)
 (OHIO STATE HWY PLANS BEL-470-000 BEL-70-50.41)
VACATION OF A PART OF EBBERT'S ROAD T-519
 IMP. No. 804

This 13th day of Sept. 1978
 Co. Comm. _____
 Co. Comm. _____
 Co. Comm. _____
 Co. Engineer _____
 APPROVED BY



RESOLUTION—GRANTING PROPOSED IMPROVEMENT

ORDERING RECORD, ETC.

IMP #804

IN THE MATTER OF THE

VACATION OF A PART OF
TOWNSHIP ROAD #219 EBBERTS

Public Road.

ROAD, RICHLAND TOWNSHIP

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 13TH day of SEPTEMBER, 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, 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.

~~On failure of such benefited landowners to pay such compensation and damages as may be adjudged against them by the _____ day of _____, 19____, it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land, 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, and the balance, if any, be paid out of the County Treasury, it being the opinion of this Board of County Commissioners that the improvement is not of sufficient importance to cause all compensation and damages to be paid from the County Treasury. On failure of such benefited landowners to pay~~

~~such compensation and damages as may be adjudged against them by the _____ day of _____, 19____, it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land, 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

~~RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered~~

~~_____ feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal,~~

~~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; and be it further

~~RESOLVED, That the County Engineer proceed to acquire the necessary right of way in accordance with Sections 163.01 to 163.32 inclusive, of the Revised Code.~~

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 13TH day of SEPTEMBER, 1978

MARY KAPOLKA

RESOLUTION—ORDER TO CLOSE ROAD
Sec. 5563.01 R.C. (Open or Close)
I.M.P. #804

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

VACATION OF A PART OF
TOWNSHIP ROAD #219 EBBERTS
Public Road.
ROAD, RICHLAND TOWNSHIP

The Board of County Commissioners of _____ County, Ohio, met

in _____ session on the _____ day of _____, 19____,
(Regular or Special)

at the office of _____ with the following members present:

Mr. _____ 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 _____

_____, as order heretofore, made on our journal of the date of _____, 19____,

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

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

Mr. _____

Mr. _____

Mr. _____

Adopted the _____ day of _____, 19____

Clerk, Board of County Commissioners.

County, Ohio