

PUBLIC ROAD PETITION IMP. No. 809
TO VACATE ROADS

St. Clairsville, Ohio, September 20, 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 Streets in Burton Estates a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for Vacating Streets such ~~and~~, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

~~██████████~~ TO THE BOARD OF COUNTY COMMISSIONERS
BELMONT COUNTY, OHIO:

The undersigned owner of Lots Number 1, 2, 5, 6, 10, 11, 12, 13, 14, and part of Lots 3, 4, and 9 in Burton Estates, Volume 12, Page 91, Cabinet C, Slide 344, of the Plat Records of Belmont County, a subdivision located in Richland Township, Belmont County, Ohio, Sections 21 and 22, Township 6, Range 3, respectfully petition your Honorable Body to vacate all of the streets within said subdivision; all of said streets being as follows: Carol Drive, Barby Drive, and Sandy Drive. A plat of said subdivision is attached hereto. The State of Ohio is the owners of Lots 7, 8, and part of Lots 3, 4, and 9.

The roads have not been used by the general public and it is in the public interest to vacate such roads.

Anna Marie Burgey hereby waives notice of hearing and consents to the vacation as prayed for.

Dated this 9th day of September, A. D. 1978

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Anna Marie Burgey	ST. Clairsville - Richland S.D.

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

IMP. No. 809

IN THE MATTER OF THE

Vacation of Streets in
Burton's Estates

Public Road.

Petitioned for by Anna Marie Burgey

Office of County Commissioners,

Belmont County, Ohio

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

on the 20th day of September, 1978, at the office of The Commissioners

with the following members present:

C. A. Linch

J. F. Giffen

Mr. Giffen moved the adoption of the following Resolution:

WHEREAS, A Petition signed by one 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 Streets in Burton's Estate

a Public Road as described therein; therefore, be it

RESOLVED, That the 16th day of October, 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 October, 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 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. Linch Yes

Mr. Giffen Yes

Mr.

Adopted the 20th day of September, 1978.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER
Gen'l. Code Sec. 6865
IMP. No. 809

IN THE MATTER OF THE

Vacation of Streets in Burton's
Estates

Public Road.

Anna M. Burgey

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 October, 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 16th day of October, 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 October, 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 18th day of October, 1978

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. No. 809

Rev. Code Sec. 5553.06

IN THE MATTER OF THE

Vacation of Streets in Burton's

Estates

Public Road.

County Engineer's Office,

Belmont County, Ohio

October 23, 1978

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

The undersigned in obedience to your order dated October 18, 1978, proceeded on the 19th day of October, 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.

[Redacted text]

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]

Paul J. Bennett

VACATION

APPROVED BY

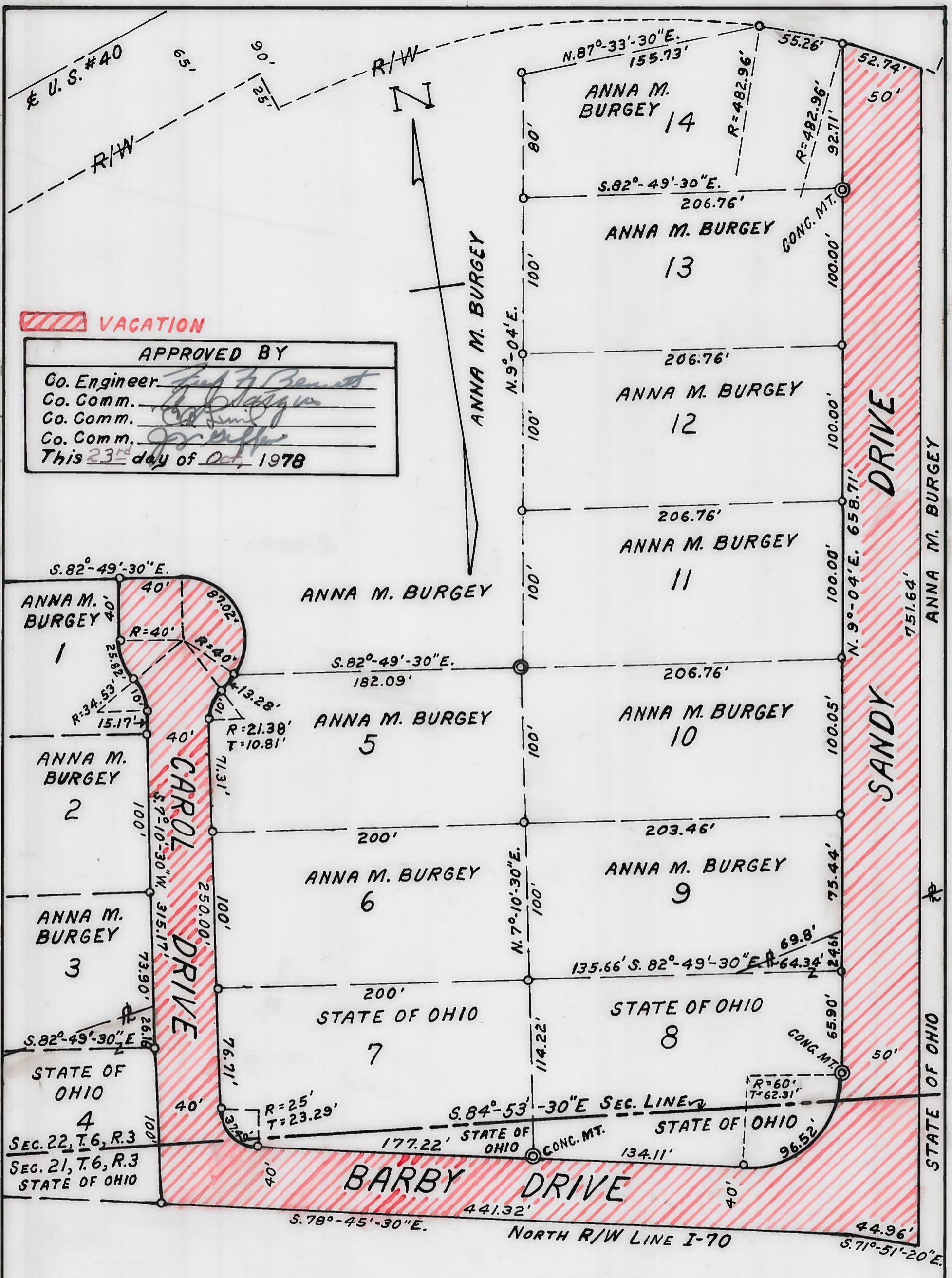
Co. Engineer *Fred F. Bennett*

Co. Comm. *[Signature]*

Co. Comm. *[Signature]*

Co. Comm. *[Signature]*

This 23rd day of Oct, 1978



PETITION No. 809

VACATION OF STREETS IN BURTON ESTATES

PLAT BOOK 12 PAGE 91 CABINET "C" SLIDE 344

RICHLAND TOWNSHIP SECTIONS 21 & 22, T.6, R.3

BELMONT COUNTY, OHIO

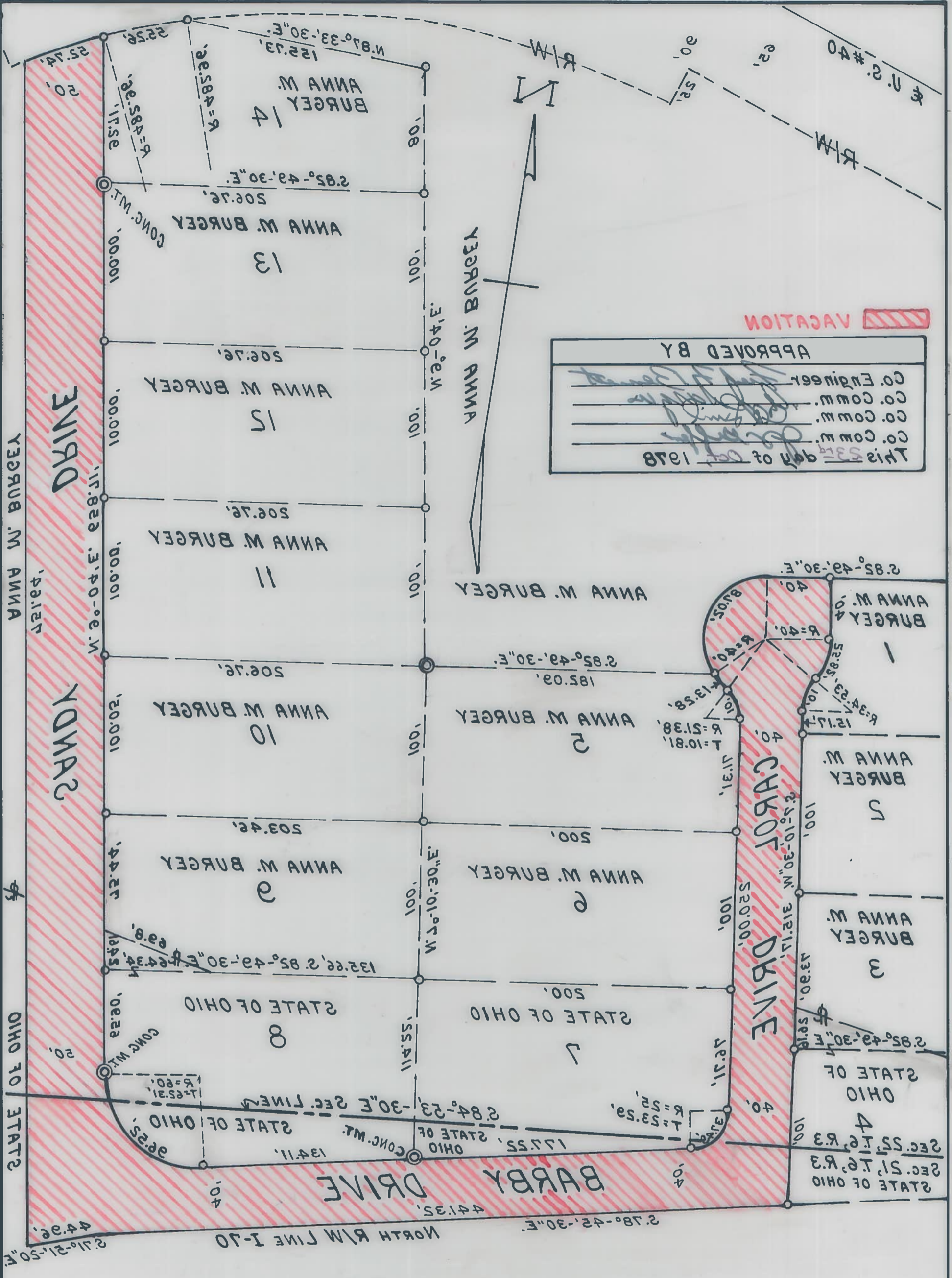
(PETITIONED BY ANNA BURGEY)

SECTION 5553 OHIO REVISED CODE

FRED F. BENNETT COUNTY ENGINEER

VACATION OF STREETS IN BURTON ESTATES

(PETITIONED BY ANNA BURGEY)
BELMONT COUNTY, OHIO
RICHLAND TOWNSHIP
SECTIONS 21, 26, 31, 33
PLAT BOOK 15 PAGE 31
CABINET "C" SLIDE 344
PETITION No. 809



VACATION
APPROVED BY
This 23rd day of Oct 1978
Co. Comm. [Signature]
Co. Comm. [Signature]
Co. Comm. [Signature]
Co. Engineer [Signature]

RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 809

IN THE MATTER OF THE
Vacation of the Streets in
Burton Estates,
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 23rd day of October, 1978, at the office of County Commissioners,
with the following members present:

- Mr. Charles A. Linch
- Mr. A. J. Sargus
- Mr. James A. 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 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 AND welfare and offered either for ~~going forward~~ 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, that the said improvement as set forth and defined in said report, survey plat and detailed and accurate description as filed by the County Engineer, be and the same is hereby granted and said streets to wit: Sandy Drive, Barbie Drive, and Carol Drive, are hereby ordered vacated; and be it further

RESOLVED, that the bond securing the improvements for water and streets as recorded in Volume 41, Page 124, 124(a) and 124(b) of the Commissioner's Journal be dispensed with and the signatories thereto, their heirs and assigns are hereby released from any and all obligations thereunder; and be it further

[REDACTED SECTION]

[REDACTED SECTION]

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 Recorder be and hereby authorized to cause a record of the inclusive, of proceedings to be entered upon the proper records of said office of county.

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

- Mr. Sargus Yes
- Mr. C. A. Linch Yes
- Mr. J. F. Giffen Yes

Adopted the 23rd day of October, 1978.

Mary Kapolka

RESOLUTION—ORDER TO Close ROAD
Sec. 5563.01 R.C. (~~Close~~)
IMP. No. 809

IN THE MATTER OF THE

Vacation of Streets in Burton
Estates
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 6th day of November, 1978,
(Regular ~~Close~~)
at the office of the Commissioners with the following members present:

- Mr. Sargus
- Mr. Linch
- Mr. Giffen

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
October 23, 1978,
as order heretofore, made on our journal of the date of
and a copy of this resolution be forwarded to the Richland Township Trustees.

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 8th day of November, 1978.

Mary Kapolka
Clerk, Board of County Commissioners.

Belmont County, Ohio