

PUBLIC ROAD PETITION

Belmont Co, Ohio, November, 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 vacated of a portion of T.R. 407 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

Beginning at

Township Road No. 407 (Pogue Run Road) - Beginning at a point in the easterly limited access right of way line for relocated State Route No. U.S. 250, said point being 0.24 mile, more or less, as measured southwesterly along existing T.R. 407 from its junction with State Route No. 9, said point also being in close proximity to the former junction of previously vacated T.R. 225; thence southwesterly and westerly for a distance of 0.08 mile, more or less, to a point in the westerly limited access right of way line for relocated State Route No. U.S. 250 and there terminate.

Dated this day of, A. D. 1978

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

vacation of a portion of T-407

Public Road.

Petitioned for by _____, and others.

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

on the 15 day of November, 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 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 T-407

_____ a Public Road as described therein; therefore, be it

RESOLVED, That the 11 day of December, 1978, 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 13 day of December, 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 15 day of November, 1978

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of a portion of
Richard T. R. 407
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *regular* session
on the *11* day of *December*, 19*78*, at the office of *the commissioners*
with the following members present:

A. J. Sanguo
C. A. Linsch

Mr. *Linsch* moved the adoption of the following Resolution:

WHEREAS, On the *11* day of *December*, 19*78*, 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 *13*
day of *December*, 19*78*, 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. *Sanguo* seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. *Sanguo*, *yes*
Mr. *Linsch*, *yes*
Mr. _____, _____

Adopted the *11* day of *December*, 19*78*

Patricia Bittenger
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,
Belmont County, Ohio

*Vacating a portion of Richland
Twp #407 Dogue Run Rd.
Public Road*

....., 19.....

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

The undersigned in obedience to your order dated *December 11*, 19*78*, proceeded on the *14* day of *December*, 19*78*, 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 shouldbe granted.

The width to which said improvement should be opened isfeet.

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.

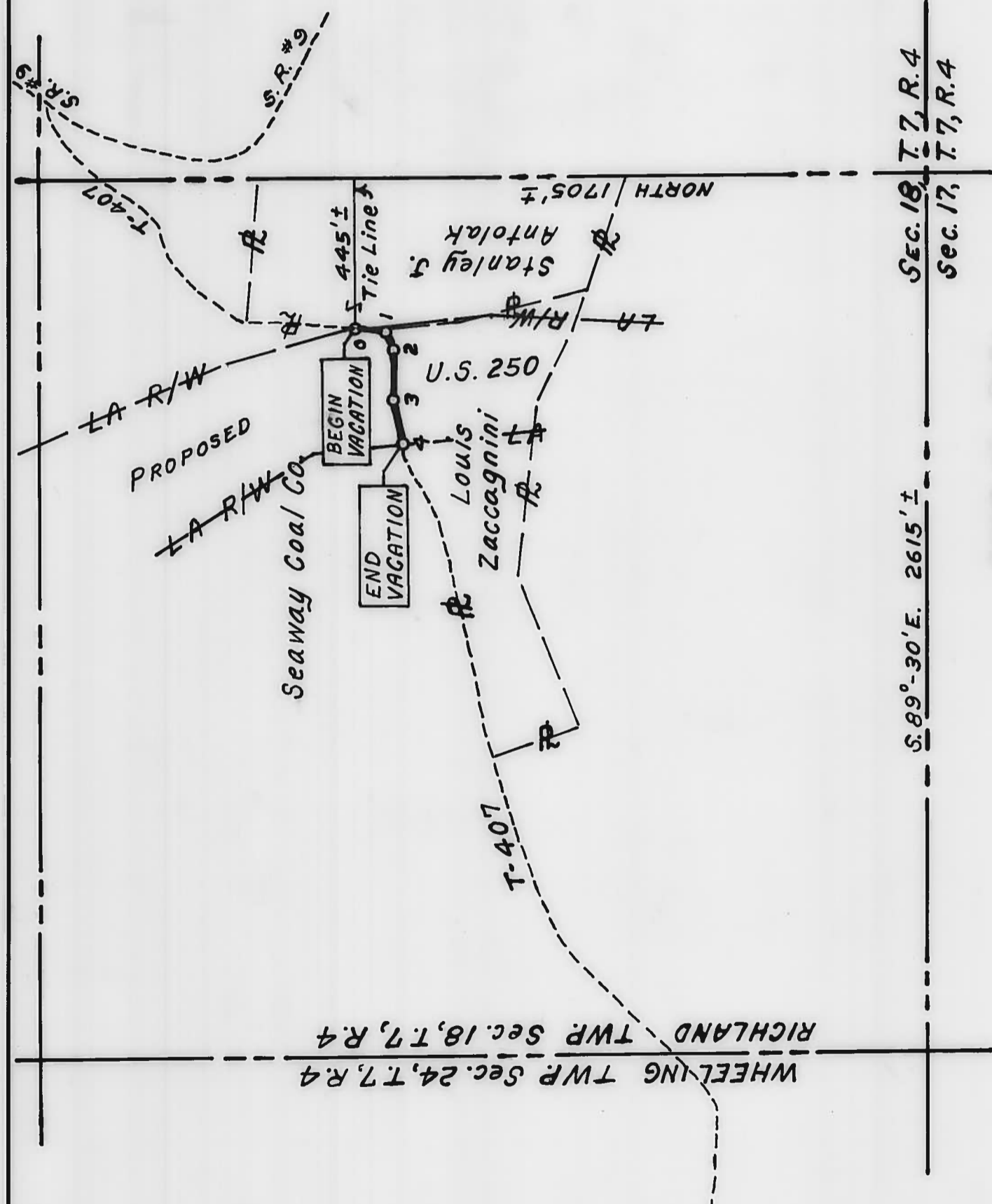
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

" See attached plat "

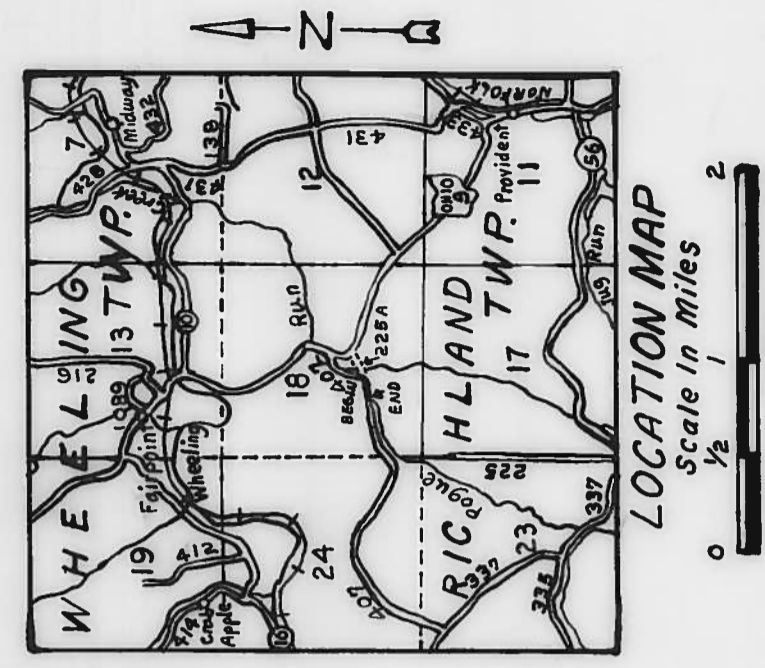
The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:



WHEELING TWP Sec. 24, T.7, R.4
RICHLAND TWP Sec. 18, T.7, R.4



T-407 VACATION
BEGIN 0-1 S. 7°-30'W. 85'
1-2 S. 69°-00'W. 55'
2-3 West 160'
END 3-4 S. 79°-00'W. 122'
Length 422 Ft. or 0.08 Mile ±
Aerial Photo 2983-16-564

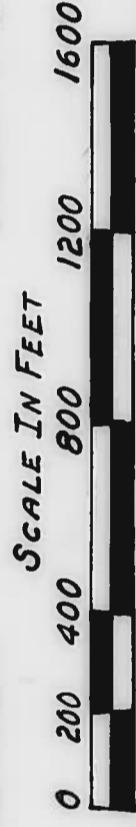


S. 89°-30'E. 2615' ± Sec. 18, T.7, R.4
Sec. 17, T.7, R.4

IMR. No. 813
OHIO REVISED CODE SEC. 5553

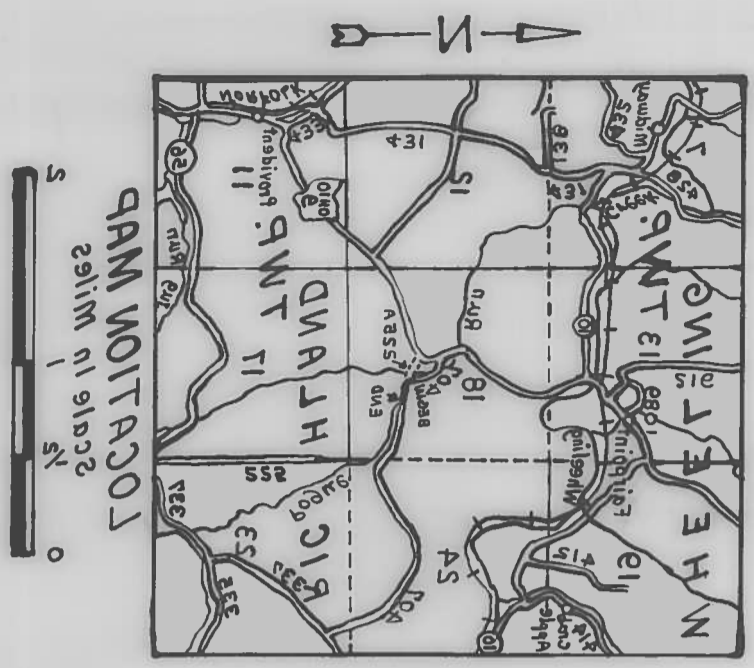
VACATION OF A PART OF THE POGUE ROAD T-407

(Petitioned for by the State of Ohio)
RICHLAND TOWNSHIP SECTION 18, T.7, R.4
BELMONT COUNTY, OHIO
FRED F. BENNETT COUNTY ENGINEER



APPROVED BY
Engineer Fred F. Bennett
Comm. [Signature]
Comm. [Signature]
Comm. [Signature]
13th day of Dec. 1978

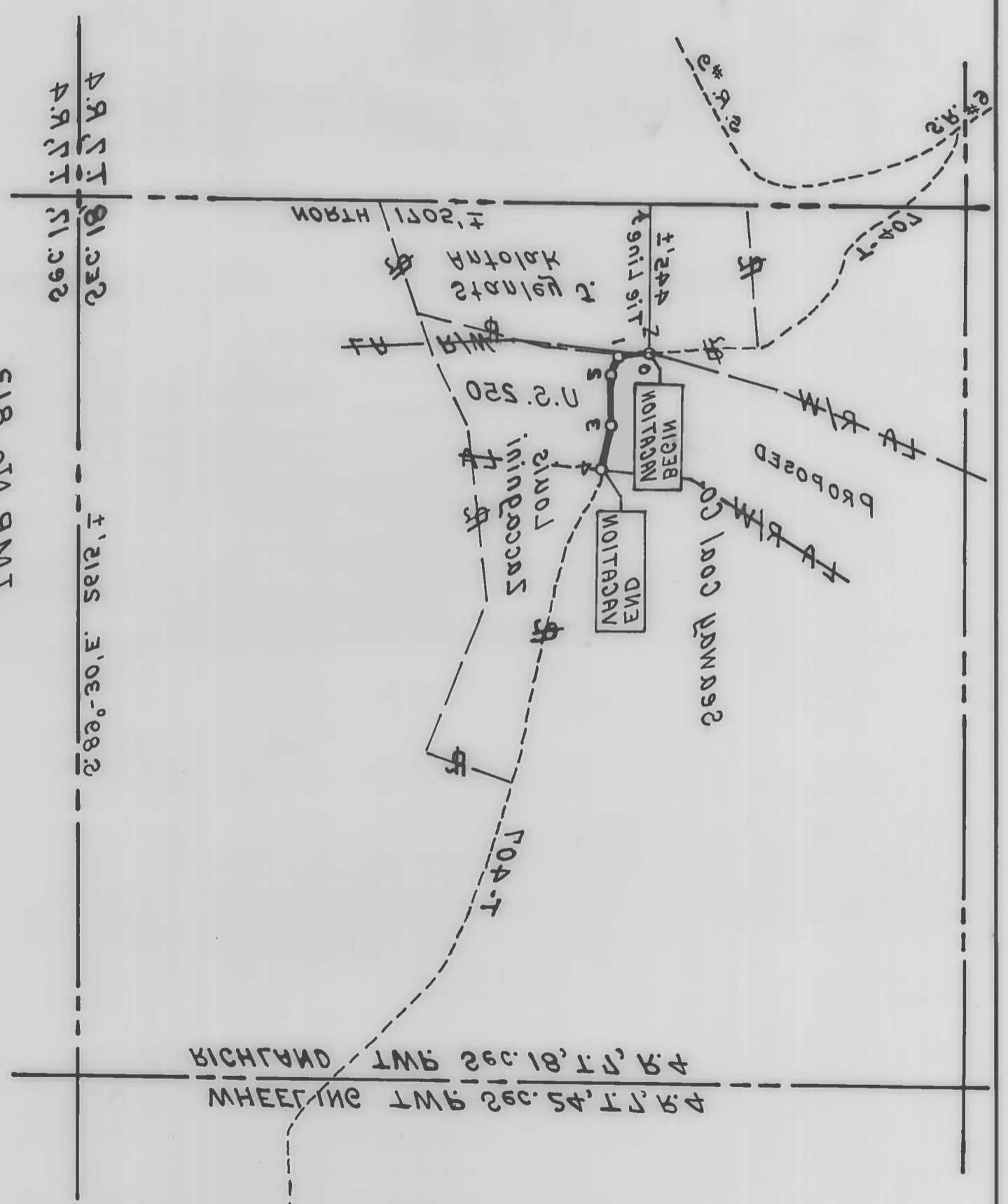
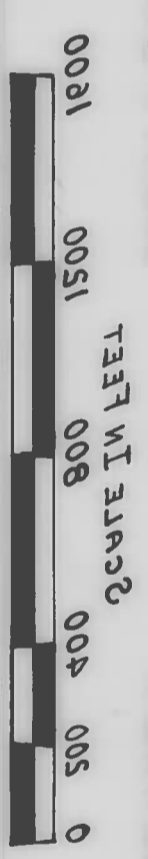
МОИТАРАУ ГОФ-Т
 1:28 N'0E-07.2 1-0 M1238
 1:22 N'00-02.2 S-1
 1:01 t29W E-S
 1:551 N'00-02.2 A-E QM3
 ± 91M 80.0 10 f7 554 Ht991
 402-21-8865 otod9 l2199



ГОФ-Т ДАОРЯ ЗУДОРА ЭНТ ДО ТАРРА А ДО МОИТАРАУ

СОУИТА ЕМЦИМЕВ
 ФРЕД Р ВЕИВЕЛ
 БЕЛМОНТ СОУИТА, ОННО
 ДИНСИНОТ ДИНАЛДИРА
 49.77.81 МОИТЭЗ
 (OHIO TO STATE ENT AND NOT BENEFITARY)

818.0M 9MI
 OHIO REVENUE CODE SEC. 2223



APPROVED BY
 1991
 8761.220 to 488761

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Vacating a portion of Richard
Twp #401 Ragna Dam
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 13 day of December, 19, at the office of the commissioners with the following members present:

A. J. Sargus
C. A. Linsch

Mr. Linsch 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; therefore, 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 if 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;

[Large handwritten X marks]

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

Mr. Sargus, yes
Mr. Linsch, yes
Mr. _____, _____

Adopted the 13 day of December, 1918.

Ruthiea Bittenger
Clerk, Board of County Commissioners,

RESOLUTION — ORDER TO _____ ROAD
Sec. 5563.01 R.C. (Open or Close)

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Public Road

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