

PUBLIC ROAD ~~IMP. No. 815~~ IMP. No. 815

5-30-1.

Heer Plg. Co., Coln., O.

Form 6502

RESOLUTION

altering & changing PUBLIC ROAD WITHOUT PETITION
AND FIXING TIME OF VIEW AND FINAL HEARING

Gen'l Code, Secs. 6862-3.

IMP#815

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 29th day of January, 1979, at the office of
the Commissioners

with the following members present:

A. J. Sargus

C. A. Linch

E. E. Olexo

Mr. Linch 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 Alter and Change the direction of a part of
a Public Road on the line hereinafter described, known
as the County Highway 80 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 a point on County 80 at approximately 500 feet south
of the N. W. corner of the S. W. Quarter of Section 27, Twp. 7 Range 4 in
Richland Township

Thence leaving County Highway 80 and running in an easterly direction
approximately 600 feet

Thence northerly along the Board of County Commissioners property a distance
of approximately 1800 feet to U. S. Route 40

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IMP. No. ~~815~~ 815

.....; therefore, be it
RESOLVED, That the 21st day of February, 1979, at 2:00 o'clock
P.M., be fixed as the date when said Board 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 26th day of February, 1979, at 10:30 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. Olexo seconded the Resolution and the roll
being called upon its adoption the vote resulted as follows:

Mr. Sargus	Yes
Mr. Linch	Yes
Mr. Olexo	Yes

Adopted the 29th day of January, 1979

Mary Kapucha
Clerk, Board of County Commissioners of
Belmont County, Ohio.

1. "locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing the direction of."
2. "locate," "establish," "alter," "widen," "straighten," "vacate," or "change the direction of."
3. Insert "a part of," if so.
4. Strike out the word "not" if the proposed improvement is on the State Highway System, in which case the approval of the Director of Highways shall be had before proceeding further. See Sec. 6860 G. C.
5. Here set forth the general route and terminal of the Road, or part thereof, to be located, established, or vacated, or the general manner in which such Road is to be altered, widened, straightened, or the direction thereof changed.

No. County, Ohio.
IN THE MATTER OF THE
Public Road.
RESOLUTION
PUBLIC ROAD
WITHOUT PETITION, AND FIXING
TIME OF VIEW AND FINAL HEARING
Adopted, 19..
Journal No. Page

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER
Gen'l. Code, Sec. 6865
IMP. No. 816

IN THE MATTER OF THE
Altering & Changing direction of a
part of Co. Hwy. No. 80
Public Road.

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 February, 1979, at the office of the Commissioners
with the following members present:

A. J. Sargus

C. A. Linch

R. E. Olexo

Mr. Olexo moved the adoption of the following Resolution:

WHEREAS, On the 21st. day of February, 1979, 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 26th
day of February, 1979, 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. Olexo Yes

Adopted the 21st. day of February, 1979

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REPORT OF COUNTY ENGINEER

IMP. No. 815

Rev. Code, Sec. 5553.06

IN THE MATTER OF THE

Altering and Changing direction
of a part of Co. Hwy. #80
Public Road.

County Engineer's Office,

Belmont County, Ohio

Feb. 26, 1979

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

The undersigned in obedience to your order dated Feb. 21, 1979, proceeded on the 22nd day of February, 1979, 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

to have the hearing continued until a more accurate and detailed description can be made.

Fred Z Bennett

PUBLIC ROAD ~~IMP. No. 815~~ IMP. No. 815

REPORT OF COUNTY ENGINEER

Rev. Code, Sec. 5553.06

County Engineer's Office

Belmont County, Ohio

¹ Altering and changing direction of]
a part of County Highway No. 80 Road]

March 8, 1979.

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

The undersigned, in obedience to your order, dated Feb. 21
19 79, proceeded on the 7th day of March, 1979, 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 Sixty (60)
feet. plus slope rights

An Accurate survey and plat, and an accurate and detailed descrip-
tion 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 sheet"

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

Paul F. Bennett
County Engineer of Belmont County, Ohio

IMP. No. 815

DESCRIPTION OF CENTER-LINE OF THE
PROPOSED IMPROVEMENT OF COUNTY HIGHWAY NO. 80
(IMPROVEMENT NO. 815)

Situated in Richland Township, Belmont County, Ohio and further known as being located in the west half of Section 27, Township 7, and Range 4.

The point of beginning for a description of the center-line of said proposed improvement is at a point located in the center of U. S. Route 40, said point being located South 5 deg. 01' West 835.25 feet, South 75 deg. 14' East, 757.72 feet and South 76 deg. 35' 15.5" East, 357.91 feet from a stone at the Northwest corner of Section 27, (the bearing of the west line of Section 27 being South 5 deg. 01' West).

Thence from said point of beginning (Station 0+00) South 22 deg. 40' 36" West, 1759.63 feet to the P.C. of a curve (Station 17+59.63).

Thence with a curve to the right having a radius of 366.80 feet, an arc distance of 195.26 feet, and a chord bearing and distance for said arc being South 37 deg. 36" West, 192.96 feet to the P.T. of said curve (Station 19+54.89).

Thence South 53 deg. 10' 36" West, 440.09 feet to the P.C. of a curve (Station 23+94.98).

Thence with a curve to the left having a radius of 398.03 feet, an arc distance of 329.75 feet, and a chord bearing and distance for said arc being South 29 deg. 26' 36" West, 320.40 feet to the P.T. of said curve (Station 27+24.73), said point being located in the center-line of existing County Highway No. 80, said point being located North 05 deg. 42' 36" East 97.75 feet from a point in the North expansion plate of the County Highway No. 80 bridge over Interstate Route No. 70.

IMP. No. 815

DESCRIPTION OF A RIGHT OF WAY THROUGH LANDS NOW OWNED BY ROBERT FLEAGANE.

The following described right of way being situate in Richland Township, Section 27, Township 7, Range 4, Belmont County, Ohio, and being more particularly described as follows:

PARCEL A - BEING SIXTY-FEET WIDE, PLUS SLOPE RIGHTS, the centerline being more particularly described as follows: Beginning at a point in the centerline of said right of way at its intersection with the southerly line of the 46 and 63/100 acre tract of land now owned by The Board of County Commissioners of Belmont County, Ohio, said beginning point being located the following four (4) bearings and distances from a stone at the northwest corner of said Section 27: S. 05° 01' W. (along the division line between Sections 33 and 27) 835 and 25/100 feet to a point in the centerline of U. S. Route 40; thence with same S. 75° 14' E. 513 and 6/10 feet to a point; thence S. 05° 12' 30" W. 1,743 and 99/100 feet to a point; thence S. 84° 51' 50" E. 75 and 02/100 feet to said beginning point, said beginning being further located S. 84° 51' 50" E. 112 and 6/10 feet from an axle at the northeast corner of the 6 acre tract and the most northerly corner of the 14 and 332/1000 acre tract of land, both now owned by Robert Fleagane; thence from said beginning point passing through said 14 and 332/1000 acre tract and then said 6 acre tract and then said 14 and 332/1000 acre tract again, with said centerline the following four (4) courses and distances: S. 22° 40' 36" W. 27 and 46/100 feet to a point; thence with a curve to the right having a radius of 366 and 8/10 feet for an arc distance of 195 and 25/100 feet, chord bearing and distances for said arc being S. 37° 55' 36" W. 192 and 96/100 feet to a point; thence S. 53° 10' 36" W. 440 and

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09/100 feet to a point; thence with a curve to the left having a radius of 398 and 03/100 feet for an arc distance of 329 and 75/100 feet, chord bearing and distance for said arc being S. 29° 26' 36" W. 320 and 4/10 feet to a point in the centerline of County Route No. 80, said point being located N. 05° 42' 36" E. 97 and 75/100 feet from a point in the north expansion plate of the Route 80 Bridge over Interstate Route No. 70, said right of way containing 1.27 acres more or less.

PLUS SLOPE RIGHTS,
 PARCEL B - ROUTE 80 APPROACH, being more particularly bounded and described as follows: Beginning at a point in the centerline of said Route No. 80 located N. 05° 42' 36" E. 500 and 2/10 feet from the aforesaid point in the north expansion plate of the Route No. 80 Bridge over Interstate Route No. 70; thence from said beginning point and through lands now owned by Robert Fleagane, the following two courses and distances: S. 84° 17' 24" E. 20 feet to a point in the easterly side of Route No. 80; thence with a curve to the left having a radius of 80 feet for an arc distance of 185 and 05/100 feet, chord bearing and distance for said arc being S. 60° 33' 24" E. 146 and 47/100 feet to a point in the westerly line of the aforescribed Parcel A; thence with same S. 53° 10' 36" W. 52 and 45/100 feet to a point; thence with a curve to the left having a radius of 418 and 03/100 feet for an arc distance of 216 and 48/100 feet, chord bearing and distance for said arc being S. 38° 20' 27" W. 214 and 07/100 feet to a point in the centerline of said Route No. 80; thence with same N. 05° 42' 36" E. 274 and 7/10 feet to the place of beginning, containing Three Hundred Sixteen, One Thousandths (316/1000) of an acre, more or less.

Said Parcels A and B being subject to that part of the right of way for said Route No. 80 that is included within the boundary lines of said parcels.

Said Parcels A and B being a part of the 14 and 332/1000 acre tract of land and the 6 acre tract of land acquired by Robert Fleagane by the following deeds:

- 1) from Henry C. Fox, Jr., and Wilma C. Fox, husband and wife and recorded

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in the Office of the Recorder of Belmont County, Ohio, in Deed Volume 564, at page 859.

- 2) from Robert W. Lang, Guardian of Alice H. Lang (1/2 interest) and recorded in said Recorder's Office in Deed Volume 569, at page 238.

IMP. No. 815

RESOLUTION GRANTING PROPOSED IMPROVEMENT,
ORDERING REPEAL OF

DESCRIPTION OF A RIGHT OF WAY THROUGH PROPERTY NOW OWNED BY THE BOARD OF COUNTY COMMISSIONERS OF BELMONT COUNTY, OHIO.

The following right of way situate in Richland Township, Section 27, Township 7, Range 4, Belmont County, Ohio, and being more particularly described as follows:

PARCEL A - SIXTY FEET WIDE PLUS SLOPE RIGHTS, the centerline being more particularly described as follows: Beginning at a point at the intersection of the centerline of U. S. Route 40 with the centerline of the hereinafter described right of way, said beginning point being located the following three (3) courses and distances from a stone at the northwest corner of said Section 27: S. 05° 01' W. (bearing on division line between Sections 33 and 27) 835 and 25/100 feet to a point in the centerline of U. S. Route 40; thence with same S. 75° 14' E. (at 343 and 26/100 feet passing the northwest corner of the property of the party of the first part hereto) 757 and 72/100 feet to a point; thence with a curve to the left having a radius of 7,571 and 63/100 feet, for an arc distance of 357 and 94/100 feet, chord bearing and distance for said arc being S. 76° 35' 15.5" E. 357 and 91/100 feet to said beginning point; thence from said beginning point and with the centerline of said right of way S. 22° 40' 36" W. 1,732 and 17/100 feet to a point in the southerly line of said party of the part hereto, said point being located S. 84° 51' 50" E. 75 and 02/100 feet from the southwest corner of said party of the first part hereto, containing 2.39 acres, more or less.

PLUS SLOPE RIGHTS,
PARCEL B - WEST APPROACH TO ROUTE 40, being more particularly bounded and described as follows: Beginning at a point in the centerline of U. S. Route 40 at its intersection with the westerly line of the aforescribed

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Parcel A, said beginning point being located N. 76° 35' 15.5" W. 20 and 26/100 feet from the beginning point in said Parcel A; thence from said beginning point and with said westerly line S. 22° 40' 36" W. 176 and 74/100 feet to a point; thence with a curve to the left having a radius of 140 and for an arc distance of 236 and 37/100 feet, 96/100 feet, chord bearing and distance for said arc being N. 25° 21' 43" W. 209 and 63/100 feet to a point in the southerly side of U. S. Route 40; thence N. 13° 24' 44.5" E. 11 feet to a point in the centerline of said Route 40; thence with same S. 76° 35' 15.5" E. 159 and 74/100 feet to the place of beginning, containing Eighteen, One Hundredths (18/100) of an acre, more or less.

PLUS SLOPE RIGHTS,
PARCEL C - EAST APPROACH TO ROUTE 40, being more particularly bounded and described as follows:

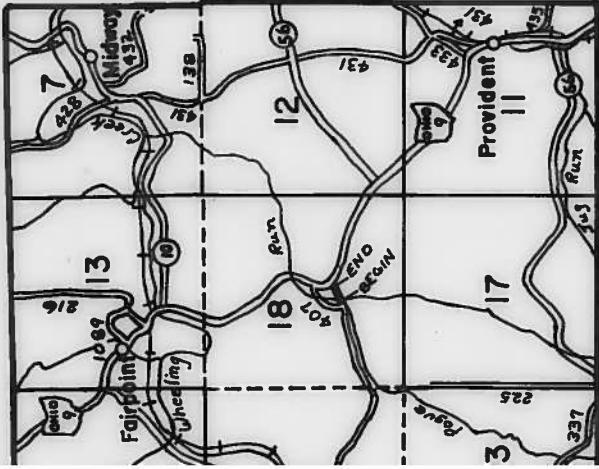
Beginning at a point in the centerline of U. S. Route 40 at its intersection with the easterly line of the aforescribed Parcel A, said beginning point being located S. 76° 35' 15.5" E. 20 and 26/100 feet from the beginning point in said Parcel A; thence from said beginning point and with said centerline of U. S. Route 40 S. 76° 35' 15.5" E. 100 feet to a point; thence S. 13° 24' 44.5" W. 11 feet to a point in the side of said Route 40; thence with a curve to the left having a radius of 128 and 3/10 feet for an arc distance of 173 and 48/100 feet, chord bearing and distance for said arc being S. 61° 24' 45" W. 160 and 56/100 feet to a point in the aforesaid easterly right of way line of Parcel A; thence with same, N. 22° 40' 36" E. 120 feet to the place of beginning, containing 1/10 of an acre, more or less.

Said Parcels A, B and C being subject to that part of the right of way for U. S. Route 40 that is included within the boundary of said parcel.

Said Parcel A, B and C being a part of the 46 and 63/100 acre tract of land that was conveyed by The Board of Trustees of Ohio University to The Board of County Commissioners, Belmont County, Ohio, as Section 1, Parcel No. 1 in the deed dated August 15, 1974 and recorded in the Office of the Recorder of Belmont County, Ohio, in Deed Volume 548, at page 767.

VACATION OF T-225A

at junction with T-407
2'E 470' ± to junction
R. # 9
- 470 Ft. or 0.089 Mile ±

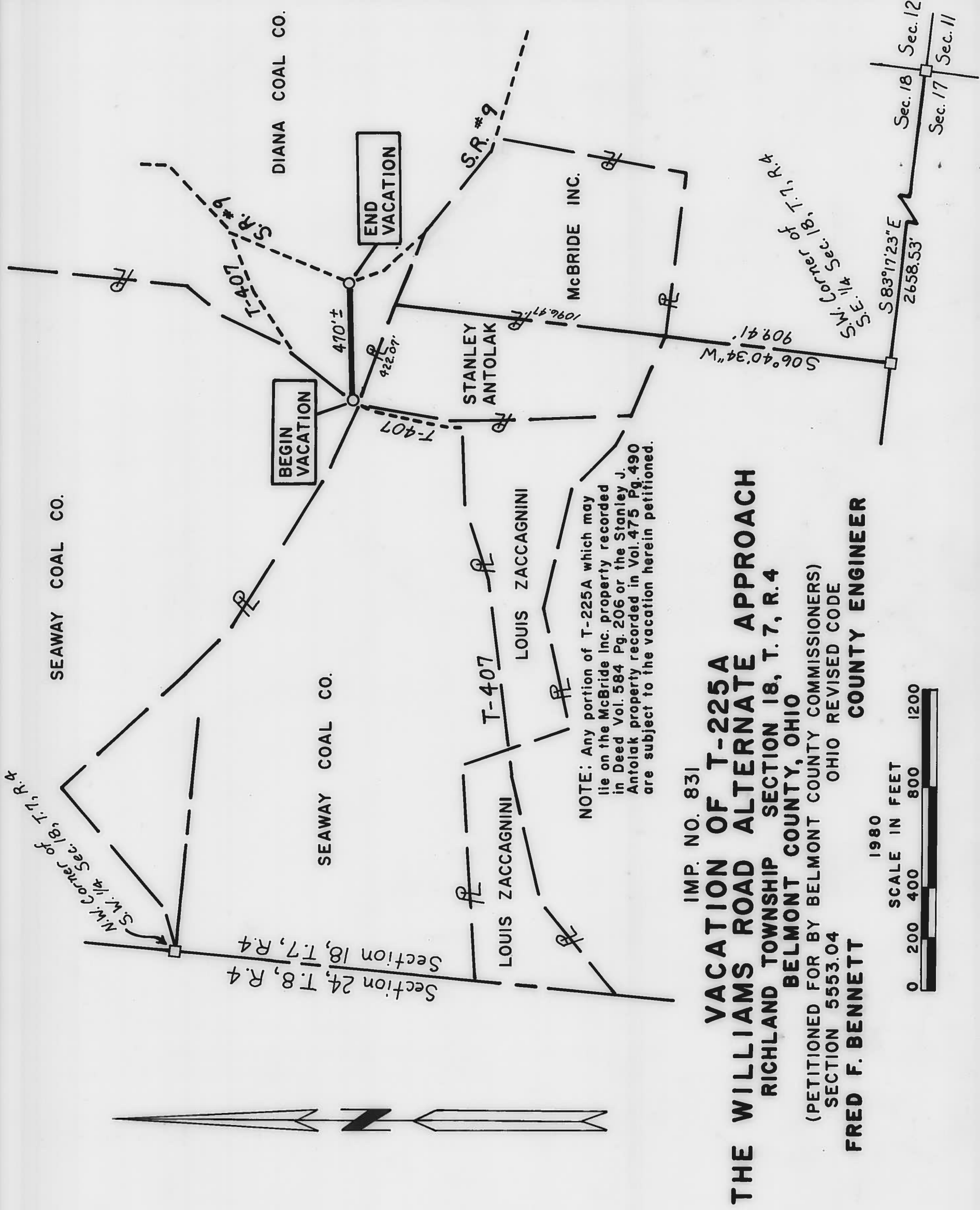


LOCATION MAP

Scale in Miles
1/2 1 2

APPROVED BY

near Fred F. Bennett, P.E.
m. W.E. O'Leary
m. CO. F. Lynch
m. W. J. Langston
day of July, 1980



RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 815

IN THE MATTER OF THE
Altering & Changing direction of a part
of County Highway No. 80
Public Road.
Known as Pogue Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 8th day of March, 1979, at the office of the Commissioners
with the following members present:

A. J. Sargus
C. A. Linch
R. E. Olexo

Mr. Olexo moved the adoption of the following Resolution:

WHEREAS, This day and heretofore 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 of County Road #80, and an extension of County Road #80, known as Pogue Road, 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 and additions will serve the public convenience and welfare; by improving certain portions of County Road #80, as set forth on the Engineer's Map which is attached to this Resolution and made a part hereof, by grading, draining, paving, straightening or widening and constructing or re-constructing culverts necessary for such improvements; and to further locate and establish an additional county road known as County Highway #80,

BE IT RESOLVED, that all of the costs of said improvement shall be assumed by R & F Coal Company in lieu of being assessed against properties owned by R & F Coal Company basically described as those properties upon which is situated a Coal Washing Plant, which is located within two miles of the said improvement for the reason that this particular parcel will be most directly benefited by said improvement,

BE IT FURTHER RESOLVED, that in addition to assuming all costs for said improvement R & F Coal Company is further assessed in the amount of Seventy-Two Thousand Dollars (\$72,000.00) as damages to the residual of property owned by Belmont County and commonly known as the Oak View Property situated along U. S. Route 40, Richland Township, to which the said addition and extension of the County Road shall pass through,

BE IT FURTHER RESOLVED, that said improvement as set forth and defined in said report, survey, plat and detailed and accurate description as filed by the County Engineer, being the same as hereby granted and said road is hereby ordered improved and extended in accordance with the specifications for said improvement; and

BE IT FURTHER RESOLVED and determined to proceed with said improvement as soon as possible, and be it further

RESOLVED, That the County Engineer be and hereby directed to cause a record of the proceedings, and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County, including the survey and plat and accurate

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. Olexo Yes

Adopted the 8th day of March, 1979.

Mary Kapolka

RESOLUTION—ORDER TO ^{OPEN Alter.} ROAD

Sec. 5563.01 R.C.

(Open)IMP. No. 815

IN THE MATTER OF THE

1 Altering & Changing direction
of a part of C. H. 80
Public Road.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, metin Regular session on the 2nd. day of May, 1979,
(Regular)at the office of the Commissioners with the following members present:A. J. SargusC. A. LinchR. E. OlexoMr. 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 Altering and
Changing direction of a part of C. H. 80, as order heretofore, made on our journal of the date of March 8, 1979,and a copy of this resolution be forwarded to the Richland Township Trustees.Mr. Olexo seconded the Resolution and the roll being called upon its adoption the vote
resulted as follows:Mr. Sargus YesMr. Linch YesMr. Olexo YesAdopted the 2nd day of May, 1979Mary Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio