

## PUBLIC ROAD PETITION

Ohio, June 29<sup>th</sup>, 19 82

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 vacation of Part of a street & part of two alleys 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 following is the general route and termini of said road:

~~XXXXXXXXXXXX~~ The following are vacations in the Proposed Lynn Addition

to Belmont in Goshen Township, Section 12, T-7, R-5. Recorded in Belmont County Records of Plats in Volume 5, page 54, cabinet B, slide 213:

- 1.) Beginning at the northwest corner of lot 68B thence south along an alley 143 feet to the southwest corner of lot 70B; thence west 12ft.; thence north along said alley 143 ft. to the northeast corner of lot 79; thence east 12ft. to the place of beginning.
- 2.) Beginning at the southwest corner of lot 70B thence east along an alley 298ft.; thence south 12ft.; thence west along said alley 298ft.; thence north 12ft to the place of beginning.
- 3.) Beginning at the northwest corner of lot 59 thence along East Avenue 143 ft. to the southwest corner of lot 59; thence west 40 ft. to the southeast corner of lot 70-A; thence along East Avenue 143 ft. to the northeast corner of lot 68-A, thence east 40ft to the place of beginning.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_\_

## PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH  
PETITIONER OWNS REAL ESTATE

1. Naomi Booth	Union Local Goshen Belmont, Ohio
2. John E. Booth	Union Local Goshen Belmont, Ohio
3. Arley W. Warrick	Union Local Goshen Belmont, Ohio
4. Faye W. Medina	Union Local Goshen Belmont, Ohio
5. Robert A. Lavin	Union Local Goshen Belmont, Ohio
6. Emory Lavin	Belmont Ohio
7. Lessor Cain	Belmont Ohio
8. Carroll Gregg	Belmont Ohio
9. Mary Carman	42708 Water Tower Rd. Belmont, Ohio
10. Alvin Mead	Belmont, Ohio 43718
11. John L. Kiffin	Belmont Ohio 43718 Box 7
12. Richard Heskett	Belmont Ohio 43718 Box 97
13. Roger Smith	Belmont Ohio 43718 Box 217

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

IN THE MATTER OF THE

Vac. part of street & part 2 alleys  
in Proposed Lynn Add to Belmont  
Public Road.

Petitioned for by Naomi Booth

, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the 19<sup>TH</sup> day of July, 1982, at the office of the Commissioners

with the following members present:

A. J. Sargus

R. E. Olexo

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

a Public Road as described therein; therefore, be it

RESOLVED, That the 11<sup>TH</sup> day of August, 1982, 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 16<sup>TH</sup> day of August, 1982, 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. Olexo seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Linch Yes

Mr. Olexo Yes

Mr. Sargus Yes

Adopted the 19<sup>TH</sup> day of July, 1982

M. K. 11



**RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER**

IN THE MATTER OF THE

Vac. part of street & part of 2 alley

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<sup>TH</sup> day of August, 1982, at the office of the Commissioners

with the following members present:

A. J. Sargus

R. E. Olexo

C. A. Lynch

Mr. Lynch moved the adoption of the following Resolution:

WHEREAS, On the 11<sup>TH</sup> day of August, 1982, 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 16<sup>TH</sup> day of August, 1982, 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. Olexo seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Lynch Yes

Mr. Olexo Yes

Mr. Sargus Yes

Adopted the 11<sup>TH</sup> day of August, 1982

Mary Kapolka

376

IMP NO. 866

Wm. H. Illenthal &amp; Sons, Cambridge, O. - 89964-D

SP

## REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vac. part of street & part of 2 alleys  
in Proposed Lynn Addition to Belmont  
Public Road.

County Engineer's Office,

Belmont County, Ohio

August 16, 1982

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

The undersigned in obedience to your order dated August 11, 1982, proceeded on the 12<sup>th</sup> day of August, 1982, 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.

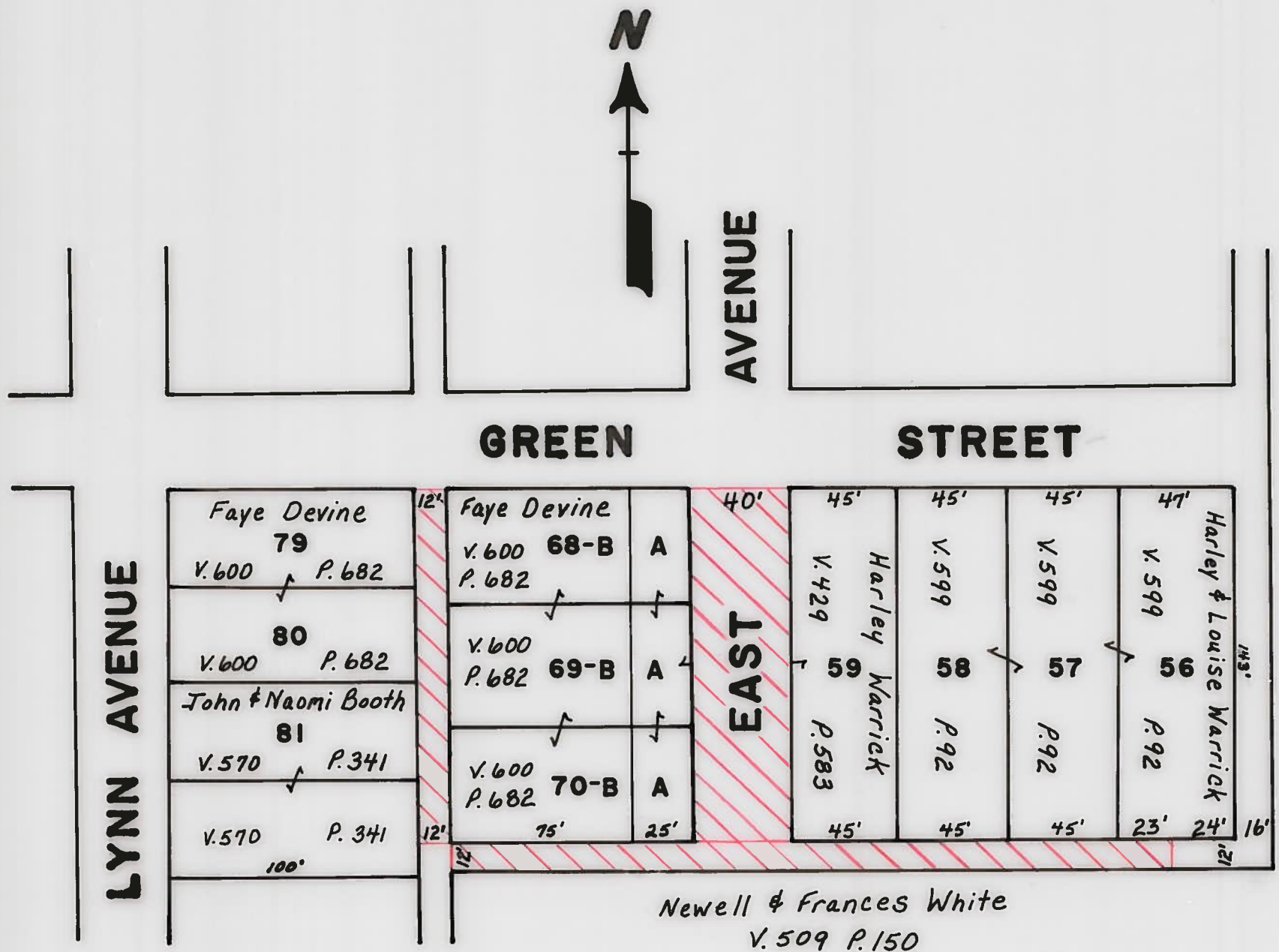
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"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:

Paul F. Bennett





**VACATION** 

APPROVED BY	
CO. ENGINEER	<u>Fred F. Bennett, P.E.</u>
CO. COMM.	<u>[Signature]</u>
CO. COMM.	<u>[Signature]</u>
CO. COMM.	<u>[Signature]</u>
This <u>16<sup>th</sup></u> day of <u>August</u> 1982.	

**IMP. NO. 866**

OHIO REVISED CODE NO. 5553

**VACATION OF PART OF EAST AVENUE  
AND PART OF 2 ALLEYS  
IN LYNN ADDITION TO BELMONT**

RECORDED IN VOL. 5, PAGE 65

GOSHEN TOWNSHIP Section 12, T.7, R.5

BELMONT COUNTY, OH.

FRED F. BENNETT

COUNTY ENGINEER

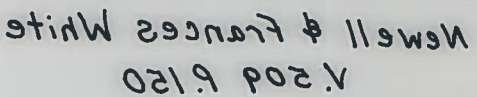
SCALE



IMP. NO. 888



This 1st day of August 1982.





RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.

IN THE MATTER OF THE  
Vacation of part of Street & part of 2 alleys  
in proposed Lynn Addition to Belmont  
Public Road.  
Goshen Township

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 16<sup>th</sup> day of August, 1982, at the office of the Commissioners  
with the following members present:

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

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

Adopted the 16<sup>th</sup> day of August, 1982

Mary Kapolka  
Clerk Board of County Commissioners

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

IN THE MATTER OF THE

Vacation of Part of Street & Part of  
Two Alleys in proposed Lynn Add. to Belmont  
Public Road.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, metin Regular session on the 30<sup>TH</sup> day of August, 1982,  
(Regular or Special)at the office of the Commissioners with the following members present:A. J. SargusR. E. OlexoC. A. LynchMr. Lynch 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 vacatedas order heretofore, made on our journal of the date of August 16, 1982,and a copy of this resolution be forwarded to the Goshen Township Trustees.Mr. Olexo seconded the Resolution and the roll being called upon its adoption the vote

resulted as follows:

Mr. Lynch, YesMr. Olexo, YesMr. Sargus, YesAdopted the 30<sup>TH</sup> day of August, 1982Mary Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio