

PUBLIC ROAD PETITION

ST. CLAIRSVILLE

, Ohio,

August 25, 1982

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 a portion of Locust Drive 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

ALSO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the southeast corner of Lot #5 in Grandview Heights Subdivision as shown in Cabinet C, Slide 42 of Belmont County Plat Records and extending North along the east boundaries of Lots #5, 4, 3, and 2 to a point of intersection with U.S. Route 40; then in an easterly direction approximately 40 feet to a point where the easterly boundary of Locust Drive intersects with U.S. Route 40; then in a southerly direction along the east boundary of Locust Drive to a point being 40 feet east of the southeast corner of Lot #5, and then West 40 feet to the point of beginning. Being all that portion of Locust Drive lying to the east of Lots 5, 4, 3 and 2 of Grandview Heights Subdivision.

Dated this

Table with 4 columns: Name, Date, Township, and Address. Contains 20 handwritten entries of petitioners.

TY IN WHICH ESTATE

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

JMP. NO. 868

IN THE MATTER OF THE

Office of County Commissioners,

Vacation of a Portion of Locust Drive in Richland Township Public Road.

Belmont County, Ohio

Petitioned for by Marcia Porter et al, and others.

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

on the 27th day of September, 1982, at the office of the Commissioners

with the following members present:

A.S. Sargus

R.E. Olexo

Mr. Olexo 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 portion of Locust Drive in Richland Twp. a Public Road as described therein; therefore, be it

RESOLVED, That the 20th day of October, 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 25th day of October, 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Olexo, Yes

Mr. Sargus, Yes

Mr. \_\_\_\_\_

Adopted the 27th day of September, 1982

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. NO. 868

IN THE MATTER OF THE

Vacation of a Portion of Locust Drive  
Richland Township  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 20<sup>th</sup> day of October, 1982, at the office of the Commissioners

with the following members present:

- A.J. Sargus
- R.E. Olexo
- Absent

Mr. Olexo moved the adoption of the following Resolution:

WHEREAS, On the 20<sup>th</sup> day of October, 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 25<sup>th</sup> day of October, 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Olexo Yes
- Mr. Sargus Yes
- Mr. \_\_\_\_\_

Adopted the 20<sup>th</sup> day of October, 1982

Mary Kapolka  
Clerk Board of County Commissioners

REPORT OF COUNTY ENGINEER

IMP. NO. 868

County Engineer's Office,

Belmont County, Ohio

October 25, 1982

IN THE MATTER OF THE

Vacation of a portion of  
Locust Drive in Richland Township  
Public Road.

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

The undersigned in obedience to your order dated October 20, 1982, proceeded on the 21<sup>st</sup> day of October, 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 "

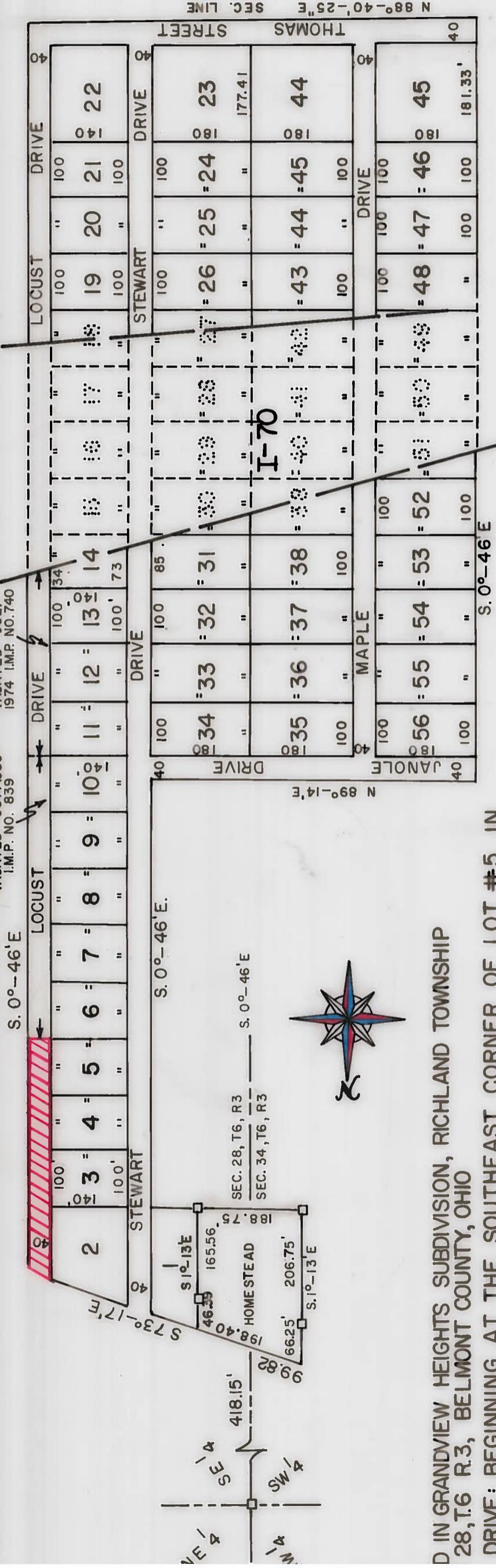
The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

[Large handwritten scribble]

Fred F. Bennett

VACATED OCT. 1980  
I.M.P. NO. 839

VACATED JULY  
1974 I.M.P. NO. 740



LOCATED IN GRANDVIEW HEIGHTS SUBDIVISION, RICHLAND TOWNSHIP  
28, T6 R3, BELMONT COUNTY, OHIO

DRIVE: BEGINNING AT THE SOUTHEAST CORNER OF LOT #5 IN  
VIEW HEIGHTS SUBDIVISION AS SHOWN IN CABINET C, SLIDE 42  
BELMONT COUNTY PLAT RECORDS AND EXTENDING NORTH ALONG  
WEST BOUNDARIES OF LOTS #5, 4, 3, AND 2 TO A POINT OF INTERSECTION WITH U.S. ROUTE 40; THEN IN AN EASTERLY DIRECTION  
APPROXIMATELY 40 FEET TO A POINT WHERE THE EASTERLY BOUNDARY OF LOCUST DRIVE INTERSECTS WITH U.S. ROUTE 40; THEN  
SOUTHERLY DIRECTION ALONG THE EAST BOUNDARY OF LOCUST DRIVE TO A POINT BEING 40 FEET EAST OF THE SOUTHEAST CORNER  
#5, AND THEN WEST 40 FEET TO THE POINT OF BEGINNING. BEING ALL THAT PORTION OF LOCUST DRIVE LYING TO THE EAST  
OF LOTS 5, 4, 3, AND 2 OF GRANDVIEW HEIGHTS SUBDIVISION.



VACATED 

I.M.P. NO. 868  
(VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.042)  
**VACATION OF A PART OF LOCUST DRIVE  
GRANDVIEW HEIGHTS SUBDIVISION**

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS CAB. C SLIDE 42  
PETITIONED BY MARCIA PORTER  
RICHLAND TWP. SEC. 28, T6, R3  
BELMONT COUNTY, OHIO  
COUNTY ENGINEER  
FRED F. BENNETT

APPROVED BY \_\_\_\_\_  
Engineer Fred F. Bennett, P.E.  
Comm. 1975  
Comm. 1975  
Comm. 1975  
25<sup>th</sup> day of October 1982

5881 yadofc to yab

APPROVED BY  
*[Signature]*  
 1991/12  
 .mmmm  
 .mmmm

CONSULT ENGINEER

FRED F. VEINERTT

BELMONT COUNTY, OHIO  
 BELMONT COUNTY, OHIO  
 BELMONT COUNTY, OHIO

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS CAB C 2812 45

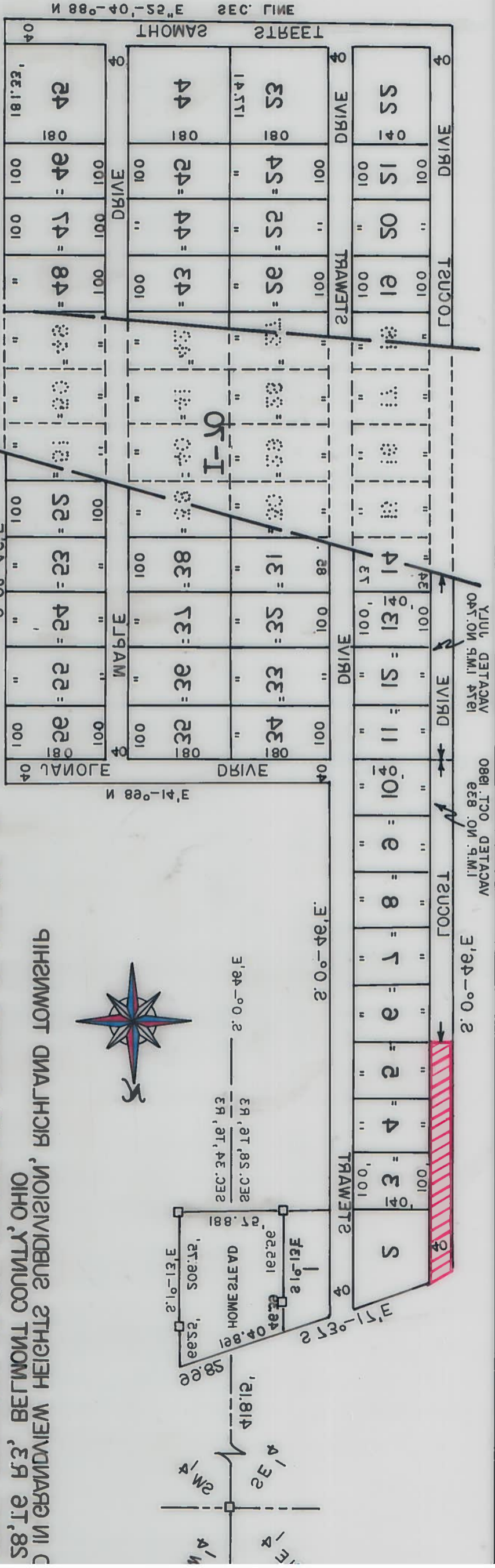
888 ON P.M.I.  
 (SP40.£222 NOTED OHIO REVISED CODE SECTION 2223 2223)  
**WINDY HILLS SUBDIVISION**  
**SECTION OF TRAP A TO WINDY HILLS DRIVE**

 DETACHMENT



THESE PLATS SHOW THE SUBDIVISION OF LAND IN WINDY HILLS DRIVE, BELMONT COUNTY, OHIO, AS RECORDED IN BELMONT COUNTY RECORD OF PLATS CAB C 2812 45. THE TOTAL AREA OF THIS SECTION IS 1.181 ACRES. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO.

IN THE ABOVE PLATS, THE TOTAL AREA OF THIS SECTION IS 1.181 ACRES. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO. THE PLATS ARE BEING RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF BELMONT COUNTY, OHIO.



RESOLUTION—GRANTING PROPOSED IMPROVEMENT

ORDERING RECORD, ETC.

IMP. NO. 868

IN THE MATTER OF THE  
Vacation of a Portion of Locust  
Drive in Richland Twp.  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 25<sup>th</sup> day of October, 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, 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 feet in width; and be it further

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. 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 25<sup>th</sup> day of October, 1982

Mary Kopolka

RESOLUTION—ORDER TO Close ROAD  
Sec. 5563.01 R.C. (Open or Close)  
IMP. NO. 868

IN THE MATTER OF THE  
Vacation of a Portion of  
Locust Drive in Richland Twp.  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

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

in Regular session on the 8<sup>th</sup> day of November, 1982  
(Regular or Special)

at the office of the Commissioners with the following members present:

- A.S. Sargus
- R.E. Olexo
- C.A. Linch

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  
as order heretofore, made on our journal of the date of October 25, 1982

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

Adopted the 8<sup>th</sup> day of November, 1982

Patricia Bittenge  
Assistant Clerk, Board of County Commissioners.

Belmont County, Ohio