

PUBLIC ROAD PETITION

WITHOUT PETITION

St. Clairsville

, Ohio,

November 10,

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 vacation & dedication of Kirkwood Twp 340 & 546 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacation & dedication 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~~ Begin vacation of T-546 in Kirkwood Township, Section 17, Township 9, Range 6, thence in a northwest direction approximately 1128 feet, thence westerly 773 feet, thence southwesterly 2350 feet for a total distance of 0.81 mile.
Begin vacation of T-340 in Kirkwood Township south line of Section 23, Township 9, Range 6, thence in a northerly direction approximately 1305 feet; thence westerly 3928 feet for a total distance of 0.99 mile
Begin dedication of T-546 in Kirkwood Township, Section 17, Township 9, Range 6, thence in a northwest direction approximately 1521 feet; thence in a southwest direction 2304 feet to the intersection of Township Road 340, a total distance of 0.72 mile.
Begin dedication of T-340 in Kirkwood Township south line of Section 23, Township 9, Range 6, thence in a northwest direction approximately 1649 feet, thence southwest and west approximately 3975 feet to a point in Section 29, a total distance of 1.07 mile.

Dated this 10TH day of November, A. D. 1982

PETITIONERS' NAMES

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

Vacation & Dedication of T-340
T-546, Kirkwood Twp.
Public Road.

Office of County Commissioners,

Belmont County, Ohio

Petitioned for by _____
_____, and others.

The Board of County Commissioners of Belmont County, Ohio, met in _____ Regular _____ session
on the 10TH day of November, 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 pre-
sented to this Board of County Commissioners requesting said Board to vacate & dedicate Kirk Twp 340 & 546
a Public Road as described therein; therefore, be it

RESOLVED, That the 8TH day of December, 1982, 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 20TH day of December, 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 s/he 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 improve-
ment.

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 10TH day of November, 1982.

DJ. R.H. I.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
Vacation & Dedication of T-340
& T-546, Kirkwood 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 8TH day of December, 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 8TH day of December, 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 20TH
day of December, 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 8TH day of December, 1982

Mary Kapolka
Clerk Board of County Commissioners

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation & Dedication of T-340

& T-546, Kirkwood Twp.

Public Road.

County Engineer's Office,

Belmont County, Ohio

Dec. 20

, 1982

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

The undersigned in obedience to your order dated Dec. 8, 1982, proceeded on the 9TH day of December, 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 60 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 DE

DEDICATION OF
TOWNSHIP ROADS NO. 340 & 546

KIRKWOOD TWP.
SECS. 17, 22, 23 & 29

T-9N R-6W

BELMONT COUNTY, OHIO

FRED BENNETT, COUNTY ENGINEER

SCALE 1" = 100'

60' RIGHT OF WAY

APPROVED BY

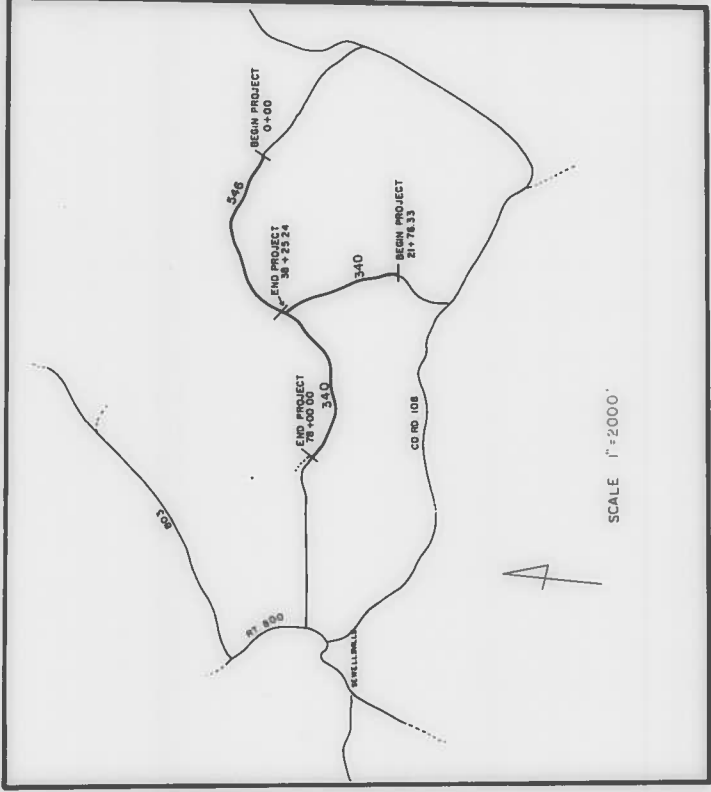
COUNTY ENGINEER. Fred F. Bennett P.E.

COUNTY COMMISSIONER. W. H. Lyons

COUNTY COMMISSIONER. R. E. O'Leary

COUNTY COMMISSIONER. W. G. O'Leary

THIS 20th DAY OF DECEMBER 1982.



KNOW ALL MEN BY THESE PRESENTS, THAT CONSOLIDATION COAL COMPANY DOES GIVE, GRANT, BARGAIN AND FOREVER DEDICATE TO THE BELMONT COUNTY COMMISSIONERS AND THEIR SUCCESSORS IN OFFICE, THE HEREIN PLATTED TRACT OF LAND FOR ROAD PURPOSES ONLY, SECT. 555331 OF REVISED CODE

WITNESSES Joseph J. Jensen W. L. F. Jensen
W. L. F. Jensen Assistant Secretary

STATE OF OHIO
COUNTY OF HAMILTON
BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED W. L. F. Jensen AND W. L. F. Jensen OF CONSOLIDATION COAL COMPANY THE CORPORATION WHICH DEDICATED SAID ROAD WHO ACKNOWLEDGE THAT THE SEAL AFFIXED TO SAID PLAT IS THE CORPORATE SEAL OF SAID CORPORATION; THAT THEY DID SIGN AND SEAL SAID PLAT AS SUCH W. L. F. Jensen IN BEHALF OF SAID CORPORATION, AND THAT SAID PLAT IS THEIR FREE ACT AND DEED INDIVIDUALLY AND AS SUCH W. L. F. Jensen AND W. L. F. Jensen AND THE FREE AND CORPORATE ACT AND DEED OF SAID CONSOLIDATION COAL COMPANY. IN TESTIMONY WHEREOF I HAVE HERE UNTO SET MY HAND AND OFFICIAL SEAL THIS 20 DAY OF DEC 1982.

W. L. F. Jensen
NOTARY PUBLIC.

DEDICATION OF

9428 045.01 2DA09 9H2IMOT

KIRKWOOD TWP. PW

6585.55.71.2032

W3-9 NE-T

VEGMENT COUNTY, OHIO

FRED BENNETT, CONSULT ENGINEER

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BY DAVORQA

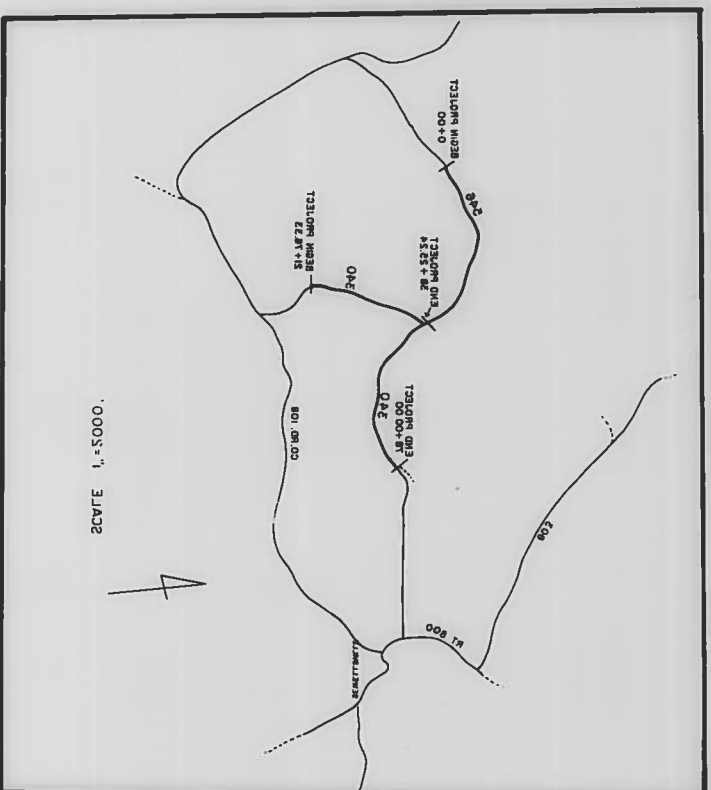
CONSULTY ENGINEER: 4/23/14 11-11-14 12-12-14

COUNTY COMMISSIONER

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P. D. D. PAINLESSLY YET

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WITNESSES: John J. [illegible]

postpaid - budget

Billboard

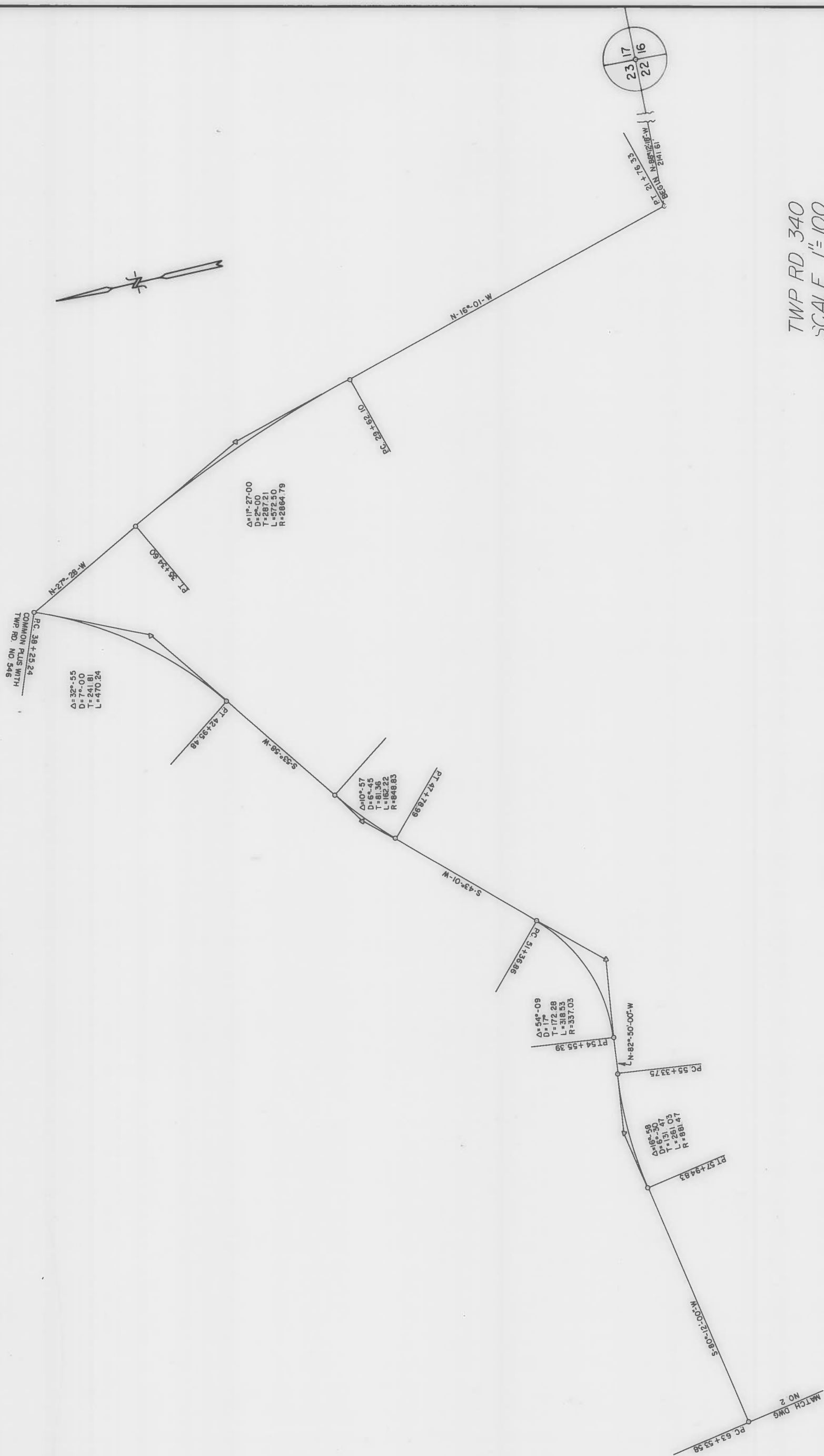
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OHIO FO STATE
COUNTY OF BUTLER

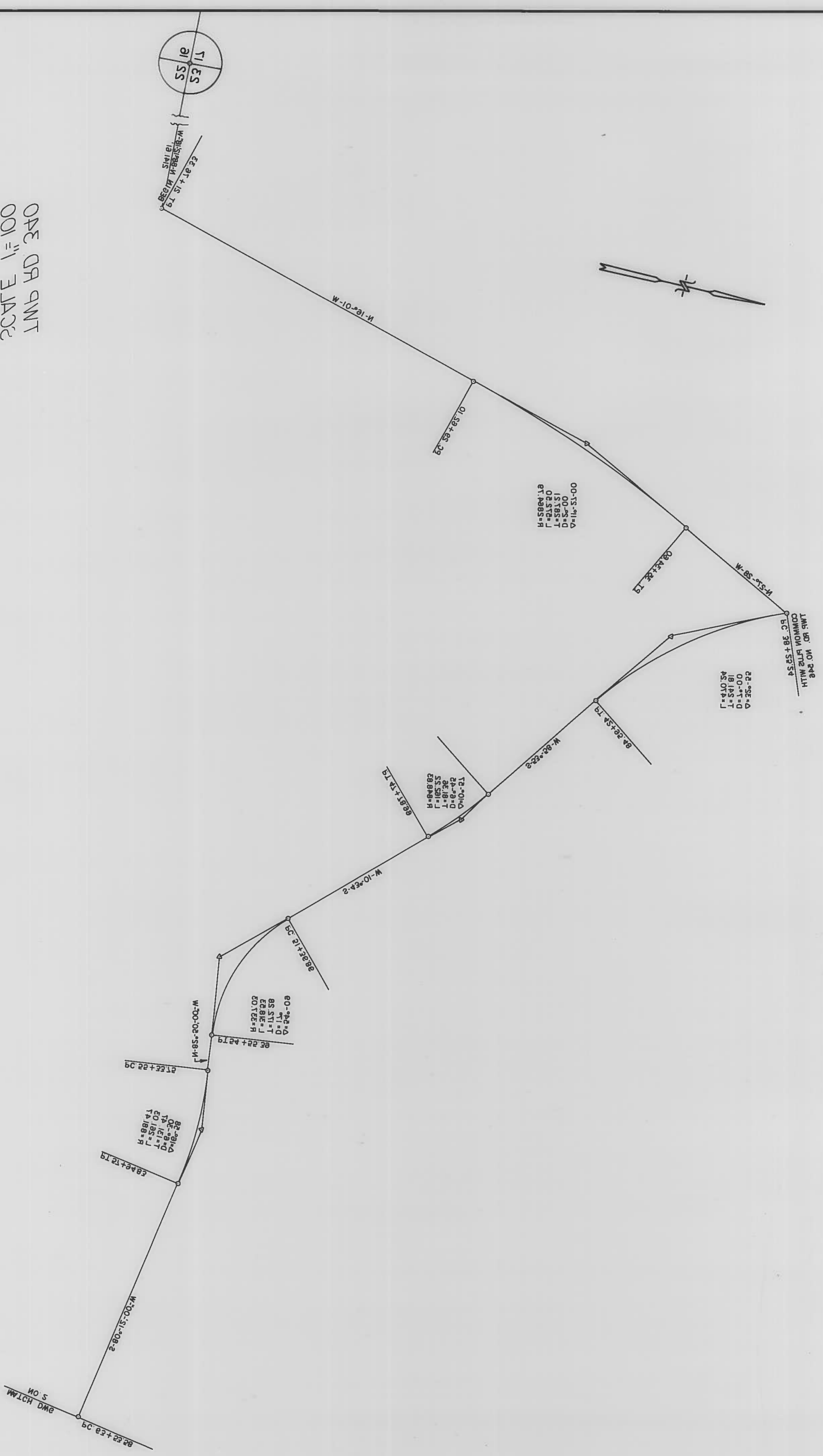
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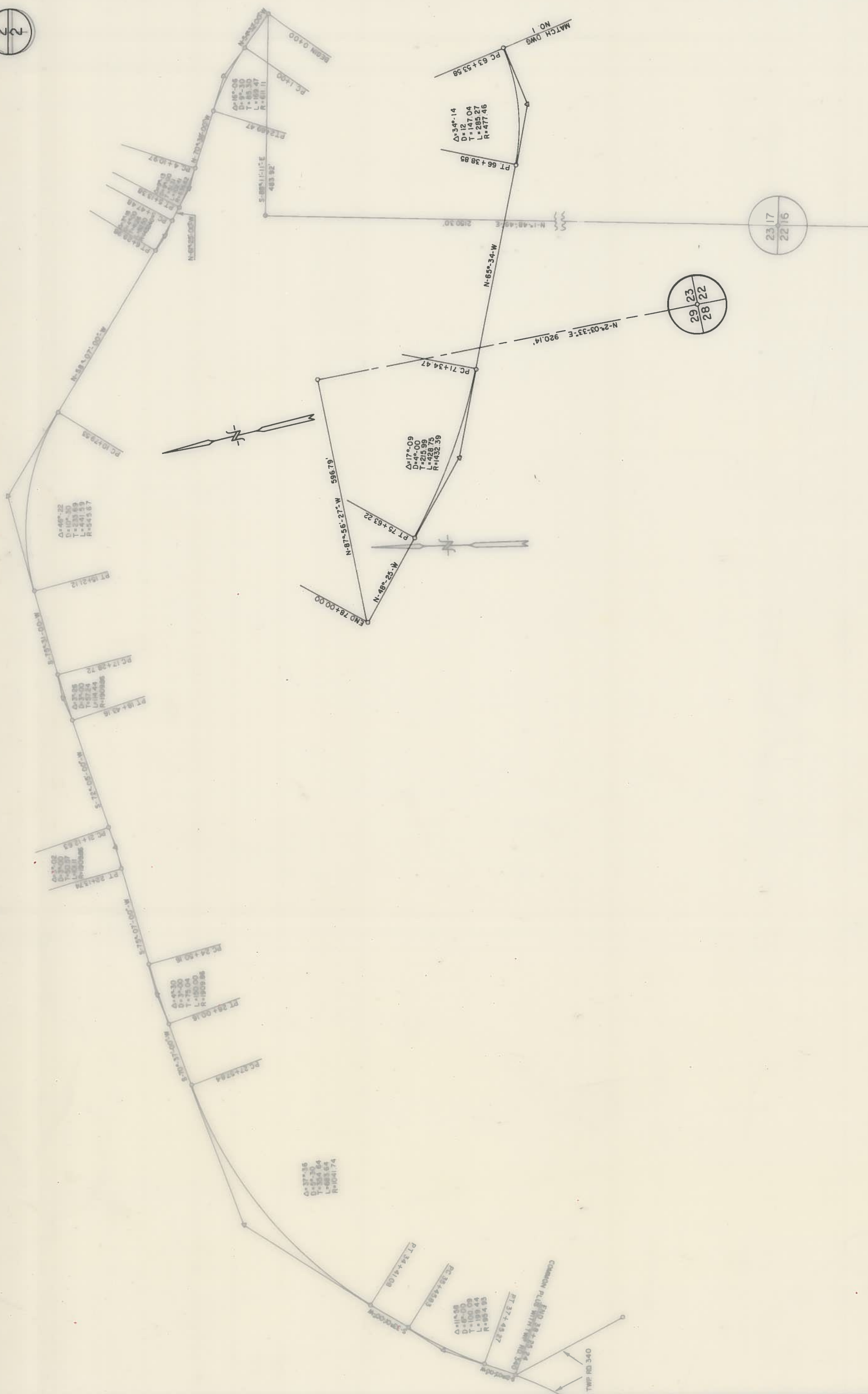
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TWP RD 340
SCALE 1"=100

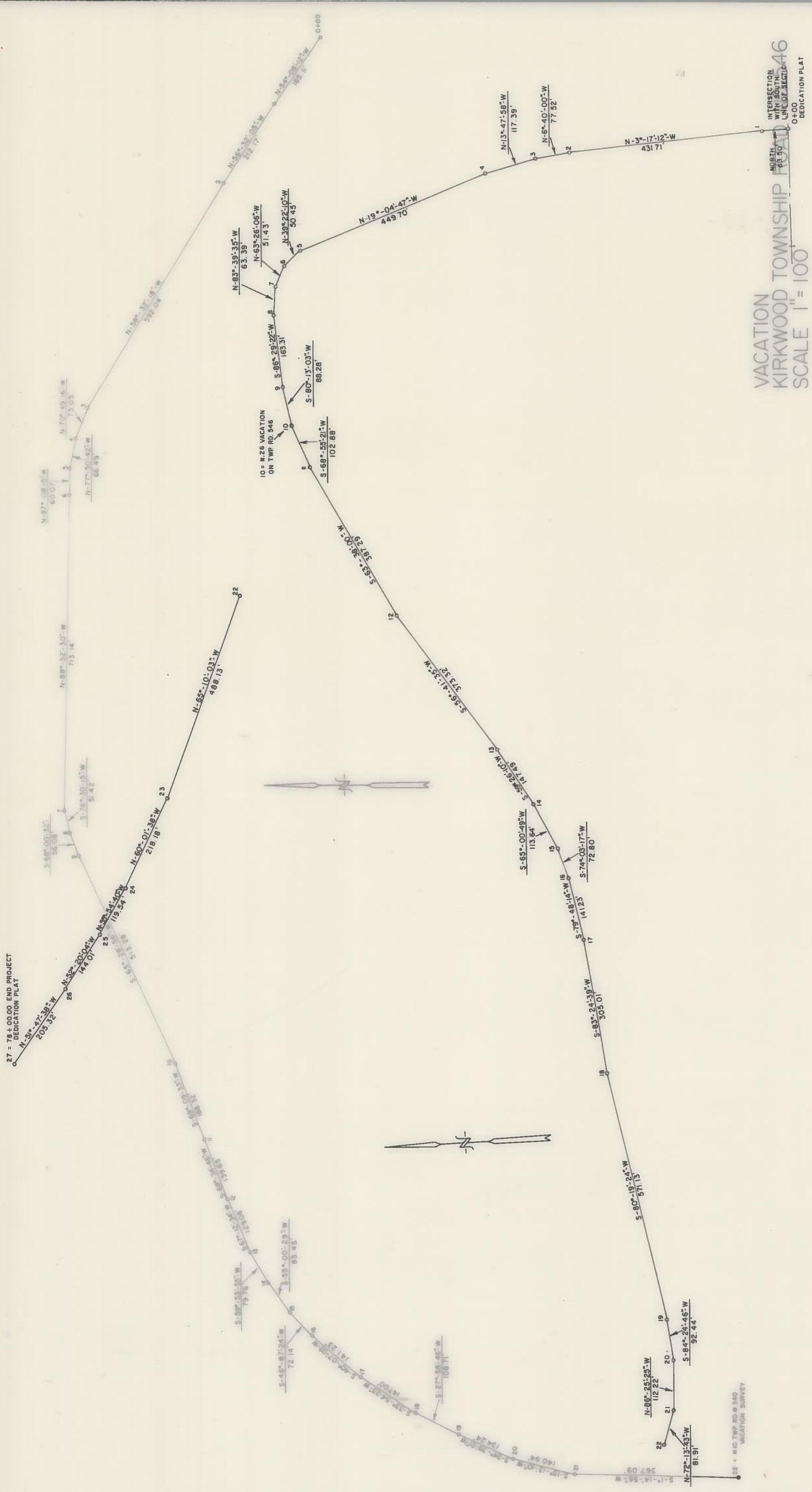


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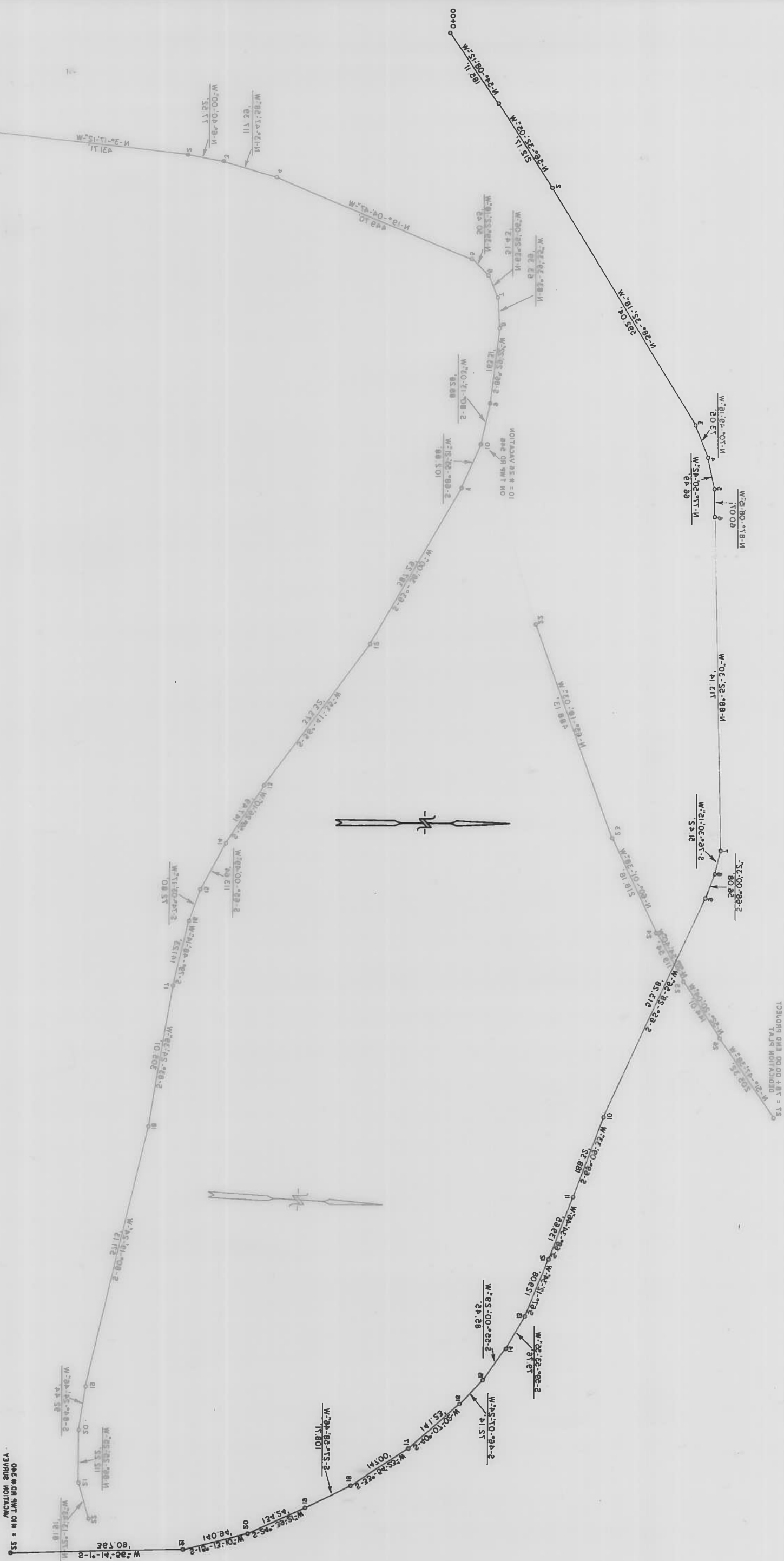
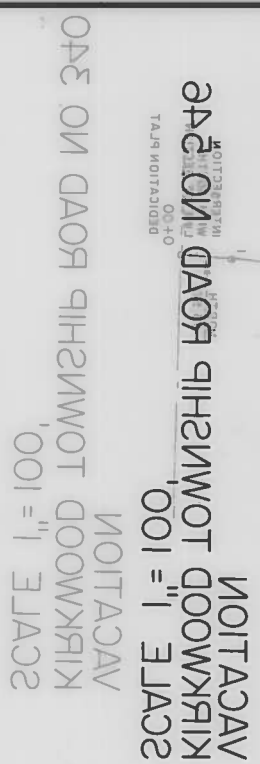
TWP RDP340 546
SCALE 1"=100' = 100'



VACATION
KIRKWOOD TOWNSHIP ROAD NO 340
SCALE 1"=100'

VACATION
KIRKWOOD TOWNSHIP ROAD NO 340
SCALE 1"=100'

INTERSECTION
NORTH
LINE OF SECTION 46
0+00
DEDICATION PLAT



RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.

IN THE MATTER OF THE
Vacation & Dedication of
T-340 & T-546 Kirkwood 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 20th day of December, 1982, at the office of the Commissioners
with the following members present:

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

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 & Dedicated
~~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 60 feet
See Plat 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. Lynch seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Olexo Yes
Mr. Lynch Yes
Mr. Sargus Yes

Adopted the 20th day of December, 1982

Mary Kapolka
County Clerk

414

IMP. NO. 870

414

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

IN THE MATTER OF THE

Vacation & Dedication of
 T-340 & T-546 Kirkwood 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 5TH day of January, 1982,
 (Regular or Special)

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, 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 & Dedicated, as order heretofore, made on our journal of the date of December 20, 1982,

and a copy of this resolution be forwarded to the Kirkwood 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 5TH day of January, 1983

Mary Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio