

PUBLIC ROAD PETITION

St. Clairsville, Ohio, June 27, 1983

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 Alley in Centerville 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 Northwest corner of Lot No. 9 of the Plat of Centerville, recorded in Volume L, Page 538, of the Records of the County Recorder;
thence 676.5 feet along the north line of Lots 9, 11, 13, 15, 17, 19, 21, 23, 25, and 27 and a 16.5 foot alley between Lots 15 & 17 and a vacated alley between Lots 23 & 25; thence from the northeast corner of Lot No. 27 south 115.5 feet along the east line of said lot; thence from the southeast corner of Lot No. 27 East, 16.5 feet; thence North and parallel with the east line of Lot No. 27 132 feet; thence west and parallel with the north line of the above mentioned lots and alleys 693 feet; thence south 16.5 feet to the place of beginning. Containing 0.306 acres.

Dated this _____ day of _____, A. D. 19_____

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
<u>Lawrence W. Way</u>	<u>Smith</u>
<u>Ruth E. Way</u>	<u>"</u>
<u>Nellie Bilyeu</u>	<u>Smith</u>
<u>Willard Blyeu</u>	<u>"</u>
<u>Glenn D. Mackley</u>	<u>Smith</u>
<u>John Graham</u>	<u>Smith</u>
<u>Worris Graham</u>	<u>Smith</u>
<u>Janice Ewing</u>	<u>Smith</u>
<u>Marion L. Gibson</u>	<u>Smith</u>
<u>Paul McNaught</u>	<u>Smith</u>
<u>David M. Hughes</u>	<u>Smith</u>
<u>Robert Dale Smith</u>	<u>Smith</u>
<u>Phillip Ewing</u>	<u>Smith</u>

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

IN THE MATTER OF THE

Vacation of an Alley
in Centerville
Public Road.

Office of County Commissioners,
Belmont County, Ohio

Petitioned for by Lawrence W. Way
and others.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 6TH day of July, 1983, at the office of the Commissioners
with the following members present:

A. J. Sargus

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 vacate an Alley in Centerville a Public Road as described therein; therefore, be it

RESOLVED, That the 1ST day of August, 1983, 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 8TH day of August, 1983, 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. Linch Yes

Mr. Sargus Yes

Mr. _____

Adopted the 6TH day of July, 1983

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating an Alley in
Centerville

Public Road.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 1ST day of August, 1983, 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, On the 1ST day of August, 1983, 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 8TH
day of August, 1983, 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. Linch Yes
- Mr. Olexo Yes
- Mr. Sargus Yes

Adopted the 1ST day of August, 1983

Mary Kopolka

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Alley
in Centerville

Public Road.

County Engineer's Office,

Belmont County, Ohio

August 8, 1983

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

The undersigned in obedience to your order dated August 1, 1983, proceeded on the 2ND day of August, 1983, 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.

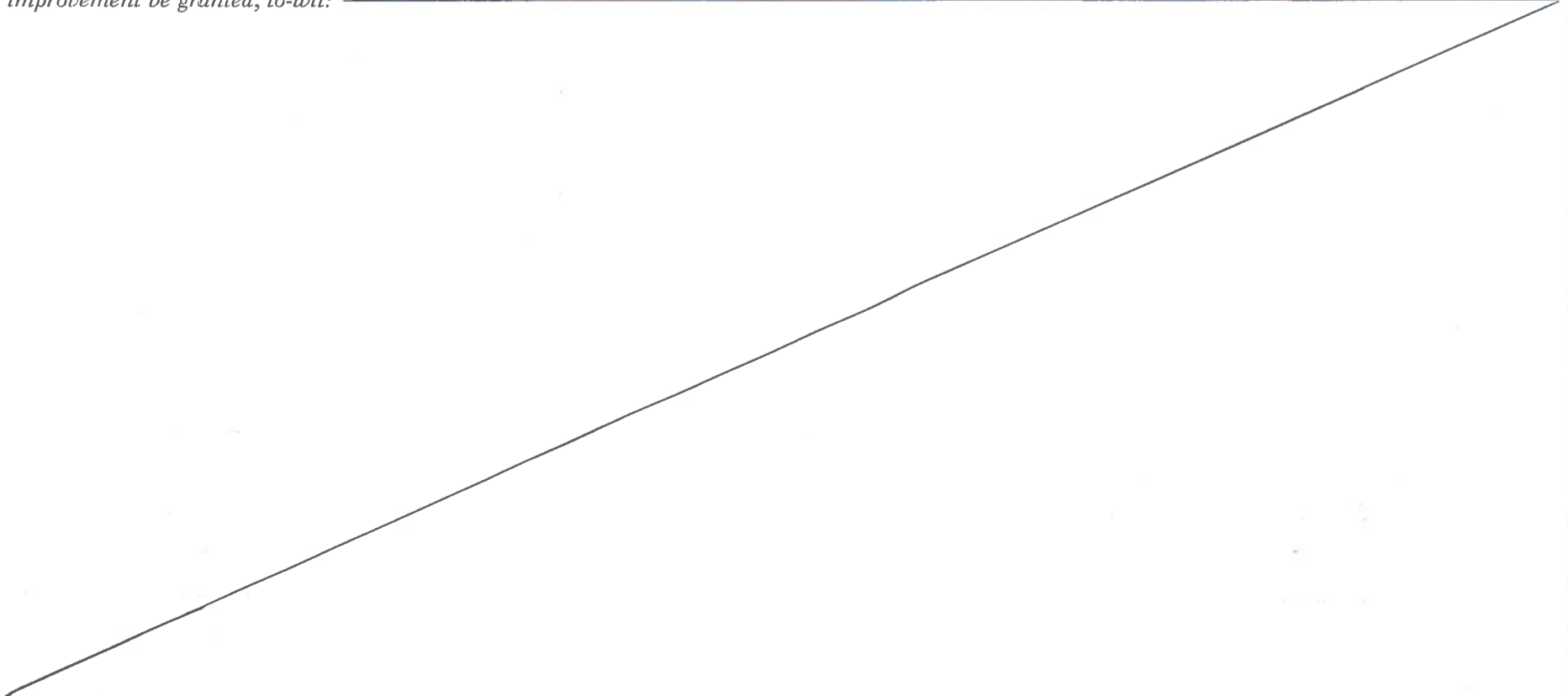
The width to which said improvement should be opened is _____ feet.

~~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.~~

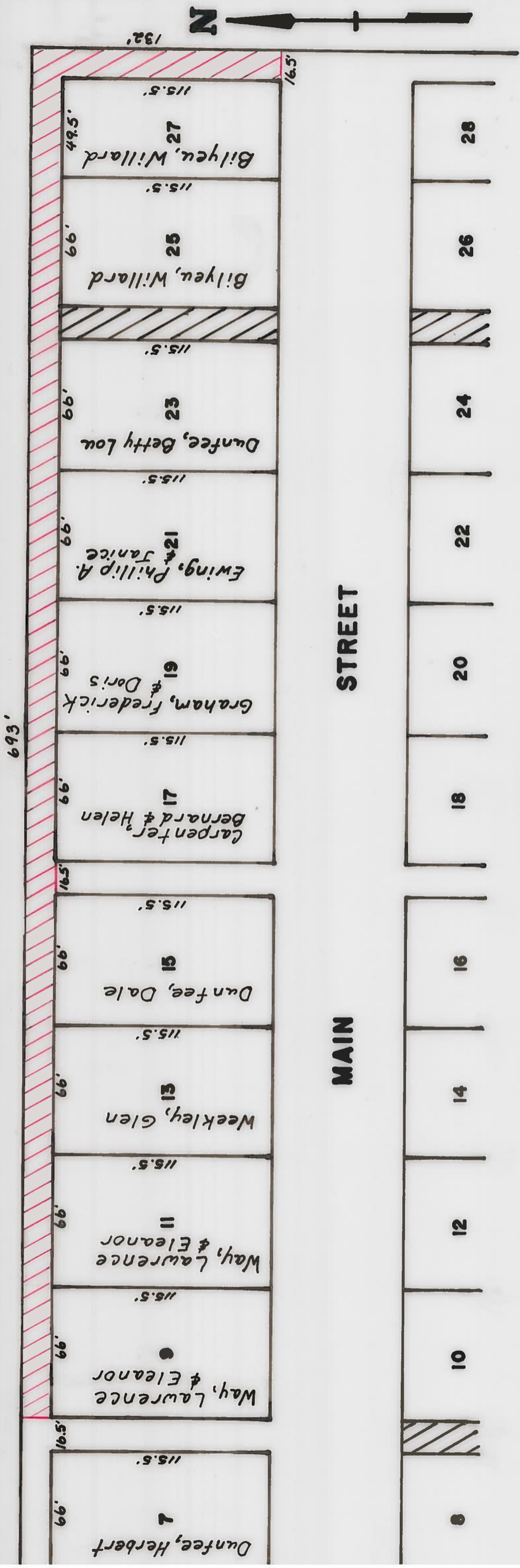
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"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: _____



Fred F. Bennett

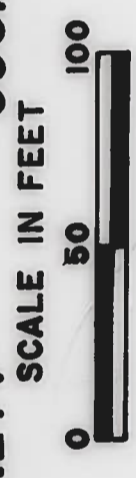


IMP. No. 877

OHIO REVISED CODE 5553.06

VACATION OF PART OF 16.5 FT. ALLEY IN CENTERVILLE

Vol. L Pg. 538
 Vol. Y Pg. 235
 Section 21, T.6, R.4
 SMITH TOWNSHIP
 BELMONT COUNTY, OHIO
 FRED F. BENNETT COUNTY ENGINEER



VACATION

APPROVED BY

 Engineer

 Commissioner

 Commissioner

 Commissioner

 day of August 1983.

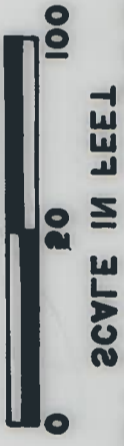
APPROVED BY
 1991
 Commissioner
 Commissioner
 Commissioner
 to ydb

1981

NOTARY



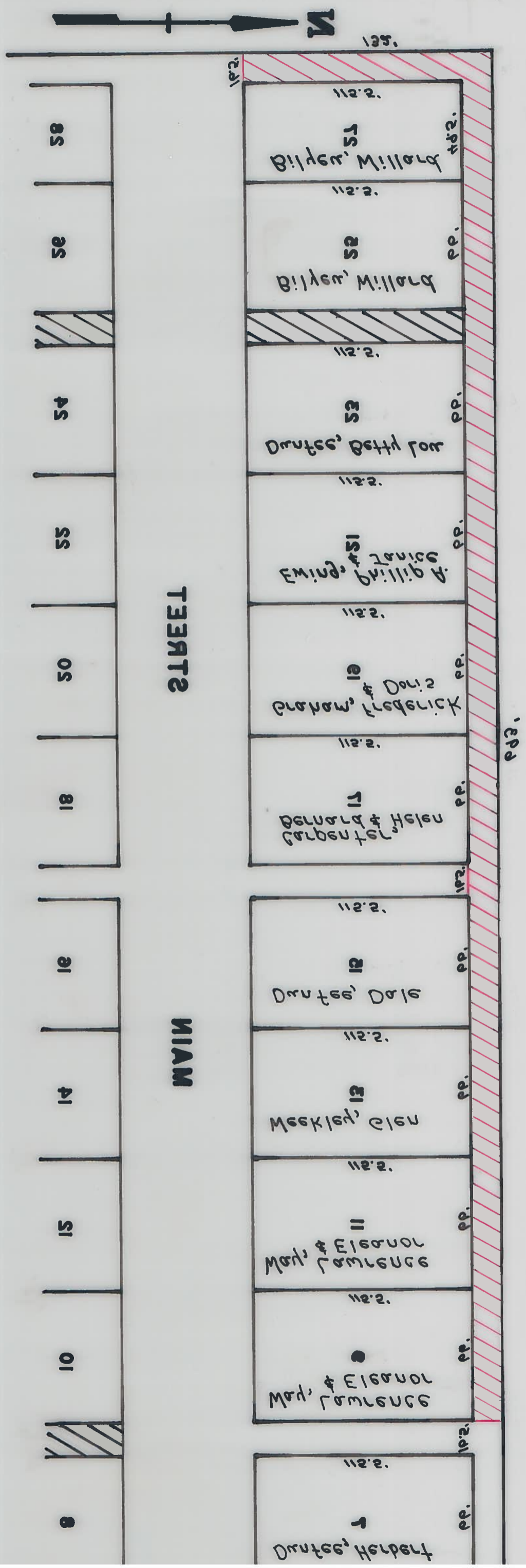
FRED F. BENNETT COUNTY ENGINEER
 BELMONT COUNTY, OHIO
 835 PG Y 10V



VACATION OF PART OF TRACT 40 TO TRACT 41

OHIO REVISED CODE 2223.08

IMB. INC. 8MI



RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacation of Alley in Centerville 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 August, 1983, 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

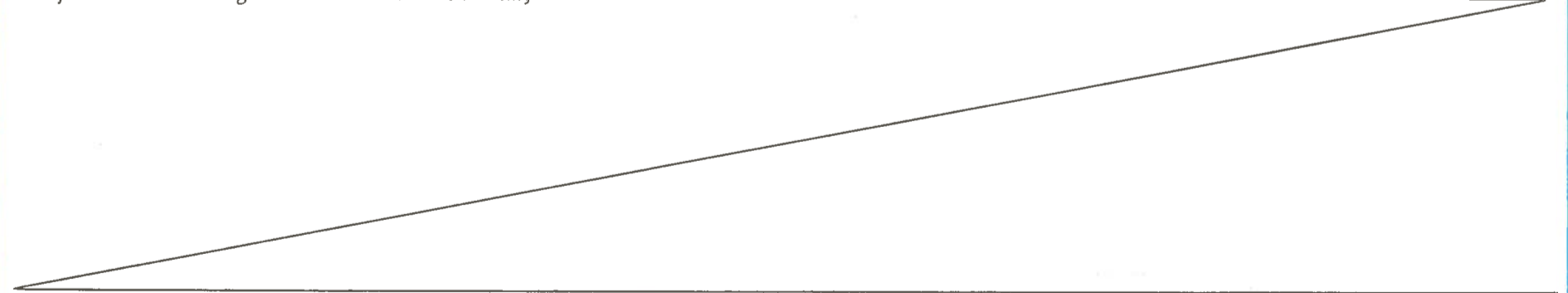
RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages or such part thereof as this Board may deem reasonable 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 8th day of August, 1983

Mary Kapolka

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

IN THE MATTER OF THE

Vacation of Alley
in Centerville
Public Road.

Office of County Commissioners,
Belmont County, Ohio

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

in Regular session on the 22ND day of August, 1983
(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

as order heretofore, made on our journal of the date of August 8, 1983,

and a copy of this resolution be forwarded to the Smith 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 22ND day of August, 1983

Mary Kapolka
Clerk, Board of County Commissioners.

Belmont County, Ohio