

PUBLIC ROAD PETITION

ST. CLAIRSVILLE, Ohio, DECEMBER 24, 1984

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 a portion of Township Road No. 202 & 267 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 County Road No. 78 and the south line of
Section 31, Township 7, Range 4; thence in a north easterly direction
to State Route No. 149, being all of Township Road No. 202 in Section
31, Township 7, Range 4, and Section 25, Township 7, Range 4, Richland
Township.
 Beginning at County Road No. 78 and the south line of Section 31,
Township 7, Range 4; thence in a northerly direction to the portion
previously vacated by Imp. No. 719 on November 15, 1972. A distance
of approximately 0.46 mile, and being called Richland Township Road
No. 267.

Dated this 10 TH day of DECEMBER, A. D. 19 84

PETITIONERS' NAMES		TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE	
NAME	ADDRESS	NAME	ADDRESS
Charle Simpson	65343 Plainfield Rd Belmont O.	Craig Humberk	67460 Willow Grove Rd.
Betty Simpsons	65343 Plainfield Rd Belmont, O.	Lilla parkinson	46083 Belmont-Warwick Rd
Howard O Carpenter	67460 Willow Grove Rd St Clairsville	Jimmy Wetherill	45975 Belmont-Warwick Rd.
Phyllis Carpenter	67460 Willow Grove Rd. St. Clairsville	Deborah F. Wheel	45975 Belmont-Warwick Rd.
Marion J. Deuce	Rt. 6 Reservoir Rd. St. Clairsville Ohio	Jack Parkerson	46053 Belmont-Warwick Rd
Verma Carpenter	Airport Rd. R. 3 St. Clairsville O.	Steve Naggy Jr.	66989 Plainfield Rd Belmont O.
Shirley Carpenter	Mills Rd. St. Clairsville O.	Mary A. Naggy	66989 Plainfield Rd. Belmont O.
Helma Fox	Pogue Rd. St. Clairsville O.	Lillian Naggy	66767 Plainfield Rd Belmont O.
Cheryl Robinson	65380 Airport Rd. 43950	Paul Naggy Jr.	66269 Plainfield Rd. Belmont O.
Geoff Schell	RD. 6 Reservoir Rd. St. Clairsville Ohio	St. Naggy Sr.	66140 Plainfield Rd. Belmont O.
Henry Fox	Pogue Rd & St. Clairsville O.	Orlype L. Eddy	65621 Plainfield Rd Belmont Ohio
Harold Kettence	Airport Rd, St. Clairsville, O.	Joseph W. Eddy	65621 Plainfield Rd Belmont Ohio
Harry Carpenter	airport rd st. clairsville, O.	Mason Wayne Burkhardt	69008 Vineyard Rd St. Clairsville, O.
Chyle Carpenter	Magee Rd. St. Clairsville, Ohio	Janice M. Burkhardt	69008 Vineyard Rd St. Clairsville, O.
Sue Horrocks	67460 Willow Grove Rd. St. Clairsville	Nancy L. Gray	Rt #5 Graham Rd St. Clairsville, Ohio
William Kettence	St Clairsville 65503 Airport Rd	Janet Gray	Rt #5 Graham Rd St. Clairsville Ohio
Ester Kettence	65502 Airport Rd. St. Clairsville, Ohio	Alfred J. Henderson	66485 St. Clairsville, Ohio
R. L. Mill	66087 Airport Rd. St. Clairsville	William Henderson	66485 St. Clairsville, Ohio

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 Portion of Township
Road 202 & 267
Public Road.
Petitioned for by Orville Simpson
, and others.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 2nd day of January, 1985, at the office of the Commissioners
with the following members present:

A. J. Sargus

C. A. Lynch

Mr. Lynch 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 Vacation of Portion of Township
Road 202 & 267 a Public Road as described therein; therefore, be it

RESOLVED, That the 16th day of January, 1985, 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 23rd day of January, 1985, 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. Lynch, Yes

Mr. Sargus, Yes

Mr. _____,

Adopted the 2nd day of January, 1985

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
Vacation of a Portion of
Township Road No. 202 & 267
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 16th day of January, 1985, at the office of the Commissioners

with the following members present:

- R. E. Dlexo
- A. J. Sargus
- C. A. Linch

Mr. Linch moved the adoption of the following Resolution:

WHEREAS, On the 16th day of January, 1985, 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 23rd day of January, 1985, 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. Linch Yes
- Mr. Sargus Yes
- Mr. Dlexo Yes

Adopted the 16th day of January, 1985

Mary Kapolka
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a Portion of
Township Road No. 202 & 267
Public Road

County Engineer's Office,

Belmont County, Ohio

January 23, 1985

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

The undersigned in obedience to your order dated January 16, 1985, proceeded on the 17th day of January, 1985, 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 sheet"

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, P.E.

VACATION OF T-267

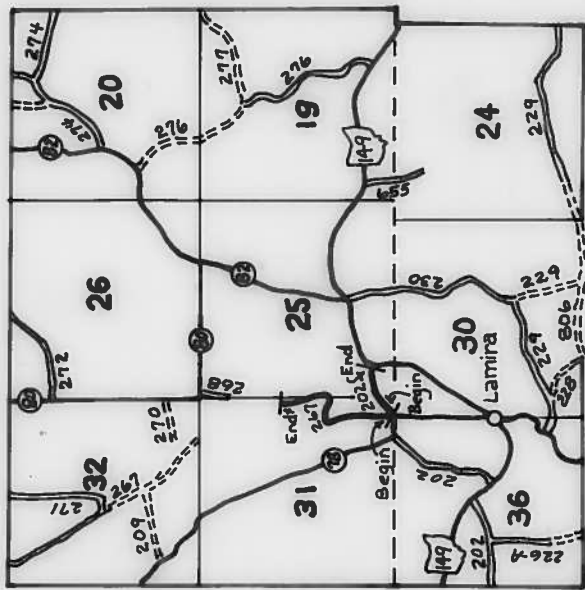
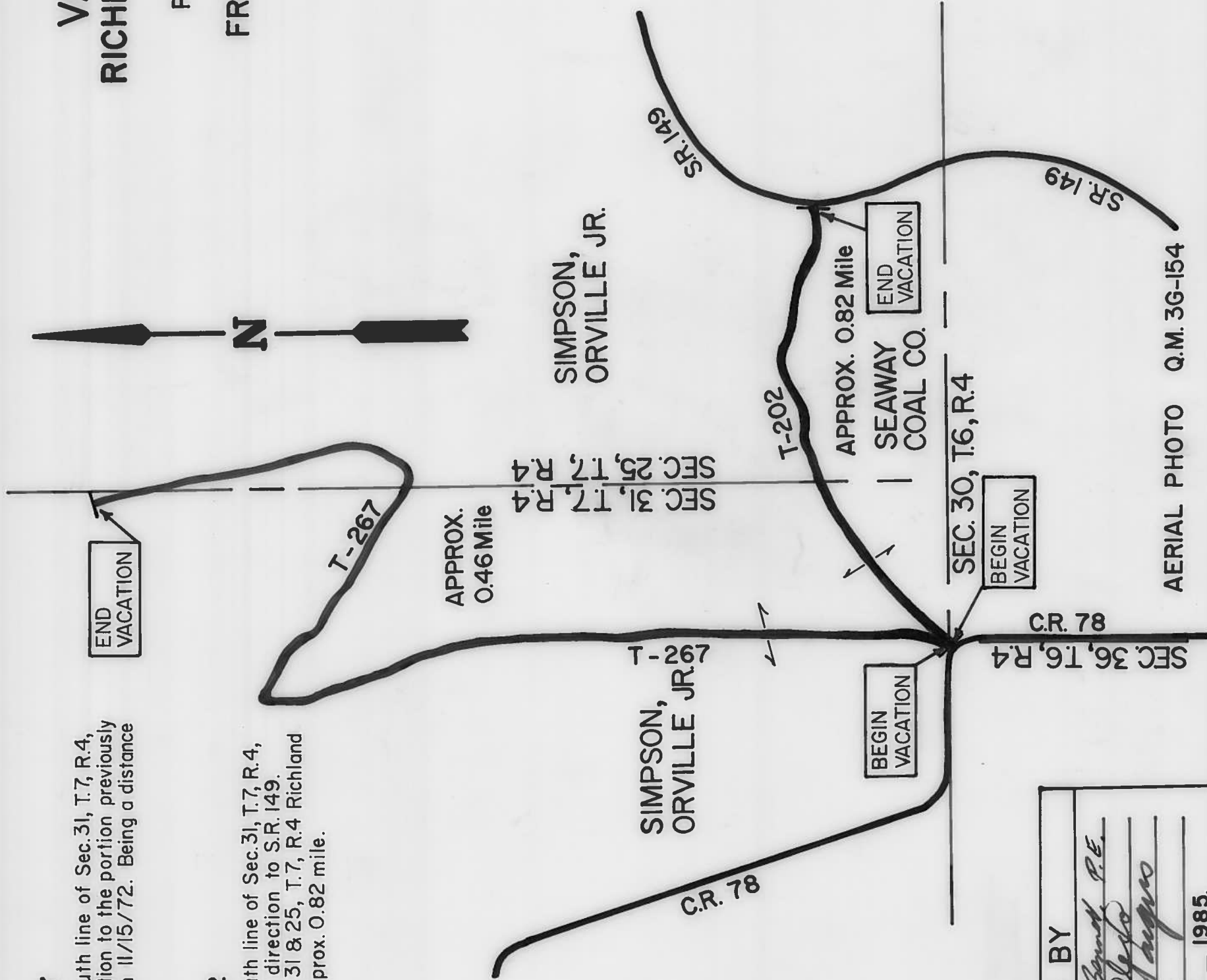
at C.R. 78 on the south line of Sec. 31, T.7, R.4, in a northerly direction to the portion previously vacated by Imp. No. 719 on 11/15/72. Being a distance of approx. 0.46 mile.

VACATION OF T-202

at C.R. 78 on the south line of Sec. 31, T.7, R.4, in a north-easterly direction to S.R. 149. Being a distance of approx. 0.82 mile in Sec. 31 & 25, T.7, R.4 Richland and a distance of approx. 0.82 mile.

IMP. No. 898
VACATION OF T-267 & T-202
RICHLAND TOWNSHIP Sec. 25 & 31, T.7, R.4
BELMONT COUNTY, OHIO 1985

PETITIONED FOR BY — ORVILLE SIMPSON, JR.
 SECTION 5553.04 OHIO REVISED CODE
FRED F. BENNETT, COUNTY ENGINEER



LOCATION MAP

APPROVED BY

ENGINEER *Fred F. Bennett, P.E.*
 M. *W. E. Olesko*
 M. *W. J. Langston*

day of JANUARY 1985.

AERIAL PHOTO Q.M. 3G-154

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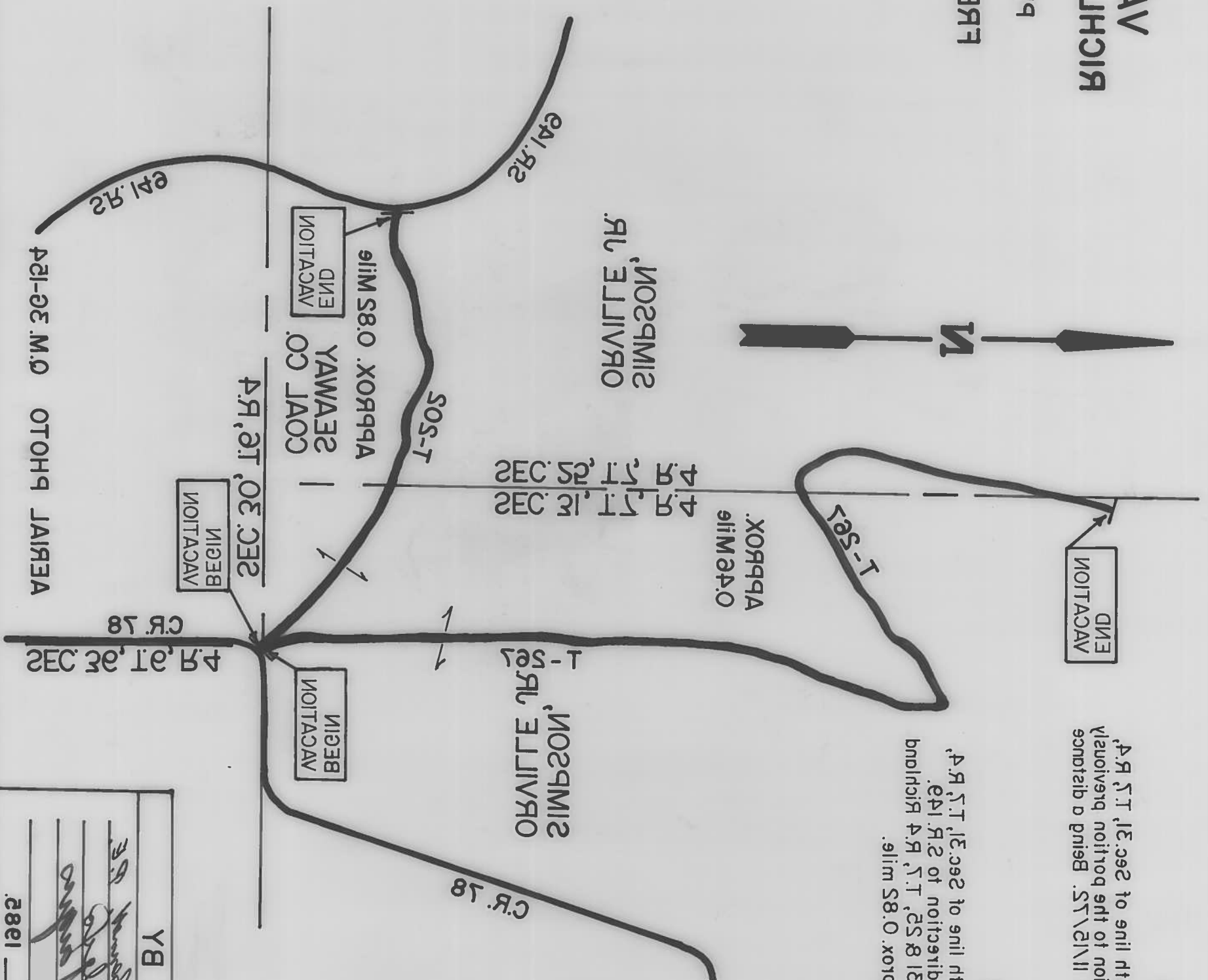
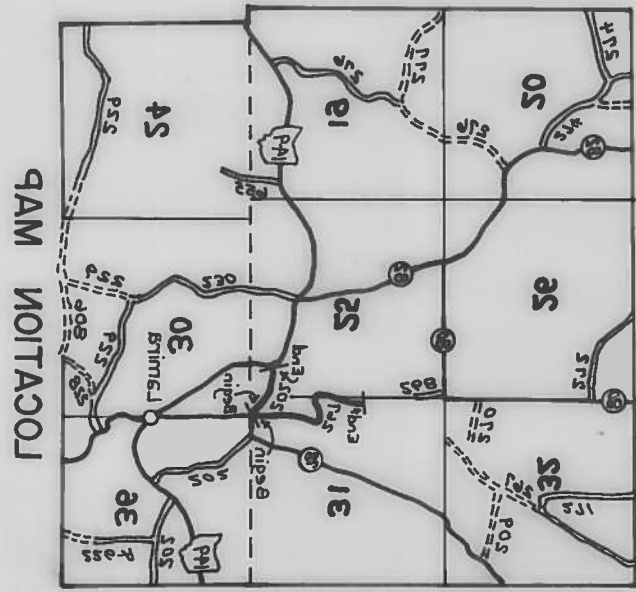
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Р.МНОЗҚМИЗ ЭЛЛИВРО — УР РОФ ДЕНИОИТИТЭР

SECTION 888 & 889 OF THE DISTRICT OF COLUMBIA

COUNTY ENGINEER

SECTION 11 SCALE



APPROVED BY

 ENGINEER

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RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE
Vacation of a Portion of
Township Road No. 202 & 267
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 28th day of January, 1985, at the office of the Commissioners
with the following members present:

R. E. Dlexo
A. J. Sargus

Mr. Sargus 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; therefore, 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 if 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 Journals;

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. Dlexo seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Sargus Yes
Mr. Dlexo Yes
Mr. Yes

Adopted the 28th day of January, 1985

Mary Kapolka
Clerk, Board of County Commissioners,

RESOLUTION — ORDER TO CLOSE ROAD

Sec. 5563.01 R.C.

(~~Close~~ Close)

IN THE MATTER OF THE
VACATION OF A PORTION OF
TOWNSHIP ROAD No. 202 §267
Public Road

Office of County Commissioners,
Belmont County, Ohio

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

in REGULAR session on the 13TH day of FEBRUARY, 1985,
(Regular or Special)

at the office of THE COMMISSIONERS with the following members present:

R. E. OLEXO

A. J. SARGUS

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 JANUARY 28, 1985,

and a copy of this resolution be forwarded to the RICHLAND Township Trustees.

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. OLEXO YES

Adopted the 13TH day of FEBRUARY, 1985

MARY K APOLKA
Clerk, Board of County Commissioners.

BELMONT County, Ohio