

PUBLIC ROAD PETITION

St. Clairsville, Ohio, August 4, 1985

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 of all the streets and alleys in the subdivision of McClainsville 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

Beginning at all of the streets and alleys in the Subdivision of McClainsville, in Pultney Township, Section 6 and 12, T5, R3, Belmont County, Ohio as recorded in Cabinet B, Slide 20 and 21 in the Belmont County Recorder's Office. All of these streets and alleys being in the perimeter description of the property attached hereto as "Exhibit A" in a conveyance from Ida Ciardelli to Lydella Brandon.

Lots in this Subdivision were vacated on June 27, 1985, and July 2, 1985, by the Belmont County Auditor, H. O. Hall.

This tract is subject to the right-of-way for Township Road 308 as it is now located.

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

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH
PETITIONER OWNS REAL ESTATE

✓ Owen Heath	PULTNEY TWP
✓ Dennis Stull	
✓ Carolyn Narich	
✓ Wayne Weber	
✓ Charles Rhodes	
✓ Thomas Moellendorf	
✓ Nancy Moellendorf	
✓ Carl Steele	
✓ Cheryl Steele	
✓ Bertha Steele	
✓ Tom E. Carson	
✓ Leroy Carson	
✓ Jim B. B...	
	✓ Dorothy R. Likerath
	✓ Mary A. Savender
	✓ Donald R. Ravender
	✓ Leah M. Monahan
	✓ Judith E. Duffey
	✓ Charles E. Monahan
	✓ Wendell Duffey

Imp. 905

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

IN THE MATTER OF THE

Vacating of all the streets and alleys in the
subdivision of McClainsville
Public Road.

Petitioned for by Owen Heath

, and others.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular sessionon the 4th day of September, 1985, at the office of the commissioners

with the following members present:

B. E. OlexoA. J. SarqusMr. Sarqus 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 all of the streets and alleys
in the subdivision of McClainsville a Public Road as described therein; therefore, be it

RESOLVED, That the 23rd day of September, 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 25th day of September, 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 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 improvement.

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

Mr. Sarqus, YesMr. Olexo, Yes

Mr. _____, _____

Adopted the 4th day of September, 1985

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
Vacating all of the streets and alleys
in the subdivision of McClainsville
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 23rd day of September, 1985, at the office of the Commissioners
with the following members present:

R. E. Olexo
A. J. Sargus

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, On the 23rd day of September, 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 25th
day of September, 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. Olexo seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. Sargus, Yes
Mr. Olexo, Yes
Mr. ,

Adopted the 23rd day of September, 1985.

Mary Kapolka
Clerk, Board of County Commissioners,

Imp. 905

Wm. Lillenthal & Sons, Cambridge, O.-3044-D

SP 208

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating all of the streets and alleys in
the subdivision of McClainsville
Public Road

County Engineer's Office,

Belmont County, Ohio

September 25, 1985

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

The undersigned in obedience to your order dated September 23, 1985, proceeded on the 24th day of September, 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.

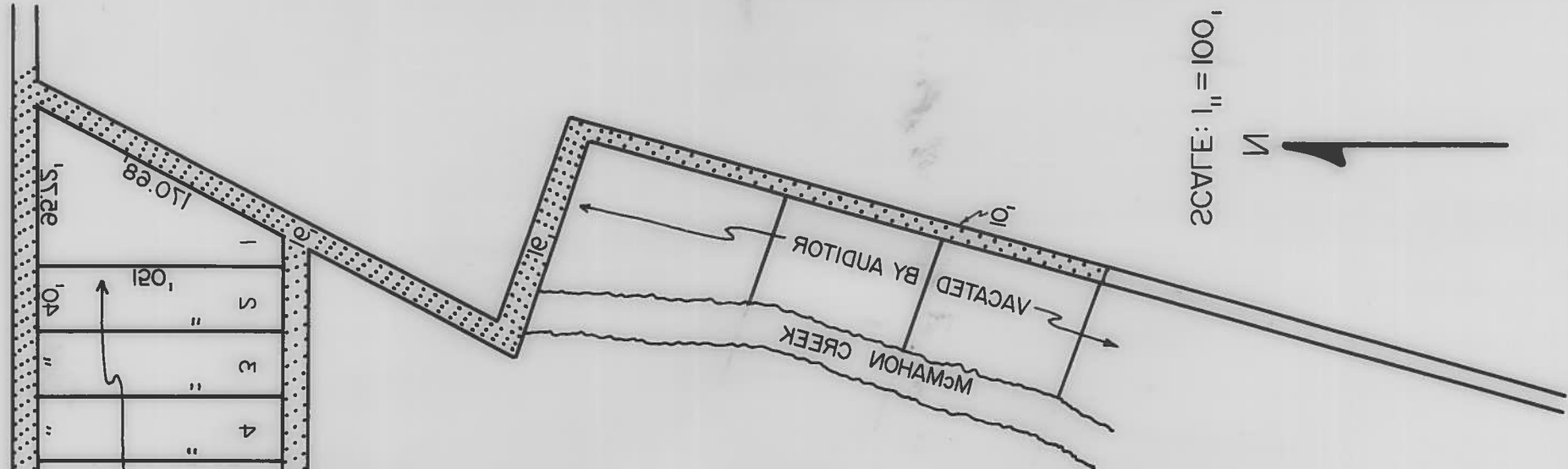
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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

"See attached 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 P.E.

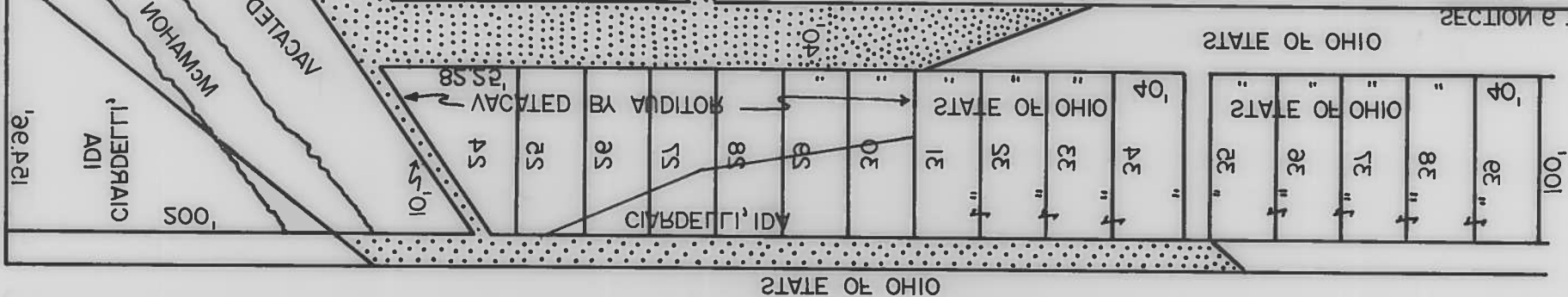


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ALLIVNIALJCM FO NOIVIVBVS
IS & OS SLIDE C.BAC
-R , -T , SIA & SIONTS SPT YEINTUP
OHIO , YTIUOS TIOMIBV
COUNTY ENGINEER

ЭЛЖИВИАЛСМ ОТ ИОТТІДА ДООМНУЛ

SECTION 15 I-e B-3
SECTION e I-e B-3

STATE OF OHIO



STATE OF OHIO

APPROVED BY

2861 1932 70

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Vacating all streets and alleys in the

subdivision of McClainsville

Public Road

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

on the 25th day of September, 1985, at the office of the commissioners
with the following members present:

R. E. Olexo

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 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. Sargus _____,

Mr. Olexo _____,

Mr. _____,

Adopted the 25th day of September, 1985.

Mary Kapalka
Clerk, Board of County Commissioners,

Imp. 905

Wm. Lillenthal & Sons, Cambridge, O. 3044 F

SP 208

RESOLUTION — ORDER TO close ROAD

Sec. 5563.01 R.C.

(Open or Close)

IN THE MATTER OF THE

1 vacating all streets and alleys in the
subdivision of McClainsville
Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, metin Regular session on the 7th day of October, 1985,
(Retular or Special)at the office of the commissioners with the following members present:R.E. OlexoA.J. SargusC.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 1vacated, as order heretofore, made on our journal of the date of September 25, 1985,and a copy of this resolution be forwarded to the Pultney Township Trustees.Mr. Sargus seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:Mr. Lynch, YesMr. Sargus, YesMr. Olexo, YesAdopted the 7th day of October, 1985
Mary Kapalka
 Clerk, Board of County Commissioners.
Belmont County, Ohio