

PUBLIC ROAD PETITION

_____, Ohio, _____, 19_____

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 and DEDICATING of PART OF _____ a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for GOSHEN TWP. Rd. #195 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 following is the general route and termini of said road:

Beginning at the North line of the Southwest Quarter of Section

10; thence in a Southerly direction approximately 0.78 mile.

Location: Sections 9 and 10, Township 7N, Range 5W, Goshen Township

Belmont County, Ohio

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

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH
PETITIONER OWNS REAL ESTATE

PETITIONERS' NAME

TAXING DISTRICT OF COUNTY IN WHICH
PETITIONER OWNS REAL ESTATESHELL MINING COMPANY owner of the
surface and coal -

Union Local School District - Belmont County

Shell Mining Company

GOSHEN TOWNSHIP TRUSTEES

Union Local School District - Belmont County

1) Ronnie Haynes Trustee2) Kenneth Kemp Trustee3) Phillip Bolon Trustee

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

IMP. #943

IN THE MATTER OF THE

VACATING & DEDICATING PART OF

GOSHEN TWP. RD. #195

Public Road.

Petitioned for by SHELL MINING CO.

J.C. FERNS (ATTY-IN-FACT)

, and others.

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 AUGUST, 1989, at the office of THE COMMISSIONERS

with the following members present:

R.F. OLEXO

J.J. MALIK, JR.

JIM HEPE

Mr. HEPE 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 & DEDICATE PART OF
GOSHEN TWP. RD. #195 a Public Road as described therein; therefore, be it

RESOLVED, That the 30TH day of AUGUST, 1989, 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 6TH day of SEPTEMBER, 1989, at 11:15 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. MALIK seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. HEPE, YES

Mr. MALIK, YES

Mr. OLEXO, YES

Adopted the 16th day of AUGUST, 1989

M. V. 14

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

Imp #943

IN THE MATTER OF THE

VACATING & DEDICATING A PART
OF GOSHEN Twp. RD. # 195
Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 30TH day of AUGUST, 1989, at the office of THE COMMISSIONERS
with the following members present:

R. E. OLEXO

J. J. MALIK, JR.

JIM HEPE

Mr. HEPE moved the adoption of the following Resolution:

WHEREAS, On the 30TH day of AUGUST, 1989, 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 6TH day of SEPTEMBER, 1989, 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. MALIK seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. HEPE YES

Mr. MALIK YES

Mr. OLEXO YES

Adopted the 30TH day of AUGUST, 1989

Mary Kapolka
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATING & DEDICATION A PART OF
GOSHEN TWP. RD. #195
Public Road

County Engineer's Office,

Belmont County, Ohio

September 6, 1989

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

The undersigned in obedience to your order dated AUGUST 30, 1989, proceeded on the 31 ST. day of AUGUST, 1989, 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 shouldbe granted.

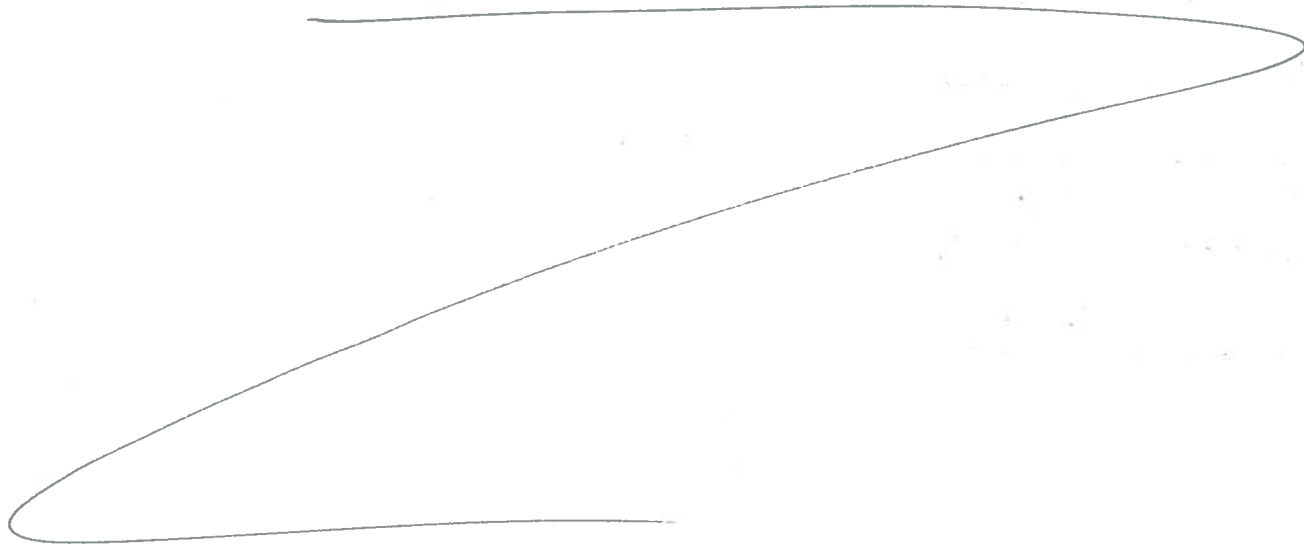
The width to which said improvement should be opened is SIXTY feet.

~~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:



IMP. 943

DEDICATION OF TOWNSHIP ROAD 195
GOSHEN TOWNSHIP, SECTIONS 9,10 TOWNSHIP 7 N RANGE 5 W
FRED BENNETT COUNTY ENGINEER
SCALE 1 INCH = 400 FEET



STATEMENT:

WE, THE UNDERSIGNED, BEING THE OWNER OF THE TRACT OF LAND AS PRESENTED BY THIS PLAT DO HEREBY CONSENT TO THE EXECUTION AND RECORDING OF SAME AND DO HEREBY DEDICATE SAID TRACT TO PUBLIC USE.

WITNESSES

OWNER

SHELL MINING COMPANY

James C. Lorne
Michael Ray Ferguson

J.R. Cox
ATTORNEY IN FACT

S 88°15'14" E

864.10'

T1
T2
T3
T4
T5
T6
T7
T8
T9

SHELL MINING COMPANY
656-558

STATE OF OHIO
COUNTY OF HARRISON

BE IT REMEMBERED THAT ON THIS DAY THE 7 OF July 1989, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY, WITH FREE ACT, SIGNED AND SEALED THE FOREGOING PLAT.

James C. Lorne
NOTARY PUBLIC *State of Ohio*
COMMISSION EXPIRES 2-27-91

60' RIGHT OF WAY LINE

656-557

T10
T11
T12
T13
T14
T15
T16
T17
T18
T19
T20
T21
T22
T23
T24

| | | |
|-----|-----------------|---------|
| T1 | S 19° 17' 58" W | 41.17' |
| T2 | S 23° 07' 18" W | 100.00' |
| T3 | S 30° 49' 43" W | 100.00' |
| T4 | S 36° 53' 47" W | 90.31' |
| T5 | S 42° 02' 16" W | 260.30' |
| T6 | S 37° 36' 28" W | 100.00' |
| T7 | S 24° 25' 44" W | 100.00' |
| T8 | S 08° 27' 40" W | 100.00' |
| T9 | S 00° 38' 00" W | 82.32' |
| T10 | S 03° 21' 16" E | 816.88' |
| T11 | S 03° 42' 44" E | 100.00' |
| T12 | S 08° 50' 27" E | 100.00' |
| T13 | S 13° 42' 44" E | 73.75' |
| T14 | S 15° 06' 22" E | 427.44' |
| T15 | S 10° 58' 27" E | 100.00' |
| T16 | S 05° 48' 43" E | 100.00' |
| T17 | S 02° 50' 02" E | 248.96' |
| T18 | S 03° 39' 01" E | 100.00' |
| T19 | S 04° 00' 39" E | 100.00' |
| T20 | S 04° 46' 20" E | 81.65' |
| T21 | S 06° 07' 36" E | 445.20' |
| T22 | S 03° 36' 55" E | 100.00' |
| T23 | S 00° 52' 19" E | 98.10' |
| T24 | S 02° 59' 31" E | 229.08' |

APPROVED BY:

COUNTY ENGINEER

Fred F. Bennett

COUNTY COMMISSIONERS:

J. J. Maul
John H. Hester

THIS THE 6TH DAY OF September, 1989

I, HEREBY CERTIFY THAT THIS IS A PLAT OF A TRUE AND CORRECT SURVEY MADE BY ME ON OR ABOUT MAY 1987

60' RIGHT OF WAY LINE

SHELL MINING COMPANY
656-561



Thomas W. Taylor



IMP. 943

DEDICATION OF TOWNSHIP ROAD 192
GOSHEN TOWNSHIP, SECTIONS 9, 10 TOWNSHIP 7 N RANGE 2 W
FRED BENNETT COUNTY ENGINEER
SCALE 1 INCH = 400 FEET

STATEMENT:
WE, THE UNDERSIGNED, BEING THE OWNER OF THE TRACT OF LAND AS PRESENTED
BY THIS PLAT DO HEREBY CONSENT TO THE EXECUTION AND RECORDING OF SAME
AND DO HEREBY DEDICATE SAID TRACT TO PUBLIC USE.

OWNER SHELL MINING COMPANY

WITNESSES

Attorney in Fact

James C. Finner

STATE OF OHIO
COUNTY OF HARRISON
BE IT REMEMBERED THAT ON THIS DAY THE 7 OF July 1989, BEFORE
ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY, WITH FREE ACT,
SIGNED AND SEALED THE FOREGOING PLAT.

James C. Finner
NOTARY PUBLIC
Commission expires 9-21-91

SHELL MINING COMPANY
656-258

APPROVED BY:
COUNTY ENGINEER

John F. Bennett

COUNTY COMMISSIONERS:

James C. Finner
John F. Bennett

THIS THE 7th DAY OF July 1989

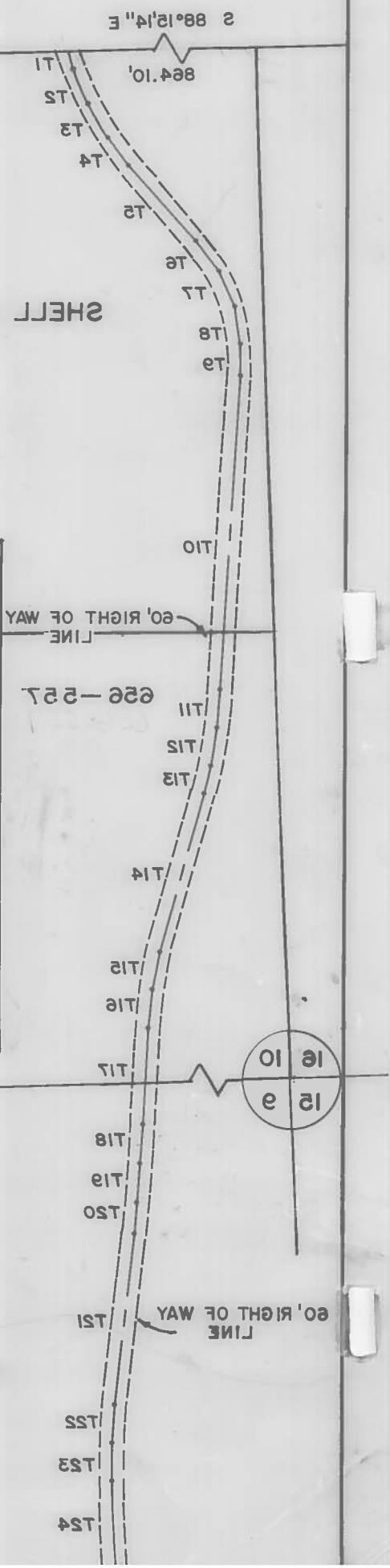
I HEREBY CERTIFY THAT THIS IS A PLAT OF A TRUE AND CORRECT
SURVEY MADE BY ME ON OR ABOUT MAY 1989



SHELL MINING COMPANY
656-261

Thomas W. Taylor

| | | |
|-----|-----------------|---------|
| T1 | 2 19° 17' 58" W | 41.17' |
| T2 | 2 23° 07' 18" W | 100.00' |
| T3 | 2 30° 49' 43" W | 100.00' |
| T4 | 2 36° 53' 47" W | 90.31' |
| T5 | 2 42° 02' 16" W | 260.30' |
| T6 | 2 37° 36' 58" W | 100.00' |
| T7 | 2 24° 25' 44" W | 100.00' |
| T8 | 2 08° 27' 40" W | 100.00' |
| T9 | 2 00° 38' 00" W | 82.32' |
| T10 | 2 03° 21' 16" E | 816.88' |
| T11 | 2 03° 45' 44" E | 100.00' |
| T12 | 2 08° 20' 27" E | 100.00' |
| T13 | 2 13° 45' 44" E | 73.75' |
| T14 | 2 15° 06' 25" E | 457.44' |
| T15 | 2 10° 28' 27" E | 100.00' |
| T16 | 2 05° 48' 43" E | 100.00' |
| T17 | 2 02° 50' 02" E | 248.96' |
| T18 | 2 03° 39' 01" E | 100.00' |
| T19 | 2 04° 00' 39" E | 100.00' |
| T20 | 2 04° 46' 50" E | 81.65' |
| T21 | 2 06° 07' 36" E | 443.20' |
| T22 | 2 03° 36' 25" E | 100.00' |
| T23 | 2 00° 25' 19" E | 98.10' |
| T24 | 2 02° 29' 31" E | 229.08' |



IMP. 943

VACATION OF TOWNSHIP ROAD 195

BEGIN AT THE NORTH LINE OF THE SOUTHWEST
QUARTER OF SECTION 10; THENCE IN A SOUTHERLY
DIRECTION APPROXIMATELY 0.78 MILE

VACATION OF TOWNSHIP ROAD 195

GOSHEN TOWNSHIP SECTIONS 9,10
TOWNSHIP 7 NORTH RANGE 5 WEST
BELMONT COUNTY OHIO



FRED BENNETT COUNTY ENGINEER

SCALE 1 INCH = 400 FEET

APPROVED BY:

COUNTY ENGINEER

Fred F. Bennett, P.E.

COUNTY COMMISSIONERS :

J. J. Martin
Jim Heple

THIS THE 6TH DAY OF September, 1989

BEGIN VACATION

N.W. COR. S.W. QTR.
SEC 10

N.E. COR. S.W. QTR.
SEC 10

SHELL MINING COMPANY
656-558

TOWNSHIP ROAD 195
TO BE DEDICATED

656-557

S.E. COR. S.W. QTR.
SEC. 10

16 10 S.W. COR. SEC. 10
15 9

656-561

AERIAL PHOTO AXE 3 004

SHELL MINING COMPANY
656-560

END VACATION

**RESOLUTION — GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.**

Imp # 943

IN THE MATTER OF THE

VACATING & DEDICATING a PART OF
GOSHEN Twp. Rd. #195
Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 6 TH day of SEPTEMBER, 1989, at the office of THE COMMISSIONERS
with the following members present:

J.J. MALIK, JR.

JIM HEPE

Mr. HEPE 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 _____~~
~~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. MALIK seconded the Resolution and the roll being called upon its adoption the vote
resulted as follows:

Mr. HEPE YES

Mr. MALIK YES

Mr. _____

Adopted the 6 TH day of SEPTEMBER, 1989

Mary Lapalka
Clerk, Board of County Commissioners,

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

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio

Public Road

The Board of County Commissioners of _____ County, Ohio, met
in _____ session on the _____ day of _____, 19____,
(Regular or Special)
at the office of _____ with the following members present:

Mr. _____ 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 _____
_____, as order heretofore, made on our journal of the date of _____, 19____,
and a copy of this resolution be forwarded to the _____ Township Trustees.

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

Mr. _____

Mr. _____

Mr. _____

Adopted the _____ day of _____, 19____

Clerk, Board of County Commissioners.

County, Ohio