

PUBLIC ROAD PETITION

Belmont Co, Ohio, Oct 25, 1993

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 alteration of C.R. 78 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for creating 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 Beginning at a point in existing County Road 78, from which an iron pin (found) at the southeast corner of Section 31, T-7, R-4, Richland Township, bears S 10° 32' W 1118.89 feet to the south line of Section 31; and S 79° 28' E 1694.97 feet; Thence S 33° 51' E 397.50 feet to a point; Thence with a curve to the right, whose radius is 477.46 feet and central angle is 26° 00'. 216.67 feet, long chord being S 20° 51' E 214.81 feet, to a point in existing County Road 78, and end of alteration.

15

Table with 2 columns: PETITIONERS' NAME and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Actual address of property. Includes names like Orville E. Simpson, Betty B. Simpson, Wallace Ramsay, Wilda Ramsay, Steve Nagy SA, Crystal Nagy, Mary A. Nagy, Mervyn Layne, Steve Nagy Sr., Joe Mayberry, Charlotte Mayberry, Anna K. Ramsay, William W. Wise, Gilbert L. Wise, E.W. Saffell, Mark E. Sewast, John David Stanford, Sandra Dee Stanford.

Imp 975

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

alteration of C.R. 78

Public Road.

Petitioned for by Orville Simpson

, and others.

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

on the 25th day of Oct, 1993, at the office of the Commissioners

with the following members present:

- Jim Idpe
Michael C. Bianconi
Lance Paolock

Mr. Bianconi 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 alter C.R. 78 a Public Road as described therein; therefore, be it

RESOLVED, That the 15 day of Nov, 1993, 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 17 day of Nov, 1993, at 9:30 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. Paolock seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Bianconi yes
Mr. Paolock yes
Mr. Idpe yes

Adopted the 25th day of Oct, 1993

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

relocation of C.R. 78 in
Richard 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 15 day of November, 1993, at the office of the commissioners

with the following members present:

Mr. Bianconi
Mr. Passock

Mr. Passock moved the adoption of the following Resolution:

WHEREAS, On the 15 day of Nov, 1993, 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 17
day of Nov, 1993, 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. Bianconi seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. Passock yes
Mr. Bianconi yes
Mr. _____

Adopted the 15 day of Nov, 1993

Patricia Bittenger
Clerk, Board of County Commissioners,

Imp # 975

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

alteration of C.R. 78 W
Richard T. Tapp
Public Road

County Engineer's Office,
Belmont County, Ohio

Nov 17, 1993

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

The undersigned in obedience to your order dated Nov 15, 1993, proceeded on the 16th day of Nov, 1993, 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:

ALTERATION OF
 BELMONT COUNTY ROAD NO. 78
 RICHLAND TOWNSHIP
 SECTION 31, TOWNSHIP 7, RANGE 4.
 BELMONT COUNTY, OHIO.
 FRED F. BENNETT, COUNTY ENGINEER
 IMPROVEMENT NO. 975
 60' R/W
 614.17 FEET

DEDICATION:

BE IT KNOWN BY THESE PRESENT THAT ORVILLE E. SIMPSON JR. AND BETTY SIMPSON, HIS WIFE, BEING THE LEGAL LAND OWNERS, DO HEREOF DEDICATE FOR PUBLIC USE FOREVER THE HEREIN PLATTED RIGHT-OF-WAY FOR ROAD PURPOSES UNDER SECTION 5553.31 OF THE OHIO REVISED CODE.

Delores J. Jagers Orville E. Simpson Jr.
Mary A. Nagay Betty Simpson
 Witnesses Owners

STATE OF OHIO:
 BELMONT COUNTY:

BEFORE ME, A NOTARY PUBLIC, PERSONALLY CAME THE AFORESIGNED LAND OWNERS, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING CERTIFICATE TO BE THEIR VOLUNTARY ACT AND DEED.

IN WITNESS THEREOF I HAVE SET MY HAND AND AFFIXED MY SEAL THIS 15 DAY OF October 1993.

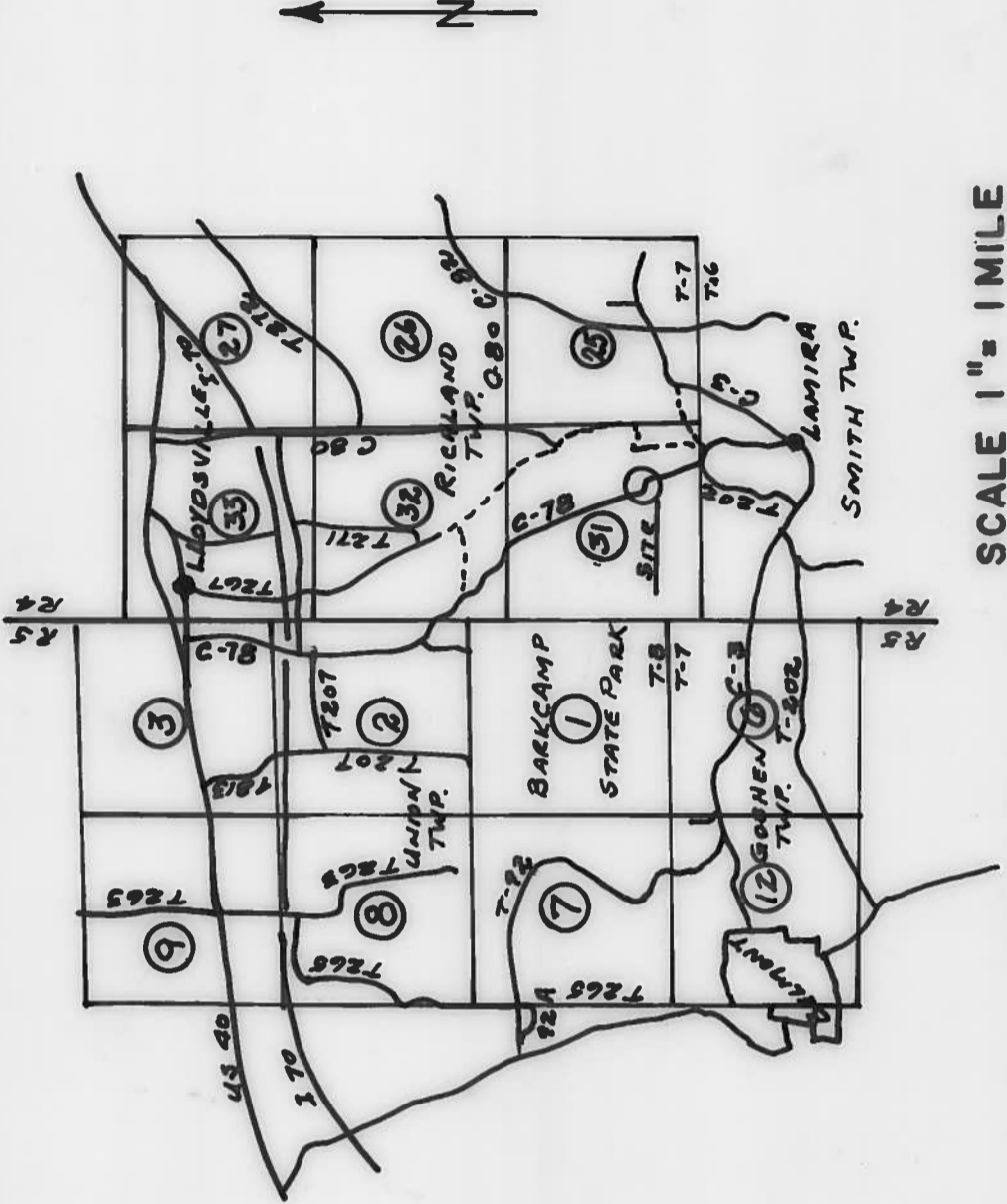
Charles J. Zeller NOTARY PUBLIC
 MY COMMISSION EXPIRES 9-10-98

APPROVED BY:

COUNTY ENGINEER. Fred F. Bennett, P.E. 11-17-93
 DATE

COUNTY COMMISSIONERS.
Michael Chavari
Jim Lyle

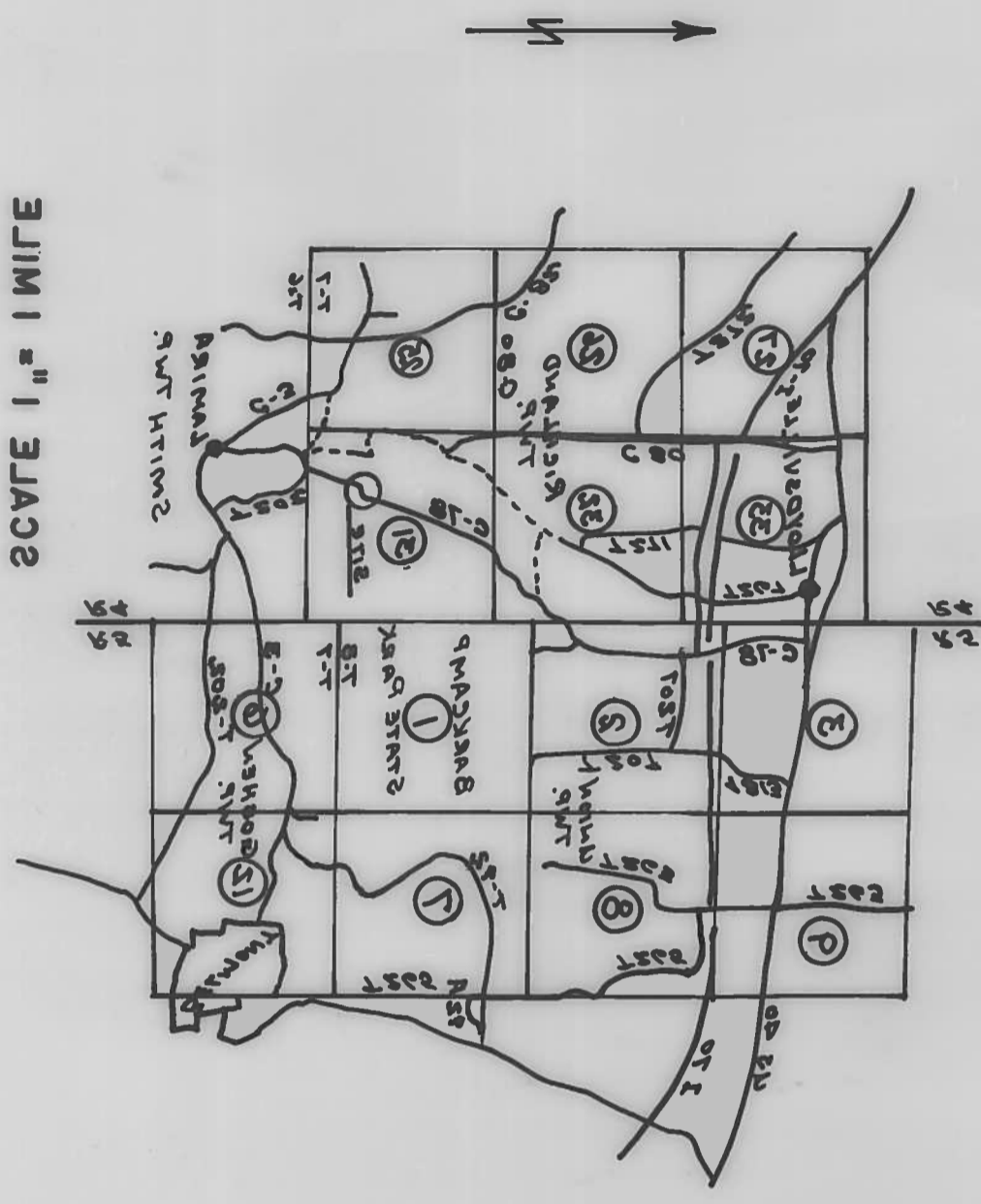
THIS 6th DAY OF Dec, 1993.



SCALE 1" = 1 MILE

FO NOITARETLA

87.01 DAORA YTIUOS TIOMLEB
 PINSIWOT DIAGHSIP
 SECES JE NOITSEB
 OIHO, YTIUOS TIOMLEB
 BEGMOI SOLITUS ENICEER
 TTEHIT, SOLITUS ENICEER
 WYR'OR
 TEEF TIPIA



SCALE 1" = 100'



DEDICATED

BEFORE THE STATE OF OHIO, I, the undersigned, a Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.

[Signature]
 Notary Public
 State of Ohio

STATE OF OHIO

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My Commission Expires _____

APPROVED

DATE: EP-11-11

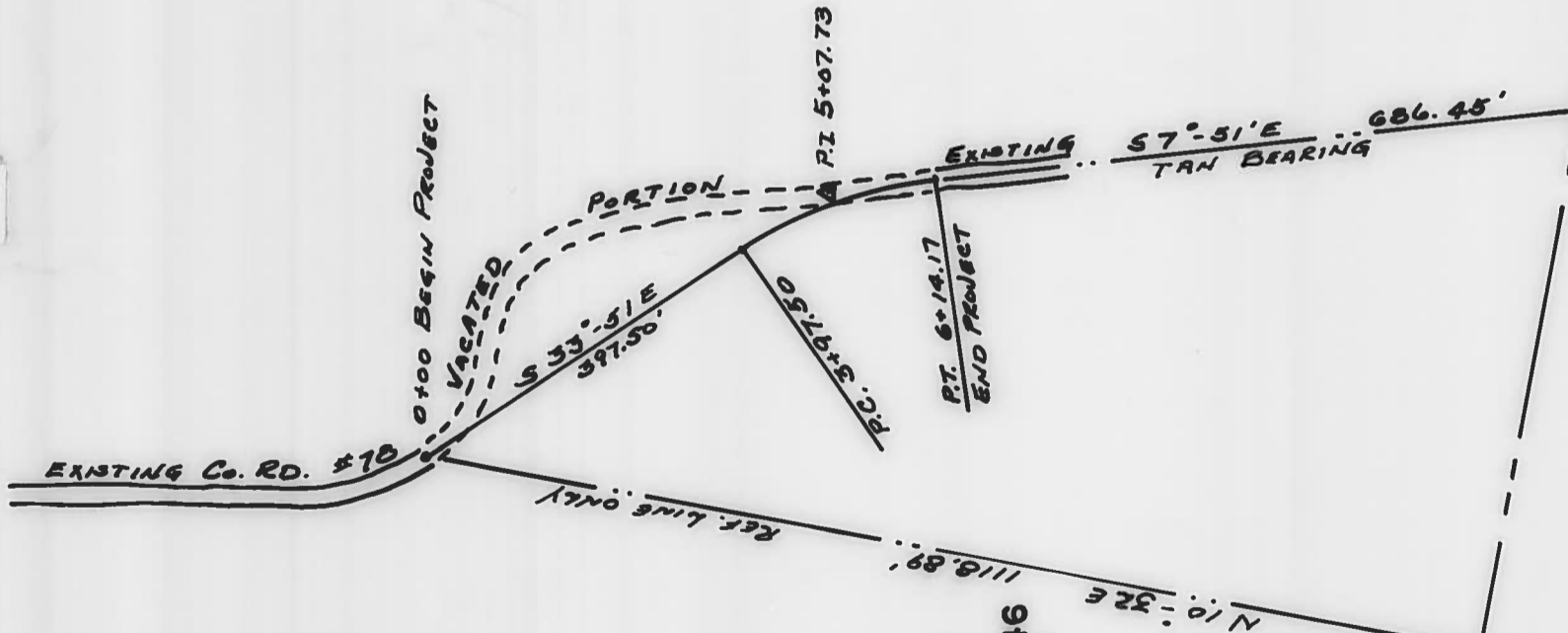
[Signature]
 COUNTY COMMISSIONER

[Signature]

**ORVILLE E. & BETTY
SIMPSON**

**VOL. 597, PG. 667
98.94 AC.**

$\Delta 26200$
DC12°00'
Tan 110.23'
Radius 477.46'
Length 216.67'



VACATION DESCRIPTION

Begin at 0+00 of the new dedication
Thence S 45°-11E 37.9 feet
Thence S 72°-52E 72.0 feet
Thence S 81°-40E 39.3 feet
Thence S 74°-02E 35.55 feet
Thence S 58°-39E 28.2 feet
Thence S 40°-52E 54.0 feet
Thence S 18°-39E 61.0 feet
Thence S 9°-04E 55.8 feet
Thence S 8°-02E 55.1 feet
Thence S 7°-51E 246.81 feet to
the End of Project at 6+14.17.

ORVILLE E. SIMPSON JR.
VOL. 597, PG. 667.
143.73 AC.

2 PINS SET 30' LEFT AND RIGHT OF STA. 0+00
PC 3+97.50
PT 6+14.17

MAGNETIC
Sept. 29, 1993

BELMONT COUNTY ROAD 78
Improvement No. 975
Richland Twp. Sec. 31, T.-7, R-4.
Scale 1" = 200'



СИТЕИДАМ
 2001, 05, 1902

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 71.41 + 9 79

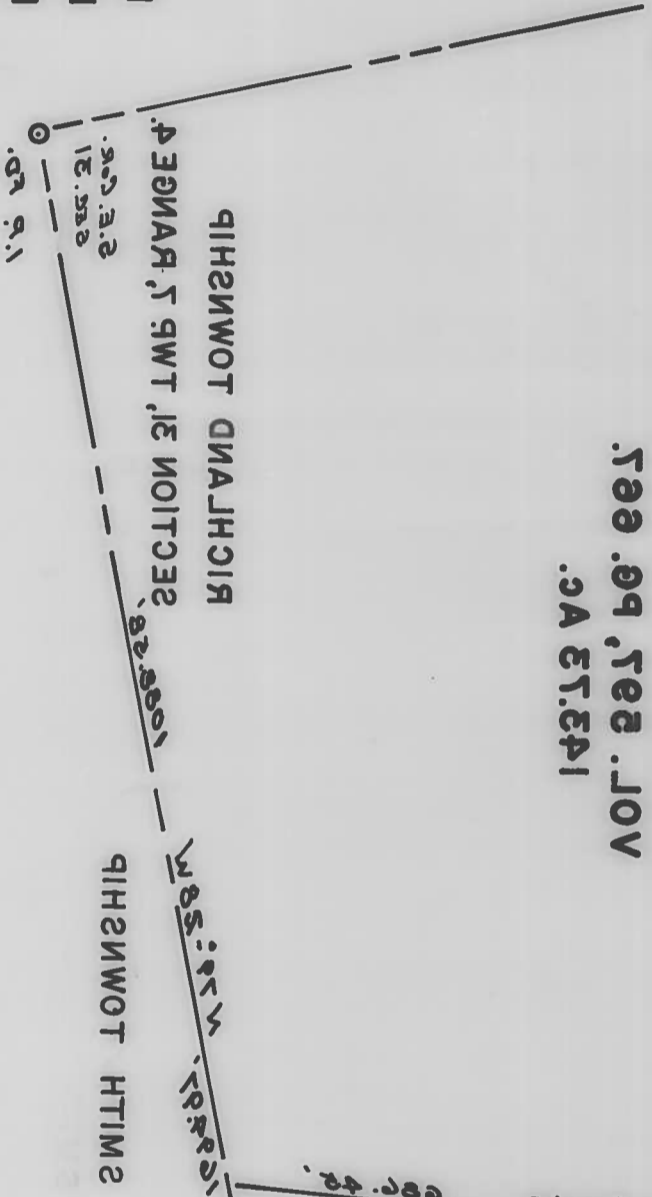
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RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners, Belmont County, Ohio

alteration of C.R. 78, Plain Road, Rich Twp Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 17th day of Nov, 1993, at the office of the commissioners with the following members present:

Jim Hurd, Michael C. Bianconi, Don Passock

Mr. Passock 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 1993, 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 1993, 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 altered and 60' 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. Passock seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Bianconi Yes, Mr. Passock Yes, Mr. Hurd Yes

Adopted the 17th day of Nov, 1993.

Patricia Bittenger Clerk, Board of County Commissioners

Imp #975

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

accrual of C.P. 78

Public Road

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

in regular session on the 6th day of December, 1993,
(Regular or Special)

at the office of the commissioners with the following members present:

Jim Hope

Michael Bianeoni

Low Passack

Mr. Bianeoni 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 reopened

, as order heretofore, made on our journal of the date of Nov. 17, 1993,

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

Mr. Passack seconded the Resolution and the roll being called upon its adoption the vote

resulted as follows:

Mr. Bianeoni, yes

Mr. Passack, yes

Mr. Hope, yes

Adopted the 6th day of December, 1993.

Patricia Bengele
Clerk, Board of County Commissioners

Belmont County, Ohio