

PUBLIC ROAD PETITION

Belmont Co. Union Twp, Ohio, May 15, 1995

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 a portion of Pine View Dr T-1495 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 following is the general route and termini of said road:

Beginning at and being that portion of T.R. 1495 outside of the 40 foot R.O.W. located inbetween Lots 27 and 28 of Pine Lake Farms recorded in Cab A Slide 92 in Belmont Co. Recorders office. Pine Lake Farms is in Union Twp. Sec 8 & 9, T-8 R-5 Belmont County, Ohio.

Date

Table with 2 columns: PETITIONERS' NAME and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE address of property owned. Lists names like Jeff Toli, Denise Tobin, Jean Hiteking, Sandra R Fischer, William R. Fischer, Vicki A. Meyer, David C. Mc Leel, Linda D. Berry, Roger L. Schmitt, Ronald E. Hearn, Lance Hearn, Margaret Wiseman, and Vicki L. Fulton with their respective addresses in Belmont, Ohio.

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

Vacating a portion of Union Twp  
Rd 1495 Pine View Dr.  
Public Road.

Petitioned for by Logg Tobin  
....., and others.

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

on the 17 day of may, 1995, at the office of the commissioners

with the following members present:

michael c. Bianconi

Low Passack

Mr. Passack 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 a portion of Union T-1495

Pine View Drive a Public Road as described therein; therefore, be it

RESOLVED, That the 31 day of may, 1995, 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 14 day of June, 1995, at 9:45 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. Bianconi seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Passack yes

Mr. Bianconi yes

Mr. \_\_\_\_\_

Adopted the 17 day of may, 1995

Imp. 993

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a portion of Union  
Twp Rd 1495 Pine View Dr.  
Public Road

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session  
on the 31 day of May, 1995, at the office of the commissioners  
with the following members present:

- Michael C. Bianconi
- John Pascoe
- Jim Hapel

Mr. Hapel moved the adoption of the following Resolution:

WHEREAS, On the 31 day of May, 1995, 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 14 day of June, 1995, 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. Pascoe seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Hapel, Yes
- Mr. Pascoe, Yes
- Mr. Bianconi, Yes

Adopted the 31 day of May, 1995

Patricia Bittenger  
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

*Vacating a portion of Union*

*Twp Rd 1495*

Public Road

*June 14*, 19*95*

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

The undersigned in obedience to your order dated *May 31*, 19*95*, proceeded on the *1st* day of *June*, 19*95*, 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.

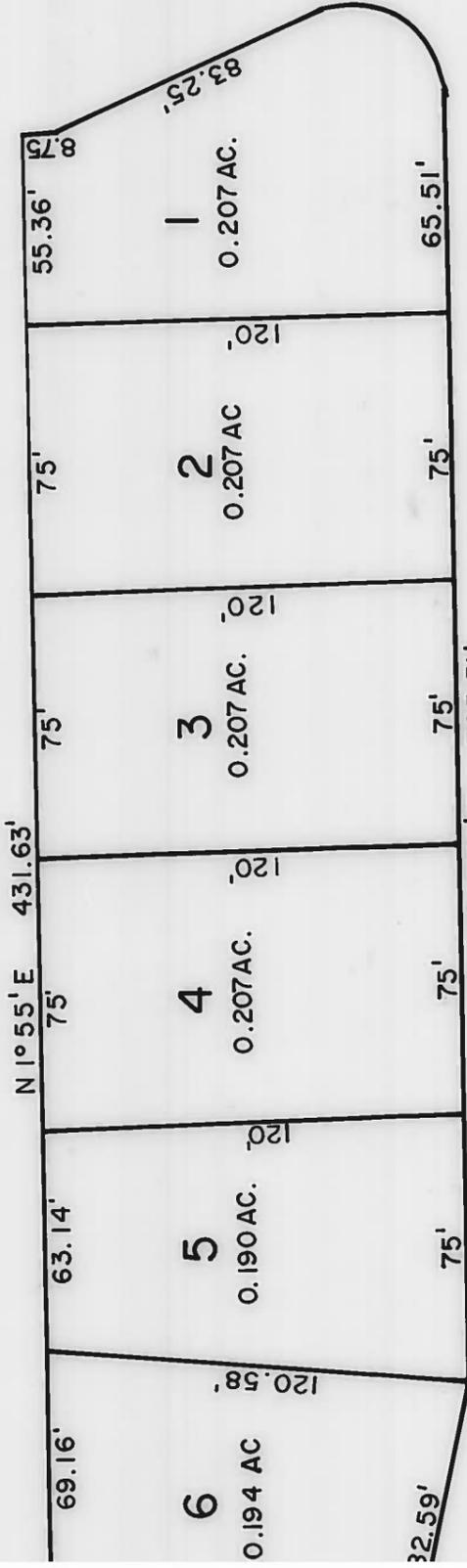
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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:

*[Large blue scribble]*



SEE DEED VOL. 711 PG. 136



APPROVED BY:

CO. ENGINEER Fred F. Bennett, P.E.  
 CO. COMMISSIONER Michael C. Brannon  
 CO. COMMISSIONER John Pollard  
 CO. COMMISSIONER Jim Kell

ON THIS 28<sup>th</sup> DAY OF June 1995

SCALE: 1" = 50'



**IMP 993**

**ATTENTION OF A PORTION OF TWP ROAD 1495 IN PINE LAKE FARMS**

RECORDED CABINET A SLIDE 92

UNION TOWNSHIP SEC. 9, TWP. 8, R. 5

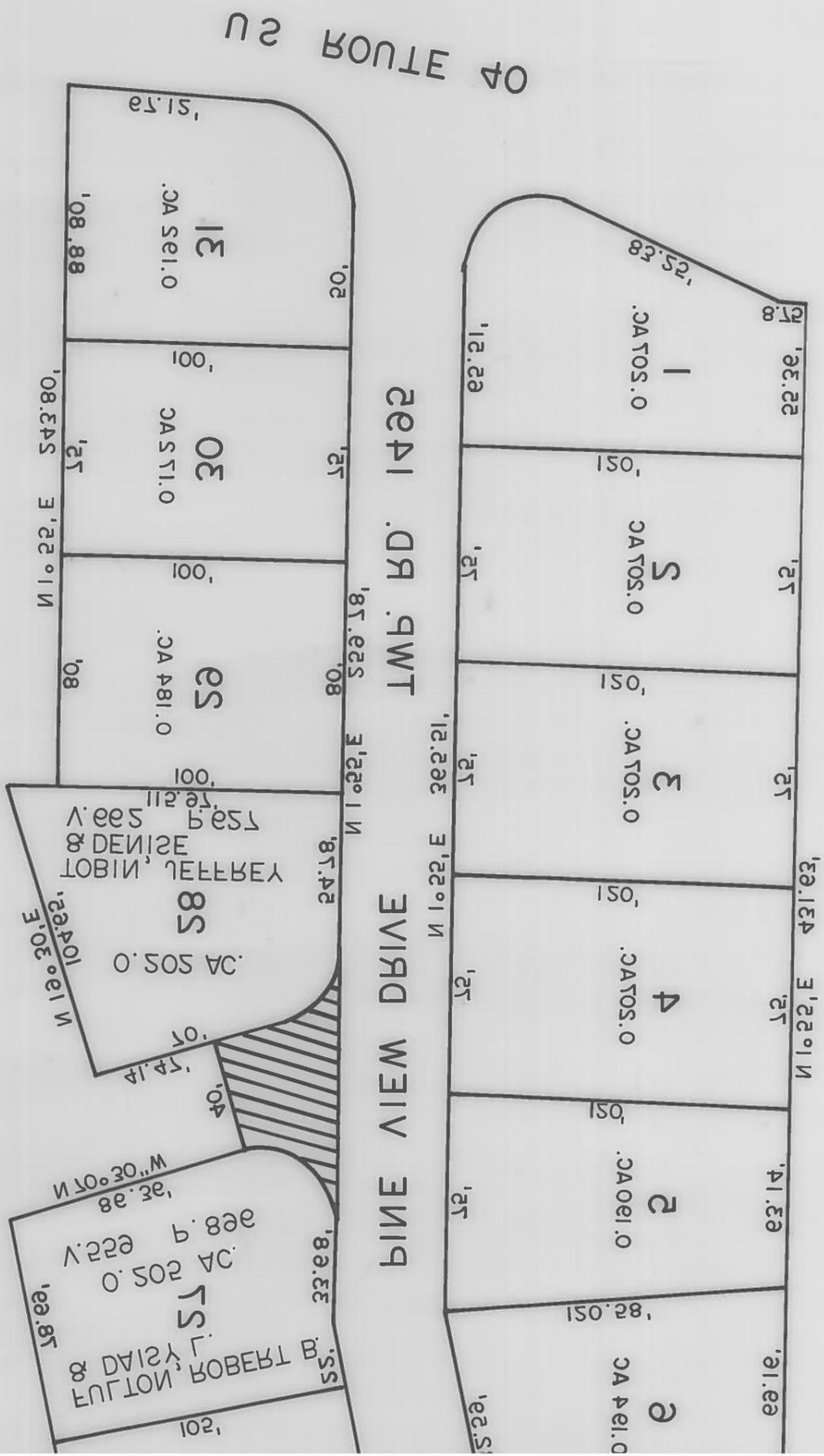
BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

FRED F. BENNETT CONSULTING ENGINEERS  
 BEAUMONT COUNTY, OHIO

UNION TOWNSHIP SEC. 8, TWP. 8, R. 2  
 RECORDED CABINET A GUIDE 25

NOTIFICATION OF PORTION TO BE TAKEN FOR VACATION  
 SEE PLAN



VACATION  
 SCALE: 1" = 20'

SEE DEED VOL. 11 PG. 130  
 ON THIS DAY OF June 1982  
 CO. COMMISSIONER  
 CO. COMMISSIONER  
 CO. COMMISSIONER  
 CO. ENGINEER

APPROVED BY:

Imp. 993

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Vacating a portion of Union  
Twp Rd 149.5 Pine View Dr.  
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 14 day of June, 1995, at the office of the commissioners with the following members present:

Michael C. Bianconi  
Law Paerock  
Jim Hapel

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

Mr. Hapel Yes  
Mr. Paerock Yes  
Mr. Bianconi Yes

Adopted the 14 day of June, 1995.

Patricia Bittenger Clerk, Board of County Commissioners,

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

vacating a portion of Union  
Twp. Rd. 1495  
Public Road

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

in regular session on the 28 day of June, 1995,  
(Regular or Special)

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

Michael C. Bianconi  
Lowell Paeerock  
Lin Hapel

Mr. Hapel 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 June 14, 1995,

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

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

resulted as follows:

Mr. Hapel, Yes  
Mr. Paeerock, Yes  
Mr. Bianconi, Yes

Adopted the 28 day of June, 1995

Patricia Bittenger  
Clerk, Board of County Commissioners.

Belmont County, Ohio