

PUBLIC ROAD PETITION

BELMONT County

Ohio, August 23, 1996

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 AN ALLEY IN HOMESIDE ADDITION 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 a point where the north line of Wabash Street intersects Cherry Alley, thence running northly the entire width (15 feet) of Cherry Alley to the south line of Belmont Avenue, being all of Cherry Alley in Block H in Homeside Addition, recorded in Cabinet B, Slide 205, Belmont County Plat records. Richland Township, Section 3, Township 7, Range 4.

Dated this 23rd day of August, A. D. 1996

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Rows include Francis Kulean, LARRY BUSHLOW, Mary Colson, Bruce Stuebe, Robert Smith, Linda Zarnoch, Helen D. Angelo, Mildred Stack, Wayne Smith, Gerson E. Sykes, Cheryl Stefan, Ann Pearson, Ruth Ann Woods, Ruth Bridge, M. F. Boggs, Royell Johnson, Leatrice Lewis, and Von Krumbein.

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 AN ALLEY IN Homeside
Addition, RICHLAND TWP.
Public Road.
Petitioned for by FRANCIS BULLIAN
and others.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 26TH day of August, 1996, at the office of The Commissioners
with the following members present:

MICHAEL C. BIANCONI
ANITA H. WILEY

Mr. S. WILEY 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 OF AN ALLEY IN Homeside Addition RICHLAND TWP. a Public Road as described therein; therefore, be it

RESOLVED, That the 11TH day of September, 1996, 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 16TH day of September, 1996, 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 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. BIANCONI seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. S. WILEY YES
Mr. BIANCONI YES
Mr. _____

Adopted the 26TH day of August, 1996
D.L. R. 11 1

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
VACATING OF AN ALLEY IN HOMESIDE
ADDITION / RICHLAND TOWNSHIP
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *REGULAR* session
on the *11TH* day of *September*, 19*96*, at the office of *THE COMMISSIONERS*

with the following members present:

- John Pollock*
- MICHAEL C. BIANCONI*
- ANITA WILEY*

Mr. *Bianconi* moved the adoption of the following Resolution:

WHEREAS, On the *11TH* day of *September*, 19*96*, 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 *16TH* day of *September*, 19*96*, 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. *S. WILEY* seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. *Bianconi* *YES*
- Mr. *S. WILEY* *YES*
- Mr. *POLLOCK* *YES*

Adopted the *11TH* day of *September*, 19*96*

DARLENE PEMPEK

#46

Imp # 1010

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATION OF AN ALLEY IN Homeside Addition RICHLAND TOWNSHIP
Public Road

County Engineer's Office,

Belmont County, Ohio

September 16, 1996

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

The undersigned in obedience to your order dated September 11, 1996, proceeded on the 12th day of September, 1996, 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.

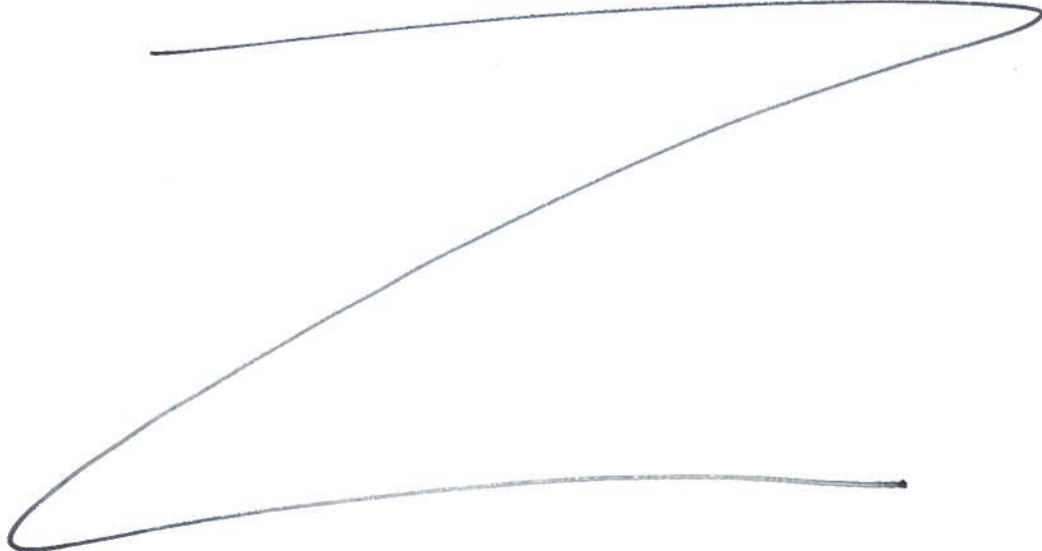
The width to which said improvement should be opened is _____ feet.

~~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 MAP"

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:

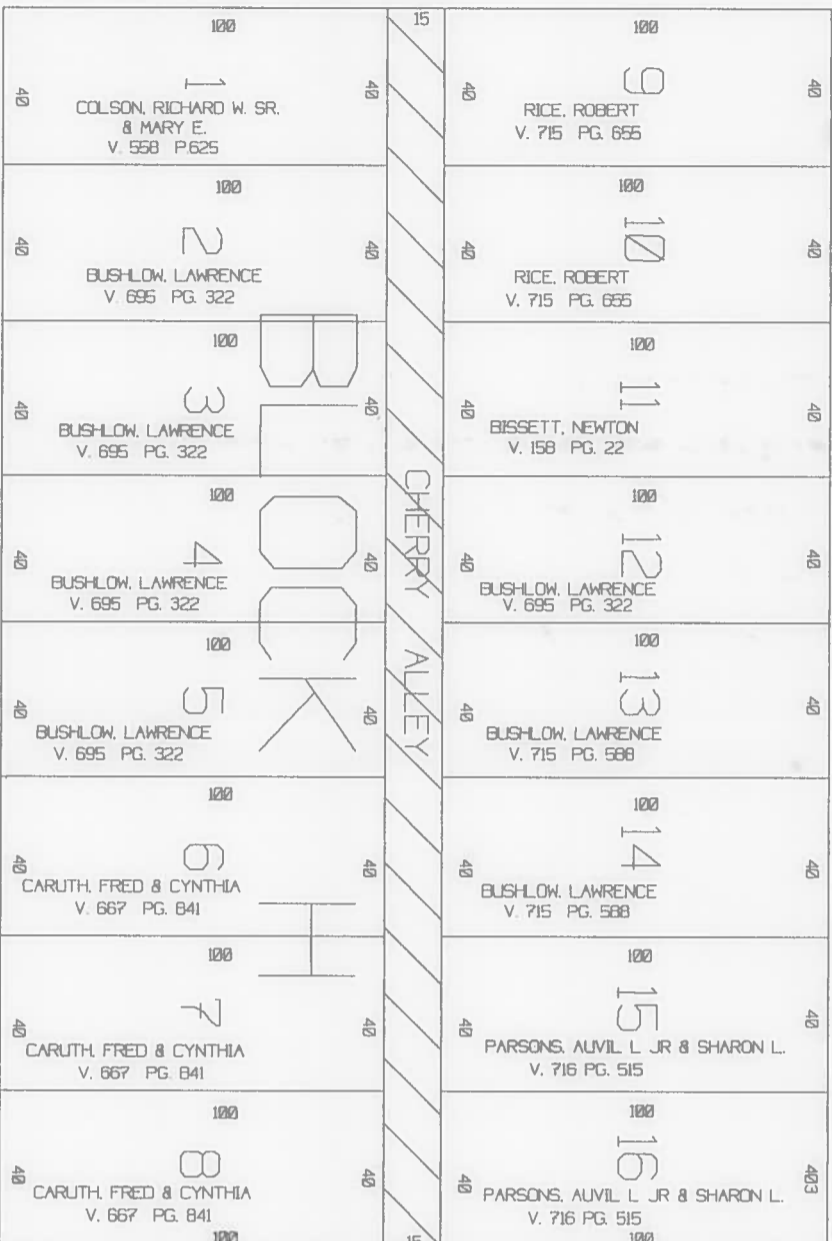


A. J. P. ...

VACATION OF A ALLEY IN HOMESIDE ADDITION
 IMP 1010
 CHERRY ALLEY

RICHLAND TOWNSHIP SECTION 3 TOWNSHIP 7 RANGE 4
 BELMONT COUNTY, OHIO
 FRED F. BENNETT COUNTY ENGINEER

PLEASANT STREET TWP RD 1460



ELIZABETH ST TWP RD 1210

BELMONT AVE TWP RD 1211

VACATION

SCALE: 1" = 50'



APPROVED BY:

CO. ENGINEER W. R. Bennett
 CO. COMMISSIONER W. R. Bennett
 CO. COMMISSIONER W. R. Bennett
 CO. COMMISSIONER W. R. Bennett

ON THIS 30 DAY OF Nov. 1996

CABINET B SLIDE 205

DEED RECORD

VOLUME 722 PAGE 422

WABASH ST TWP RD 1297

VOLUME 255 PAGE 255
 DEED RECORD
 CABINET B SLIDE 502

ON THIS DAY OF Nov 1999

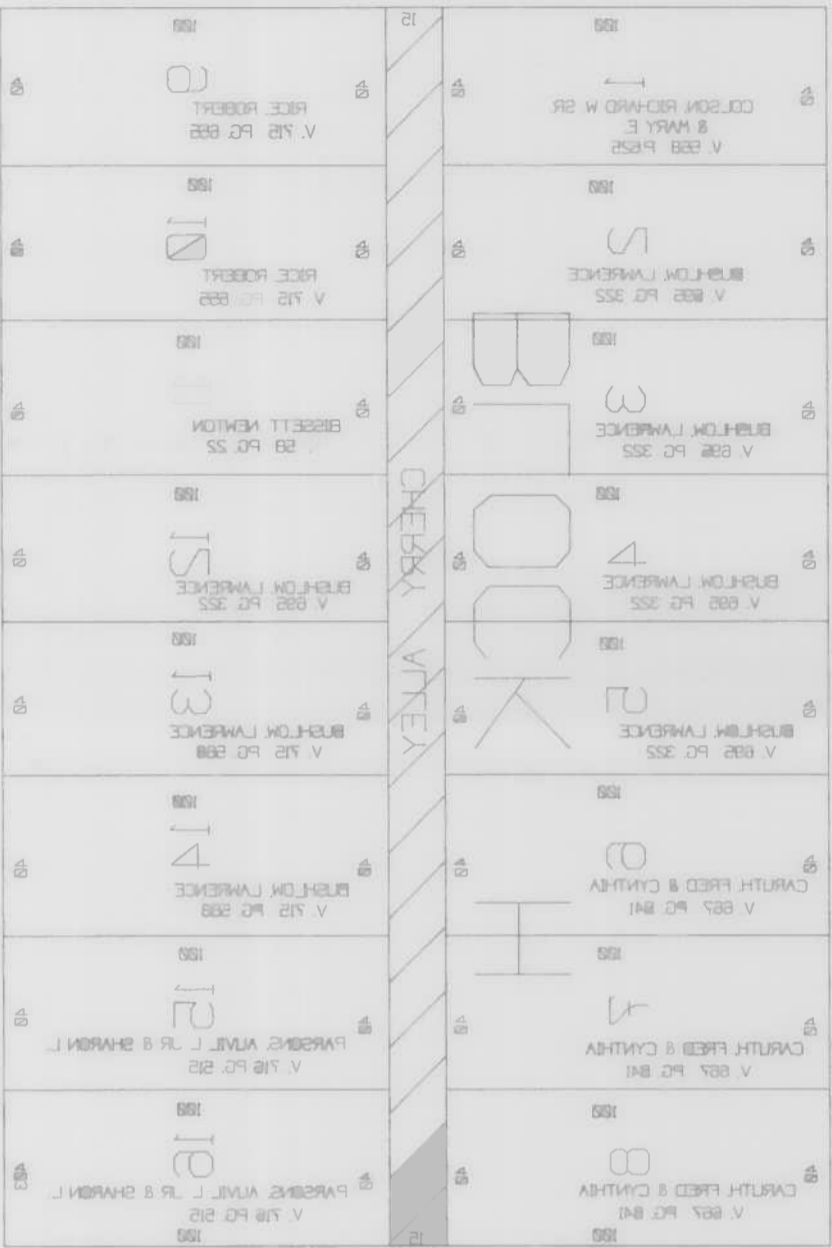
CO. COMMISSIONER _____
 CO. COMMISSIONER _____
 CO. COMMISSIONER _____
 CO. ENGINEER _____
 APPROVED BY: [Signature]

SCALE: 1" = 20'
 VACATION



BELMONT AVE TWP RD 1511

TWP RD 1525 T2 H25A2H



PLEASANT STREET TWP RD 1490

FRED F. BENNETT COUNTY ENGINEER
 BELMONT COUNTY OHIO
 RICHLAND TOWNSHIP SECTION 3 TOWNSHIP 3 RANGE 4

VACATION OF A ALLEY IN HOMESIDE ADDITION
 TWP 1010

Imp #1010

#47

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE VACATING OF AN ALLEY IN Homeside Addition RICHLAND 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 16TH day of September, 1996, at the office of The Commissioners with the following members present:

MRS. WILEY MR. POLLOCK

Mr. S. Wiley 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 1996, 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 1996, 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;

[Large crossed-out area]

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

Mr. S. WILEY YES Mr. POLLOCK YES

Adopted the 16TH day of September, 1996

Darlene Rempick Assistant Clerk, Board of County Commissioners

#48

Imp # 1010

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