

PUBLIC ROAD PETITION

ST. CLAIRSVILLE

Ohio, DECEMBER 11, 19 96

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

The undersign 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 PORTIONS OF WEST ST, FOURTH & FIRST ALLEY 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

WEST LINE OF LOT 41 AND RUNNING EAST THE ENTIRE WIDTH (30') OF WEST ST. TO THE WEST LINE OF FIRST ALLEY; ALSO FROM THE NORTH LINE OF WEST STREET RUNNING SOUTH THE ENTIRE WIDTH OF FIRST ALLEY (15') TO THE SOUTH LINE OF LOT 11; ALSO FROM THE EAST LINE OF FRANKLIN AVENUE AND RUNNING EAST THE ENTIRE WIDTH OF FOURTH ALLEY TO THE WEST LINE OF FIRST ALLEY.

Dated this day of A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Lists names and addresses of petitioners such as Louis Rauehnik, Martin Mozden, Jeff Mercer, etc.

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

IN THE MATTER OF THE

VACATING A PORTION OF WEST ST
1ST & 4TH ALLEYS

Public Road.

Petitioned for by ADJACENT PROPERTY OWNERS

, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the 18TH day of DECEMBER, 19 97, at the office of THE COMMISSIONERS

with the following members present:

MR. BIANCONI

MR. POLLOCK

MRS. WILEY

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 VACATE A PORTION OF WEST ST.

1ST & 4TH ALLEYS

a Public Road as described therein; therefore, be it

RESOLVED, That the 6TH day of JANUARY, 19 97, 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 8TH day of JANUARY, 19 97, 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.

Mrs. WILEY seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. BIANCONI Yes

Mrs. WILEY yes

Mr. POLLOCK yes

Adopted the 18TH day of December, 19 96.

Thomas J. L. Remond

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
VACATING A PORTION OF WEST ST.
1ST & 4TH ALLEYS
Public Road.

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 6th day of JANUARY, 19 97, at the office of the COMMISSIONERS
with the following members present:

- MR. POLLOCK
- MRS. WILEY
- MR. BRANCOWI

Mr. POLLOCK moved the adoption of the following Resolution:

WHEREAS, On the 6th day of JANUARY, 19 97, 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 8th day of JANUARY, 19 97, 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.

Mrs WILEY seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. POLLOCK
- Mrs. WILEY
- Mr. BRANCOWI

Adopted the 6th day of JANUARY, 19 97

DARLENE PEMPER
Clerk Board of County Commissioners

#58

IMP 1013

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATING a portion of West St.
Fourth & First ALLEYS
Public Road.

County Engineer's Office,

Belmont County, Ohio.

January 8, 19 97

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

The undersigned in obedience to your order dated January 6, 19 97, proceeded on the 7TH day of January, 19 97, 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:

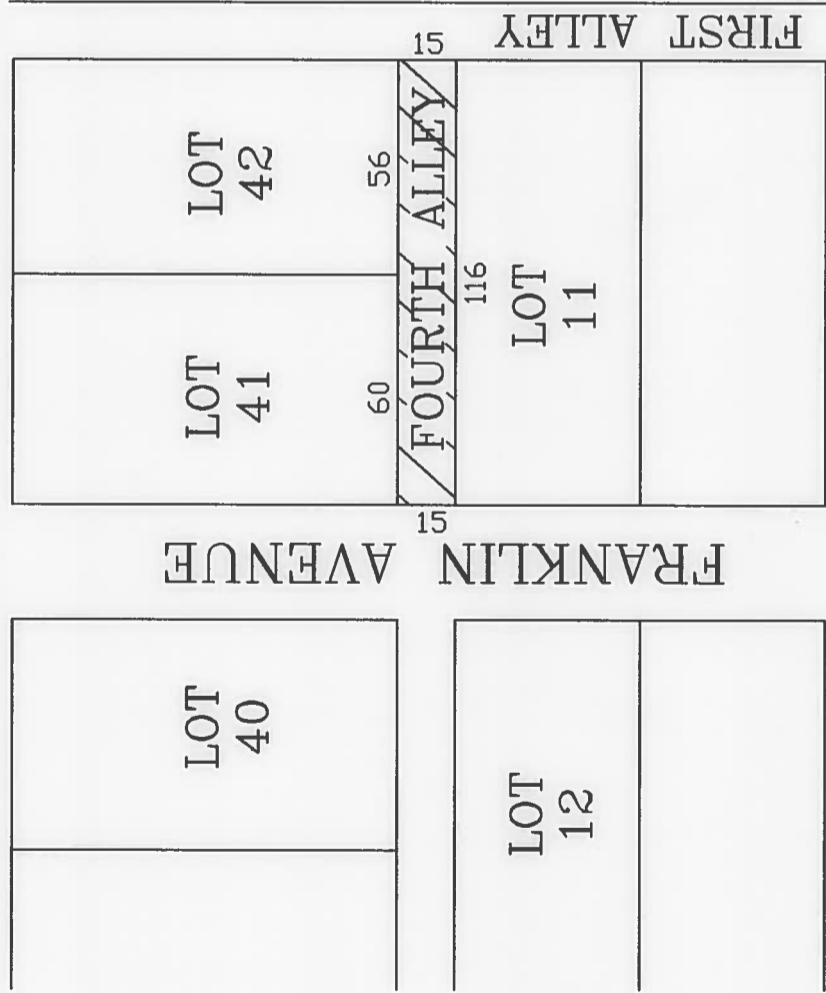
"SEE ATTACHED PLAT"

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:

VACATE ONLY FOURTH AVEY between Lot 11 & lots 41 & 42, No portions of West or Summit is to be VACATED

Fred F. Bennett

IMP 1013
 VACATION OF A
 PORTION OF FOURTH ALLEY
 PLAT OF KINSMAN
 CAB. B SLIDE 180
 WHEELING TOWNSHIP
 SEC. 8, T. 8, R. 4



Scale 1" = 50'



= VACATED AREA

COUNTY ENGINEER
Paul F. Bennett P.E., P.S.

COUNTY COMMISSIONERS
Priscilla H. Wiley
Michael C. Giovanni
John Pollard

DATE: JANUARY 15, 1997

DEED REFERENCE:
 VOL. PG.

LOG. BC.
DEED BELIEVER:

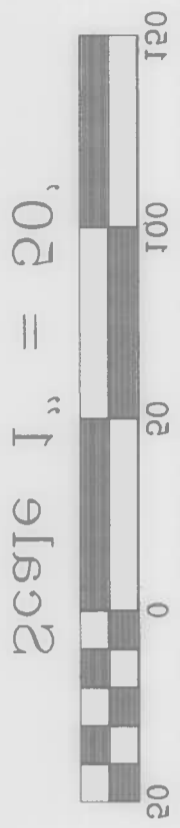
DATE: 21 YANUARY 1900

[Signatures]
 JAMES P. ...
 ...
 ...

SOLICIT COMMISSIONERS

[Signature]
 SOLICIT ENGINEER

 = UNCALCULATED AREA



SEC. 8, T. 8, R. 5, E.
 WHEATLAND TOWNSHIP
 SUB. B. PLD. 180
 BY THE KINGMAN
 BOYDTON OF BOYDTON VILLAGE
 UNCALCULATED AREA
 TO THE CITY OF
 KANSAS

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

Office of County Commissioners,

Belmont County, Ohio

IN THE MATTER OF THE

VACATING OF A PORTION OF WEST STREET, 4th & 1st AVEY IN KIRSEMAN Public Road. WHEELING TWP.

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session on the 8th day of JANUARY, 19 97, at the office of the Commissioners with the following members present:

- MR. POLLOCK
MRS. WILEY
MR. BIANCONI

Mr. POLLOCK 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; there fore, 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 VACATED AS AMENDED 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.

Mrs WILEY seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. POLLOCK YES
Mrs WILEY YES
Mr. BIANCONI YES

Adopted the 8th day of JANUARY, 19 97

DARLENE PEMPEK Clerk Board of County Commissioners

RESOLUTION—ORDER TO CLOSE ROAD

Sec. 5563.01 R.C.

(Open or Close)

IN THE MATTER OF THE

VACATION A PORTION OF
West St, 1st & 4th AVE in Kinsman, Wheeling
Public Road. TWP

Office of County Commissioners,

Belmont County, Ohio

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

in Regular session on the 22nd day of January, 1997,
(Regular or Special)

at the office of The Commissioners with the following members present:

Mr. Pollock

Mrs. Wiley

Mr. Bianconi

Mr. Pollock 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 Amended, as order heretofore, made on our journal of the date of January 8, 1997,

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

Mrs. Wiley seconded the Resolution and the roll being called upon its adoption the vote

resulted as follows:

Mr. Pollock, yes

Mr. Wiley, yes

Mr. Bianconi, yes

Adopted the 22nd day of January, 1997.

Dorlene Pempke

Clerk, Board of County Commissioners.

Belmont County, Ohio