Imp # 1050 211

Wm. Lilienthal & Sons, Cambridge, O.—3044-A SP 208

PUBLIC ROAD PETITION

St Clairsville, Ohio, Oct 2, 2000

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* part of Richland Twp # 335 *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 in the general route and termini of said road:

Beginning at a point in said road on the west line of the southeast quarter of said section 29, thence with said existing Twp. Rd. 335 in an easterly direction 1841 feet to a point, thence with said road in a southeasterly direction 938 feet to the intersection with Twp. Rd. 99, being a total length of 2779 feet more or less

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

Petitioners' Name (PRINT NAME) (SIGN NAME)	Address of Petitioner PLEASE PRINT	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Steve A. Sikich S. A. Sikich	45240 Oak Ave Bannock OH 43972	
Lisa M. Cook Lisa M. Cook	69487 Bannock Rd. St. Clairsville OH 43950	
Clinton E. Cook Clinton E. Cook	69487 Bannock Rd St. Clairsville OH 43950	
Sandra L. Sikich Sandra L. Sikich	45240 Oak Ave Bannock, Ohio 43972	
ROBERT LEBERTAND ROBERT LEBERTAND	68698 BANNOCK RD ST CLAIRSVILLE OHIO 43950	
[illegible] Arnold [illegible] Arnold	69441 Hoydsville-Bannock Rd ST Clairsville OH 43950	
Matt Arnold Matt Arnold	69441 Hoydsville-Bannock Rd St. Clairsville-Bannock OH 43950	
Helen Kibbert Helen Kibbert	69490 Brittney Drive St. Clairsville Ohio 43950	
Michael Robbins Michael Robbins	69490 Brittney Drive St Clairsville Ohio 43950	
Paige D Donley Paige D Donley	69450 Brittney Drive St Clairsville, Ohio 43950	
Jan C Donley Jan C Donley	69450 Brittney Drive St Clairsville Ohio 43950	
Jan Jaskowiak Jan Jaskowiak	1/4102 country lake dr. St. Clairsville OH 43950	
[illegible] Jaskowiak [illegible] Jaskowiak	SAME	
Judy Cook Judy Cook	69410 Brittney Dr. St. Clairsville Oh 43950	
Jennifer Cook Jennifer Cook	69410 Brittney Dr. ST. Clairsville, OH 43950	
Dwight A. Cook Dwight A. Cook	68430 Brittney Dr. ST. CLAIRSVILLE, OH 43950	
Tony Akers Tony Akers	69430 Brittney Dr. St. Clairsville, Oh. 43950	
Emmy Akers Emmy Akers		

"locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing the direction of"

Insert "a part of," if so.

Strike out the word "not" if the proposed improvement is on the State Highway System, in which case the approval of the Director of Highways shall be had before proceeding further.

Here set forth the general route and termini of the road, or apart thereof, to be located, established, or vacated, or the general manner

212 Imp. 1050

Wm. Lilienthal & Sons, Cambridge, O.—3044-B SP 208

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

IN THE MATTER OF THE

Vacation of a part of Richland Twp Rd 335

Public Road.

Petitioned for by .....

....., *and others.*

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commisioners of Belmont County, Ohio, met in regular *session on the* 2 *day of* Oct, 19 2000, *at the office of* the Commissioners *with the following members present:*

Mrs Wiley

Mr. Biancoui

Mr Probst

Mrs 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 a portion of Rich Twp Rd 335 *a Public Road as described therein; therefore, be it*

RESOLVED, That the 20 *day of* Oct, 19 2000, *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 27 *day of* Oct, 19 2000, *at* 11:30 *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 S *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. Biancoui *seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:*

Mrs Wiley, Yes

Mr. Biancoui, Yes

Mr. Probst, Yes

Adopted the 2 *day of* Oct, 19 2000

Imp 1050 213

Wm. Lilienthal & Sons, Cambridge, O.—64392-C

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of a portion of
Richland Twp # 335
Public Road.

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular *session on the* 16 *day of* Oct, 19 2000, *at the office of* the commissioners *with the following members present:*

mrs Wiley
mr Probst
mr Bianconi

Mrs Wiley *moved the adoption of the following Resolution:*

WHEREAS, On the 20 *day of* Oct, 19 2000, *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 27 *day of* October, 19 2000, *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 acompanied 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. Wiley, Yes
Mr. Bianconi, Yes
Mr. Probst, Yes

Adopted the 16 *day of* October, 19 2000

Darlene Pempek
Clerk, Board of County Commissioners

214 Imp 1050

Wm. Lilienthal & Sons, Cambridge, O. 84392-D

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a part of Richland Twp. Rd 335

Public Road.

County Engineer's Office,

Belmont County, Ohio.

Oct. 27, 2000

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

The undersigned in obedience to your order dated Oct 16, 2000, *proceeded on the* 23 *day of* Oct., 2000, *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.*

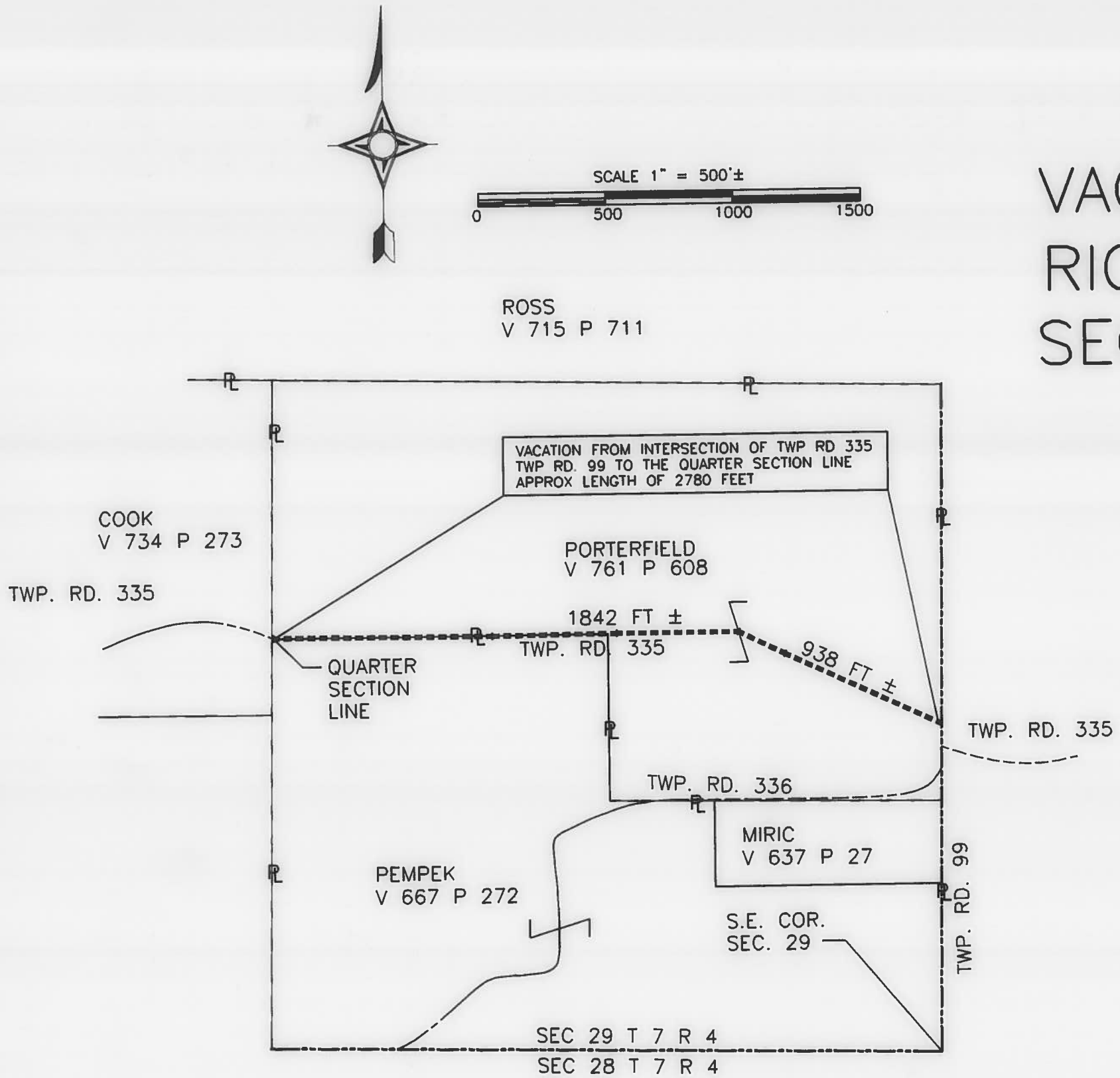
The width to which said improvement should be opened is ..... *fact.*

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 1050

VACATION OF A PART OF RICHLAND TWP. ROAD 335 SECTION 29 TWP. 7 RG 4

BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

APPROVED BY:

CO. ENGINEER Fred F. Bennett, P.E., P.S.

CO. COMMISSIONER Charles R. Probst, Jr.

CO. COMMISSIONER Michael C. Bianco

CO. COMMISSIONER _____

ON THIS 27TH DAY OF OCTOBER, 2000

IMPROVEMENT PLAT

VACATION OF PART OF TWP. RD. 335
RICHLAND TWP. SECTION 29

FILED FOR RECORD AND RECORDED IN PLAT BOOK 4 PAGE 232

BEGINNING AT A POINT IN THE CENTERLINE OF TWP. RD. 335 AT THE NORTHWEST CORNER OF LOT 1050 AS SHOWN ON THE PLAT OF PORTERFIELD V 761 P 608 AS RECORDED IN THE RECORDER'S OFFICE, RICHLAND COUNTY, OHIO

FIELD SURVEY COMPLETED ON THIS 27th DAY OF September 2000

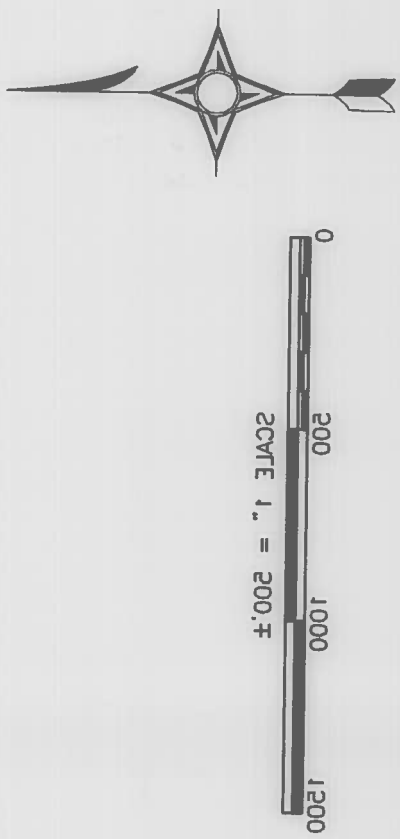
APPROVED BY:

Richard Bennett
COUNTY ENGINEER

Richard Bennett
RICHLAND COUNTY COMMISSIONER

Richard Bennett
RICHLAND COUNTY COMMISSIONER

Richard Bennett
RICHLAND COUNTY COMMISSIONER



Lilienthal/Southeastern Printing, 1-800-837-1904, Re-Order 27101-E

RESOLUTION — GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.

IN THE MATTER OF THE

vacating a part of Richland Twp. Rd. 335

Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular *session on the* 27 *day of* October, 19 2000, *at the office of* Commissioners *with the following members present:*

Mr. Bianconi

Mr. Probst

Mr. Bianconi *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 benifited 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 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 ....., 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. Probst *seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:*

Mr. Probst, yes

Mr. Bianconi, yes

Mr. .....,

Adopted the 27 *day of* Oct, 19 2000

Darlene Pempek

Clerk, Board of County Commissioners,

216 Imp 1050

Liesthal/Southeastern Printing, 1-800-837-1904, Re-Order 27101-F

RESOLUTION — ORDER TO _____ ROAD

Sec. 5563.01 R.C. *(Open or Close)*

IN THE MATTER OF THE

[1] .....

.....

Public Road

.....

.....

Office of County Commissioners,

Belmont County, Ohio

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 [1].....

....., *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*