

PUBLIC ROAD PETITION

St. Clairsville, Ohio, July 12, 2002

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 vacation of a portion of Union Twp Rd 95 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

Situated in State of Ohio, County of Belmont, Union Township and being located in Union Twp. Sections 10 and 16, Township 8, Range 5. Beginning at a point which is common to properties owned by Larry and Sherry Barbe (Vol. 692 Pg. 736), Donald and Marlene Barbe (Vol. 692 Pg. 459), and James and Jeanne Sayre (Vol. 723 Pg. 627) which is approximately 2,500 ft. from the intersection of State Route 149 and Union Twp. Rd. 95 thence in an easterly direction to the terminus at County Road 76.

Dated this day of A. D. 19

Table with 2 columns: PETITIONERS' NAMES, TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

Main table with 2 columns: PETITIONERS' NAME, TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Contains handwritten entries for Denise M. Britton, David Gayre, Mandy Sayre, James R. Sayre, Kelly Sayre, James R. Sayre, Kimberly Albrecht, Jennifer Shunk, Stone, Mitchell J. Ford, David R. Shunk, Keith Albrecht, and Jim Sayre.

**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

vacation of a portion of  
Union Twp Rd 95  
Public Road.

Petitioned for by Jim & Leanne Sayre  
....., and others.

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

on the 17 day of July, 19 2002, at the office of the commissioners  
with the following members present:

- ..... Mr. Oeyo .....
- ..... Mr. Probst .....
- ..... Mr. Thomas .....

Mr. Oeyo 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  
Twp Rd 95 ..... a Public Road as described therein; therefore, be it

RESOLVED, That the 31 day of July, 19 2002, at 1:00 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 7 day of August, 19 2002, 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 is 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. Thomas seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Oeyo ..... Yes
- Mr. Thomas ..... Yes
- Mr. Probst ..... Yes

Adopted the 17 day of July, 19 2002

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of a portion of  
Union Twp Rd 95  
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 July, 19 2002, at the office of the commissioners  
with the following members present:

Mr. Geyko  
Mr. Probst

Mr. Geyko moved the adoption of the following Resolution:

WHEREAS, On the 31 day of July, 19 2002, 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 7  
day of August, 19 2002, 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. Probst seconded the Resolution and the roll being called upon its adoption, the vote  
resulted as follows:

Mr. Geyko Yes  
Mr. Probst Yes  
Mr. \_\_\_\_\_

Adopted the 31 day of July, 19 2002

Darlene Pampak

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

Vacation of a portion of  
Union Top Rd 95  
Public Road

August 7

2002  
10

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

The undersigned in obedience to your order dated July 31, 2002, proceeded on the 1st day of August, 2002, 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:

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 95  
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 7 day of August, 19 2002, at the office of the commissioners with the following members present:

Mr. Coyle  
Mr. Thomas

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

Mr. Coyle yes  
Mr. Thomas yes  
Mr. \_\_\_\_\_

Adopted the 7 day of August, 19 2002

Doreene Pampalk  
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

vacation of a portion of  
Union Twp Rd 95  
Public Road

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

in regular session on the 21 day of August, 2002  
(Regular or Special)

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

- Mr. Ceryo
- Mr. Thomas
- Mr. Probst

Mr. Thomas 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 August 7, 2002

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

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

- Mr. Ceryo, Yes
- Mr. Thomas, Yes
- Mr. Probst, Yes

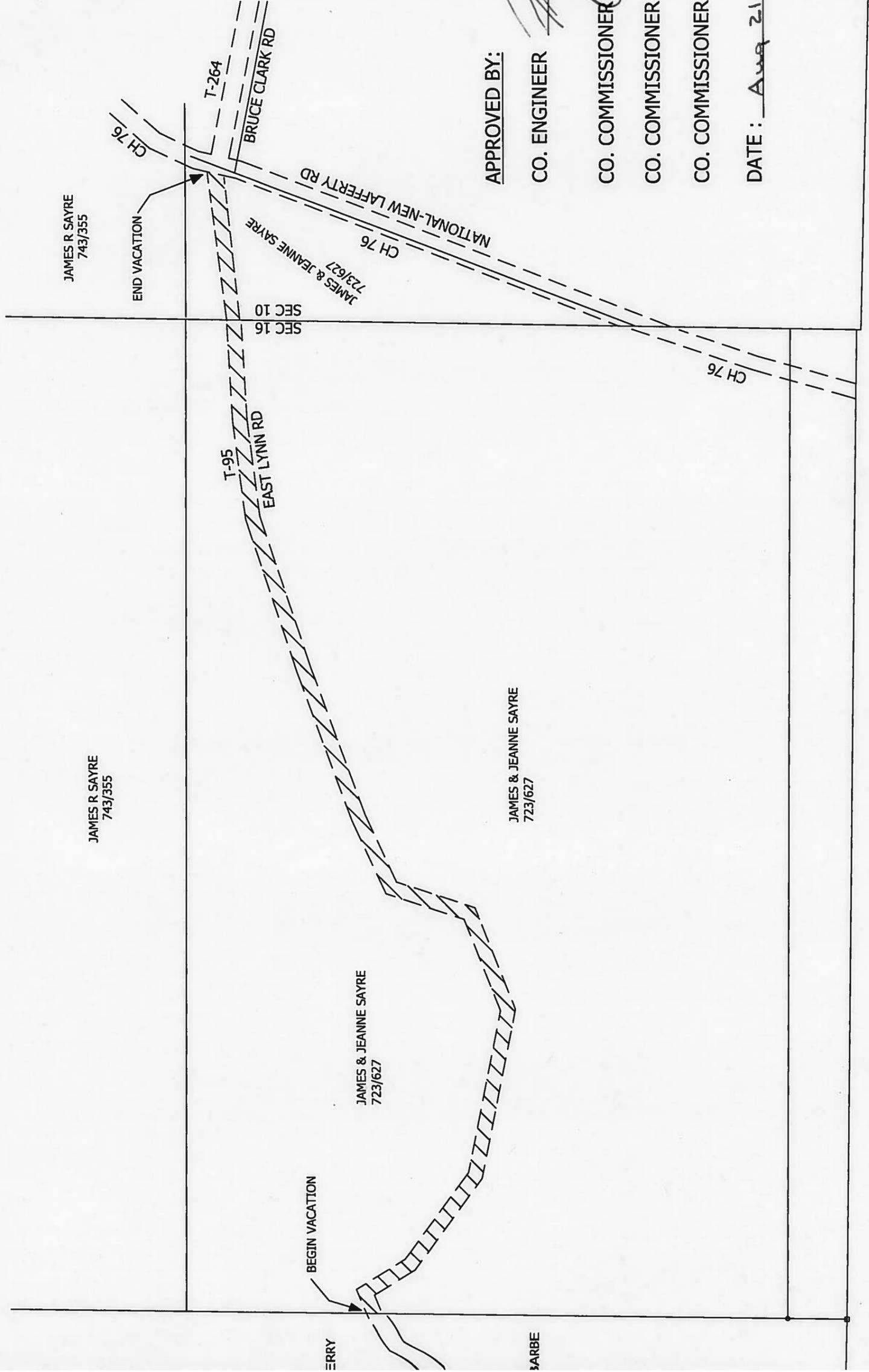
Adopted the 21 day of August, 2002

Mae Whitley  
Clerk, Board of County Commissioners.

Belmont County, Ohio

IMP # 1068

VACATION OF A PORTION OF TWP RD 95  
UNION SEC 10/16 T-8 R-5  
BELMONT CO OHIO



APPROVED BY:

CO. ENGINEER

*John F. Bennett, P.E., P.S.*

CO. COMMISSIONER

*Frank R. Smith, J*

CO. COMMISSIONER

*Mark C. Thomas*

CO. COMMISSIONER

*Ann E. O'Leary*

DATE: Aug 21, 2002

