

PUBLIC ROAD PETITION

Belmont County

Ohio,

January 23

2004
19

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 vacation of a portion of Washington of Twp Rd 110 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 in State Route 148 in Washington Township Section 34 and running in a northeasterly direction to the division line between Sections 34 and 35 in Washington Township. The proposed area of vacation is encompassed within and limited to the boundary of property belonging to Wanda L and Roger D Bunting and described as Parcel one in Deed Volume 650 Page 59 recorded in the Belmont Co Recorder's Office.

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

PETITIONERS' NAMES	PETITIONER OWNS REAL ESTATE
PETER BUNTING	44030 JOHN JARRETT RD BEALLSVILLE, OHIO 43716
EVDA L BUNTING	44130 JOHN JARRETT RD BEALLSVILLE OHIO 43716
Wanda L Bunting	57941 JARRETT RD, Belmont Ohio, 43718
Wanda L Bunting	57941 Jarrett Rd Belmont, Ohio 43718
TERESA A GUTHRIE	44039 John Jarrett Rd Beallsville, Ohio 43716
Wanda L Bunting	44039 John Jarrett Rd Beallsville, Ohio 43716
Wanda L Bunting	43855 John Jarrett Rd Beallsville, Ohio 43716
Wanda L Bunting	43855 John Jarrett Rd Beallsville, Ohio 43716
Wanda L Bunting	100 CHERRY ST POWATAN PT, OH. 43942
Wanda L Bunting	100 CHERRY ST POWATAN PT, OH. 43942
Wanda L Bunting	44739 WEST CAPTIVA AVE BEALLSVILLE, OH 43716
Wanda L Bunting	56355 Belmont Ridge Rd Beallsville, OH 43716
Wanda L Bunting	56355 Belmont Ridge Rd Beallsville, OH 43716
Wanda L Bunting	53659 NEWCASTLE BEALL RD BEALLSVILLE OH 43716
Wanda L Bunting	Box 55205 NEWCASTLE RD, Jerusalem OH 43747
Wanda L Bunting	54190 NEWCASTLE BEALLSVILLE RD BEALLSVILLE OHIO 43716
Wanda L Bunting	6717 CHERVIEW LN ST CLAWSVILLE, OH 43950

**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 portion of
Washington T.R. 110
Public Road.

Office of County Commissioners,

Belmont County, Ohio

Petitioned for by Roger Bunting

, and others.

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

on the 28 day of January, 19²⁰⁰⁴, at the office of the commissioners
with the following members present:

Mr. OlexoMr. ProbstMr. Olexo 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 pre-
sented to this Board of County Commissioners requesting said Board to vacate a portion of Washington
T-110 a Public Road as described therein; therefore, be it

RESOLVED, That the 10 day of March, 19²⁰⁰⁴, at 11:45 o'clock A.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 17 day of March, 19²⁰⁰⁴, 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 improve-
ment.

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

Mr. Olexo YesMr. Probst Yes

Mr. _____

Adopted the 28 day of January, 19²⁰⁰⁴

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of a portion of
Washington T-110
 Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
 on the 10 day of March, 19 2004, at the office of the commissioners
 with the following members present:

Mr. ProbstMr. ThomasMr. Olaya

Mr. Probst moved the adoption of the following Resolution:

WHEREAS, On the 10 day of March, 19 2004, 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 17 day of March, 19 2004, 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. Thomas seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Probst Yes

Mr. Thomas Yes

Mr. Olaya Yes

Adopted the 10 day of March, 19 2004

Dorlene Pampet

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of
Washington T-110
Public Road

County Engineer's Office,

Belmont County, Ohio

March 17

2004
19

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

The undersigned in obedience to your order dated March 10, 2004, proceeded on the 11
day of March, 2004 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

vacation of a portion of Washington

T-110

Public Road

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 17 day of March, 192004, at the office of the commissioners with the following members present:

Mr. Thomas

Mr. Probst

Mr. Thomas 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 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 163.39 inclusive, of the Revised Code.~~

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

Mr. Thomas Yes

Mr. Probst Yes

Mr. _____

Adopted the 17 day of March, 192004

Darlene Pampuk

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 Washington
Twp Rd 110 Sec 34-5-4
Public Road

The Board of County Commissioners of Belmont County, Ohio, metin regular session on the 31 day of march, 19 2004,
(Regular or Special)at the office of the commissioners with the following members present:Mr. O'LearyMr. ProbstMr. O'Leary 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 vacatedas order heretofore, made on our journal of the date of march 17, 19 2004,and a copy of this resolution be forwarded to the Washington Township Trustees.Mr. Probst seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:Mr. O'Leary, yesMr. Probst, yes

Mr. _____, _____

Adopted the 31 day of march, 19 2004Dorene Pampuk

Clerk, Board of County Commissioners.

Belmont County, Ohio

WASHINGTON SEC.35 T-5 R-4

VACATION OF A PORTION OF T-110
WASHINGTON TWP SEC 34 T-5 R-4

ROGER & WANDA
BUNTING
650/59

HAROLD & LORNA
KNIGHT
647/221

SCALE: 1"=300'

APPROVED BY:

CD ENGINEER

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

DATE March 17, 2004

CO, COMMISSIONER

Charles R. Probst, Jr.

CO, COMMISSIONER

Marl C. Thomas

CO. COMMISSIONER

DATE March 17, 2004

HOOS, 1.11.74

John A. Hoos

and D. Hoos