

PUBLIC ROAD PETITION

Belmont County, Ohio, Oct. 18, 2005

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 Warren Twp Rd 151 of located in Warren Sec 31-8-6 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 on Warren Township Road 151, which is 30 feet east of the intersection of Warren Twp Road 155 and 151 located in Warren Twp. Section 31, T-8, R-6, thence in an east/northeasterly direction with the centerline of Twp Road 151 to a point on the north property line of a 29.2880 acre parcel owned by Dan Messenger described in Deed Volume 769 Page 634 and terminus of vacation. Proposed vacation length is approximately 1800 feet and located within property owned by Dan Messenger recorded in Belmont County Recorder's Office in Volume 769 Page 634 and Volume 769 Page 636.

Dated this day of, A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Contains handwritten entries for names like Messenger, McEort, and Lucas with their respective addresses.

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 Warren Twp Rd (T-151) Warren Sec 31 - 8 - 6 Public Road.

Petitioned for by Dan Messenger, and others.

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 26 day of Oct, 19 2005, at the office of the commissioners with the following members present:

- Mr. Thomas
Mr. Probst
Mr. Longshaw

Mr. Thomas 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 Warren Twp. Rd 151 a Public Road as described therein; therefore, be it

RESOLVED, That the 16 day of November, 19 2005, 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 23 day of November, 19 2005, at 10:45 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 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. Probst seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Thomas Yes
Mr. Probst Yes
Mr. Longshaw Yes

Adopted the 26 day of October, 19 2005

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of Warren  
Twp Rd 151  
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 November, 2005, at the office of the commissioners  
with the following members present:

- Mr. Probst
- Mr. Thomas
- Mr. Longshaw

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, On the 16 day of November, 2005, 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 23rd day of November, 2005, 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. Longshaw seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Thomas Yes
- Mr. Longshaw Yes
- Mr. Probst Yes

Adopted the 16 day of Nov., 2005

Layne Long

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of Warren

Twp. 151

Public Road

County Engineer's Office,

Belmont County, Ohio

19

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

The undersigned in obedience to your order dated November 16, 2005, proceeded on the 17th day of November, 2005 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 Warren Twp. Rd 151 Public Road

Office of County Commissioners, Belmont County, Ohio

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

on the 23rd day of November, 2005, at the office of the commissioners with the following members present:

- Mr. Thomas
Mr. Probst
Mr. Longshaw

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 on 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 on 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 Journals

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

- Mr. Thomas
Mr. Longshaw
Mr. Probst

Adopted the 23 day of November, 2005, 19

Jayne Long 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 Warren Twp  
Rd 151  
Public Road

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

in regular session on the 4th day of January, 2006  
(Regular or Special)

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

- Mr. Thomas
- Mr. Probst
- Mr. Longshaw

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 November 23, 2005

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

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

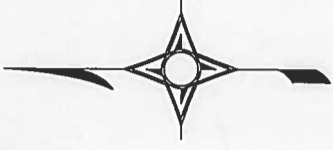
- Mr. Thomas, Yes
- Mr. Longshaw, Yes
- Mr. Probst, Yes

Adopted the 4th day of January, 2006

Layne Long  
Asst. Clerk, Board of County Commissioners.

Belmont County, Ohio

IMP # 1092  
 VACATION OF A PORTION OF T-151  
 WARREN SEC 31 T-8 R-6  
 BELMONT CO OHIO



SCALE 1" = 200'

MICHELE & JAMES DRAKE  
 75.83 AC  
 VOL 769 PG 187

DAN MESSENGER  
 29.2880 AC  
 VOL 769 PG 634

DAN MESSENGER  
 28.9796 AC  
 VOL 769 PG 636

END VACATION  
 (APPROX. 1800 FT)

BEGIN VACATION (30 FT FROM INTERSECTION)  
 TWP ROAD 151

TWP RD 155

MILLS

16 91

BAILEY'S  
 CAB B ST 91

TWP ROAD 6

APPROVED BY:

BEL CO ENGINEER

BEL CO COMMISSIONER

BEL CO COMMISSIONER

BEL CO COMMISSIONER

DATE 11-23-05

*Paul F. Bennett*  
*Donald W. Longman*  
*Charles E. Smith*  
*Mark O. Thoma*

Handwritten notes in the top left corner, including the name "S. J. ...".

UNITED STATES  
DEPARTMENT OF AGRICULTURE

UNITED STATES  
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DEPARTMENT OF AGRICULTURE

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