

PUBLIC ROAD PETITION

Belmont County, Ohio, July 25, 2006, 10

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 Monroe & Church Streets in Mt Olivet 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 30 feet west of the centerline intersection Main Street and Monroe Street between lots 43 and 45 in Mount Olivett, Cab. B Sl. 54. Being the entire width of the 40 ft. street and extending 390 ft. west to 20' east of the center line intersection of Hunt Street and Monroe Street between lots 84 and 85 as recorded in said plat.

Beginning at a point 20 feet north of the centerline intersection Jackson Street and Church Street between lots 58 and 72 in Mount Olivett, Cab. B Sl. 54. Being the entire width of the 40 ft. street and extending 240 ft. north to 20' south of the center line intersection of Adam Street and Church Street between lots 55 and 69 as recorded in said plat.

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

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Church Address of Petitioner Street PLEASE PRINT <u>Monroe</u>	
<u>Gay Bethay</u>	<u>36936</u>
<u>High Ridge</u>	<u>Fairview St Barnesville OH 43713</u>
<u>Carol Smoel</u>	<u>64992 Church St Barnsville OH 43713</u>
<u>Cheryl Chappie</u>	<u>63762 Ch St</u>
<u>George W Carpenter</u>	<u>Barnsville Ohio 43713</u>
<u>George W Carpenter</u>	<u>63762 Ch St</u>
<u>ALBERTA Carpenter</u>	<u>Barnsville, Oh, 43713</u>
<u>Alberta Carpenter</u>	<u>63736 Mount Olivett</u>
<u>PAULINE WILSON</u>	<u>Barnsville, Ohio</u>
<u>Pauline Wilson</u>	<u>63910 Mt. Olivett</u>
<u>Janie Salter</u>	<u>BARNESVILLE OH</u>
<u>JAN SOCLERS</u>	<u>64086 Mt. Olivett Rd Barnsville OH 43713</u>
<u>B. Jean Long</u>	<u>63658 Mt. Olivett Rd.</u>
<u>Rebecca Hurley</u>	<u>Barnsville, OH 43713</u>
<u>Rebecca Hurley</u>	<u>36988 Jackson St</u>
<u>Corrie John</u>	<u>Barnsville, OH 43713</u>
<u>Donna John</u>	<u>36185 Jackson St</u>
<u>Pat Hollingsworth</u>	<u>Barnsville OH 43713</u>
<u>Pat Hollingsworth</u>	<u>36965</u>
<u>W. Hollingsworth</u>	<u>44650 St. Barnesville Ohio 43713</u>
<u>Johna Kuhner</u>	<u>63920 Barnesville St.</u>
<u>Johna Kuhner</u>	<u>Barnsville Ohio</u>
<u>Arden Kuhn</u>	<u>63920 Mt. Olivett Rd.</u>
<u>Arden Kuhn</u>	<u>Barnsville Ohio 43713</u>
<u>James P. Moore</u>	<u>63752 Main St - Mt Olivett</u>
<u>James P. Moore</u>	<u>Barnsville Ohio 43713</u>
<u>Robert Moore</u>	<u>63752 Main St Mt. Olivett</u>
<u>Robert Moore</u>	<u>Barnsville, Ohio 43713</u>
<u>Robert Moore</u>	<u>36826 Fairview St</u>
<u>Robert Moore</u>	<u>Barnsville Ohio 43713</u>
<u>John W. Carpenter</u>	<u>36826 Fairview St</u>
<u>John W. Carpenter</u>	<u>Barnsville Ohio 43713</u>

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

2. Insert "a part of," if so.

3. 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.

4. Here set forth the general route and termini of the road, or part thereof, to be located, established, or vacated, or the general manner in which such road is to be altered, widened, straightened, or direction thereof changed.

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,

Vacation of a portion of Monroe & Church Streets in Mt. Olivet Public Road.

Belmont County, Ohio

Petitioned for by Genevieve Armstrong & Ruth Carpenter, and others.

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

on the 2nd day of August, 2006, at the office of the Commissioners

with the following members present:

- Mr. Longshaw
Mr. Thomas
Mr. Probst

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 portions of church & Monroe Streets in Mt. Olivet a Public Road as described therein; therefore, be it

RESOLVED, That the 16th day of August, 2006, at 1:15 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the intersection of Main & Jackson in Mt. Olivet and go over the line of said proposed improvement; and be it further

RESOLVED, That the 21st day of August, 2006, at 11:15 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 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 2nd day of August, 2006

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of Church
& Monroe Streets in Mt. Olivet
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the ~~21~~ 21 day of August 2006, at the office of the Commissioners
with the following members present:

Mr. Longshaw
Mr. Thomas

Mr. Longshaw moved the adoption of the following Resolution:

WHEREAS, On the 21 day of August 2006, 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 28th
day of August 2006, 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. Thomas yes
Mr. Longshaw yes
Mr. _____

Adopted the 21st day of Aug 2006

Jayne Long

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a Portion of Church & Monroe Streets in Mt. Olivet
Public Road

County Engineer's Office,

Belmont County, Ohio

Aug 21st 2006, 19

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

The undersigned in obedience to your order dated Aug 21st, 2006, 19, proceeded on the day of August 28th 2006, 19 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 Church & Monroe St. in Mt. Olivet Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 28th day of August 2006, at the office of the Commissioners with the following members present:

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

Mr. Thomas Yes
Mr. Longshaw Yes
Mr. Yes

Adopted the 28th day of August 2006
Cindy Henry
Ass't Clerk, Board of County Commissioners.

RESOLUTION — ORDER TO Close ROAD
Sec. 5563.01 R.C. (Open or Close)

IN THE MATTER OF THE

Vacation of a portion of Church
& Monroe st. in Mt. Olivet
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met
in regular session on the 28 day of Aug, 2006,
(Regular or Special)
at the office of _____ with the following members present:

Mr. Thomas
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 Aug 28th, 2006
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. _____, _____

Adopted the _____ day of _____, 19_____

Jayne Long
Ass. Clerk, Board of County Commissioners.

Belmont County, Ohio

IMP #1096

VACATION OF A 40 X 390 FOOT PORTION OF MONROE STREET

VACATION OF A 40 X 240 FOOT PORTION OF CHURCH STREET

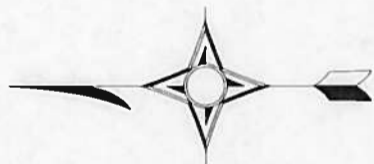
MOUNT OLIVETT CAB B SLIDE 54

WARREN SEC 11 T-8 R-6

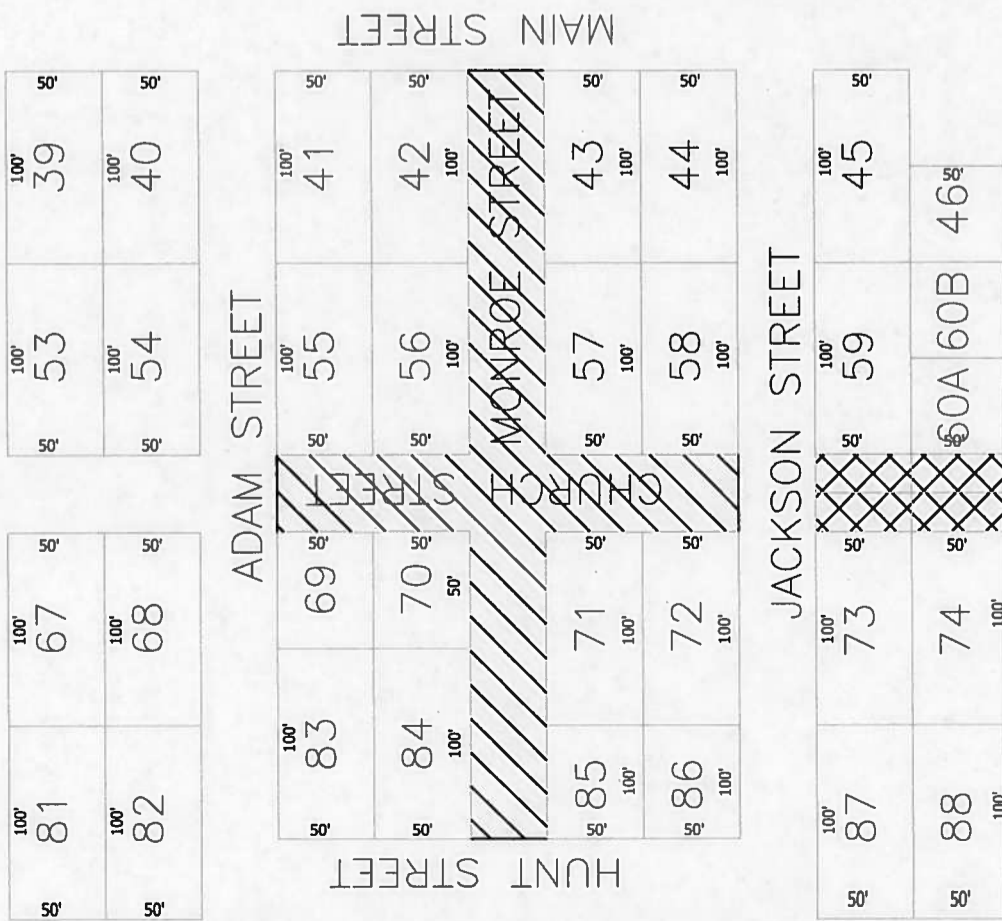
BELMONT COUNTY OHIO

FRED F BENNETT P.E. P.S. BELMONT COUNTY ENGINEER

NOTE: LOTS 41 THROUGH 44, 55 THROUGH 58, 69 THROUGH 74 AND 83 THROUGH 86 ARE OWNED BY CLARENCE D ARMSTRONG ETAL (3) BY VOL. 798 PG. 413



SCALE: 1" = 100'



APPROVED BY:

COUNTY ENGINEER

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

COUNTY COMMISSIONER

Leslie W. Longshun

COUNTY COMMISSIONER

Mark O. Stone

COUNTY COMMISSIONER

DATE: Aug. 28, 2006



AREA OF VACATION



AREA OF PREVIOUS VACATION

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000