

PUBLIC ROAD PETITION

Belmont, Ohio, May 22, 2008

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 T.R. 1076 Pease Twp Sec 21 T-4 R-2 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 the southwest corner of Lot 1 Heil Addition thence in an easterly direction 165.00 ft. to the east corner of Lot 1, thence southerly 20.00 ft, thence westerly 165.00, thence northerly 20.00 ft to the point of beginning. Area of vacation is 0.0758 acres and is located on the south side of Lot 1.

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

PETITIONERS' NAMES		TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE	
NAME (SIGN & PRINT)	TAX MAILING ADDRESS (PLEASE PRINT)	SIGN & PRINT	TAX MAILING ADDRESS (PLEASE PRINT)
NANCY L STUPAK <i>Nancy L Stupak</i>	58791 HEIL ADDITION MARTINS FERRY (DEEP RUN)	Misko	58741 Deep Run Road
EVELYN LOPEZ <i>Evelyn Lopez</i>	58741 Heil addn. Martins Ferry Deep Run	Misko	Martins Ferry, Ohio 43935
SHIRLEY GRIMES <i>Shirley Grimes</i>	58780 HEIL ADDITION - MARTINS FERRY <i>Deep Run</i>	Misko	58741 Deep Run Road
DENVER T. GREEN SR. <i>DENVER T. GREEN SR.</i>	58742 Heil Addition MARTINS FERRY OHIO <i>Deep Run</i>	Misko	Martins Ferry, Ohio 43935
PATRICIA R. KROL <i>PATRICIA R KROL</i>	58706 Heil Addn. Deep Run MARTINS FERRY OH 43935	Misko	58860 Deep Run Rd.
WENDY OVERLY <i>WENDY OVERLY</i>	58761 DEEP RUN RD MARTINS FERRY OH 43935	Misko	MARTINS FERRY, OHIO 43935

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 T.R. 1076

Pease Sec 21 T-4 R-2

Public Road.

Petitioned for by Nancy Stupak

, and others.

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

on the 28th day of May, 2008, at the office of the commissioners

with the following members present:

Mr. Probst

Mr. Lingshaw

Mr. Thomas

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 Pease T.R. 1076

Sec 21-4-2 a Public Road as described therein; therefore, be it

RESOLVED, That the 18th day of June, 2008, at 1:30 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 2nd day of July, 2008, at 11:00 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. Lingshaw Yes

Adopted the 28 day of May, 2008

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of T-1076
Pease Sec 21 T-4 R-2
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 18 day of June, 19 2008, at the office of the commissioners

with the following members present:

- Mr. Probst
- Mr. Thomas
- Mr. Langshaw

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, On the 18th day of June, 2008, 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 2nd day of July, 2008, 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. Langshaw seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Thomas yes
- Mr. Langshaw yes
- Mr. Probst yes

Adopted the 18th day of June, 2008

Jayne Long

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of T-1076

Pease Sec 21-4-2

Public Road

County Engineer's Office,

Belmont County, Ohio

July 2

2008

19

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

The undersigned in obedience to your order dated June 18, 2008, proceeded on the 2nd day of July, 2008 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 Twp Rd 1076 Pease Sec 21 T-4 R-2 Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 2nd day of July, 2008, at the office of the commissioners with the following members present:

Mr. Longshaw Mr. Thomas

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 163.29 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 2nd day of July, 2008

Jayme 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

Imp # 1101

Vacation of a portion of Twp Rd 1076
Pease Sec 21 T-4 R-2
Public Road

The Board of County Commissioners of Belmont County, Ohio, met
in regular session on the 16th day of July, 2008
(Regular or Special)

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

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

Mr. Probst 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 July 2, 2008

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

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. Longshaw Yes

Adopted the 16th day of July, 2008

Jayma Long
Clerk, Board of County Commissioners.

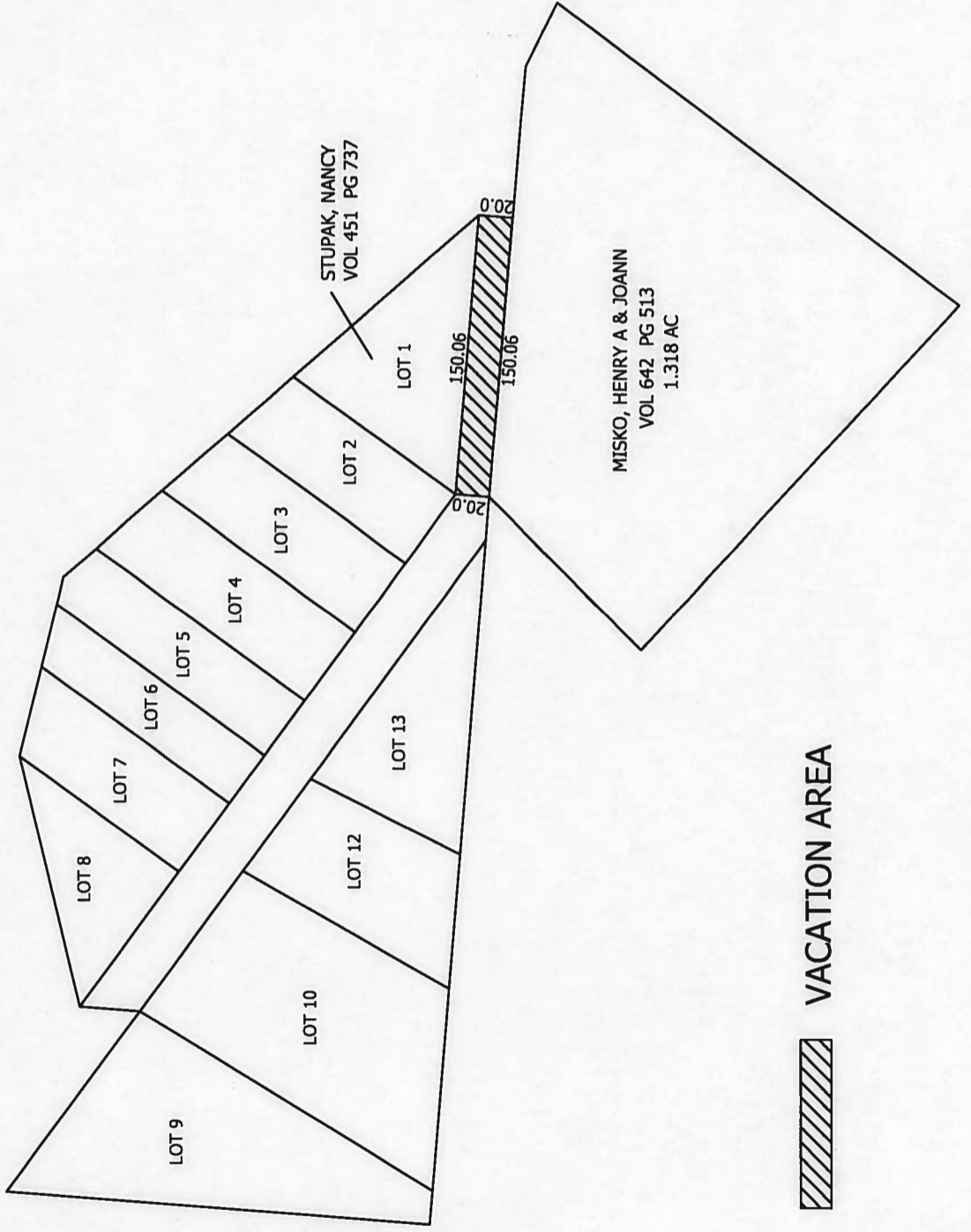
Belmont County, Ohio

IMP # 1101
VACATION OF A PORTION OF TWP RD 1076

HEIL ADDITION CAB D SL 203

PEASE TOWNSHIP SECTION 21 T-4 R-2

BELMONT COUNTY OHIO



COUNTY OFFICIALS

DATE July 2, 2008

BEL CO ENGINEER

Paul F. Bennett, P.E., P.S.

COUNTY COMMISSIONER

Richard M. Longman

COUNTY COMMISSIONER

Mark C. Thomas

COUNTY COMMISSIONER

Recorded in Vol 161 Pg. 68
Belmont Co. Recorder

Recd. as given:

24. 25. 1911

Received of Mr. J. H. ...
the sum of ...

Rs. 100/-

for ...