

FRED F. BENNETT, P.E., P.S.

Belmont County Engineer

101 W. MAIN ST., COURTHOUSE
ST. CLAIRSVILLE, OHIO 43950
DIAL 740-699-2160
FAX 740-695-8894

....., 19.....

described, respectfully

r described, and make

PUBLIC ROAD PETITION
Rev. Code Sec. 5553.04

Belmont County, Ohio

September 21, 2009

IMP #1103

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, represent that the public convenience and welfare require the vacation of a portion of Township Road 585 (Brook's Road) located in Kirkwood Township Section 33 Township 9 Range 6 Belmont County Ohio.

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 a point 40 feet westerly from the intersection of the following three parcels:

- (1) Diane L. Hunter recorded in Volume 153 Page 297 Tract #1
- (2) Robert P. & Sharon L. Kolberg recorded in Volume 717 Page 837
- (3) Rose M. Miller recorded in Volume 726 Page 616

Thence in a westerly direction to the west property line of Diane L Hunter recorded in Volume 153 Page 297 (Tract #1). The proposed vacation is contained within the aforementioned property belonging to Diane L. Hunter. This vacation will leave Kirkwood Township Road 585 from State Route 800 to the beginning point of this description.

HIGH
PETITIONER OWNS REAL ESTATE

PUBLIC ROAD PETITION

NAME (EXAMPLE)	TAX MAILING ADDRESS (PLEASE PRINT)
<i>Diane Hunter</i>	71462 Chini Orchard Rd. Flushing, Ohio 43977
<i>Alvin Hunter</i>	Flushing, Ohio 43977
<i>Bobbie Bower</i>	56240 Berkley Ave Bridgport, Ohio 43912
<i>Colleen Bower</i>	Bridgport, Ohio 43912
<i>Shirley Johnson</i>	78440 Flushing - New Utica Pk. Flushing, Ohio 43977
<i>Shirley Johnson</i>	Flushing, Ohio 43977
<i>Jeffrey A. Keacoc</i>	34179 Delmont Ridge Rd. Piedmont OH 43923
<i>Jeffrey A. Keacoc</i>	Piedmont OH 43923

PUBLIC ROAD PETITION

NAME (EXAMPLE)	TAX MAILING ADDRESS (PLEASE PRINT)
<i>Ernest H. Smith</i>	99999 BLUE JAY DRIVE ST. CLAIRSVILLE, OHIO 43950
<i>Ernest H. Smith</i>	ST. CLAIRSVILLE, OHIO 43950
<i>Bernard C. Hunter</i>	71462 Chini Orchard Rd. Flushing, OH 43977
<i>Bernard C. Hunter</i>	Flushing, OH 43977
<i>Shahid Naveed</i>	66190 Handysburg Rd Barnesville, OH 43713
<i>SHAHID NAVEED</i>	
<i>Kristie Wagner</i>	35091 Handysburg rd Barnesville, Ohio 43713
<i>Kristie Wagner</i>	Barnesville, Ohio 43713
<i>James Keacoc</i>	32303 Brooks Rd Barnesville OH 43713
<i>James Keacoc</i>	Barnesville OH 43713
<i>Paul F. Greenlee</i>	62699 Crestview Ln St. Clairsville, OH 43950
<i>Paul F. Greenlee</i>	St. Clairsville, OH 43950
<i>Christina A. Greenlee</i>	46050 Old Rt 8 Barnesville, Ohio 43713
<i>Christina A. Greenlee</i>	Barnesville, Ohio 43713
<i>Paul F. Greenlee</i>	66050 Old Rt 8 Barnesville OH 43713
<i>Paul F. Greenlee</i>	BARNESVILLE OH 43713

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

Public Road.

Petitioned for by

The

session

on the

Office of County Commissioners

with the fo

Belmont County, Ohio

IN THE MATTER OF THE VACATION OF A PORTION OF TOWNSHIP ROAD 585 (BROOK'S ROAD) KIRKWOODTWP., SEC. 33, T-9, R-6/RD IMP 1103

Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice Thereof on Public Road Petition Rev. Code, Sec. 5553.05 RD. IMP. 1103

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 21st day of October 2009 at the office of the Commissioners with the following members present:

Mr.

- Mr. Probst Mrs. Favede Mr. Coffland

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Mrs. Favede moved the adoption of the following:

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RESOLUTION

sent to t

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 Township Road 585 (Brook's Road) located in Kirkwood Township, Section 33, Township 9, Range 6, Belmont County, Ohio.

RESOL

RESOLVED, That the 12th day of November, 2009 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

e when

we will vie

RESOLVED, That the 18th day of November 2009, 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

and go over

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.

RESOL

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a final hear

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

RESOL

- Mrs. Favede Yes Mr. Probst Yes Mr. Coffland Yes

earing

by publicati

Adopted October 21, 2009

Signature of Clerk, Belmont County, Ohio

a newspape

- 1. "Locating," "establishing," "altering," "straightening," "vacating," or "changing the direction of." 2. "Locating," "establishing," "altering," "straighten," "vacate," or "change the direction of" 3. Insert "a part of," if so.

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Mr.

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resulted as fo

Mr.

Mr.

Adopted the ... day of ..., 19...

**RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER**

**IN THE MATTER OF THE VACATION OF
A PORTION OF TOWNSHIP ROAD 585
(BROOK'S ROAD) KIRKWOOD TWP.,
SEC. 33, T-9, R-6/RD IMP 1103**

**Office of County Commissioners
Belmont County, Ohio**

**Journal Entry--Order Upon view of Proposed Improvement
ORDER TO COUNTY ENGINEER
Rev. Code. Sec. 5553.06**

Petitioned for by freeholders and others

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 12th day of November, 2009, at the office of the Commissioners with the following members present:

Mr. Probst
Mrs. Favede
Mr. Coffland

Mrs. Favede moved the adoption of the following:

RESOLUTION

WHEREAS, On the 12th day of November, 2009, 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 18th day of November, 2009 the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement,² 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 case is continued unto said date.

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

Mrs. Favede	Yes
Mr. Probst	Yes
Mr. Coffland	Yes

Adopted November 12, 2009


Clerk, Board of County Commissioners
Belmont County, Ohio

1. "Locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing direction of."
2. Strike out the clause from "and feet," if a road is not to be located or established

REPORT OF COUNTY ENGINEER

REPORT OF COUNTY ENGINEER
REV. CODE, SEC. 5553.06

To the Board

The undersigned

on this day of.....

respectfully submit

In the opinion of

The undersigned

An accurate

survey should

be necessary

as a part hereof.

An accurate

The undersigned

proposes the following

Vacation of a portion
of T-585 }
Kirkwood 33-9-6 }

Rd. Imp. 1103
County Engineer's Office
Belmont County, Ohio
NOV 6, 2013

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

The undersigned, in obedience to your order, dated Nov 12, 2009,
proceeded on the NOV 18, 2009, 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 believe 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 apart hereof.

An accurate and detailed description of the proposed improvement describing therein
the center line and right of way lines follow:

" 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:

Paul A. Bensusan
County Engineer of Belmont County, Ohio

**RESOLUTION — GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.**

IN THE MATTER OF THE

Office of County Commissioners,

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**IN THE MATTER OF THE VACATION OF
A PORTION OF TOWNSHIP ROAD 585
(BROOKS ROAD) KIRKWOOD TWP.
SEC. 33, T-9, R-6/RD IMP 1103**

Office of County Commissioners
Belmont County, Ohio

**RESOLUTION-GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.**

Rd. Imp. #1103

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The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 6th day of November, 2013 in the office of the Commissioners with the following members present:

- Mr. Coffland
- Mr. Probst
- Mrs. Favede

Mrs. Favede 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 descriptions 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

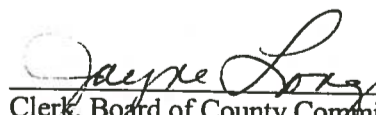
RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacated.

RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, 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

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

Mrs. Favede	Yes
Mr. Coffland	Yes
Mr. Probst	Yes

Adopted the 6th day of November, 2013


Clerk, Board of County Commissioners,
Belmont County, Ohio

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

**IN THE MATTER OF THE VACATION OF
A PORTION OF TOWNSHIP ROAD 585
(BROOKS ROAD) KIRKWOOD TWP.
SEC. 33, T-9, R-6/RD IMP 1103**
A Public Road

*Office of County Commissioners
Belmont County, Ohio*

The Boc
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(R)
at the office

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 20th day of November, 2013, at the office of the Commissioners with the following members present:

, met

- Mrs. Favede
- Mr. Coffland
- Mr. Probst

RESOLUTION — ORDER TO CLOSE ROAD
Sec. 5553.10 R.C

Mrs. Favede moved the adoption of the following Resolution:

Mr.

WHEREAS, at least ten days have elapsed since the final order of the board in the matter of this improvement, and

WHERE

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

WHERE
therefore, be

ment,

RESOLV

RESOLVED, that it is hereby ordered that the proceedings be recorded as provided by law, and that said roads be ¹vacated, as ordered heretofore, made on journal of the date of November 6, 2013, and a copy of this resolution be forwarded to the Kirkwood Township Trustees.

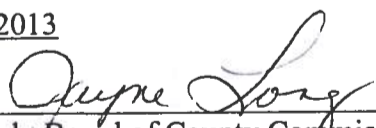
and a copy c

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

- Mrs. Favede _____, Yes
- Mr. Coffland _____, Yes
- Mr. Probst _____, Yes

Adopted the 20th day of November, 2013

Mr.
resulted as fo


Clerk, Board of County Commissioners
Belmont County, Ohio

: vote

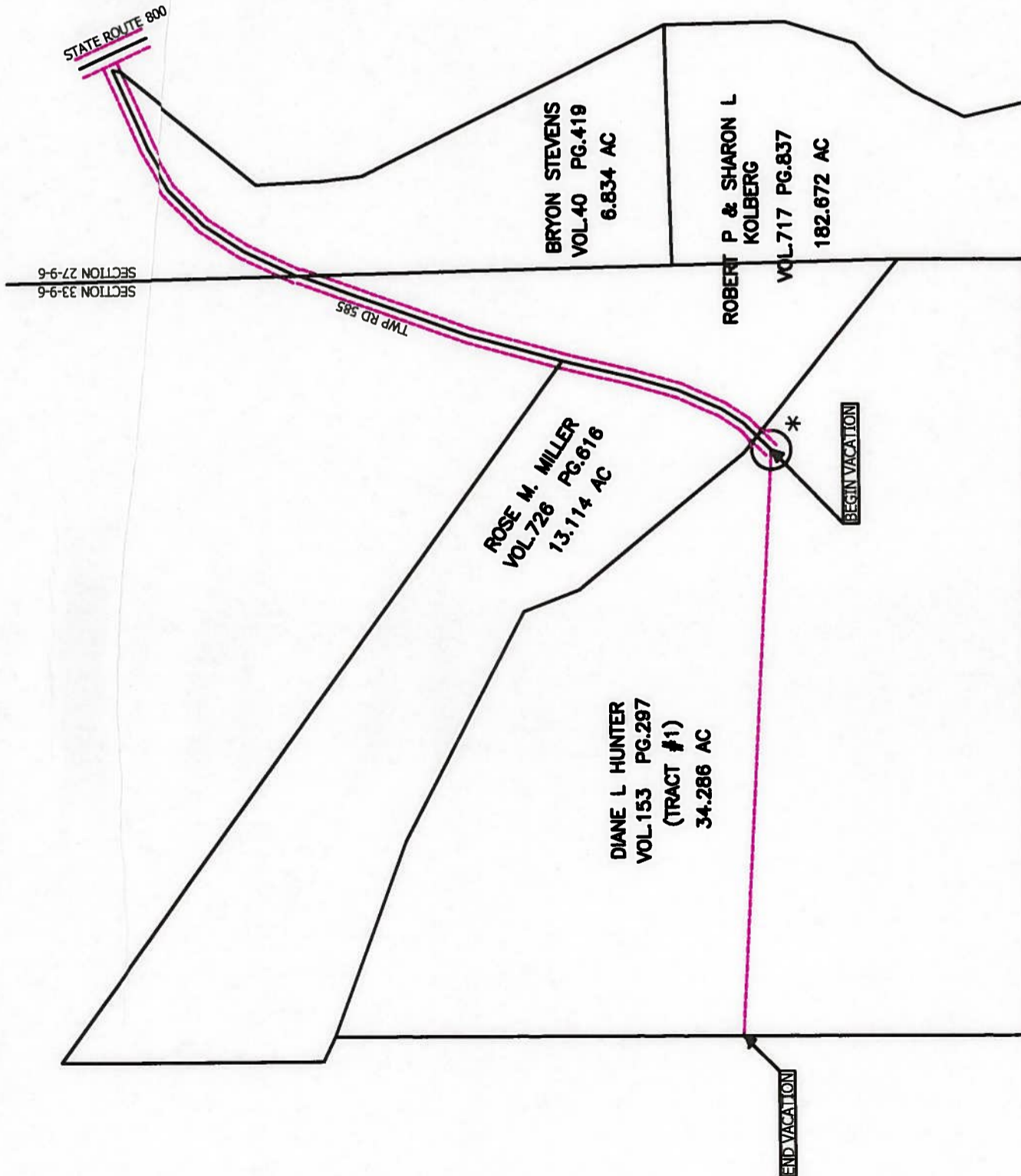
-
1. "locating," "establishing," "altering," "widening," "straightening," "vacating" or "changing the direction of."

Adopted the

EXHIBIT "A"

IMP. # 1103

VACATION OF A PORTION OF T-585
KIRKWOOD TOWNSHIP SECTION 33-9-6
BELMONT COUNTY OHIO



1" = 300'

APPROVED BY:

CO. ENGINEER Paul F. Bennett, PE, PS
 CO. COMMISSIONER Charles R. Roubly
 CO. COMMISSIONER Mark C. Coffey
 CO. COMMISSIONER [Signature]

ON THIS 6 DAY OF NOV 2012

FOR THE 40 FOOT RADIUS CUL-DE-SAC EASEMENT AREA SEE DR VOL. 420 PG. 531
BELMONT COUNTY RECORDER'S OFFICE.

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