

# ROAD PETITION.

For Alteration County Road in Richland

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners residing in the vicinity of the proposed alteration hereinafter described and resident freeholders of said County respectfully represent that public convenience requires that the county road leading from the St Clairsville and Cadiz pike down Jug Run, in said County, and known as the Jug Run Road, should be altered between the following points, to-wit:

Between a point in the center of said Jug Run Road, at the bend in said road east of the house now occupied by John Cook and owned by the Provident Coal Company, and the point of intersection of said Jug Run Road with the St Clairsville and Cadiz pike.

Said alteration is described as follows, to-wit:

Beginning at a point in the center of said Jug Run Road at the bend east of the house now occupied by John Cook and owned by the Provident Coal Company; thence over the lands of the Provident Coal Company, south  $22^{\circ}30'$  west 67 feet; thence over the lands of said Coal Company, north  $41^{\circ}39'$  west 280.43 feet to a point distant 60 feet in an easterly direction from the center line of railroad as laid out by the Provident Coal Company, measured at right angles thereto; thence parallel with said center line and distant therefrom 60 feet, curving to the left on the arc of a circle with a radius of 1856.1 feet, a distance of 905 feet; thence over the lands of said Coal Company, south  $69^{\circ}10'$  west 123 feet to a point in the St Clairsville and Cadiz pike 40 feet north of the toll house.

Said petitioners therefore ask that the necessary proceedings may be had to establish such alteration according to law.

Dated this Aug 3<sup>rd</sup> A. D. 1894

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
D M Berry Henry Hollowell Joseph Hollowell A G Chambers E J Chambers Thos O Berry J P Porterfield	John Reine Fritz Reine John S Hutchison Peter Rinkes Elijah Hummel E A Robson Frank Brown	J W Van Horne The Provident Coal Co by P Armstrong, Genl Mgr	

**Know all Men by these Presents:**

That we, Fritz Reine, The Provident Coal Co and A W Kennon are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of Three Hundred Dollars, for the true and faithful payment of which well and truly to be made, we bind ourselves, jointly and severally, our heirs, executors and administrators, by these presents.

Sealed with our seals and dated at St. Clairsville this 5th day of September 1894

The Conditions of the above obligations are such, That whereas application has been made to the Board of Commissioners of said Belmont County for the alteration of a County road on the following line, to-wit:

Beginning at a point in the center of said Jug Run Road at the bend east of the house now occupied by John Cook and owned by The Provident Coal Company; thence over the lands of The Provident Coal Company, south 22° 30' west 67 feet; thence over the lands of said coal company, north 41° 39' west 280.43 feet to a point distant 60 feet in an easterly direction from the center line of railroad as laid out by the Provident coal company, measured at right angles thereto; thence parallel with said center line and distant therefrom 60 feet; curving to the left on the arc of a circle with a radius of 1850.1 feet, a distance of 90.5 feet; thence over the lands of said coal company, south 69° 10' west 123 feet to a point in the St. Clairsville and Cadiz pike 40 feet north of the toll house.

Now if the said applicants shall pay into the Treasury of the said County the amount of all costs and expenses accruing thereon, in case the prayer of said petitioners shall not be granted, or when the proceedings had in pursuance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to be in full force in law.

ATTEST:

\_\_\_\_\_ }  
\_\_\_\_\_ }

Fritz Reine SEAL.

A W Kennon SEAL.

The Provident Coal Co SEAL.

By J. Armstrong Genl Mgr

St. Clairsville, O., Sept 3, 1894

The Commissioners met in regular session at their office, and the Board being satisfied that the foregoing petition was signed by at least twelve freeholders of the County, residing in the vicinity of the alteration of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed E N Pogg, J. C. Johnson and W. L. Kinsey three disinterested freeholders of the County, viewers, and John A. Pond surveyor of said proposed road, to meet at the residence of John Cook on the 14th day of Sept for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. And the Auditor is authorized to notify all non-resident land owners, by publication, as required by law.

ATTEST:

W. Pratty }  
County Auditor.

Robt McMillen  
J W Martin  
A G Holloway }  
Commissioners.

# Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your September session, A. D. 1894, we the undersigned, Viewers appointed under said order, met with John A. Bond Surveyor, at residence of John Cook on Sept 14th and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

If any Viewer is unable to attend here, he may be named by whom the vacancy was filled.

Allen Bond and Boyd Fullerton were selected by us as chain carriers, and L. L. Hohl as a marker, who were also duly sworn.

We then proceeded to view said proposed alteration on the line described in your order, and caused the same to be surveyed, "as prayed for in the petition, or as near the same as in our opinion a good road can be made at a reasonable expense, taking into consideration the utility, convenience, and inconvenience and expense which will result to individuals as well as the public," by the alteration of said road as follows:

Beginning at an iron bolt  $\frac{7}{8}$  inches in diameter and 2 feet long driven in the center of the Jug Run Road from which the S. E. corner of John Cook's residence bears N  $79^{\circ} 40'$  W 149 feet distant; thence across Jug Run to Sta. 2 S.  $22^{\circ} 30'$  W 67 feet; thence S  $41^{\circ} 39'$  W 280.43 feet to a stake at Sta. 3; thence curving to the left on the arc of a circle with a radius of 1850.1 feet, a distance of 905 feet to a stake at Sta. 4; thence S  $69^{\circ} 10'$  W 123 feet to an iron bolt  $\frac{7}{8}$  inches in diameter and two feet long driven in the center of the Cadiz and St. Clairsville pike from which bolt the N.E. corner of the Toll House bears S  $10^{\circ} 25'$  W 40 feet and a black walnut tree bears S  $77^{\circ} 30'$  W 24 feet 4 inches. In our opinion the alterations hereby contemplated under unnecessary the following described part of the original road, to-wit: Beginning at a point in center of said Jug Run road at Sta. 1 of the above surveyed alteration, thence S  $61^{\circ} 30'$  W 43 feet to a stake in center of road; thence N  $83^{\circ} 05'$  W 132 feet to a point in center of Jug Run road opposite easterly line projected of residence on property belonging to Provident Coal Company formerly belonging to John Cook.

We would respectfully report that the said alteration ought to be granted for the following reasons:

- 1st The Provident Coal Co agree to donate said road;
- 2nd said Company agree to Macadamise said alteration;
- 3rd better location than old road and avoids a dangerous railroad crossing.

We have also determined that the public convenience requires that such alteration shall be established 30 feet in width.

All of which is respectfully submitted, }  
Sept 19 }  
1894 }

E. N. Boggs  
W. L. Kinsey  
J. B. Johnson } Viewers.

<u>E. N. Boggs</u>	Pd 04-12-19	Viewer, 2 days, \$3.00	<u>Allen Bond</u>	Pd 04-12-19	Chainman, 7 days, \$1.00
<u>W. L. Kinsey</u>	Pd 04-12-19	" 2 days, \$3.00	<u>Boyd Fullerton</u>	Pd 04-12-19	" 7 days, \$1.00
<u>J. B. Johnson</u>	Pd 04-12-19	" 2 days, \$3.00	<u>L. L. Hohl</u>	Pd 04-12-19	Marker, 1 days, \$1.00
			Surveyor,	days,	\$

**FEES.**

# Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the alteration petitioned for by D M Perry and others, make the following separate report of the compensation and damages assessed and awarded by them to persons entitled thereto. The parties named below have filed their written applications for the said allowances, according to law, and the same are hereto appended and returned with this report.

Compensation for land taken for said road has been awarded in the following sums:

To	<u>The Provident Coal Co</u>	<u>00. 00</u>	Dollars;
To	<u>John Reline</u>	<u>00. 00</u>	Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

Each of the above sums has been assessed without deduction for benefits to any property of the owner, which would accrue by the opening of said road.

The following sums are allowed as damages to be paid to claimants whose premises will be rendered less valuable by the opening and construction of said road through the same:

To	<u>The Provident Coal Co</u>	<u>no. 00</u>	Dollars;
To	<u>John Reline</u>	<u>no. 00</u>	Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

E W Boggs  
W L Kinsey  
J B Johnson

} Viewers and Jurors to award damages.

Sept 19 1894

St. Clairsville, O., Dec. 5th 1894

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the first time.

ATTEST:  
[Signature]  
 County Auditor.

C. J. 8 = p. 379  
Robt McMullen  
J W Martin  
A G Holloway

} Commissioners.

St. Clairsville, O., Dec. 6th 1894

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the second time.

ATTEST:  
[Signature]

C. J. 8 = p. 381  
Robt McMullen  
J W Martin  
A G Holloway

} Commissioners.

St. Clairsville, O., Dec 7th 1894

The Commissioners met in regular session, and the report of the viewers in relation to the alteration of said road having been this day publicly read for the third time, and being in favor of said alteration, and no objections being filed or made, nor damages claimed, nor assessed, nor petition for review filed, and the board being of the opinion that said alteration as laid out and surveyed, will be of public utility, it is ordered that the reports of said viewers with the survey and plat of said road be recorded, and that said road be established a public highway thirty (30) feet in width and that the County Auditor notify the Trustees of Richland Twp to open said road according to law. And the said viewers having also reported that in their opinion the alteration described in their report, would render unnecessary the following described part of said original road, to-wit: Beginning at a point in the center of the Jug Run Road at Station 1 of the above surveyed alteration thence  $S 61^{\circ} 30' W$  43 feet to a stake in center of road; thence  $N 83^{\circ} 05' W$  132 feet to a point in center of Jug Run Road, opposite easterly line projected, of residence on property belonging to Provident Coal Company formerly owned by John Cook.

The Board of County Commissioners being also of the opinion that the alteration granted and established, renders unnecessary the following described part of the original road, to-wit: Beginning at a point in the center of the Jug Run Road at Sta. 1" of the above surveyed alteration, thence  $S 61^{\circ} 30' W$  43 feet to a stake in center of the road; thence  $N 83^{\circ} 05' W$  132 feet to a point in the center of the original Jug Run Road, opposite the easterly line projected, of residence on property belonging to The Provident Coal Company formerly owned by John Cook. It is hereby ordered that so much of the original Jug Run Road as described above be and the same is hereby vacated.

C. J. 8 = p. 383.

Attest  
  
 County Auditor.

Robt McMillen  
 J W Martin  
 A G Holloway } Belmont County  
 Commissioners.

Order given Trustees December 29th, 1904.

## Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Sept. 3<sup>th</sup> 1894, proceeded on the 14<sup>th</sup> day of September to survey and mark the alteration of road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at an iron bolt or rod  $\frac{7}{8}$  in. in diameter and 2 feet long driven in the center of the Jug Run road from which the S E corner of John Cook's residence bears N  $79^{\circ}40'$  W 149 feet distant; thence across Jug to Sta. 2 S  $22^{\circ}30'$  W 67 feet; thence S  $41^{\circ}39'$  W 280.43 feet to a stake at Sta. 3; thence curving to the left on the arc of a circle with a radius of 1850.1 feet a distance of 905 feet to a stake at Sta. 4; thence S  $69^{\circ}10'$  W 123 feet to an iron bolt  $\frac{7}{8}$  inches in diameter and two feet long driven in the center of the Cadiz and St. Clairsville pike from which bolt the N E corner of the toll house bears S  $10^{\circ}25'$  W 40 feet and a black walnut tree bears S  $77^{\circ}30'$  W 24 feet 4 inches at intersection of Cadiz and St. Clairsville pike and Jug run road.

I Certify, That the above is a correct plat and return of the survey of the proposed alteration named above.

John A. Bond, Surveyor of said County Road.

Plat of **C**ounty Road.

D. M. Berry.

