

In the above entitled matter J. T. Gilliland did on the 7th, day of April, 1906 file his bond appealing from the decision of the County Commissioners and Hannah J. Acton, J. T. Gilliland and Newell Buchanan did on the 7th, day of April, 1906 file their bond appealing from the decision of the County Commissioners and as provided by law a transcript of the proceedings was certified to the Probate Court by the County Auditor

 COPY OF CERTIFICATE OF PROBATE COURT IN THE ABOVE ENTITLED MATTER.

And afterwards on the 11th day of April, 1906, proceedings were had in said Court and entered upon the Journal in the words and figures following to-wit:- A. A. Jones, et al vs. John Gilliland et al, April 11th, 1906. Road Appeal. A transcript of the record of the County Commissioners of this County duly certified according to law as showing all the orders and proceedings had or made by or before them in relation to the establishment of a County Road petitioned for by A. A. Jones et al and also, the original papers therein were this day received from the Auditor of this County in pursuance to the appeal of John Gilliland and Newell Buchanan from the final decision of the County Commissioners establishing said road. It is therefore by the Court ordered that said Cause be set for hearing on the 26th day of April, 1906, at 9 o'clock A. M. and this cause is continued.

John S. Cochran Probate Judge.

And afterwards on the 26th day of April 1906 proceedings were had in said Court and entered upon the Journal in words and figures following, to-wit:- A. A. Jones et al, vs. John T. Gilliland and Newell Buchanan. April 26th, 1906. Road Appeal. This day came to the parties by their attorneys and this cause came on to be heard upon the appeal of John T. Gilliland and Newell Buchanan, from the final order of the County Commissioners of this County, establishing a certain County Road. And the Court having examined the original papers and the record of the proceedings of said Commissioners and having heard the evidence and arguments of counsel, and being fully advised in the premises, takes this cause under advisement and continues the same for decision to the first day of May, 1906.

John S. Cochran, Probate Judge.

And afterwards on the 1st, day of May, 1906 proceedings were had in said Court and entered upon the Journal in the words and figures following to-wit:- A. A. Jones, et al, vs. John T. Gilliland and Newell Buchanan. May 1, 1906. Road appeal. This day this cause came on to be further heard and the Court after careful consideration finds that the proceedings of the County Commissioners, prior to the said appeal are substantially erroneous and the same are hereby set aside, and thereupon the Court in pursuance to the provisions of the statutes appoints Thomas C. Mercer, John B. McMechan and Miles R. Hart, Judicious Disinterested freeholders of the County as viewers and John A. Bond as surveyor of said road proposed to be established. It is therefore ordered that the said viewers and surveyor so appointed meet at the residence of John W. Kaiser in Kirkwood Township, in this County on Monday, the 15th day of May, 1906 at 10 o'clock A. M. or within two days thereafter, and after being duly sworn they proceed to the discharge of the duties of their several appointments according to law, and that they make their report to this Court on or before the 21st, day of May, 1906. And it is further ordered that notice shall be given to all persons owning or claiming to own any interest in any land affected by said proposed road, of the time and place of the meeting of said Viewers and surveyor, for the purpose of presenting their claims for damages and presenting such other matters as they may desire to said Viewers. John S. Cochran, Probate Judge.

And afterwards on the 7th day of May, 1906, a notice with the proof of the service thereof endorsed thereon was returned and filed in said Court in the words and figures following, to-wit:- Notice to the lands owners of the time and place of holding view and of the day by which claims for Compensation and damages must be filed. To John Gilliland John Wilson, Hannah J. Acton, John W. Kaiser, Elma Binns, Newell Buchanan and A. A. Jones. You are hereby notified that the Viewers and surveyor appointed by the Probate Court of Belmont County, Ohio, in its order dated May first, 1906, to lay out and survey the proposed new county road petitioned for by A. A. Jones, and others; will meet at the residence of John W. Kaiser, in Kirkwood Township, Belmont County, Ohio, on the 15th day of May, 1906. at 10 o'clock, A. M. for the purpose set forth in said order. You are also notified that Claims for Compensation and damages must be filed with the viewers on or before said 15th day of May, 1906. Dated, this 4th day of May, 1906, (Signed) A. A. Jones, Principal Petitioner. State of Ohio Belmont County, ss. A. A. Jones, being sworn says that he served a notice in writing of which the foregoing is a true copy upon John Gilliland, John Wilson, Hannah J. Acton, John Kaiser, Newell Buchanan, and A. A. Jones on the 5th day of May, 1906. A. A. Jones. Sworn to and subscribed before me by A. A. Jones, this 5th day of May, 1906. W. F. Smith, Notary Public, (Seal). And afterwards on the 7th day of May, 1906 a notice with acknowledgement of the service thereof, endorsed thereon was returned and filed in said Court in the words and figures following, to-wit:- Notice to land owners of the time and place of holding view and of the day by which claims for Compensation and Damages must be filed. To John Gilliland, John Wilson, Hannah J. Acton, John W. Kaiser, Elma Binns, Newell Buchanan and A. A. Jones. You are hereby notified that the viewers and surveyor appointed by the Probate Court of Belmont County, Ohio, in its order dated May 1st, 1906, to lay out and survey the Proposed new county road petitioned for by A. A. Jones and others will meet at the residence of John W. Kaiser in Kirkwood Township, Belmont County, Ohio, on the 15th day of May, 1906 at 10 o'clock, A. M. for the purpose set forth in said order. You are also notified that claims for compensation and damages must be filed with the viewers on or before said 15th day of May, 1906. A. A. Jones, Principal Petitioner. I the undersigned Elma Binns one of the land owners through whose lands it is proposed to lay out and survey the proposed new county road petitioned for by A. A. Jones et al as above stated, hereby acknowledge service in writing of the notice of which the above is a true copy. Dated, this 4th day of May, 1906.

Elma Binns. And afterwards on the 17th day of May, 1906, the order to the Viewers and surveyor with their reports and proceedings attached thereto, was returned and filed in said Court in the words and figures following to-wit:- Office, Probate Court Belmont County, Ohio. May 1st, A. D. 1906. To John B. McMechan, Thomas C. Mercer and Miles R. Hart, viewers and John A. Bond, surveyor. Gentlemen:- You were appointed by the Probate Court of Belmont County, Ohio, to view survey and lay out a proposed County Road on the following route, as petitioned for by A. A. Jones, et al. Beginning at the east end of a private road leading from the Barnesville and Hendrysburg Pike over the lands of John Gilliland in Kirkwood Township, Belmont County, Ohio and running thence in a westerly direction along the line of said Private Road over the lands of said John Gilliland and across a bridge; thence from said bridge in a northwesterly direction over the lands of said Gilliland to the east and west line between the lands of said Gilliland and the lands of John Wilson; thence in a northwesterly direction over the southwest portion of the lands of said Wilson to the north and south line between the lands of said Wilson and the lands of said Gilliland; thence in a northwesterly direction again over the lands of said Gilliland to the line between the lands of said Gilliland and the lands of Hannah J. Acton; thence in a westerly direction over the lands of said Hannah J. Acton and crossing the public highway south of the Bridge to the land of John W. Kaiser; thence in a southwesterly direction on the south side of Muskrat creek over the lands of said John W. Kaiser to the line between the lands of said Kaiser and the lands of Elma Binns; thence in a southerly direction over the lands of said Binns to a bridge; thence across said Bridge and westerly along the public highway to a point near a tobacco house; thence westerly across the lands of Newell Buchanan to the line between the lands of said Buchanan and said Binns thence westerly over the lands of said Binns to the line between the lands of said Binns and the lands of A. A. Jones, and being at a point in said line near a sycamore tree; thence in a westerly direction over the lands of said Jones and immediately north of his sheep barn and through his garden to the terminus of said proposed road, in the public highway leading to the national Pike, the said terminus being near a granary situated on the lands of said Jones, all of said farm crossed by said road, being in Kirkwood Township, Belmont County, Ohio.

Your are therefore directed with John A. Bond the surveyor appointed by the Probate Court of Belmont County, State of Ohio, to meet at the residence of John W. Kaiser in Kirkwood Township, in said County, on the 15th day of May, 1906 or on your failing to meet on that day then, within two days thereafter, and proceed to view, survey and lay out the said road, and determine whether the public convenience requires that said road or any part thereof shall be 60 feet in width or whether a less width than 60 feet will as well promote the public convenience and report the width in your opinion, the same should be established and opened. The law requires that (the viewers and surveyor shall meet at the time and place specified in the order of the Court and after taking an oath, faithfully and impartially to discharge the duties of their appointments respectively, shall take to their assistance two suitable persons as chain-carriers and one marker and proceed to view survey and lay out or alter the road as prayed for in the petition or as near the same as in their opinion a good road can be made at reasonable expense, taking into consideration the utility convenience inconvenience and expense which will result to individuals as well as to the public, if said road or any part thereof, is established and opened, or altered,) and also that they (shall be the jury to assess and determine the Compensation to be paid in money for the property sought to be appropriated, without deduction for benefit to any property of the owner, and to assess and determine how much less valuable, if any, the lands or premises from which such appropriation may be taken, will be rendered by the opening and construction of the road,

And you are further required to make and sign a report in writing, stating your opinion in favor of or against the establishment or alteration of the road or any part thereof, and set forth the reasons of the same which report together with the plat and survey of the road or alteration, shall be delivered to the Probate Court by one of the viewers on or before May 21st, 1906. You will also at the time you make the report of the view, also make a separate report in writing stating the amount of the damages, if any, and to whom, by you assessed, which would accrue by the opening of the road, and file the written applications on which said assessments have been made, with the Probate Court, and be further governed in your proceedings under this order by the provisions of the statute in such case made and provided. By order of the Probate Court of Belmont County, Ohio. John S. Cochran, (Seal). Probate Judge, Belmont County, ss. Certificates of Making Oath. The state of Ohio

Be it remembered that on this 15th day of May, A. D. 1906, personally appeared before me, John A. Bond, a Notary Public, in and for said County, John B. McMechan, Thomas C. Mercer, and Miles R. Hart, Viewers, Allen Bond, Walton Ralston, Chainman, and Israel Clark, Marker, of the proposed County Road petitioned for by A. A. Jones and others and were by me duly sworn faithfully and impartially to discharge their duties respectively.

John A. Bond, Notary Public, (Seal) The State of Ohio, Belmont County, ss. Be it remembered that on this 15th day of May, A. D. 1906, personally appeared before me Miles R. Hart, a Notary Public in and for said County, John A. Bond surveyor of a proposed County Road petitioned for by A. A. Jones and others and was by me duly sworn faithfully and impartially to discharge the duties of his appointment, Miles R. Hart, Notary Public (Seal) Surveyors Report. To the Probate Court of Belmont County, Ohio, The Undersigned, in obedience to your Order dated May 1st, A. D. 1906, survey and mark the proposed County Road, described in said order under the direction of the viewers therein named and respectfully submits the following return of the survey.

(For Plat and description see Pages 438 and 439 this Volume.)

Report of Viewers . To the Probate Court of Belmont County, Ohio: In obedience to your order dated the 1st, day of May, A. D. 1906, we the undersigned viewers appointed under said order met with John A. Bond surveyor at the residence of John W. Kaiser, on the 15th day of May, 1906 and were severally sworn to discharge faithfully and impartially the duties required of us in said order. We took to our assistance Allen Bond and Walton Ralston, as Chain Carriers, and Israel Clark as a Marker, and proceeded to view survey and lay out said proposed County Road (as prayed for in the petition as near the same as in our opinion a good road can be made at reasonable expense, taking into consideration the utility convenience and inconvenience and expense which will result to individuals as well as to the public) if the said road or any part thereof is established and opened

or altered as follows:

(For description of Route see page 438 this Volume)

We would respectfully report that our opinion is that the said County road ought to be established for the following reasons. First:- It will be a general public convenience; is of a very low grade; and can be built at a small cost. Second:- It shortens the distance materially to the Pike leading to the nearest R. R. Point; Third:- It will greatly benefit the people of Belmont County, living north and west of the proposed road. We have also determined that the public convenience requires that such County Road shall be established and opened 33 feet in width all of which is respectfully submitted, May, 17th, 1906. John B. McMechen, Thomas C. Mercer and Miles R. Hart, Viewers, Separate Report of Viewers. To the Probate Court of Belmont County, Ohio, The Undersigned viewers of the County Road petitioned for by A. A. Jones and others make the following separate report of the amount of damages, and to whom assessed by them which would accrue by the opening of the road. The parties named below, have filed their written applications for the said allowance according to law and the same are hereby appended and returned with this report. We have assessed and determined the Compensation to be paid in money for the property sought to be appropriated in the following sums. To John Gilliland, \$91.00: To Hannah J. Acton, \$53.60: To Newell Buchanan, \$27.30; Each of the above sums has been assessed and determined "without deduction for benefit to any property of the owner" which would accrue by the opening of the road. We have assessed and determined the damages to persons whose premises will be rendered less valuable by the opening or construction of said road, as follows.- To John Gilliland, \$262.97; To Hannah J. Acton, \$229.10; . May 17, A. D. 1906. John B. McMechen, Thomas C. Mercer Miles R. Hart, Viewers and Jurors to assess and determine damages. To the Viewers appointed by the Probate Court of the County Road petitioned for by A. A. Jones and others. The Undersigned respectfully represents that he is the owner of 110 acres in Kirkwood Township, Belmont County, Ohio, over which it is proposed to locate said road. He therefore claims Compensation, for so much of his land as may be appropriated to said road \$350.00. and damages for injury, which the premises from which such appropriation is made will sustain by the location of said road \$1200.00, Dated May 14, 1906, J. T. Gilliland. Hendrysburg, Ohio, May, 15, 1906. I the undersigned, do hereby respectfully submit my claim for damages for road petitioned for to run through my premises and damaging me as I truly believe to the amount asked and herewith submitted and itemized for lands taken by road \$300.00, for water cut off from field, \$300.00; for necessary fencing, \$300.00; for cutting farm in two \$1,000.00. Respectfully submitted, H. J. Acton. To the Viewers appointed by the Probate Court of the County Road petitioned for by A. A. Jones and others. The undersigned respectfully represents that he is the owner of 90 acres in Kirkwood Township, Belmont County, Ohio, over which it is proposed to locate said road. He therefore claims compensation for so much of his land as may be appropriated, \$100.00; and damages for injury which the premises from which such appropriation is made will sustain by the location of said road \$. May 14, 1906. N. K. Buchanan.

And afterwards on the 21st, day of May, 1906, exceptions to the award of the viewers was filed in said Court in the words and figures following, to-wit:- Probate Court; State of Ohio, Belmont County, ss. In the matter of the County Road petitioned for by A. A. Jones et al. Exceptions to award of viewers. Now comes John Gilliland, N. K. Buchanan, and Hannah J. Acton, and excepts to the award of the viewers in this case made in their behalf for the reason that said award has not been made by a constitutional jury of 12 men, and because the amount of Compensation and damages assessed to them is far less than they should have been allowed. Wherefore they ask that said award may be set aside and a new assessment maybe made by a jury legally constituted. John Gilliland, N. K. Buchanan, Hannah J. Acton. By John Pollock, Their Attorney. And afterwards on the 22nd, day of May, 1906, proceedings were had in said Court and entered upon the Journal in the words and figures following, to-wit:- A. A. Jones et al vs. John T. Gilliland et al. May 22, 1906. Road appeal. Report of viewer confirmed. This day this cause came on to be heard upon the report of the viewers and surveyor heretofore appointed in this case, and on the exceptions filed by John T. Gilliland, N. K. Buchanan, and Hannah J. Acton, Claimants of Compensation and Damages to the decision of said viewers upon their claims, and was submitted to the Court. Whereupon after due examination, the Court finds that the proceedings and report of said viewers and surveyor are substantially legal and also, substantially co-incide with the order of the Commissioners, appealed from and orders that the same be and they are hereby approved and confirmed, in so far as they relate to the establishment of said County Road. It is therefore by the Court ordered that John T. Gilliland and Newell Buchanan, pay the costs created by said appeal, taxed at \$131.26, and in default of so doing, that execution issue against them according to law, And it is further ordered that the questions raised by said exceptions be submitted to trial by jury as provided by law, and that this case be redocketed in this court, the exceptors herein being plaintiffs and the obligors in the Bond given by petitioners for the road defendant. John S. Cochran, Probate Judge. And afterwards on the 9th day of June 1906, proceedings were had in said Court and entered upon the Journal in words and figures following to-wit:- A. A. Jones et al vs. John T. Gilliland et al. June 9th, 1906. Road Appeal. This day this cause on further to be heard and it appearing that the exceptions heretofore filed in this Court by John T. Gilliland, N. K. Buchanan and Hannah J. Acton to the award of Compensation and damages made by the viewers in this case, have been dismissed. It is now by the Court further ordered that the report of said viewers awarding compensation and damages be and it is hereby approved and confirmed. And it is further ordered that this proceeding be duly recorded as provided by law. John S. Cochran, Probate Judge. State of Ohio, Belmont County, ss. I, John S. Cochran, Judge and ex-officio Clerk of the Probate Court of Said County, do hereby certify the foregoing to be a true and correct transcript of the records of the proceedings had in said Court upon the appeal taken by John T. Gilliland and Newell Buchanan from the final order of the County Commissioners of said County establishing a County road, petitioned for by A. A. Jones et al, In testimony whereof, I have hereunto set my hand and affixed the seal of said probate court, this 20th day of June, A. D. 1906. John S. Cochran, Judge and ex-officio Clerk of said Probate Court. (Seal)

ROAD PETITION.

For _____ Establishment _____ Road in _____ KIRKWOOD TOWNSHIP "CONTINUED"

To the Board of Commissioners of Belmont County, Ohio:

Dated this _____ A. D. 189 _____

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.

The Commissioners met in ~~XXXX~~ ^{Special} session, and the Board of County Commissioners having at their session held March 19th, 1906, Journal 9, Page 175, established the road as petitioned for by A. A. Jones et al, and as reported by the viewers and surveyor, and J. T. Gilliland, Hannah J. Acton and Newell Buchanan, having on April 7th, 1906, appealed from the decision of the County Commissioners, and the same being heard in the probate Court and the transcript of the proceedings in the Probate Court in said matter, having been certified to to the County Auditor and the same having been laid before this Board as required by law, and it appearing that the Compensation and damages are in excess of that assessed, approved and ordered paid before said appeal was taken and it further appearing that the Compensation and damages ordered by the viewers acting under the direction of the Probate Court to the several claimants, as follows:

John Gilliland,	Compensation	\$91.00	Damages	\$262.97
Hannah J. Acton.	"	53.60	"	229.10
Newell Buchanan	"	27.30	"	

are reasonable and just and that said road will be of sufficient importance to the public to justify the payment of said Compensation and damages out of the County Treasury and no petition for review having been filed, it is ordered that the County Auditor draw his warrant in favor of said claimants for the amount of Compensation and Damages so awarded to them respectively; that the report to make a good and sufficient record of said road together with the survey and plat of said road be recorded and that said road be established a public highway, 33 feet in width; that the County Auditor issue his order to the Trustees of Kirkwood Township to open said road according to law.

ATTEST:
A. W. Beatty,
County Auditor.

J. W. Martin,
Robert McMillen
A G. Holloway:
Commissioners

(Order to Trustees to open, Mailed June 27th, 1906.)

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated.....189....., proceeded on the..... day of..... to survey and mark the..... described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

("Continued from page No. 431 this Volume)

Being in section No. 13 Township No. 9, Range No. 6 beginning at an iron pin driven the Barnesville and Hendrysburg Pike opposite the Private Road leading from said Pike to the house of John Gilliland, from which a locust tree 12" D. bears N. 4° 40' E. 80 feet and a thribble locust tree bears S. 8° 00' E. 61 feet and 5 inches; thence from station No. 656 Bearing S. 87° 00' W. 130.30 feet to station No. 2 in John Gilliland's Private Lane; thence along said private lane N. 83° 13' W. 658 feet to station No. 3, from which the S. W. Corner of John Gilliland's Barn bears N. 5° 00' R. 107.50 feet; thence N. 33° 41' W. 242.66 feet to station No. 4 on lands of John Gilliland; thence N. 13° 53' W. 297.50 feet to station No. 5 on Lands of John Gilliland; thence N. 36° 28' W. 534 feet to station No. 6 on lands of John Gilliland; thence N. 33° 58' W. 804 feet to station No. 7 from which a black walnut tree 12" D. bears N. 83° 35' E. 53.50 feet; thence N. 31° 31' W. 176.50 feet to station No. 8 on lands of Hannah J. Acton, from which an elm tree 48" D. bears N. 85° 45' E. 29 feet; thence N. 27° 05' W. 413.50 feet to station No. 9 on lands of Hannah J. Acton; thence N. 33° 52' W. 105.33 feet to station No. 10, on lands of Hannah J. Acton; thence N. 59° 37' W. 22. feet to station No. 11, on lands of Hannah J. Acton; thence N. 69° 17' W. 526 feet to station No. 12 on lands of Hannah J. Acton; thence N. 73° 56' W. 334.20 feet to station No. 13 on or near line between the lands of Hannah J. Acton and John W Kaiser and near County Road; thence S. 61° 32' W. 110 feet to station No. 14 on lands of John W. Kaiser from which said Station No. 14 a sycamore tree 05" D. bears N. 5° 30' E. 14 feet 5 inches; thence S. 56° 52' W. 171.50 feet to station No. 15 on lands of John W. Kaiser thence S. 32° 32' W. 100 feet to station No. 16 on lands of John W. Kaiser; thence S. 21° 34' W. 231.60 feet to station No. 17 from which a willow 8" D. bears N. 31° 35' W. 110 feet 7 inches on lands of John W. Kaiser thence S. 21° W. 60.16 feet to station No. 18 on lands of John W. Kaiser; thence S. 58° 46' W. 1160 to station No. 19 on lands of Elma Binns thence S. 45° 06' W. 235.50 feet to station No. 20 on lands of Elma Binns; thence S. 23° 59' W. 945 feet to station No. 21 from which a sycamore 30" D. bears S. 16° 57' W. 119 feet on lands of Elma Binns; thence S. 00° 51' E. 278 feet to station No. 22 on lands of Elma Binns; thence S. 43° 17' W. 176.50 feet to station No. 23 in center of County Road; thence crossing the County Bridge over a branch of Stillwater Creek on Bearing N. 43° 14' W 234 feet to station No. 24 in center of County Road; thence N 80° 17' W. 67.50 feet to station No. 25 in County Road; thence along said Road S. 58° 03' W. 304.75 feet to station No. 26 in County Road; thence N. 59° 44' W. 93 feet to station No. 27 in County Road from which station a sycamore 12" D. bears S. 14° 15' W. 18.50 feet; thence N. 53° 31' W. 410 feet to station No. 28 in County Road from which station an elm 24" D. bears N. 81° 30' E. 38 feet; thence leaving said County Road N. 66° 00' W. 398.50 feet to station No. 29 on lands of Newell Buchanan from which station a beech 36" D. bears bears N. 45° 10' E. 37.50 feet; thence N. 53° 25' W. 402.50 feet to station No. 30 on lands of Elma Binns; thence N. 65° 50' W. 334.25 feet to station No. 31 on lands of Elma Binns; thence S. 81° 58' W. 616.50 feet to station No. 32 on lands of Elma Binns; thence N. 71° 22' W. 412 feet to station No. 33 on lands of Elma Binns, near line between the lands of Elma Binns and Asa Jones from which a sycamore 54" D. bears S. 13° 35' E. 73 feet; thence N. 40° 25' W. 254.50 feet to station No. 35 from which a Jack Oak 20" D. bears N. 00° 30' E. 51.50 feet ; thence N. 81° 57' W. 333 feet to station No. 36 from which a cross cut on a large sand stone, bears N. 18° 30' E. 27 feet; thence S. 88° 09' W. 181 feet to station No. 37 on lands of Asa Jones thence N. 75° 28' W. 238.50 feet to station No. 38 on lands of Asa Jones; thence N. 60° 25' W. 210 feet to station No. 39, on lands of Asa Jones; thence S. 81° 43' W. 460 feet to station No. 40 in Asa Jones' Garden; thence N. 73° 17' W. 322.50 feet to station No. 41 in County Road from which station a cross cut in a large sandstone bears N. 11° 00' E. 27 feet

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

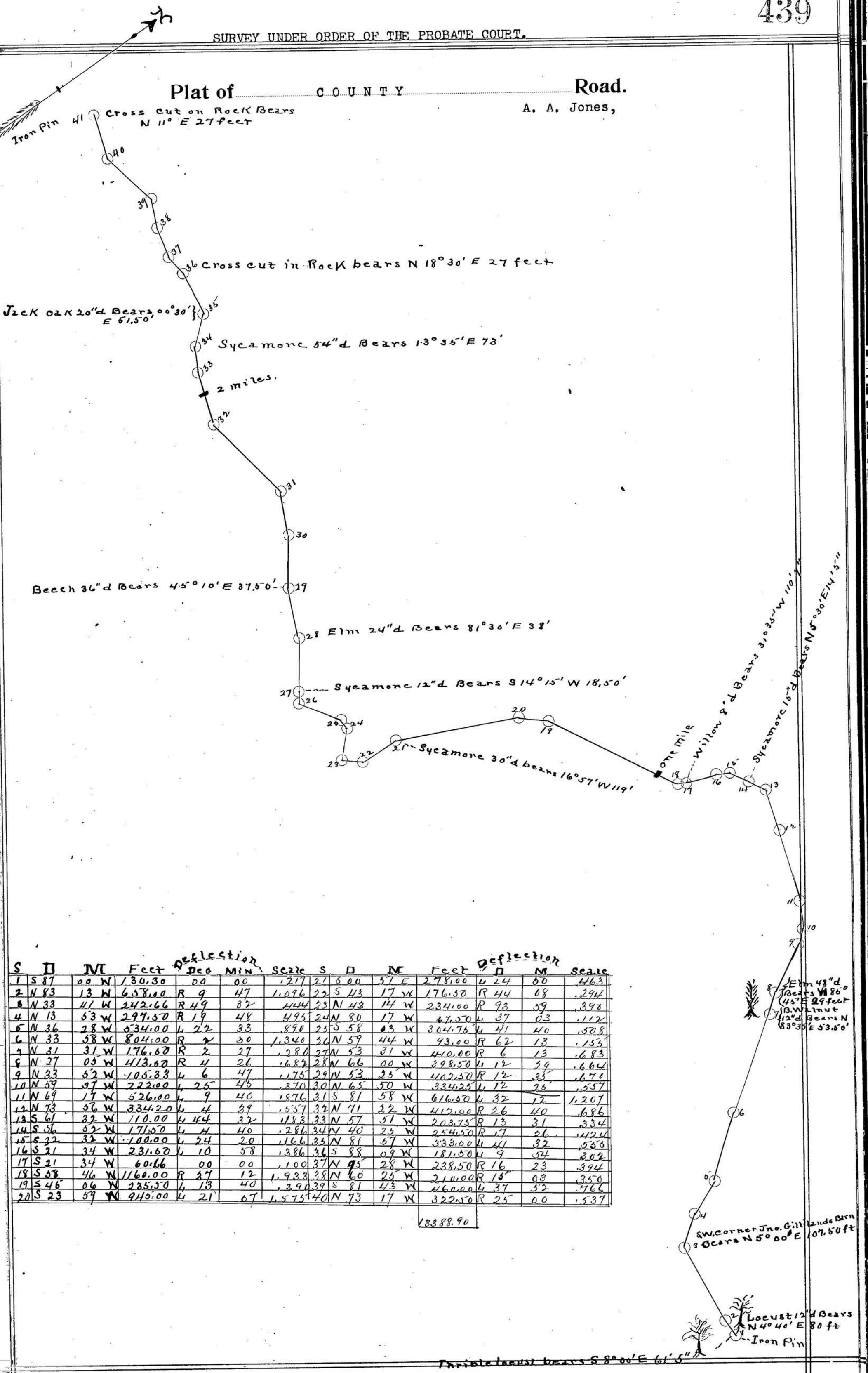
Surveyor of said.....

SURVEY UNDER ORDER OF THE PROBATE COURT.

Plat of _____ COUNTY

Road.

A. A. Jones,



S	D	M	Feet	Deflection	Scale	S	D	M	Feet	Deflection	Scale						
1	S	87	00 W	130.30	00	00	21	S	00	57 E	278.00	24	00	463			
2	N	83	13 W	658.00	R	9	47	1.096	22	S	43	17 W	176.50	R	44	08	.294
3	N	33	41 W	242.66	R	49	32	444	23	N	43	14 W	234.00	R	93	59	.398
4	N	13	53 W	297.50	R	19	48	495	24	N	80	17 W	67.50	L	37	03	.112
5	N	36	28 W	534.00	L	22	33	890	25	S	58	03 W	304.75	L	41	40	.508
6	N	33	58 W	804.00	R	2	30	1,340	26	N	59	44 W	93.00	R	62	13	.153
7	N	31	31 W	176.60	R	2	27	280	27	N	53	31 W	410.00	R	6	13	.683
8	N	27	03 W	413.60	R	4	26	1,682	28	N	66	00 W	398.50	L	12	39	.664
9	N	33	52 W	105.33	L	6	47	1,175	29	N	53	23 W	402.50	R	12	35	.670
10	N	59	37 W	222.00	L	25	45	1,370	30	N	65	50 W	334.25	L	12	25	.557
11	N	69	17 W	526.00	L	9	40	1,876	31	S	81	58 W	616.50	L	32	12	1,207
12	N	73	56 W	334.20	L	4	39	1,557	32	N	71	22 W	412.00	R	26	40	.686
13	S	61	32 W	110.00	L	44	32	1,833	33	N	57	51 W	203.75	R	13	31	.334
14	S	56	02 W	171.50	L	4	40	1,286	34	N	40	23 W	254.50	R	17	26	.424
15	S	32	32 W	100.00	L	24	20	1,166	35	N	81	57 W	333.00	L	41	32	.566
16	S	21	34 W	231.60	L	10	58	1,386	36	S	88	09 W	181.50	L	9	52	.302
17	S	21	34 W	60.66	00	00	1,100	37	N	95	28 W	238.50	R	16	23	.394	
18	S	58	46 W	1160.00	R	37	12	1,933	38	N	60	25 W	210.00	R	15	03	.350
19	S	46	06 W	235.50	L	13	40	1,390	39	S	81	43 W	460.00	L	37	52	.766
20	S	23	59 W	945.00	L	21	67	1,575	40	N	73	17 W	322.50	R	25	00	.537

13388.90

Elm 48" d
Bears N 80°
45' E 29 feet
Walnut
12" d Bears N
83° 35' E 53.50'

SW corner Jno. Gill lands Barn
Bears N 50° 00' E 107.50 ft

Locust 12" d Bears
N 40° 40' E 80 ft
Iron Pin

Triple locust bears S 80° 00' E 61' 5"

ROAD PETITION.

For ALTERATION Road in UNION AND GOSHEN TOWNSHIPS

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners resident freeholders of said County respectfully represents that the Public convenience requires the Alteration of a County Road leading from Loydsville to Belmont and pray that your body will institute and order the proper proceedings in the premises to establish said road along the following line; Beginning in the center of the County road leading from Loydsville to Belmont, at a culvert on the lands of John And Archimedes to station No. 1, on east side of Present road, 15 west of a large white oak to stake No. 2, 5 feet east of a locust tree to stake No. 3 three feet of locust tree on lands of Moore Brothers; thence to stake No. 4 in center of road 20 feet south of an ash tree, thence following the present road to stake No. 5 east to a culvert at Bottom of Hill to stake No. 6 in Moore's Woods, 25 feet south of a white Oak tree to stake No. 7 at top of hill in Old road; thence along present road to stake No. 8, 3 feet east of a telephone pole at top of hill to stake No. 9 on west side of present road in Lantz' field 7 feet west of telephone pole to stake No. 10 in same field, 44 feet west of an old apple tree on east side of road, to stake No. 11, into old road, at bottom of hill; thence starting at stake No. 12 at top of hill at a bar post on east side of present road running to stake No. 13 in Lantz' field 10 feet east of a large white oak tree to stake No. 14 in Thomas Bentley's field 12 feet east of sage hedge bush at bottom of hill to stake No. 15 in old road; thence commencing at stake No. 16 at foot of hill south of small creek to stake No. 17 at top of hill in Wood Bentley's field, 3 feet east of wire fence to stake No. 18 at bottom of hill at north side of gate and from there to foot log over Bark Camp creek thence Commencing at said foot Log and running to stake No. 19 65 feet wouthwest of a sugar tree on the lands of the late S. M. Bentley, thence westward crossing road to stake No. 20 in James Owens field 5 feet north of Haw bush to stake No. 21 in same field, in stump to stake No. 22 in same field; thence through same field on lands of James Owens to stake No. 23; thence to stake No. 24 east of sassafras tree; thence through said owens land to stake No. 25; thence to old road; thence following the present road to the lands of Stephen Dunn to top of hill near said Dunn's stable to stake No. 26, 25 feet west of corner of stable; thence across the lands of Stephen dunn to stake No. 27 at bottom of Hill, 15 feet south of a wild cherry tree; thence to present road ator near a Bridge over McMahon's Creek; thence from said Bridge to stake No. 28 on bank of north side of old road to stake No. 29 in Stephen Dunn's field 40 feet north of an old stump; thence to stake No. 20 in same field; thence to stake No. 31, in Hoge's field; thence to stakes Nos. 32, 33 and 34 in same field, to stake No. 35 in edge of road in front of W. W. Gregg's residence; thence to center of old road.

(See Commissioners Journal, Volume 9, Page 134)

Dated this February 5, 1906 *A. D. 189*

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
	J. P. Owens, J. L. Heed J. W. Wright J. W. Bentley W. H. Vail, J. E. Lantz W. F. Lantz, E. E. Lucas	Luke Miles L. S. Palmer F. S. Waddell, D. K. Parkinson	and 48 others.

Know all Men by these Presents:

That we, J.P.Owens, J.E.Lantz, A.L.Carman and J.C.McConnell are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of One Hundred (\$100.00) 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 5 day of Feb. 1906 189

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 road on the following line, to-wit:

(For Description see page 443 this Volume)

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:

John A. Bond
Geo. Miskinins,

J. P. Owens SEAL
J. E. Lantz
A. L. Carman SEAL
J. C. Connell SEAL

(See C. J. Vol. 9, Page 134)

St. Clairsville, O., February 5, 1906 189

The Commissioners met in _____ 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 _____ of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed Elmer Hibbs, Lee Hays, and Chester White, three disinterested freeholders of the County, viewers, and John A. Bond surveyor of said proposed road, to meet ate the Mayor's Office, Belmont, O. February 20th, 1906 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:

A. W. Beatty
County Auditor.

J. W. Martin,
Robert McMillen
A. G. Holloway Commissioners.

Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your Feb. 6, 1906 session, A. D. 189....., we the undersigned, Viewers appointed under said order, met with John A. Bond Surveyor, at Belmont on Feb. 20, 1906 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Stephen Beard and Harry Beard were selected by us as chain carriers, and Chris Starkey as a marker, who were also duly sworn.

We then proceeded to view said proposed Alteration of a County Road 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:

(For Description see page 448 this Volume)

We would respectfully report that the said Proposed Alteration ought to be Granted for the following reasons:

First;-- It reduces the grades on present road of 12° on steep pulls to grades of not over 6° on proposed alteration; Second- Extra good ground for road bed; Third;- a great benefit to the general public from the fact that the present road prevents travel from the south and southwest pparts of the County to st. clairsville when roads are bad .

We have also determined that the public convenience requires that such Alteration shall be established 30 feet in width. except from sta. 17 to sta. 26 station 30 to station 35 and from station 49 to station 57 40 feet in width.

All of which is respectfully submitted,
March 1st, 1906 189

Elmer Hibbs
Lee Hays
Chester White Viewers.

FEEES.

<u>Elmer Hibbs</u> Viewer, 7 days, \$ 10.50	<u>Harry Beard</u> Chainman, 4 days, \$ 4.00
<u>Lee Hays</u> " 7 days, \$ 10.50	<u>Stephen Beard</u> " 4 days, \$ 4.00
<u>Chester White</u> " 7 days, \$ 10.50	<u>Chris Starkey</u> Marker, 4 days, \$ 4.00
<u>John A. Bond</u> Surveyor, 5 days, \$ 25.00.	Plat & Description \$6.30

If any Viewer is unable to attend here state by whom the vacancy was filled.

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

J. E. Lantz
&
J. P. Owens

The undersigned, Viewers of the Proposed Road petitioned for by 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	Moore Brother	Twenty and 00/100	Dollars;
To	W. H. Vail	Five and 00/100	Dollars;
To	W. F. Lantz	Thirty five and 00/100	Dollars;
To	T. W. Bentley	Twenty and 00/100	Dollars;
To	J. W. Bentley	Thirty and 00/100	Dollars;
To	S. M. Bentley	Nothing	Dollars;
To	J. P. Owens	Eighty seven and 00/100	Dollars;
To	Stephen Dunn	Thirty and 00/100	Dollars;
To	Clariss a D. Hoge,	One hundred, fifty and 00/100	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	Moore Brothers	Ten and 00/100	Dollars;
To	W. F. Lantz,	Twenty five and 00/100	Dollars;
To	G. W. Bentley	Twenty five and 00/100	Dollars;
To	T. W. Bentley	Ten and 00/100	Dollars;
To	"Heirs" of S. M. Bentley	Five and 00/100	Dollars;
To	J. P. Owens	Twenty five and 00/100	Dollars;
To	Stephen Dunn	Twenty five and 00/100	Dollars;
To	Clarissa D. Hoge,	Thirty four and 00/100	Dollars;
To			Dollars;
To			Dollars;

Elmer Hibbs

Lee Hays

Chester White

} Viewers and Jurors to award damages.

March 1, 1906 189

(See C. J. Volume 9, Page 144)

St. Clairsville, O., March 5, 1906 189

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:

A. W. Beatty
County Auditor.

J. W. Martin

Robert McMillen

A. G. Holloway

} Commissioners.

(See C. J. Vol. 9, Page 149)

St. Clairsville, O., March 6, 1906 189

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:

A. W. Beatty
County Auditor.

J. W. Martin

Robert McMillen

A. G. Holloway,

} Commissioners.

(See C. J. Vol. 9, Page 159.)

St. Clairsville, O., March 7, 1906. 189

The Commissioners met in regular session, and the report of the viewers in favor of the alteration of said road was this day publicly read for third time and said viewers having filed a separate report in writing of the amount of compensation and damages which they have assessed to land owners by reason of the alteration of said road through their several premises, which report was also publicly read, the Board hereby directs that final action on this matter be deferred for further investigation to be taken up at a future meeting of the Board.

ATTEST:

A. W. Beatty,
County Auditor.

J. W. Martin,
Robert McMillen
A. G. Holloway,
Commissioners

See C. J. Vol. 9, Page 197)

St. Clairsville, Ohio, April, 9th, 1906.

The Commissioners met in Special session and final action having been deferred at the session held March 7th, 1906, and the Board being of the opinion that the Compensation and damages awarded by the viewers to the several claimants to-wit:-

	Compensation		Damages	
Moore Brothers	\$20.00		\$10.00	
W. H. Vail,	5.00	"		
W. F. Lantz,	35.00	"	25.00	
T. W. Bentley	20.00	"	10.00	
J. W. Bentley	30.00	"	25.00	
S.M. Bentley "Heirs"		"	5.00	
J. P. Owens	87.00	"	25.00	
Stephen Dunn	30.00	"	25.00	
Clarissa D. Hoge	150.00	"	34.00	

are reasonable and just that said road will be of public utility except as hereinafter mentioned and of sufficient importance to the public to justify the payment of said compensation and damages out of the County Treasury and no petition for review having been filed it is ordered that the County Auditor issue his warrant on the County Treasurer in favor of said claimants for the amount of compensation and damages so awarded to them respectively; that the several reports of the viewers, with the survey and plat of said road be recorded and that said road be and the same is hereby established a public highway, except from Station 46 and 47 as shown on the plat which is hereby refused and that said road established shall be 30 feet in width except from station NO. 17 to station 36 from which station 30 to 35 and from station 49 to station 57 is hereby established 40 feet in width; that the County Auditor issue the necessary order to the trustees of Union and Goshen Townships to open said road according to law.

ATTEST:

A. W. Beatty,
County Auditor.

J. W. Martin,
Robert McMillen
A. G. Holloway
Commissioners

(Order to Open Mailed _____ 190__)

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Feb. 5, 1906, 189, proceeded on the 26th day of Feb. 1906 to survey and mark the proposed alteration of a Co. Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Commenced at an iron pin driven in the center of the County Road leading from Loydsville to Belmont, from which a W. ok, 30" D. bears S. 62° 11' 2" W. 18.28 P. through lands of Moore Brother to station No. 2 in Moore's field; thence through same field S. 4° 00' W. 7.08 P. to station No. 3; thence S. 5° 19' W. 9.24 P. to station No. 4 in center of County Road; thence S. 1° 18' W. 10.52 P. in old road to station No. 5 from which the N. W. Corner of Moore's house bears S. 69° 40' E. 64 links; thence S. 00° 47' E. 56.14 P. to station No. 6 in center of County Road; thence S. 00° 32' E. 37.09 P. to station No. 7 in center of County Road; thence S. 2° 34' E. 11.39 P. to station No. 8, from which the N. E. Corner of T. W. Bentley's house bears N. 83° 05' W. 82.75 links thence S. 00° 46' E. 45.35 P. to station No. 9 in center of County Road; thence S. 16° 20' E. 8.11 P. to station No. 10 on Moore's land; thence S. 3° 50' E. 3.55 P. to station No. 11 on Moore Brothers; thence S. 60° 59' W. 7.71 P. to station No. 12 in edge of timber on Moore Brothers; thence S. 13° 24' W. 7.00 P. to station No. 13 in front of William Vail's house, from which said station bears N. W. Corner of William Vail's house bears S. 55° 35' E. 96 links; thence S. 1° 43' W. 42.76 P. to station No. 14 near forks of road; thence S. 22° 43' W. 30.20 P. to station No. 15 in center of County Road; thence S. 40° 27' W. 26.27 P. to station No. 16 from which the N. W. Corner of William Lantz' house bears S. 13° 54' E. 56 1/2 links; thence S. 44° 08' W. 43.76 P. to station No. 17 in Middle of County Road, on lands of William Lantz; thence S. 31° 21' W. 25.12 P. to station No. 18 in center of County Road; thence S. 13° 07' W. 11.38 P. to station No. 19 in William Lantz' field; thence S. 15° 58' W. 12.30 P. to station No. 20 in William Lantz' field; thence S. 17° 10' W. 32.52 P. to station No. 21 in William Lantz' field; thence S. 25° 10' W. 13.63 P. to station No. 22 in William Lantz' field; thence S. 20° 17' W. 16.96 P. to station No. 23 in William Lantz' field; thence S. 25° 07' W. 13.49 P. to station No. 24 in T. W. Bentley's field; thence S. 32° 18' W. 11.89 P. to station No. 25 in T. W. Bentley's field; thence S. 47° 21' W. 21.90 P. to station No. 26 on J. W. Bentley's land; thence S. 63° 00' W. 6.69 P. to station No. 27 on J. W. Bentley's land; thence S. 69° 28' W. 9.79 P. to station No. 28 on J. W. Bentley's land; thence S. 57° 59' W. 16.86 P. to station 29, on lands of the heirs of S. M. Bentley; thence N. 41° 51' W. 8.78 P. to station No. 30, line between the heirs of S. M. Bentley and J. P. Owens; thence N. 57° 27' W. 8.23 P. to station No. 31, on lands of J. P. Owens; thence N. 75° 12' W. 5.71 P. to station No. 32 on lands of J. P. Owens; thence S. 78° 43' W. 5.87 P. to station No. 33 on lands of J. P. Owens; thence S. 66° 43' W. 8.97 P. to station No. 34 on lands of J. P. Owens; thence S. 48° 12' W. 17.21 P. to station No. 35 in center of County Road; thence along center of County Road S. 68° 38' W. 28.55 P. to station No. 36 in center of County Road, from which the S. E. Corner of J. P. Owens Stable Bears N. 87° 20' W. 10 1/2 links; thence S. 74° 16' W. 64.24 P. to station No. 37 in County Road, near Mary Ann White's lane; thence along center of County Road S. 6° 00' W. 39.32 P. to station No. 38; thence S. 3° 16' W. 20.35 P. to station No. 39 in county Road; thence S. 33° 26' W. 22.22 P. along County Road to station No. 40 thence S. 23° 54' W. 70.40 P. along the center of County Road to station No. 41; thence S. 8° 04' W. 8.25 P. to station No. 42 in center of County Road; thence along center of County Road S. 10° 22' E. 18.19 P. to station No. 43; thence S. 5° 18' W. 12.51 P. to station No. 44 in center of County Road; thence S. 17° 43' W. 12.05 P. to station No. 45 in center of County Road near the residence of Chas. Quinn; thence S. 85° 45' W. 47.60 P. to station No. 46 from which the N. W. Corner of Stephen Dunn's stable bears S. 14° 05' E. 29 1/2 links; thence leaving County road a crossing Stephen Dunn's field on bears S. 54° 51' W. 17° 39 P. to station No. 47 at foot of Dunn's hill in center of County road on N. Side of McMahon's Creek; thence along center of said road S. 24° 56' W. 10.69 P. to station No. 48 at N. edge of Belmont Bridge; thence crossing said bridge on bearing S. 39° 36' W. 3.76 P. to station No. 49 in center of County Road; thence leaving said road N. 63° 54' W. 3.33 P. to station No. 50 on Lands of Stephen Dunn; thence on same land N. 56° 57' W. 6.43 P. to station No. 51 near a hollow; thence on Stephen Dunn's land N. 67° 59' W. 17.74 P. to station No. 52; thence N. 78° 49' W. 11.52 P. on lands of Clarissa D. Hoge; thence S. 88° 41' W. 9.88 P. to station No. 54 on lands of Clarissa D. Hoge; thence S. 77° 05' W. 8.93 P. to station No. 55 on lands of Clarissa D. Hoge; thence S. 71° 42' W. 20.37 P. to station No. 56 on lands of Clarissa D. Hoge; thence S. 64° 21' W. 12.46 P. to station No. 57 on lands of Clarissa D. Hoge; thence S. 62° 40' W. 5.72 P. to an iron Pin in center of County Road, from which the N. W. Corner of Margaret Gregg's house bears N. 32° 06' W. 89' and N. E. Corner of same house bears S. 1° 18' E. 44 1/2 feet distant

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 Road

Plat of COUNTY Road.

J. P. Owens & J. E. Lentyz.

Scale 20 Poles to One Inch.

