

"R E M O N S T R A N C E "

We the undersigned residents and freeholders of Belmont County, Ohio, respectfully remonstrate against the granting of the alteration of the County Road in Richland Township, said County, petitioned for by M L. Bailey, et al, for the following reasons

First:- A good road cannot be opened and maintained on the route established by the viewers at reasonable expense.

Second:- The road when opened will not accommodate the general public.

Nathan Andrews

Thomas M. Neff

Robert M. K. Fulton

John W. Neff

Maggie K. Neff

John C. Knox

Andrew T. Neff

Flora J. King

C. H. Unterzuber

William D. Bennett

John Hart

James Unterzuber and 15 others.

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ROAD PETITION.

For ALTERATION Road in WASHINGTON TOWNSHIP.

To the Board of Commissioners of Belmont County, Ohio:

Your petitioners, residents of said County, respectfully represent that it is necessary to accommodate public travel to change or alter certain parts of a County Road leading from a point of intersection with the County Road at Armstrongs School House in Washington Township in said County and running thence west up Captina Creek to Bend Fork Creek; Commencing for said alterations on the lands of E. B. Armstrong, on the south bank of Captina Creek at a point in the said County Road near an elm tree; thence through the lands of E. B. Armstrong in a westerly direction along the south bank of Captina Creek, at or near the 4 ft. stratum of Coal to the lands of John Danford; thence through the lands of John Danford in a westerly direction along the south bank of Captina Creek to the lands of heirs of Jason Read; thence in a northerly direction through the lands of the heirs of Jason read, to a point in said County Road at or near where said County Road crosses said Captina Creek to lands of T. P. Lendon; thence in a northerly direction along said County Road through the lands of the Heirs of Jason Read to the first ford of Captina Creek; thence in a westerly direction through the lands of the heirs of Jason Read along the south side of Captina Creek and north of the residence on said Lands; to the lands of John Danford; thence in a westerly direction through the lands of John Danford along the south side of Captina Creek and north of the residence on said lands, and terminating in the public road at or near the crossing of Captina Creek, near the mouth of Bend Fork Creek.

Your petitioner respectfully represent that by making said proposed alteration, two fords of said Captina Creek now in line of the old road may be eliminated. Your petitioners therefore pray that such proceedings may be had as are authorized and required by law for the alterations and establishment of a road along the proposed route

(See Commissioners Journal, Volume 9, Page 179)

Dated this February 19, 1906 A. D. 18906

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
	D. A. Talbott Harry M. Armstrong Crawford Kinney John Danford. E. V. Perkins N. Huddle William Palmer A. B. Caldwell	John Roberts Ellis Perkins D. C. Saffell, Henry Coon and 78 others.	

Know all Men by these Presents:

That we, D. A. Talbott and John Danford.
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 2 day of Apr. 1906 189

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

(For Description see Page 483 this Volume)

Now if the said applicants shall pay into the Treasury of the said County the amount of all costs and ex-
penses 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:

D. A. Talbott SEAL.

John Danford. SEAL.

SEAL.

(See C. J. Vol. 9, Page 179)

St. Clairsville, O., April, 2, 1906 189

The Commissioners met in session at their office, and the Board being satisfied that the fore-
going 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 M. E. Moore, Eli P. Frost, and Mathias Myers
three disinterested freeholders of the County, viewers, and John A. Bond surveyor
of said proposed road, to meet at residence of E. B. Armstrong, on May 24th, 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 April, 2, 1906 session, A. D. 189....., we the undersigned, Viewers appointed under said order, met with John A. Bond Surveyor, at D. A. Talbott's on May 24th, 1906 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 state by whom the vacancy was filled.

Walton Ralston and Eugene Huffman were selected by us as chain carriers, and A. R. Saffell, as a marker, who were also duly sworn.

We then proceeded to view said proposed 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:

(For Description see Page 488 this Volume)

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

First;- It will avoid the 3 creek crossings on Captina Creek; Second:- It shortens the distance. Third:- It will avoid recribbing the Creek Banks of present traveled road which has already cost the County \$300.00 and the present road will require at least 100 feet of new cribbing this year, besides repairing the cribbing now in. Fourth;- It is practically level.

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, }
May 25th, 1906 189 }
Eli P. Frost }
M. E. Moore } Viewers.
Mathias Myers }

FEEES.

<u>Eli P. Frost</u> Viewer, <u>3</u> days, \$ <u>6.00</u> .	<u>Walton Ralston</u> Chainman, <u>2</u> days, \$ <u>4.00</u> .
<u>M. E. Moore</u> " <u>2</u> days, \$ <u>4.00</u> .	<u>Eugene Huffman</u> " <u>2</u> days, \$ <u>4.00</u> .
<u>Mathias Myers</u> " <u>2</u> days, \$ <u>4.00</u> .	<u>A. R. Saffell</u> Marker, <u>2</u> days, \$ <u>4.00</u> .
<u>John A. Bond</u> Surveyor, <u>2</u> days, \$ <u>10.00</u> ,	Plat and Description \$ <u>3.00</u>

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Proposed Alteration petitioned for by D.A. Talbott 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	E. B. Armstrong	Five and 00/100	Dollars;
To	John Danford	One hundred and 00/100	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	E. B. Armstrong	Five and 00/100	Dollars;
To	I. D. Boston	Twenty and 00/100	Dollars;
To	John Danford	Twenty five and 00/100	Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

Eli P. Frost	}	Viewers and Jurors to award damages.
M. E. Moore		
Mathias Myers		

May 25th, 1906 189

(See C. J. Vol 9. Page 210)b St. Clairsville, O., June 4th, 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	}	Commissioners.
Robert McMillen		
A. G. Holloway		

(See C. J. Vol. 9, Page 217) St. Clairsville, O., June 5th, 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	}	Commissioners.
Robert McMillen		
A. G. Holloway		

(See C. J. Vol 9. Page 223)

St. Clairsville, O., June 6th, 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 the third time, and said viewers having filed as 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, and the Board being of the opinion that the compensation and damages awarded by the said viewers to the several claimants, to-wit:-

E. B. Armstrong	Compensation	\$5.00	Damages	\$5.00
John Danford	"	100.00	"	25.00
I. D. Boston	"	00.00	"	20.00

and John Danford agreeing to accept \$100.00 in full of Compensation and damages, and the Board being of the opinion that the Compensation and damages so awarded and agreed upon as follows:

E. B. Armstrong	Compensation	\$5.00	- Damages	\$5.00
John Danford	"	100.00	- "	
I. D. Boston	"		- "	20.00

would be reasonable and just; that said road will be of public utility 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 draw his warrant on the County Treasurer in favor of the 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 alteration be and the same is hereby established a public highway, 30 feet in width; that the County Auditor issue the necessary order to the Trustees of Washington 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 Apr. 2, 1906 189, proceeded on the 24 day of May, 1906 to survey and mark the Proposed Alteration of Co. Rd described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Situate in section 16, 17, 23, Township, 5, Range 4. Beginning at an elm tree 36" D. in center of Captin Road from which a white oak 36" D. bears N. 72° 00' W. 42' 5"; thence N. 44° 12' W. 193.15 feet to station No. from which a black oak 8" D. bears S. 69° 00' W. 29' 6"; thence N. 46° 10' W. 94.58 feet to station No. 3; thence N. 48° 10' W. 176.50 feet to station No. 4 along narrows on lands of E. B. Armstrong; thence N. 50° 25' W. 128.66 feet to station No. 5, along narrows on lands of E. B. Armstrong; thence N. 49° 36' W. 105.75 feet to station No. 6, along narrows on lands of E. B. Armstrong; thence N. 47° 24' W. 133 feet to station No. 7 along narrows on lands of E. B. Armstrong; thence N. 43° 14' W. 120 feet to station No. 8 along narrows on lands of E. B. Armstrong; thence N. 37° 14' W. 74.50 feet to station No. 9 along narrow on lands of E. B. Armstrong; thence N. 37° 39' W. 234.90 feet to station No. 10 along narrows on lands of E. B. Armstrong; thence N. 32° 29' W. 147. feet to station No. 11 from which a buckeye tree 16" D bears N. 65° 00' W. 32.66 feet on lands of E. B. Armstrong near line between said Armstrong and I. D. Boston; thence N. 00° 55' W. 289.50 feet to station No. 12 from which an elm 24" D. bears N. 23° 12' E. 31.91 feet thence N. 00° 17' E. 766.83 feet to station No. 13 from which an elm, 30" D. bears S. 45° 05' E. 21 feet; thence N. 31° 38' W. 142.16 feet to station No. 14 from which an apple tree 6" D. bears N. 68° 45' W. 57.50 feet; thence N. 54° 34' W. 165.80 feet to station No. 15 on I. D. Boston; thence N. 65° 06' W. 173.25 feet to station No. 16, near I. D. Boston's house, from which station the N. E. Corner of I. D. Boston's House bears S. 69° 48' W. 34.33 feet; thence N. 59° 27' W. 80 feet to station No. 17, from which the N. W. Corner of I. D. Boston's house bears S. 79° 32' E. 50.41 feet; thence S. 84° 39' W. 284.25 feet to station No. 18 on Boston, near a steep bank and Coal Bank; thence N. 62° 24' W. 52.50 feet to station No. 19, in bottom near coal bank; thence N. 41° 54' W. 259.41 feet to station No. 20 on Boston, in Bottom; thence N. 78° 44' W. 331 feet to station No. 21, on lands of I. D. Boston in Bottom; thence N. 68° 54' W. 142.50 feet to station No. 22, on I. D. Boston; thence S. 76° 24' W. 365 feet to station No. 23 on lands of John Danford, from which the N. W. Corner of John Danford's Barns Bears S. 20° 25' W. 70' 6"; thence S. 81° 55' W. 186.60 feet to station No. 24 in front of John Danford's house; thence S. 80° 27' W. 404.33 feet to station No. 25, on John Danford, from which a sycamore bears N. 60° 20' E. 74.08 feet; thence S. 67° 20' W. 548 feet to station No. 26, the end marked by an iron pin in center of public road near the crossing of Captina Creek, and bend fork creek, from which point, a sycamore tree 20" D. bears N. 46° E. 61.83 feet, and a sycamore tree 20" D. bears N. 61° 32' W. 30.41 feet

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.

D. A. Talbott

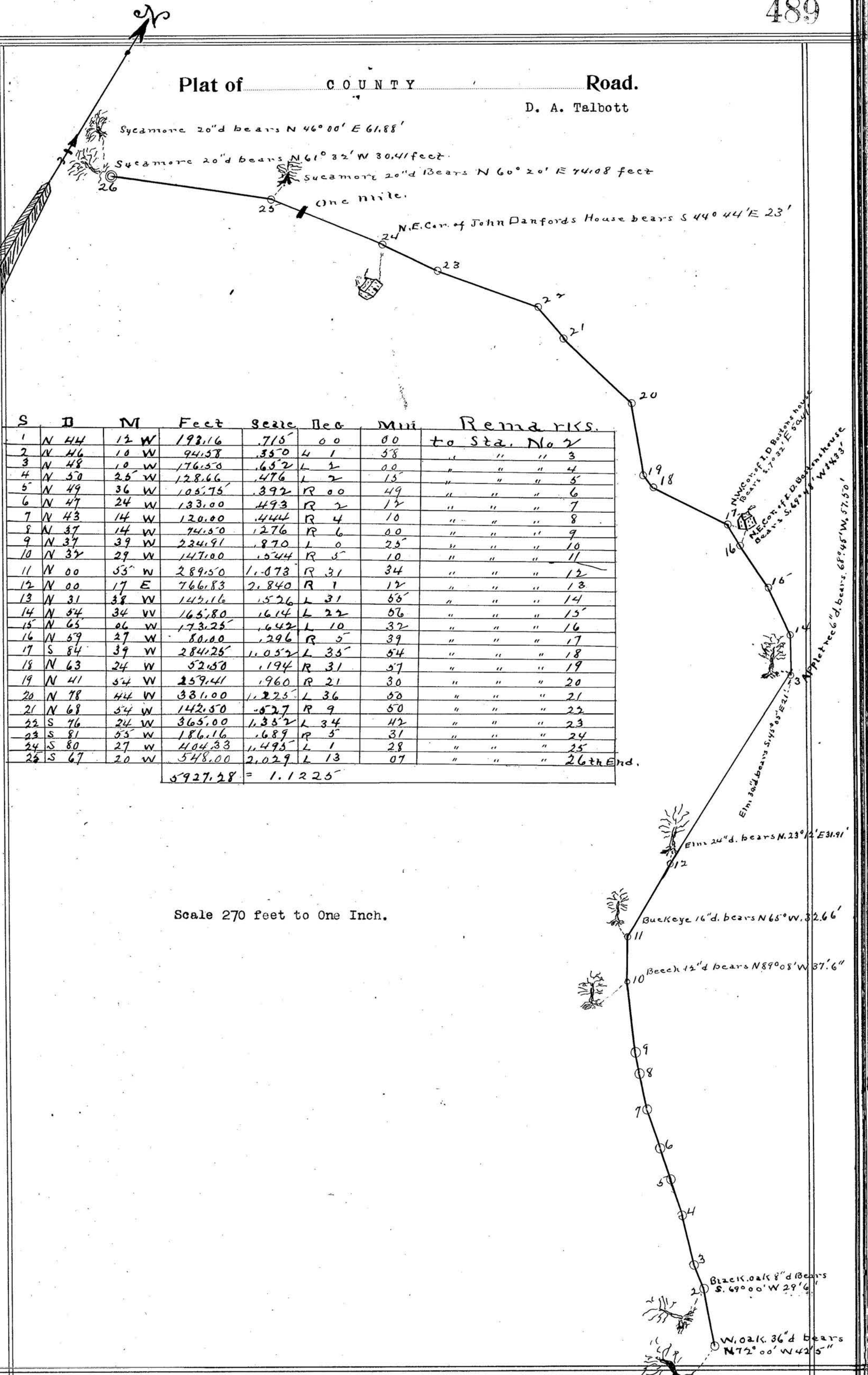
Sycamore 20" d bears N 46° 00' E 61.88'

Sycamore 20" d bears N 61° 32' W 30.41 feet

Sycamore 20" d Bears N 60° 20' E 74.08 feet

One mile.

N.E. Cor. of John Danfords House bears S 44° 44' E 23'



S	D	M	Feet	Scale	Dec	Mile	Remarks.
1	N 44	12 W	193.16	.715	00	00	to Sta. No 2
2	N 46	10 W	94.58	.350	4 1	58	" " " 3
3	N 48	10 W	176.50	.652	L 2	00	" " " 4
4	N 50	25 W	128.66	.476	L 2	15	" " " 5
5	N 49	36 W	105.75	.392	R 00	49	" " " 6
6	N 47	24 W	133.00	.493	R 2	12	" " " 7
7	N 43	14 W	120.00	.444	R 4	10	" " " 8
8	N 37	14 W	74.50	.276	R 6	00	" " " 9
9	N 37	39 W	234.91	.870	L 0	25	" " " 10
10	N 32	29 W	147.00	.544	R 5	10	" " " 11
11	N 00	53 W	289.50	1.073	R 31	34	" " " 12
12	N 00	17 E	766.83	2.840	R 1	12	" " " 13
13	N 31	38 W	142.16	.526	L 31	55	" " " 14
14	N 54	34 W	165.80	.614	L 22	56	" " " 15
15	N 65	06 W	173.25	.642	L 10	32	" " " 16
16	N 59	27 W	80.00	.296	R 5	39	" " " 17
17	S 84	39 W	284.25	1.052	L 35	54	" " " 18
18	N 63	24 W	52.50	.194	R 31	57	" " " 19
19	N 41	54 W	259.41	.960	R 21	30	" " " 20
20	N 78	44 W	331.00	1.225	L 36	50	" " " 21
21	N 68	54 W	142.50	.527	R 9	50	" " " 22
22	S 76	24 W	365.00	1.352	L 34	42	" " " 23
23	S 81	55 W	186.16	.689	R 5	31	" " " 24
24	S 80	27 W	404.33	1.495	L 1	28	" " " 25
25	S 67	20 W	548.00	2.029	L 13	07	" " " 26th End.
			5927.28	=	1.1225		

Scale 270 feet to One Inch.