

# ROAD PETITION.

For Alteration Road in Kirkwood Township (Section 4665 R. S.)

To the Board of Commissioners of Belmont County, Ohio:

We, the undersigned electors and freeholders of the above named Township, County and State, hereby respectfully represent to your honorable body that the public road in said Township has been destroyed by landslides, that the same is not practical as a public highway, and we hereby request that you have the same repaired as directed by Section 4665, Revised Statutes of Ohio, or by changing said road beginning at a culvert on the lands of Alex Hunter and A. J. Wheaton, and running in a southeasterly direction on the most practical route on south side of old road to connect with old road at the most convenient point.

(See Commissioner's Journal Volume 10, page 174)

Dated this ..... A. D. 19.....

PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES
	William Young Charles T. Smith George Haines C. S. Frizzell C. C. Deck O. A. Jones John Clay Weldon Orr	Nimrod Frizzell Elias Stein Edgar Wheaton H. C. Frizzell W. H. H. Shepherd W. C. Frizzell D. W. Warwick A. J. Wheaton	Chas. Schrader E. N. Frizzell J. W. Smith N. M. Davis R. F. Clay

# Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the ..... 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 ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

(For separate report of viewers, see page 70 this volume)

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 ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

To ..... Dollars;

..... }  
 ..... }  
 ..... }  
 Viewers and Jurors to  
 award damages.

19.....

St. Clairsville, O., June 1st, 1908 19.....

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.

A. G. Holloway

Robert McMillen

J. W. Martin

Commissioners.

St. Clairsville, O., June 2d, 1908 19.....

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.

A. G. Holloway

Robert McMillen

J. W. Martin

Commissioners.

St. Clairsville, O., June 3d 19 08

The Commissioners met in regular session, and the general and separate report of the viewers which are as follows:

Report of Viewers Sewellsville Road.

To the Board of Commissioners of Belmont County, Ohio, we, Elmer E. Hibbs, George Berstler and Joshua Dunbar, Trustees of Kirkwood Township, Belmont County, Ohio, in obedience to your verbal order, not dated, we proceeded with John A. Bond, Surveyor, Brank Bell' and David Ferrill, tapemen and Loren Hibbs, Marker, all sworn. We proceeded to view and survey a proposed road, petitioned for Elias Stein et al as prayed for in the petition or 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 said road or any part thereof is established or opened or altered as follows:

(For description see Surveyor's report, page 68 this volume)

We did respectfully report that our opinion is that proposed road ought to be built for the following reasons: 1st, the present road is impassable on account of land slides; 2d, proposed road much lighter grade and better ground for maintaining road; 3d, Impossible to maintain present road.

We have also determined that the public convenience requires that such proposed road shall be established and opened, thirty-three feet wide, all of which is respectfully submitted.

May 29, 1908

Geo. H. Berstler }  
Elmer Hibbs } Viewers.  
Joshua Dunbar }

George Berstler, Viewer, 3 Days	\$6.00	Frank Bell, Tapeman 2 days.	\$4.00
Elmer Hibbs " 4 "	8.00	David Ferrill " 2 "	4.00
Joshua Dunbar " 3 "	6.00	Loren Hibbs, Marker 2 "	4.00

SEPARATE REPORT OF VIEWERS.

The undersigned viewers of the proposed county road petitioned for by Elias Stein et al 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 allowances according to law and the same are hereto 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 A. J. Wheaton, Sixty-six and 66/100	Dollars
" C. C. Deck, Forty-five and 00/100	"
" Chas. Schrader, Twenty and 00/100	"

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 and construction of said road as follows:

To A. J. Wheaton	Two hundred seventy-five and 25/100	Dollars
" C. C. Deck,	One hundred eighty-three and 75/100	"
" Chas. Schrader,	Seventy-six and 69/100	"

Geo. H. Berstler } Viewers and jurors to as-  
Elmer Hibbs } sess and determine damages.  
Joshua Dunbar }

Dated May 29, 1908

# Surveyor's Report.

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

The undersigned, ~~in obedience to your order~~ dated ~~xxxx~~ ~~xxxxxxxxxxxx~~ ~~xxxx~~ proceeded on the ~~28~~ day of <sup>May</sup> to survey and mark the proposed alteration described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Commenced at a gas pipe driven in center of county road leading from Sewellsville to Londonderry, Ohio, from which gas pipe a hickory 8" d bears N. 14' 1" and a hickory 12" d bears S. 75° 40' W. 35'; thence from station No. 1 S. 9° E. 193.50' to station No. 2 on lands of A. J. Wheaton, from which a hickory 10" d. bears N. 54° 45' E. 225.50'; thence on lands of A. J. Wheaton S. 12° 34' E. 412.30' to station No. 3 from which an apple tree 12" d bears S. 52° .05' E. 124'; thence S. 13° 14' W 375.70' on lands of said Wheaton to station No. 4; thence S. 67° 22' E. 427.60' to station No. 5 on lands of C.C. Deck; thence S. 23° 00' E. 470.20' from which a wild cherry 8" d bears S. 83° W. 30.8' on lands of A. J. Wheaton; thence on same land a semi-circle whose chord bears S. 86° 16' E. 52.95' to station No. 7 from which a sassafras 8" d bears N. 73° 40' E. 58.9'.

Between station 6 and 7, described an arc whose radius is 26.48' and set stake in circumference of said semi-circle; thence N. 35° 20' E. 74.80' from which a chestnut 24" d bears S. 2° W. 21.5'; thence N. 65° 20' E. 78.6' to station No. 9 on C. C. Deck; thence S. 88° 45' E. 163.80' to station No. 10 on C C. Deck; thence S. 63° 13' E. 75.20' on said Deck to station No. 11; thence S. 40° 48' E. 138.6' to station No. 12 on C. C. Deck; thence S. 12° 37' E. 603.80' to station No. 13 on A. J. Wheaton from which a black walnut 8" d bears S. 78° 45' W. 29.1'; thence S. 71° 22' E. 75.3' to station No. 14 on C. C. Deck; thence N. 76° .03' E. 400' to station No. 15 on lands of C. C. Deck; thence N. 75° 11' E. 600' to station No. 16, the end in center of county road from which a black walnut bears N. 44° 40' W.. 24.8' distant.

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

John A. Bond

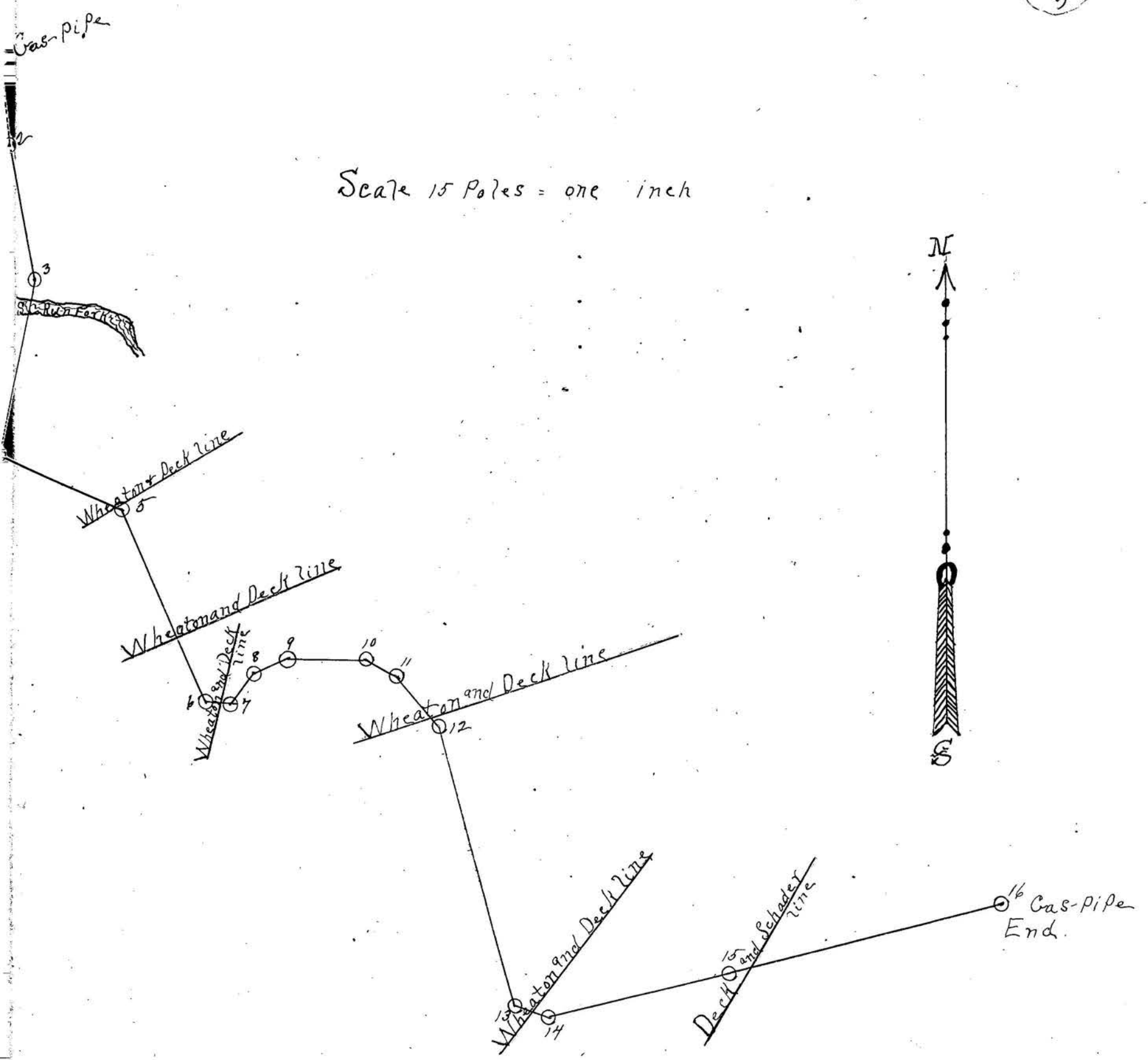
Surveyor of said

Plat of \_\_\_\_\_ County \_\_\_\_\_ Road.

Elias Stein

SW of Sec. 35

Scale 15 Poles = one inch



S	D	M	Ft.	P	CHS	SCL.	DeFLECTION	
							D	M
1	S 9	00 E	193.58	11.73	2.93	.782		
2	S 12	34 E	412.30	24.99	6.25	1.666	L 3	34
3	S 13	14 W	375.70	22.77	5.62	1.518	R 25	48
4	S 67	22 E	427.60	25.92	6.48	1.728	L 80	36
5	S 23	00 E	470.20	28.50	7.13	1.900	R 44	22
6	S 83	16 E	52.95	3.21	.80	.214	L 60	16
7	N 35	20 E	74.80	4.53	1.13	.303	L 60	24
8	N 65	20 E	78.60	4.76	1.19	.317	R 30	00
9	S 88	45 E	163.80	9.93	2.48	.662	R 25	55
10	S 63	13 E	75.20	4.55	1.14	.303	R 25	32
11	S 40	48 E	138.60	8.40	2.10	.560	R 22	25
12	S 12	37 E	603.80	36.59	9.15	2.439	R 28	11
13	S 71	22 E	75.30	4.56	1.14	.304	L 58	45
14	N 76	03 E	400.00	24.24	6.04	1.616	L 32	35
15	N 75	11 E	600.00	36.36	9.78	2.424	L 0	52

Proper notices were served according to law on A. J. Wheaton, C. C. Deck and Chas. Schrader by Elias Stein as shown on enclosed paper.

Said report having been publicly read this day for the third time, and the separate report 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 having been also publicly read and the Board being of the opinion that the compensation and damages awarded to the several claimants, to-wit:-

A. J. Wheaton	Compensation	\$66.66	damages	\$275.25
C. C. Deck	"	45.00	"	183.75
Chas. Schrader	"	20.00	"	76.69

are 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 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 established road be recorded and that said road be and the same is hereby established a public highway thirty-three feet in width; that the County Auditor issue the necessary order to the Trustees of Kirkwood Township to open said road according to law.

ATTEST:

Auditor.

A. G. Holloway

Robert McMillen

J. W. Martin

Commissioners

# ROAD PETITION.

For vacation Road in Richland Township

To the Board of Commissioners of Belmont County, Ohio:

Your petitioners, freeholders of said County residing in that part of the County through which the County road leading from Echo, on the little McMaho<sup>n</sup>s creek, to the Methodist Ridge school house passes, respectfully represent, that the part of the said County road, beginning at the forks at the top of the hill, at a certain beech tree, and extending to the point on said road, where the road recently granted upon the petition of A. C. Johnson and others, enters the said County road, and near the boundary line of the lands of Jesse Easthan and John Lochry, has become useless, for the following reasons: A road upon a near and better route, between the aforesaid points has been established.

Wherefore your petitioners pray that said part of said County road may be vacated.

( See Commissioners journal Vol. 10, page 175.)

Dated this March 21st A. D. 1908

PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES
	James B. Wiley C.L. Sutton Jesse Easthan A.C. Johnson Alexander Neff R.L. Alexander George McFarland	Anton Petran Robert Clark W. H. Clark Thomas Johnson J. Johnson and six others	

**Know all Men by these Presents:**

That we, Thomas Johnson and James B. Wiley  
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of two hundred  
two 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 Ohio this 21st day of March 1908 1908

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 Vacation of a County road on the following line, to-wit:

Leading from Echo on the little McMahons creek to the Methodist Ridge school house.  
Beginning for the same at the forks of the road at the top of the hill at a certain  
beech tree, and extending to the point on said road where the road recently granted upon  
the petition of A.C. Johnson and others enter the said County road, and near the boundary  
line of the lands of Jesse Easthan and John Lochry.

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Thomas Johnson

SEAL

James B. Wiley

SEAL

SEAL

St. Clairsville, O., \_\_\_\_\_ 1908

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 \_\_\_\_\_  
three disinterested freeholders of the County, viewers, and \_\_\_\_\_ surveyor  
of said proposed road, to meet \_\_\_\_\_  
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:

\_\_\_\_\_  
County Auditor.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Commissioners.



St. Clairsville, O., June 1st. 19 08

The Commissioners met in regular session, and The board being satisfied that the foregoing petition was signed by at least 12 freeholders of the County residing in the vicinity of the vacation of said County Road and that the proper notices had been given according to law bond filed and accepted it is therefore ordered that final action in the said matter be postponed to the next regular meeting of this board on the first Monday of September 1908 as provided by law.

ATTEST:

A.W. Beatty,  
Auditor.

A.G. Holloway  
Robt. McMillen Commissioners  
J.W. Martin

St. Clairsville, Ohio, Sept. 8th, 1908.

The Commissioners met in regular session, and said petition having been this day publicly read for the second time, and it appearing to the satisfaction of the board that said road has become useless and no objection being made it is ordered that so much of the County road established upon the petition of leading from Echo, on the little McMahons creek to the Methodist Ridge school house, described as follows: Beginning at the forks of the road at the top of the hill at a certain beech tree and extending to the point on said road where the road recently granted upon the petition of A.C. Johnson et al. enters the said County road and near the boundary line of the lands of Jesse Easthan and John Lochery, be and the same is hereby vacated.

ATTEST:

A. W. Beatty,  
AUDITOR.

A. G. Holloway  
Robt. McMillen Commissioners  
J. W. Martin.