

St. Clairsville, O., Mar. 7th 1887

The Commissioners met in regular session at Auditor's 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 Establishment of said county road, and that the proper notices have been given according to law, bond filed, approved and accepted, thereupon the Board appointed Joshua Worley, A. J. Kelcey and J. S. Myers three disinterested freeholders of the county viewers, and A. J. Norton surveyor of said proposed road, to meet at Belmont City on April 29th 1887 for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition.

ATTEST.

R. R. Barnett
County Auditor.

Joseph Israel
Morris Kiefer
J. W. Berry
Commissioners.

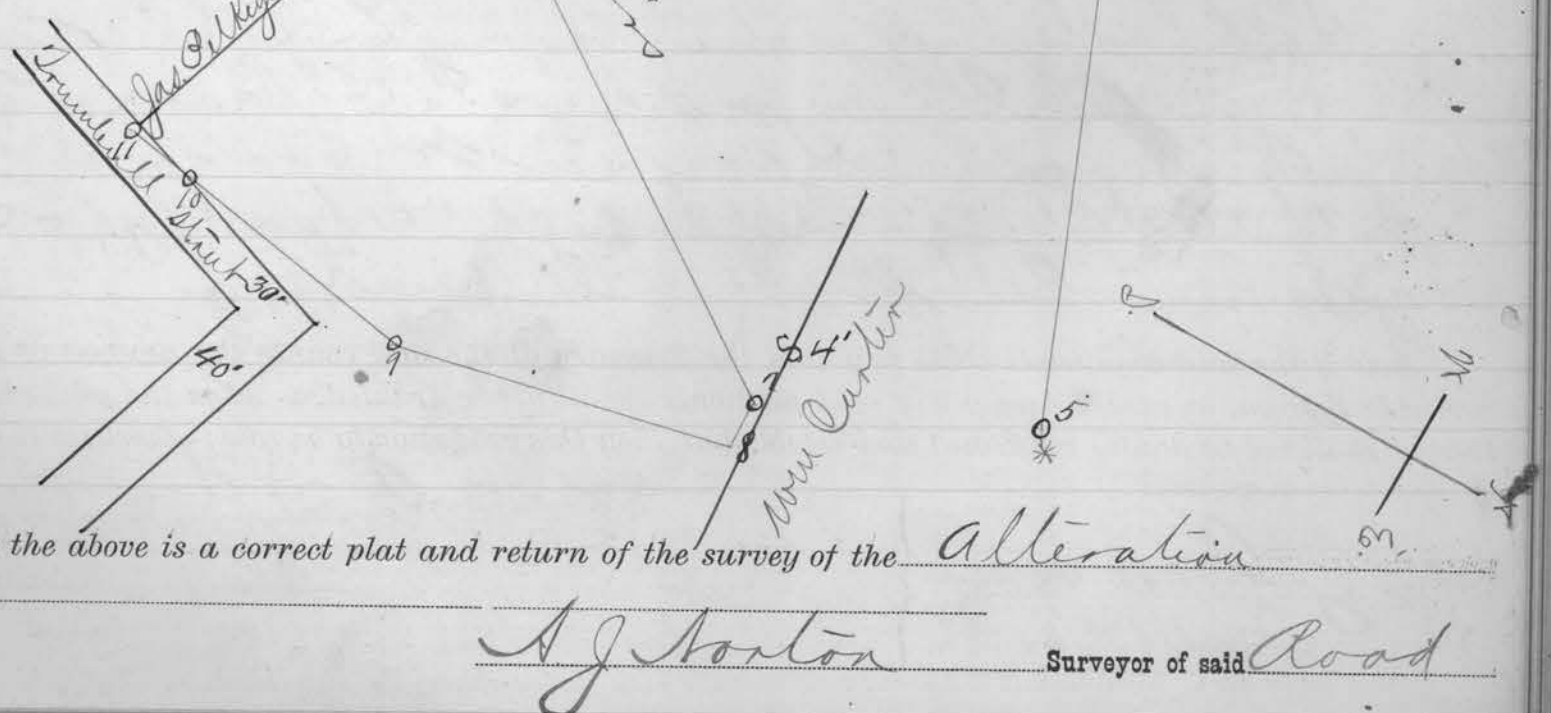
SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Mar 8th 1887, proceeded, on the 29th day of April to survey and mark the Alteration of a County road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning in the center of the road north of the cemetery. Running thence $S 59^{\circ} 10' E$ 126.7 feet to station 1 from which station a stone in what is known as the Harris north farm line at the north east corner of the cemetery grounds bears $S 4^{\circ} 25' W$ 25 feet thence along the road $S 89^{\circ} 45' E$ 201.5 feet to Sta. 2 in the road. thence leaving the road to the right and through the lands of Mr. Oliver O. Kelly Morgan heirs and Mr. Carter as shown on the annexed map in the following courses $N 53^{\circ} 50' E$ 198.6 feet to Sta. 3 thence $N 61^{\circ} 20' E$ 193.9 ft to Sta. 4. thence $N 68^{\circ} 45' E$ 571.9 ft to Sta. 5. thence $N 46^{\circ} 25' E$ 270.7 ft to Sta. 6. thence $N 34^{\circ} 45' E$ 311.5 ft to Sta. 7. thence $S 87^{\circ} 30' E$ 30 ft to Sta. 8 thence $S 12^{\circ} 50' E$ 220 ft to Sta. 9 thence $S 9^{\circ} 35' W$ 162.4 ft to Sta. 10 in the west line of Trumbull Street thence $S 13^{\circ} 35' W$ 50.7 ft. to a point in Trumbull Street 5 feet east of the west line of said street on the prolonged line of boundary line of Jos. Oelkey and Morgan's run. is the center line of a width. the line between sta. of. and parallel with the between the lands of the and Mr. Carter

The total distance is 2337.9 ft.



I CERTIFY that the above is a correct plat and return of the survey of the Alteration named above.

A. J. Norton Surveyor of said Road

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the New road petitioned for by J. H. Day 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>William Oliver</u>	Seventy	\$70.00	dollars;
To <u>O. O. Kelly</u>	One hundred & fifty	\$150.00	dollars;
To <u>J. H. Carter</u>	Ten	\$10.00	dollars;
To <u>E. I. Morgan's Heirs</u>	Two hundred	\$200.00	dollars;
To			dollars;
To			dollars;

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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>William Oliver</u>	One hundred & thirty	\$130.00	dollars;
To <u>O. O. Kelly</u>	Seventy five	\$75.00	dollars;
To <u>E. I. Morgan's Heirs</u>	One hundred & fifty	\$150.00	dollars;
To			dollars;
To			dollars;

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Joshua Kopley
A. J. McKelvey
Jas Myers

} Viewers and Jurors to award Damages.

18

St. Clairsville, O., June 6" 1887

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.			
<u>R. R. Barnett</u>	}	<u>Jacob Israel</u>	} Commissioners.
County Auditor.		<u>Morris Cope</u>	
		<u>A. L. Berry</u>	

St. Clairsville, O., June 7" 1887

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.			
<u>R. R. Barnett</u>	}	<u>Jacob Israel</u>	} Commissioners.
		<u>Morris Cope</u>	
		<u>A. L. Berry</u>	

St. Clairsville, O., June 8" 1887

The Commissioners met in regular session, and the report of viewers was this day publicly read the third time. Mr Oliver appeared before the board in opposition to the establishment of said road and the Morgan Heirs and O. O. Kelly by their attorney Jno. A. Tallaker. Mr Kelly opposed the establishment of said road upon the ground that the compensation and damages allowed by the viewers was insufficient and Oliver and Morgan heirs upon the same ground and also upon the ground that the Commissioners had no author-

ity of law. to establish County roads inside the limits of a
Municipal Corporation
Final decision in this case reserved until Tuesday June 14th 87
Attest
R R Barnett
Auditor
Jno. C. Israel
Morris Cope
W. Berry
Commissioners
of
Belmont County

Tuesday June 14th 1887

The report of the viewers in favor of the establishment of
said road having been publicly read for the 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 location 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
said viewers to the several claimants to wit:

To William Oliver	\$70.00 Compensation and \$30.00 damages
" C. C. Kelly	\$150.00 " " \$75.00
" H. H. Carter	\$10.00 " " \$150.00
" E. J. Morgan's Hrs.	\$200.00 " " \$150.00

are reasonable and just and finding that this board has
the legal right to establish a County road within a municipal
corporation, 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 of review being filed it is ordered that the
County Auditor draw his order upon the County Treasurer
in favor of said claimants for the amount of compen-
sation and damages so awarded to them respectively. that
the several reports of the viewers with the survey and
plot of said road be recorded and that said road be
established a public highway. It is further ordered
that the County Auditor issue in the name of the board
an order to the Trustees of Putney Township directing them
to cause said road to be opened according to law.

Morgan's heirs and C. C. Kelly give notice of appeal from the
location of said road claiming that the compensation and
damages allowed are insufficient and the Morgan heirs
on the additional ground that the Commissioners
have no right to establish a County road inside the
corporation of Bellair.

Attest
R R Barnett
Auditor
Jno. C. Israel
Morris Cope
W. Berry
Commissioners
of
Belmont County

See next page

June 29th 1887

Morgan's heirs and C. O. Kelly appeals from an order of the County Commissioners of Belmont County O. made at the June Session 1887 establishing said road and C. O. Kelly and Morgan's heirs have this day filed their appeal bonds and the same were approved by the auditor of said County.

D. V. Darrab
County Auditor.

Commissioners Office Belmont County
St. Clairsville O. Mar 13th 1888

Having to the Board from the transcript of the proceedings had in Probate Court in the foregoing application that parties interested therein had agreed to have the viewers and surveyor appointed by this Board Mar 7th 1887 on said application re-appointed for the purpose of re-examining same therefore appoint Joshua Worley A. J. McKelvey and John Myers viewers and A. J. Norton surveyor to meet at Belleire Cemetery on Thursday Mar 23rd 1888

Attest

R. P. Bissett
Auditor

Prof. Israel Morris Hope } Commissioners
of Belmont County

ROAD PETITION,

FOR A County ROAD IN Colesain Township

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners, resident freeholders of said county, respectfully represent that the public convenience requires the _____ of a _____ road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to _____ such road, to-wit: Beginning at _____

We the undersigned citizens of Colerain Township, Belmont County Ohio, ask your honorable body to have a public road laid out on the following route, viz. Commencing for the same at No. 5 School house in said Twp. running an east direction between the lands of Watson and yet to the lands of Henry Huffman thence down a small ravine to the large ravine on said Huffmans land. thence down said ravine to the lands of Elizabeth and Nancy J Robson. thence down said ravine through said Robsons land to Kidd brothers lands thence through the said Kidds lands so as to intersect the public road between the coal tipp. at Kidds we also ask to have the old ridge road vacated from No. 5 School house to Whelting Creek as soon as the new road is open for travel

Dated this _____ A. D. 18____

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Oason V. Hall	Milton Shields	Wm. Huntsman	W. H. Stittwell
W. H. Henderson	S. L. Luku	Frank Bryant	R. L. Senham
Brook Barker	J. R. Edwards	Thos. Shilleck	W. W. Trines
Jas. Ashworth	R. A. Henderson	E. R. Harper	Oreston Hughes
Elijah Baker	Wm. J. Hess	J. E. Brown	Nathan Davis and twenty others

Know all Men by these Presents,

That we, Oason V. Hall and W. H. Henderson and Thos. Shields are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of One 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 Maynard O this 8 day of March 1887

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 location of a public road on the following line, to-wit:

Commencing at No. 5 School house running through the lands of Henry Huffman. and Elizabeth and Nancy Jane Robson. Jns. W. Kidd. So as to intersect the public road near Kidds coal works. in Colerain Township Belmont County. O

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.

Oason V. Hall Seal
Wm. Henderson Seal
Seal

St. Clairsville, O., March 7th 1887

The Commissioners met in regular session at Auditor's 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 Establishment of said county road, and that the proper notices have been given according to law, bond filed, approved and accepted, thereupon the Board appointed Robert Pollock, Albert Lee and Sabau Dodge three disinterested freeholders of the county viewers, and Chalkley Dawson surveyor of said proposed road, to meet at Kidds Station April 9th 1887 for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition.

ATTEST.

R. R. Barrett

County Auditor.

Joseph Israel
Morris Cope
W. J. Berry

Commissioners.

SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated March 9th 1887, proceeded, on the 19th day of April to survey and mark the County road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

The notes of the survey of the above mentioned proposed County road were all carefully taken, and the distances measured ~~but~~ as the viewers report adverse to the establishment of said road. I did not think it necessary to add to the expense by making and returning plat.

Chalkley Dawson
Surveyor of said proposed road

I CERTIFY that the above is a correct plat and return of the survey of the
named above.

Surveyor of said

REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your March session, A. D. 1887, we the undersigned, Viewers appointed under said order, met with Chalkley Sawson Surveyor, at Kidds Station on April 19th 87 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order. Albert Lee not being in attendance, J. O. Mercer was appointed to fill vacancy.

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

J. C. Brown and John Hicks were selected by us as chain carriers, and A. Buins as a marker, who were also duly sworn.

We then proceeded to view said proposed 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 Establishment of said road as follows:

Beginning at a stake in County road near school house number 5 Colerain Township and running thence through the lands of H. Huffman and through lands of Elizabeth & Nancy J. Robson and through the lands of Kidd Bros. to a stake in County road near Kidds Coal Works for a more particular description see surveyors report.

We would respectfully report that the said County road ought not to be established for the following reasons:

The damages due Kidd Bros in crossing their coal road track to their coal works would be so great and uncertain as to exceed the benefits derived from constructing said road.

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

All of which is respectfully submitted. }

18. }

R. J. Pollock
L. J. and Lodge
J. C. Mercer

Viewers.

FEES.

<u>Robert Pollock</u> Pd Viewer, 2 days, \$3.00	<u>J. Hicks</u> Pd Chainman, 1 day, \$1.00
<u>L. J. and Lodge</u> Pd " 2 " \$3.00	<u>J. C. Brown</u> Pd " 1 " \$1.00
<u>J. O. Mercer</u> Pd " 2 " \$3.00	<u>A. Buins</u> Marker, 1 " \$1.00
<u>Chalkley Sawson</u> Surveyor, 2 days, \$10.00	<u>no 1487</u> Jan 9 th 87

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the County road petitioned for by P. V. Hall 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 Kidd Bros \$20.00 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 Kidd Bros fencing \$30.00 dollars;
 To Same damage in crossing railroad tracks dollars;
 To Maury, Elizabeth Robson fencing \$77.60 dollars;
 To _____ dollars;
 To _____ dollars;

R. J. Pollock
L. B. Lodge
J. B. Mercer

Viewers and Jurors to
award Damages.

18

St. Clairsville, O., June 6" 1887

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.

R. R. Barnett }
County Auditor.

Prob. Israel
James Cope
H. Berry } Commissioners.

St. Clairsville, O., June 7" 1887

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.

R. R. Barnett }

Prob. Israel
James Cope
H. Berry } Commi. ners.

St. Clairsville, O., June 8" 1887

The Commissioners met in regular session, and the viewers having filed their report whereby it appears that they are of the opinion that said road ought not to be established a public highway, it is ordered that said petition be dismissed without further proceedings, and that the petitioners pay the costs and expenses that have been caused by their aforesaid application.

Attest
R. R. Barnett
 Auditor

Prob. Israel
James Cope
H. Berry } Commissioners
 of
 Belmont County