

St. Clairsville, O.,

Mch 7

1889

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 location of said county road, and that the proper notices have been given according to law, bond filed, approved and accepted, thereupon the Board appointed Heran Howell, Thos. Fetter and Joseph Bailey three disinterested freeholders of the county viewers, and C. Dawson surveyor of said proposed road, to meet Residence of J. C. Helgerson April 23 1889 at 10 am for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition.

ATTEST.

R. R. Barnett
County Auditor.

Jonas Kope
H. Bailey
John Israel
Commissioners.

SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated _____ 18____, 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:

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 7 session, A. D. 1889, we the undersigned, Viewers appointed under said order, met with Chalkley Sawson Surveyor, at J. A. Kilgore's on affirmed 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.

Mr. Sharp and V. Campbell were selected by us as chain carriers, and J. L. Allen 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 the point designated in said order and running thence south along the line between the lands of David Lyle and Catharine Morgan and on the east side of said line over the lands of David Lyle, thence S W over the lands of the said Catharine Morgan and over the lands of J. L. Allen to a point in the County road near Crabapple Church. For a more minute description of route see Surveyors report which is made a part hereof.

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

Reason of the opinion that the benefit to the public would not be sufficient to justify the expenses required to pay the damages resulting to property owners and constructing of said proposed road as it would increase the number of roads in the neighborhood beyond the requirements of the public

We have also determined that the public convenience requires that such road if constructed shall be established 33 feet in width.

All of which is respectfully submitted.)
May 11 1889

Joseph Bailey
Wiram Kowall
Thos S. Ritter Viewers.

FEE'S.											
<u>Pd Joseph Bailey</u>	<u>3</u>	<u>Viewer,</u>	<u>2</u>	<u>days,</u>	<u>\$3.00</u>	<u>W Sharp</u>	<u>Chainman,</u>	<u>1</u>	<u>days,</u>	<u>\$1.00</u>	<u>Pd 4849</u>
<u>Pd Wiram Kowall</u>	<u>1</u>	<u>"</u>	<u>2</u>	<u>"</u>	<u>\$3.00</u>	<u>V Campbell</u>	<u>"</u>	<u>1</u>	<u>"</u>	<u>\$1.00</u>	<u>Pd</u>
<u>Pd Thos. Ritter</u>	<u>"</u>	<u>"</u>	<u>2</u>	<u>"</u>	<u>\$3.00</u>	<u>J L Allen</u>	<u>Marker.</u>	<u>1</u>	<u>"</u>	<u>\$1.00</u>	
					<u>Chalkley Sawson</u>	<u>Surveyor,</u>	<u>3</u>	<u>days,</u>	<u>\$15.00</u>	<u>Pd 3787</u>	

4849

3787

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the County road petitioned for by J. Kilgore 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>Catharine Morgan</u>	<u>Sixteen</u>	dollars;
To <u>Lyle Allen</u>	<u>Sixty five</u>	dollars;
To _____		dollars;
To _____		dollars;
To _____		dollars;
To _____		dollars;

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

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

To <u>Catharine Morgan</u>	<u>Fifty four</u>	dollars;
To <u>Lyle Allen</u>	<u>Fifty</u>	dollars;
To _____		dollars;
To _____		dollars;
To _____		dollars;

Joseph Bailey
Marion Howell
Thos S Fritter

Viewers and Jurors to
award Damages.

May 11

1889

St. Clairsville, O., June 3 1889

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.

County Auditor.

Morris Cope
W B Berry
John C. Israel

Commissioners.

St. Clairsville, O., June 4 1889

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.

Morris Cope
W B Berry
John C. Israel

Commissioners.

St. Clairsville, O., June 5 1889

The Commissioners met in regular session, and the viewers having filed their report, whereby it appears that they are of 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:

Morris Cope

John C. Israel

Commissioners
of
Belmont County

ROAD PETITION,

FOR A Vacation of County ROAD IN Pease Tp

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 _____

Your petitioners, freeholders of said County, residing in that part of the County through which the County road leading from the Martins Ferry, Mt Pleasant & Odessa Free turnpike on the west of the township line between Pease & Colerain townships in said County, north to the Burlington and Colerain free turnpike between the lands of Mrs Libbie Updegraff and M E McRatcliff in Pease Tp & the lands of A W Riddle & W R Hepburn in Colerain Tp, respectfully represent that said road has become useless, the same being mainly a swamp & unpassable, is entirely neglected, is not used or worked and a better route between said point in the near vicinity is established and used. Therefore your petitioners pray that said road may be vacated.

Dated this _____ A. D. 18____

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
A W Riddle	A W Steel	Robt Goff	Ross A Goff.
M E McRatcliff	J L Steel	R C Smiley	L K Barnes
Robt Finney	W W Taylor	E A Berry	Jos Barnes
W A Steel	Isaac Vickers	E B Steel	and Others.

Know all Men by these Presents,

That we, Alex Riddle and Libbie W Updegraff are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of Fifty 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 6th day of March 1889

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

A petition above for description of route

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.

W M Castellus to M M Ratcliff

A W Riddle Seal
Libbie W Updegraff Seal
M M Ratcliff Seal

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;

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;

_____ } Viewers and Jurors to award Damages.

18

St. Clairsville, O., McL 6 1889

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 Banitt }
County Auditor.

Monis Cope
Prof. Israel
W Berry } Commissioners.

St. Clairsville, O., _____ 18

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.
_____ }

_____ } Commissioners.

St. Clairsville, O., McL 6 1889

The Commissioners met in regular session, and the applicants, eighteen in number, freeholders of Belmont County residing in that portion of the County in which said county road is located, having filed their petition for the vacation of said road, it is ordered that before further proceedings be had upon said application, one or more of the petitioners execute to the State of Ohio for the use of Belmont County, a bond in the sum of Fifty Dollars conditioned according to law, with sureties to be approved by this Board. And the said U N Riddle et al

now comes and files his bond
in the sum of Fifty dollars, payable to the
State of Ohio, for the use of Belmont County, conditioned
for the payment of the costs of said application in case
the prayer of the petitioners be not granted, with Libbie W
Updegraff and M M Ratcliff surties thereon,
which bond is accepted and approved, and it appearing
that notice of the filing of said petition has been given,
according to law, said petition was publicly read, for
the first time, and continued to the next regular sess-
ion of the Board, for further proceedings.

Attest:

J K Henderson
Dep Auditor

Morris Cope } Commissioners
Jno. L. Israel } Belmont Co

Commissioners Office Belmont Co.

St Clairsville, June 5 1889

The Board of Commissioners met 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 objections being made,
it is ordered that said county road leading from
the Martins Ferry Mt Pleasant & Adena Free turnpike
on the west of the township line between Pease and
Colerain Tps north to the Burlington & Scotch Ridge
turnpike between the lands of Mrs Libbie Updegraff
and M E M Ratcliff in Pease Tp and the lands of A W
Riddle & W R Hepburn in Colerain Tp, be, and the same
is hereby vacated.

Attest:

J K Henderson
Dep Auditor

Morris Cope } Commissioners
H W Berry } Belmont Co
Jno. L. Israel }