

VACATION OF CERTAIN STREETS & ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.—89964-A

SP

PUBLIC ROAD PETITION

....., Ohio,, 19.....

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

The undersigned petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the..... of..... a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for..... such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Beginning at

594

Commissioner's Journal, Belmont County

October 30, 1967

Session

In the Matter of Vacating Certain Streets and Alleys in Webb Heights, Mead Township.

WHEREAS, the streets in Webb Heights known as a part of Spencer Street, Alley A, and Alley C, Mead Township, Section 32, Township 2, Range 2, have been abandoned and not used for a period of 21 years; and

WHEREAS, the Commissioners are satisfied that these streets have been abandoned and not used for a period of 21 years; and

WHEREAS, the following petition for vacation of such streets by the abutting landowners and Township Trustees has been filed with the Board:

PUBLIC ROAD PETITION

Shadyside, Ohio, Sept. 16, 1967

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

The undersigned petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the vacation of the remaining unused two alleys and a street in the plat of Webb Heights, and make application to you to institute and order proper proceedings in the premises, for vacating such alleys and street, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Being all of Spencer Street except that portion along the Southerly side of Lot 4; all of Alley C and all of that portion of Alley A which was not previously vacated in proceedings as recorded in Road Record Volume 13, page 13, and being alleys and street as shown on the plat of Webb Heights, which is recorded in Volume 8, page 23, of the Belmont County Record of Plats.

Dated this

Said alleys and street are in Section 32, Township 2, Range 2, Mead Township, Belmont County Ohio.

The petitioners further request that proceedings be had under Section 5553.042, Ohio Revised Code (as amended) and in respect of Ohio Attorney General Opinion Number 66-065 in 1966, in that such being vacated hereby, has not been used during the preceding twenty-one years.

- W. M. Johnson Village of Shadyside, Mead Twp.
Irene Hocker
Frank Hocker, Jr.
Warner Carter
Frances Carter
Russell Whitlatch, Trustee
P. M. Keyser, Trustee
Malcolm McMillen, Trustee

THEREFORE, on motion of Mr. Dorsey, seconded by Mr. Loy, said street and alleys are hereby vacated in accordance with Section 5553.042 of the Revised Code of Ohio.

Upon roll call the vote was as follows:

- Mr. Blake YES
Mr. Loy YES
Mr. Dorsey YES

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.—89964-B

SP

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio

Public Road.

Petitioned for by
....., and others.

The Board of County Commissioners of Belmont County, Ohio, met in..... session
on the..... day of....., 19....., at the office of.....
with the following members present.

Mr. moved the adoption of the following Resolution:

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to.....
..... a Public Road as described therein; therefore, be it

RESOLVED, That the..... day of....., 19....., at..... o'clock..... M., be fixed as the date when
we will view the proposed improvement, on which date we will meet at.....
and go over the line of said proposed improvement; and be it further

RESOLVED, That the..... day of....., 19....., at..... o'clock..... M., be fixed as the date for
a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and..... he is hereby directed to give notice of the time and place for both such view and hearing
by publication once a week for two consecutive weeks in the.....
a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

Mr. seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

- Mr.
- Mr.
- Mr.

Adopted the..... day of....., 19.....

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.—89964-C

SP

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Public Road.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in..... session
on the day of....., 19....., at the office of.....
with the following members present:

Mr. moved the adoption of the following Resolution:

WHEREAS, On the day of....., 19....., the time heretofore fixed for view of the
proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement
and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions
pertaining thereto; therefore, be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate
survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way
lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken
in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between
such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property
owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the
day of....., 19....., the date fixed for the final hearing, setting forth his opinion either for or against said proposed
improvement, and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by
said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this cause is continued until said date.

Mr. seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

- Mr.
- Mr.
- Mr.

Adopted the day of....., 19.....

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.—89944-D

SP

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,
Belmont County, Ohio

Public Road.

, 19

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

The undersigned in obedience to your order dated _____, 19____, proceeded on the _____ day of _____, 19____, to make an accurate survey and plat of the Public Road proposed to be improved, and respectfully submits the following report:

In the opinion of the undersigned the proposed improvement should _____ be granted.

The width to which said improvement should be opened is _____ feet.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

Commissioners

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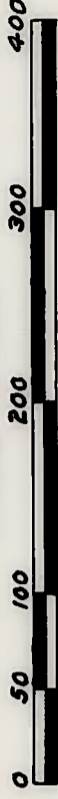
PETITION No.
Ohio Revised Code, Section 5553.042

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS Vol. 8, Pg.28
MEAD TWP SEC. 32, T.2, R.2

Belmont County, Ohio
RICHARD J. BOCCABELLA COUNTY ENGINEER

October, 1967



- (1) Being rest of Alley "A" not vacated in Road Record 13, Page 13 and being 15 Ft. wide along West Line of vacated Lots 58, 67 & 75, also along the East Line of vacated Lots 5, 3, 2 and East Line of Lots 1 & 4.
- (2) Being all of Alley "C" 15 Ft. wide along the North Line of vacated Lots 75, 76, 77 & 80 and also North Line of Lots 78 & 79 and also along South Line of vacated Lots 67 to 74 inclusive.
- (3) Being part of Spencer Street 30 Ft. wide along the North Line of vacated Lots 67 to 74 inclusive and along the South Line of vacated Lots 58 to 66 inclusive.

COMMISSIONERS VOL. 42 PG. 594

APPROVED BY

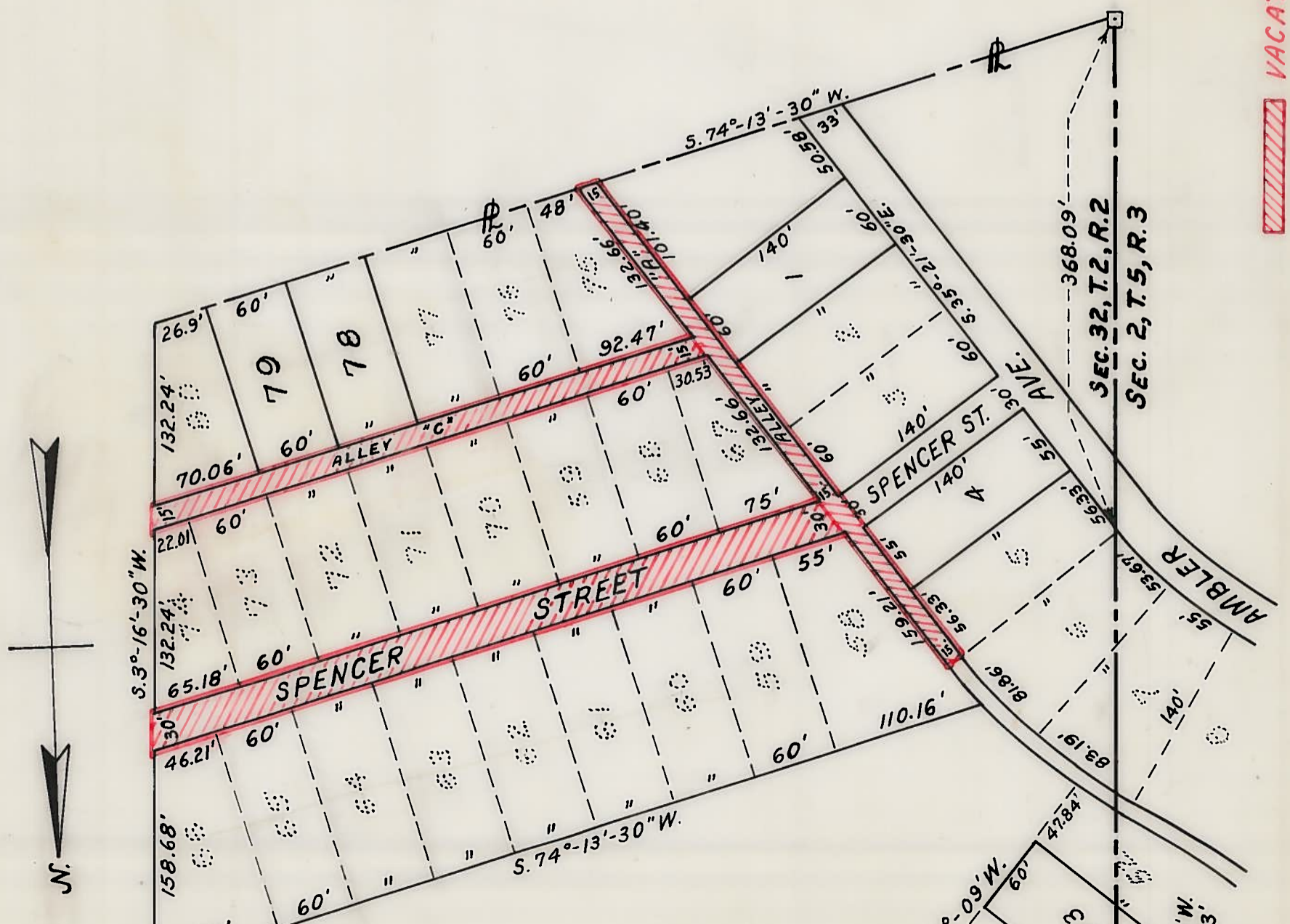
Co. Engineer

Co. Comm.

Co. Comm.

Co. Comm.

This 30th day of October 1967



VACATED

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.-89964-E

SP

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Public Road.

The Board of County Commissioners of Belmont County, Ohio, met in _____ session
on the _____ day of _____, 19_____, at the office of _____
with the following members present:

Mr. _____ moved the adoption of the following Resolution:
WHEREAS, This day this matter came on to be heard on the report, survey, plat and detailed and accurate description as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; there fore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages or such part thereof as this Board may deem reasonable and just be paid by the landowners owning lands within the vicinity who will be benefited by the improvement. On failure of such benefited landowners to pay such compensation and damages as may be adjudged against them by the _____ day of _____, 19_____ it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; and be it further

RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages or such part thereof as this Board may deem reasonable and just be paid by the landowners owning lands within the vicinity who will be benefited by the improvement, and the balance, if any, be paid out of the County Treasury, it being the opinion of this Board of County Commissioners that the improvement is not of sufficient importance to cause all compensation and damages to be paid from the County Treasury. On failure of such benefited landowners to pay such compensation and damages as may be adjudged against them by the _____ day of _____, 19_____ it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered _____ feet in width; and be it further

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered _____ feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal;

and be it further
RESOLVED, That the County Engineer be and he is hereby directed to cause a record of the proceedings, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further
RESOLVED, That the County Engineer proceed to acquire the necessary right-of-way in accordance with Sections 163.01 to 163.32 inclusive, of the Revised Code.

Mr. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. _____,
- Mr. _____,
- Mr. _____,

Adopted the _____ day of _____, 19_____

Clerk Board of County Comm.

402

VACATION OF CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS

Wm. Lillenthal & Sons, Cambridge, O.—89964-F

SP

RESOLUTION—ORDER TO Close ROAD (Open or Close) Sec. 5563.01 R.C.

IN THE MATTER OF THE

VACATING CERTAIN STREETS AND ALLEYS IN WEBB HEIGHTS, MEAD TOWNSHIP
Public Road.

PART OF SPENCER STREET, ALLEY "A," AND ALLEY "C"

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of BELMONT County, Ohio, met

in REGULAR session on the 30TH day of OCTOBER, 1967
(Regular or Special)

at the office of THE COMMISSIONERS with the following members present:

- MR. BLAKE
- MR. LOY
- MR. DORSEY

Mr. DORSEY moved the adoption of the following Resolution:

WHEREAS, At least ten days have elapsed since the final order of the board in the matter of this improvement, and

WHEREAS, No person, firm or corporation interested, has effected an appeal from our orders in the matter of the above named improvement, therefore, be it

RESOLVED, That it is hereby ordered that the proceedings be recorded as provided by law, and that said road be VACATED

as order heretofore, made on our journal of the date of OCTOBER 30, 1967

and a copy of this resolution be forwarded to the MEAD Township Trustees.

Mr. LOY seconded the Resolution and the roll being called upon its adoption the vote

resulted as follows:

- Mr. BLAKE, YES
- Mr. LOY, YES
- Mr. DORSEY, YES

Adopted the 30TH day of OCTOBER, 1967

GENEVA BECK
Clerk, Board of County Commissioners.

Belmont County, Ohio