

ROAD PETITION

For the establishing by grading, etc. of a Road in Pultney Township, Improvement No. 358 Petitioned for by Richard Kinder and Others

TO THE BOARD OF COMMISSIONERS OF BELMONT COUNTY, OHIO:

The undersigned petitioners resident freeholders of said County, residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience requires the establishing by grading, etc. of a Public Road on the line hereinafter described and pray that you will institute and order the proper proceedings for said improvement, to-wit: Beginning

At a point on State Highway 147, at the property owned, and occupied by F. L. Gooch (Grocery Store) and continuing south a distance of 335 ft., thence west 300 ft., thence north 720 ft., connecting again with state highway 147 at a point of the property owned by Charles Porter, Sr.

That:-The proposed route commences, on state highway 147, and continues through Robinsons and Robinsons, proposed addition adjacent to Bellaire, as plotted by the above named parties, said plat being dated Dec. 31, 1924, as shown by blue print as drafted by Frank K. Weaver, engineer, of Charlestown, W. Va. and which will be displayed with the presentation of this petition.

That:-The proposed road will follow what is platted as Milligan Ave. and that Robinson and Robinson, hereby grants the right to grade the said road through lot #30, of said addition, to continue through and to follow Miami Street, as shown on the plat, and end on state route #147 (Brooks Run) being a total distance of 1355 feet.

Further: That the proposed road contains a width of 30 feet or more, over the entire route, as required by law, and that each and every property owner, waives all claims to both compensation and damages.

Further: That the petitioners ask that the above described road be granted, and established by grading, and establishing of drainage structures.

Further: That the proposed road if granted shall be a part of the regular road system of Pultney Township.

Further: That this general description shall be attached to the specified application form, or petition, and shall be considered a part of the same.

Further: That any buildings, of any nature, that are at present on the 30 ft. right-of-way, as above described, shall remain as they are, but should any of the said buildings be torn down, or destroyed by fire, that they cannot be rebuilt or replaced, and that the property thus vacated shall become a part of the said road, and right-of-way.

Dated this.....day of.....A. D. 19.....

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Richard Kinder Wm. E. Fowkes Leona Stewart Chas. H. Porter (per P. S.) Thos. E. Crozier Mrs. Daisy M. Kennedy Mrs. Lydia Johnson Mrs. Arena Dolak Taylor H. Bass Mrs. Ella Meager Frank J. Lawn A. L. Monahan Edward Houchins West Bellaire Methodist Church Trustees: Wm. J. Davis Chas. Ashoff Wm. E. Fowkes T. G. Miller G. T. & J. H. Robinson	J. L. Gooch	

Filed.....A. D. 19.....

KNOW ALL MEN BY THESE PRESENTS:

That we, and
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of.....
.....Dollars, to the payment of
which well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us and dated at.....Ohio, thisday of
.....A. D. 19.....

The conditions of the above obligation are such, that WHEREAS, application has been made by.....
.....and others to the Board of Commissioners of the said Belmont County, for the.....of a public road, on briefly the following line, to-wit:

THEREFORE if first, The petition be not granted; or if, second, the Commissioners shall order a portion of the compensation and damages to be paid by the petitioners, and the petitioners fail to pay same by the time fixed by the Commissioners: then in either such case the said applicants will pay into the treasury of said County the COSTS AND EXPENSES incurred in the proceedings of such improvement.

ATTEST:

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.....
.....

Filed.....A. D. 19.....

St. Clairsville, Ohio, December 10, 1934

The Board of Commissioners of Belmont County, Ohio, met this day in Special session,
 present Anton Hochevar, James M. Fulton, and T. B. Phillips Commissioners,
 and E. E. Taylor, Auditor and Secretary of the Board, and it appearing that
Richard Kinder and others, have filed a petition in the office of the Com-
 missioners of the County, on the 10th day of December 1934 for the establishment
 of a
 public road, along the following route, to-wit Beginning

See Petition

the same was this day considered by the Commissioners, and it appearing that said petition is regular and in conformity
 to law, and that the said Richard Kinder has filed herein a bond as
 required by law. It is ordered that the 15th day of January 1935, at 2.00
 o'clock P.M., be fixed as a date to view the same, at which date they will meet at the commencing point
 and go over the route of said proposed road.

They also fixed the 21st day of January 1935, at 2.00 o'clock P.M., as the date
 for final hearing at the office of the County Commissioners at which time it will be considered whether said improvement
 will be granted, and if granted, a time fixed for hearing claims for compensation and damages.

It is further ordered, that notice of the time and place of both such view and hearing be given by publication
 once a week for three consecutive weeks in the Bellaire Democrat a newspaper published and
 having a general circulation in the County of Belmont.

Attest:

E. E. Taylor
 County Auditor.

Anton Hochevar
James M. Fulton
T. B. Phillips
 Commissioners of Belmont County.

St. Clairsville, Ohio,.....19.....

The Board of Commissioners of Belmont County, Ohio, met this day in.....session,
present, and Commissioners,
and, Auditor and Secretary of the Board and it appearing

St. Clairsville, Ohio, January 15, 1935

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Anton Hochevar, James M. Fulton, and T. B. Phillips Commissioners and _____, Auditor and Secretary of the Board, and it appearing that in the matter of the establishment of the public road, petitioned for by Richard Kinder and others, due and proper notice, proof of which is on file in this office, having been given of the time and place of meeting, to view road petitioned for by Richard Kinder and others, in the Bellaire Democrat, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 15th day of January, 1935, met at the time and place in said notice designated and did view the route of said proposed road improvement, and considering such improvement to be of sufficient public importance, it is ordered that the County Surveyor make a plat and survey of the same and report to the Board in writing on or before the 21st day of January, 1935, Con't till February 11, 1935. the time set for the hearing, and shall set forth in said report his opinion either for or against the granting of such proposed improvement, accompanied with a statement of the estimated compensation and damages due each person, firm or corporation whose land is to be taken if the proposed improvement is established. Such report shall also state the width of said improvement, which shall not be less than thirty feet _____ and also recommend any changes in the improvement, which in his judgment, should be made.

Attest:

E. E. Taylor
County Auditor.

Anton Hochevar
James M. Fulton
T. B. Phillips
Commissioners.

SURVEYOR'S REPORT ON ROAD

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio:

St. Clairsville, Ohio, January 4, 1935

Pursuant to your order dated January 4, 1935, I make my report to you as follows, in the matter of the establishment of the public road petitioned for by Richard Kinder and others.

1. My opinion is _____ the granting of the improvement but with the following changes, which in my judgment should be made, to-wit: Should be granted.

2. The width should be 30 feet _____

3. Estimated compensation and damages, due each person, firm or corporation (with a * before the name of each minor or other person under disability), to-wit:

NAME	AMOUNT (Written Out)	AMOUNT (In Figures)
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"See Plat"

My plat and survey is also attached hereto.

Respectfully submitted,

A. C. Murphy
County Surveyor.

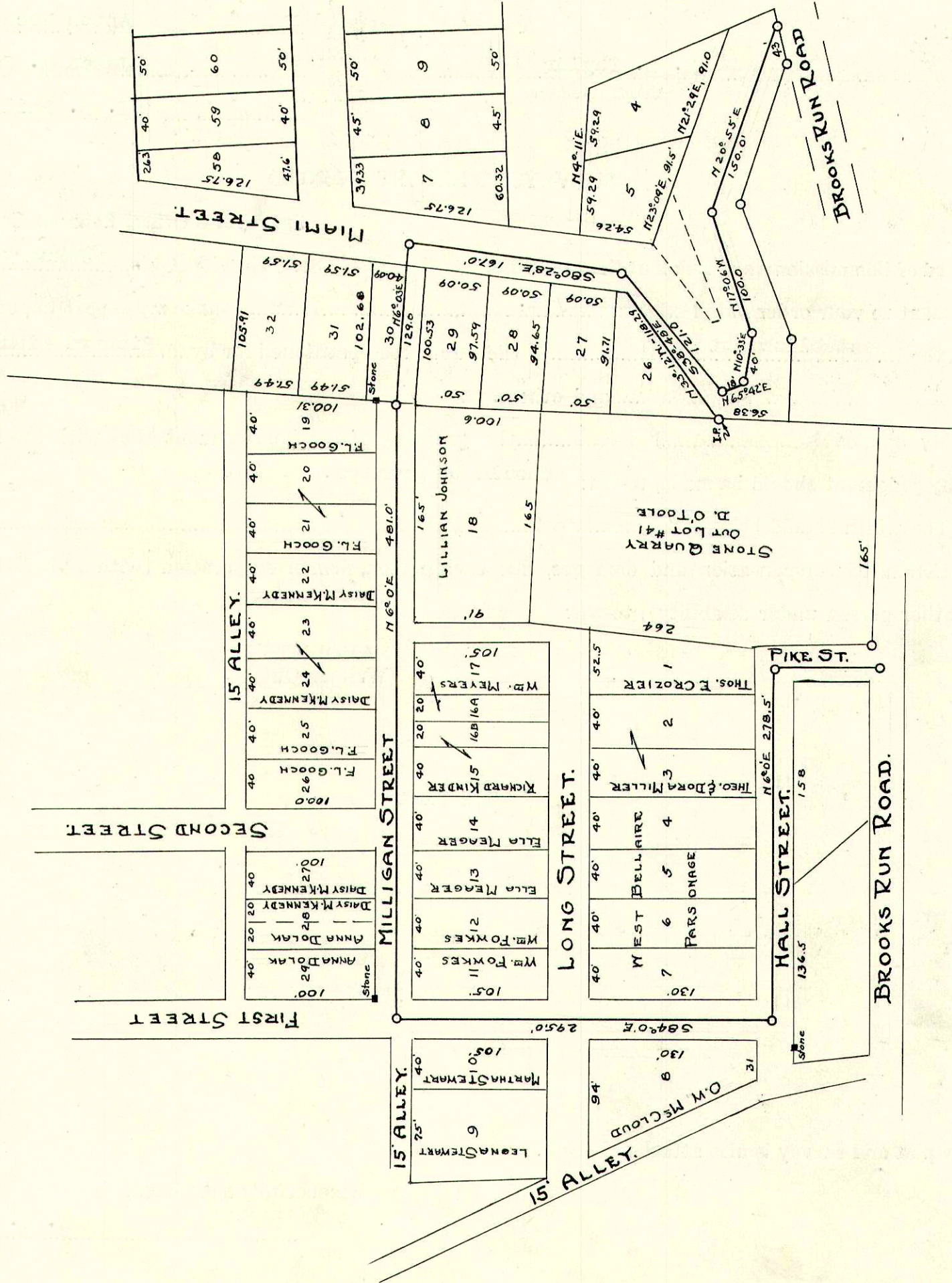
RICHARD KINDER

ROAD

PULTNEY TWP JAN 1935

AC MURPHY CO. SURVEYOR

SCALE - 1"=100'



Plat of the.....of a public road in.....Township.
Range..... Township..... Section.....

St. Clairsville, Ohio, February 11, 1935

The Board of Commissioners of Belmont County, Ohio, met this day in.....**Special**.....session,
present **Anton Hochevar**, **James M. Fulton**, and **T. B. Phillips** Commissioners
and, Auditor and Secretary of the Board, and it appearing that
in the matter of the **establishment** of the public road petitioned for by **Richard Kinder**
.....and others, the same came on to be heard for final hearing in the matter of granting
said improvement, on this **11th** day of **February** 19**35**, and that notice thereof has been given
as provided by law, and the former orders made herein, and after having made a view of said proposed road improve-
ment, and having had the report of the Surveyor read, and heard the protests for and against the same, find that
said improvement will.....serve the public convenience and welfare and improvement is.....granted,
and the same is hereby ordered.....

and the **4th** day of **March** 19**35**, at **2.00** o'clock **P.** M., is fixed as the date for
hearing claims for compensation and damages.

And it is further ordered that the Auditor cause notice in writing to be given to the owners through or upon whose
lands said improvement is established, and this matter is adjourned to said date.

Attest:

.....
County Auditor.

Anton Hochevar.....
James M. Fulton.....
T. B. Phillips.....
Commissioners.

St. Clairsville, Ohio,.....19.....

The Board of Commissioners of Belmont County, Ohio, met this day in.....session,
present, and Commissioners
and, Auditor and Secretary of the Board, and it appearing that
in the matter of the.....of the public road petitioned for by.....

..... and others
having given notice in writing of.....intention to appeal from

it is ordered that the amount of.....appeal bond, the said
being, be fixed at \$.....(no bond is required of) and upon the filing of such bond
the Auditor is to make a transcript of the procedure herein, and file the same in the Probate Court of this County.

Attest:

.....
County Auditor.

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.....
.....
Commissioners.

In the Matter of the.....of a
Public Road, Improvement No.....
Petitioned for by
..... and others.

AS TO FILING APPEAL BOND

.....appeals from an order of the County Commissioners of
Belmont County, made at the.....session, 19.....,
of said public road, and has this day filed.....appeal bond approved by County Auditor.

.....
County Auditor.

St. Clairsville, Ohio, March 4, 1935

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Anton Hochevar, James M. Fulton, and T. B. Phillips Commissioners and Auditor and Secretary of the Board, and it appearing that in the matter of the establishment of the public road, Improvement No. 358 petitioned for by Richard Kinder and others, this day this cause came on for hearing in the matter of award of compensation and damages to adjoining landowners and the Commissioners find that notice of the time and place of this hearing has been given to all the owners of land taken for such improvement or abutting thereon, as provided by law, and the former orders herein. That after hearing all applications for compensation and damages filed herein, and considering all claims of minors and those under disabilities, in the judgment of the Commissioners there is awarded and due to the following persons the sums respectively opposite their names.

No awards made.	Compensation	\$.....	Damages	\$.....
	Compensation	\$.....	Damages	\$.....
	Compensation	\$.....	Damages	\$.....
	Compensation	\$.....	Damages	\$.....
	Compensation	\$.....	Damages	\$.....
	Compensation	\$.....	Damages	\$.....

The Commissioners further find and are of the opinion that said improvement is of sufficient importance to the public for all of the Compensation and Damages to be paid from the County Treasury.

.....

It is further ordered that a record of the proceedings and the plat and survey be entered upon the road records of this County.

It is further ordered that upon the compensation and award being paid to the owners as above herein ordered, that the public road described as follows:

.....

be

Attest: County Auditor. Anton Hochevar, James M. Fulton, T. B. Phillips Commissioners.

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