

### ROAD PETITION

For the vacation of a Road in Warren & Goshen Township,  
Improvement No. 365 Petitioned for by Dallas McMillen 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 vacation 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  
In Sec. 5, Twp. 8 and Range 6, at a point where the new road intersects this part of the old road to be vacated and runs in a southwesterly direction for a distance of about 75 rods, more or less, to the northwest corner of the yard of the John Gossett farm.

Dated this 6th day of May A. D. 1935

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Dallas McMillen D. C. Bundy H. C. Moore Harry G. Lee F. T. Robinson Bert Dillon Edith Lee J. O. Murphy Chas. E. Fisher E. D. Bailey A. W. Guindon Chas. R. Yockey C. E. Baker Geo. Armstrong N. A. Moore C. E. Wells P. E. Fisher C. J. Goodman	E. W. Schafer W. T. Hall	

Filed May 6 A. D. 1935

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 admin-  
istrators.

Signed by us and dated at.....Ohio, this .....day 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:

.....  
.....  
.....

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

St. Clairsville, Ohio, May 6, 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

Dallas McMillen and others, have filed a petition in the office of the Commissioners of the County, on the 6th day of May 1935 for the vacation

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 Dallas McMillen has filed herein a bond as required by law. It is ordered that the 4th day of June 1935, at 10.00 o'clock A.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 10th day of June 1935, at 10.00 o'clock A.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 Barnesville Whetstone a newspaper published and having a general circulation in the County of Belmont.

Attest: \_\_\_\_\_ 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, June 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 vacation of the public road, petitioned for by Dallas McMillen 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 Dallas McMillen and others, in the Barnesville Whetstone, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 4th day of June 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 10th day of June 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:

\_\_\_\_\_  
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, June 8, 1935

Pursuant to your order dated \_\_\_\_\_ 19\_\_\_\_, I make my report to you as follows, in the matter of the vacation of the public road petitioned for by Dallas McMillen and others.

1. My opinion is \_\_\_\_\_ the granting of the ~~improvement~~ <sup>road</sup> but with the following changes, which in my judgment should be made, to-wit: Should be vacated from Sta. 4 / 48.31 to Sta. 15 / 01.80.
2. The width should be \_\_\_\_\_ 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)

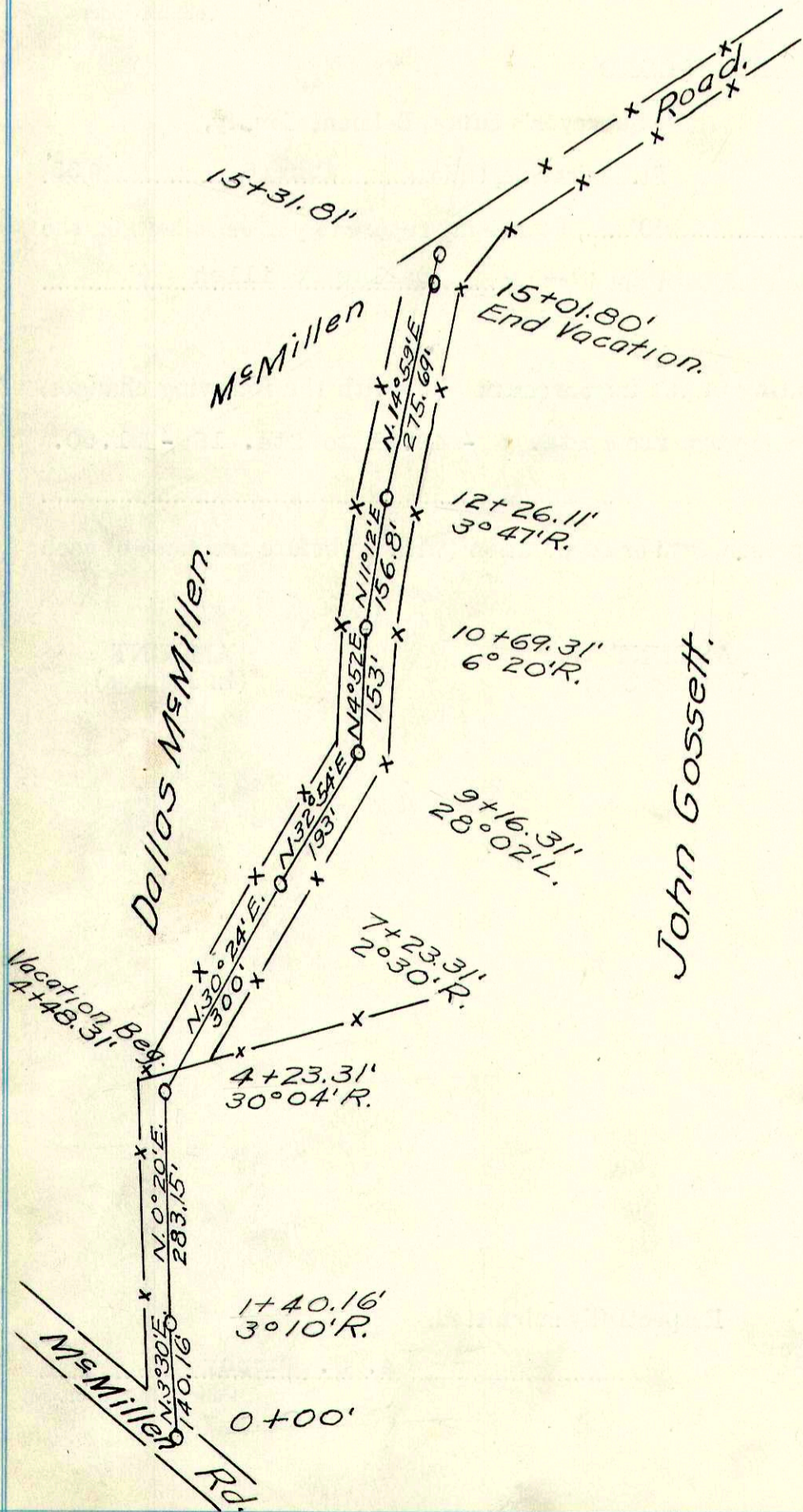
AMOUNT  
(In Figures)

My plat and survey is also attached hereto.

Respectfully submitted,

A. C. Murphy  
County Surveyor.

VACATION  
OF  
DALLAS McMILLEN ROAD.  
Warren Tp. Sec. 5, T. 8, R. 6.  
Belmont County, O.  
A.C. Murphy, County Surveyor.  
Scale 1"=200', 1935.



John Gossett.

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

St. Clairsville, Ohio, June 10, 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 **vacation**.....of the public road petitioned for by **Dallas McMillen**.....  
.....and others, the same came on to be heard for final hearing in the matter of granting  
**Con't till June 17, 1935.**  
said improvement, on this **10th**.....day of **June**.....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 **1st**.....day of **July**.....19**35**, at **10.00**.....o'clock.....**A.**.....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.

.....  
.....  
.....  
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, July 1, 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 vacation of the public road, Improvement No. 365 petitioned for by Dallas McMillen 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.

<u>No Awards Made</u>	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.

