

ROAD PETITION

For the vacation of a Road in Wayne Township,
 Improvement No. 389 Petitioned for by H. J. Rice 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

At the intersection of the Hunter and New Castle Road southeast, running parallel with State Route #148 in a northwest direction and intersecting with State Route #148 on the lands of Fred Russell Heirs and the northwest boundary of the following described property.

Being a part of the northwest quarter of Section 10, Township 6 and Range 5 and bounded as follows: Beginning at the southwest corner of said quarter section at a stone, thence east 71-28 rods to the west side of Captina Creek; thence up said creek north 40 degrees east 58-8; thence north 17½ degrees west 54-72 rods; thence south 79½ degrees west 91-8 rods to the west boundary of said section; thence 80-78 rods to the place of beginning.

This road has been abandoned by the public and has become a nuisance to the community as a whole is used by undesirable persons.

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

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Rush Hollingsworth Lena Hollingsworth W. R. Davis S. E. Davis Mabel Davis E. M. Powell Mansel Powell Frank Lucas Katherine Lucas John E. Moore A. A. McEndree Emma McEndree C. W. Jarrett Bessie Jarrett H. J. Rice		

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:

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

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

St. Clairsville, Ohio, August 16, 1937

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 H. J. Rice and others, have filed a petition in the office of the Commissioners of the County, on the 16th day of August 1937 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 H. J. Rice has filed herein a bond as required by law. It is ordered that the 14th day of September 1937, 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 20th day of September 1937, 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 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, September 14, 1937

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 in the matter of the vacation of the public road, petitioned for by H. J. Rice 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 H. J. Rice 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 14th day of September, 1937, 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 20th day of September, 1937, 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 [REDACTED] 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, October 18, 1937

Pursuant to your order dated September 14, 1937, I make my report to you as follows, in the matter of the vacation of the public road petitioned for by H. J. Rice and others.

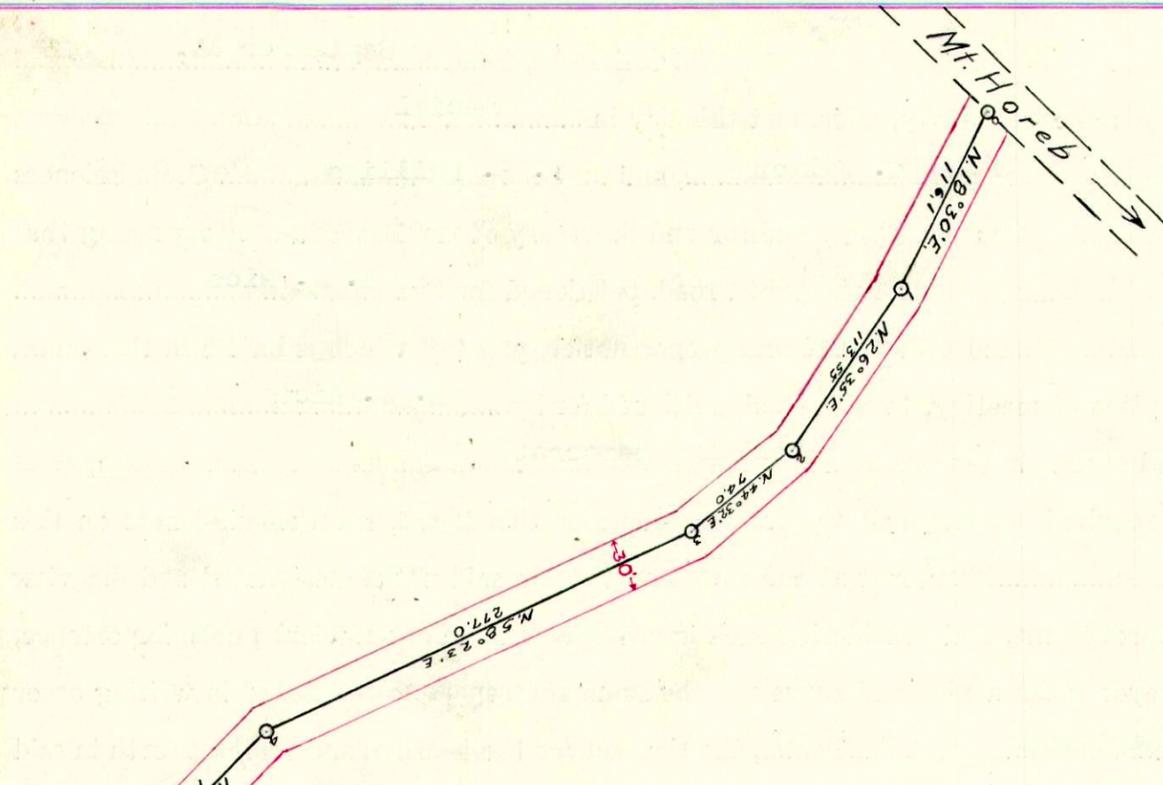
1. My opinion is.....the granting of the improvement but with the following changes, which in my judgment should be made, to-wit: If there is no objections the road should be vacated. as there are to many roads in this locality which does not benefit any one.
2. The width should be.....30.....feet.....
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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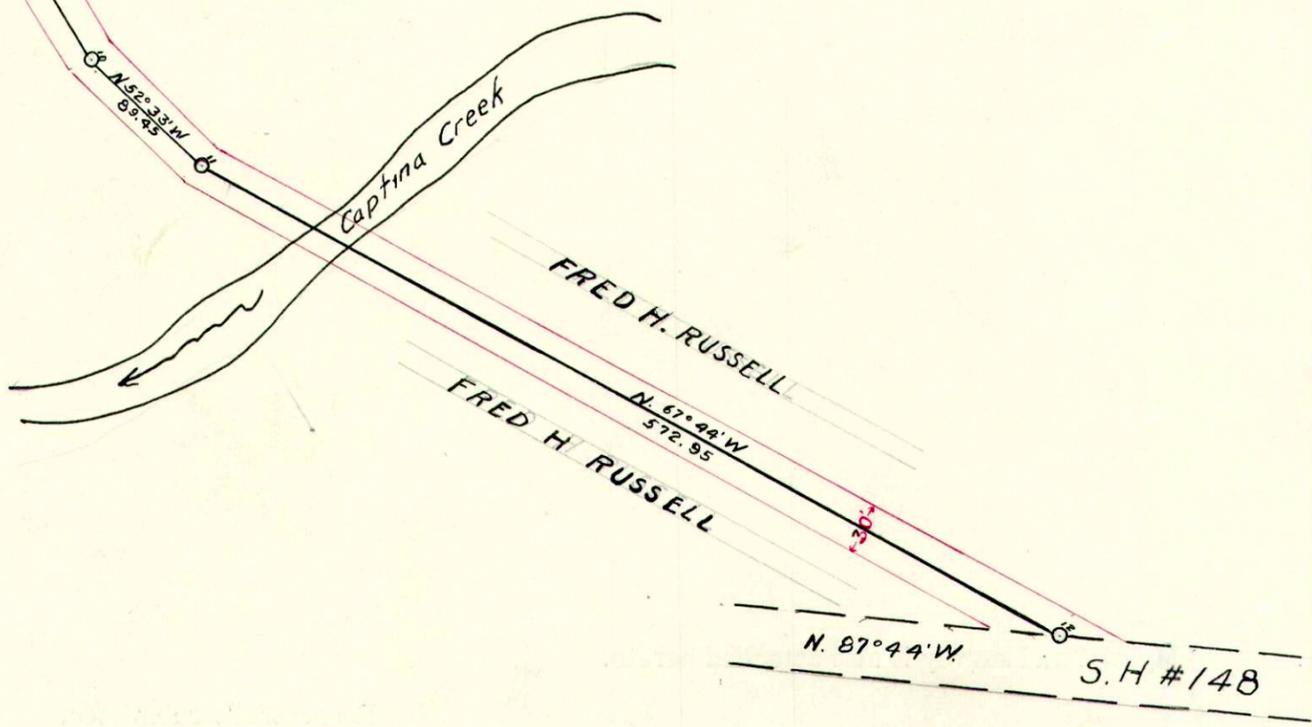
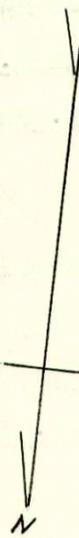
My plat and survey is also attached hereto.

Respectfully submitted,

A. C. Murphy
County Surveyor.



VACATION
H. J. RICE ROAD
 WAYNE TWP. SEC. 10 T. 6. R. 5.
 BELMONT CO. A.C. MURPHY CO. ENGINEER
 SCALE 1" = 100' LENGTH 0.395 MI.



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.

