

ROAD PETITION

For the vacation of a Road in Wheeling & Richland Township,
Improvement No. 428 Petitioned for by Newell R. Barnes 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 junction of Barnes & Watson's lands at Pogue Run through the lands of Newell Barnes and Grover Barnes and along the lands of Alice Cuiksa and along the lands owned by Louis Triplett and Nannie Lyle to a point 580 feet east of road pass under the B. & O. Railroad at an oak tree in the middle of the road.

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

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Newell R. Barnes		
W. D. Lee		
Everett H. Nichol		
W. H. Daniel		
J. C. Daniel		
John E. Gossett		
Herbert Lodge		
Harry Carpenter		
Bertha Williams		
Laban Lodge		
J. Melvin Watson		
W. H. Caldwell		
J. M. Hartley		
Jas. B. Merritt		
Jacob R. Love		
Alice Cuiksa		
W. G. Watson		
Joe Dudek		

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, April 8, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in session, present Fulton, Hochevar, and Phillips Commissioners, and E. E. Taylor, Auditor and Secretary of the Board, and it appearing that Newell R. Barnes and others, have filed a petition in the office of the Commissioners of the County, on the 8th day of April 1940 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 Newell R. Barnes has filed herein a bond as required by law. It is ordered that the 7th day of May 1940, 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 13th day of May 1940, 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 The Daily Times a newspaper published and having a general circulation in the County of Belmont.

Attest:

County Auditor.

Fulton
Hochevar
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, May 7, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in _____ session, present Fulton, _____, and 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 Newell R. Barnes 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 Newell R. Barnes and others, in the Daily Times, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 7th day of May 1940, 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 13th day of May 1940, 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.

Fulton

Hochevar

Phillips

Commissioners.

SURVEYOR'S REPORT ON ROAD

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio:

St. Clairsville, Ohio, May 24, 1940

Pursuant to your order dated May 13, 1940, I make my report to you as follows, in the matter of the vacation of the public road petitioned for by Newell R. Barnes and others.

1. My opinion is that this vacation should be granted if the Williams Petition is granted, as one road will make the other useless. the granting of the improvement but with the following changes, which in my judgment should be made, to-wit:

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)

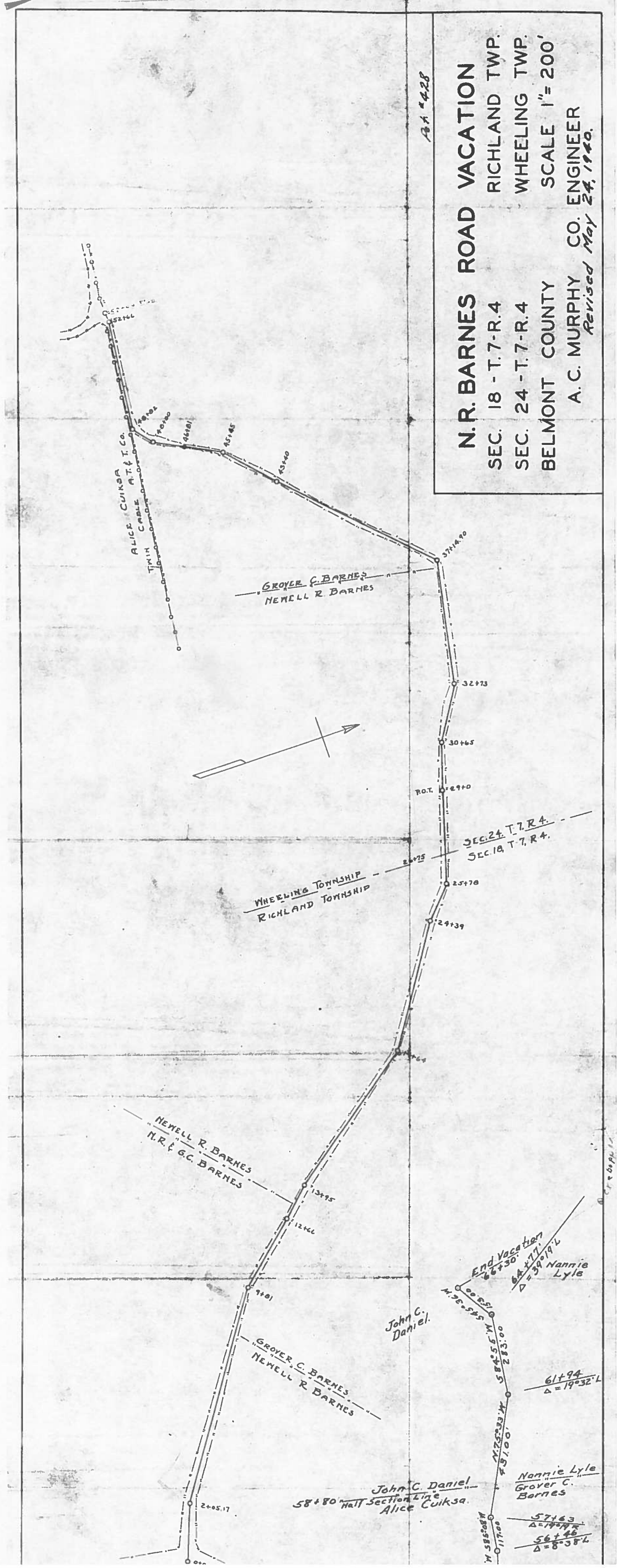
My plat and survey is also attached hereto.

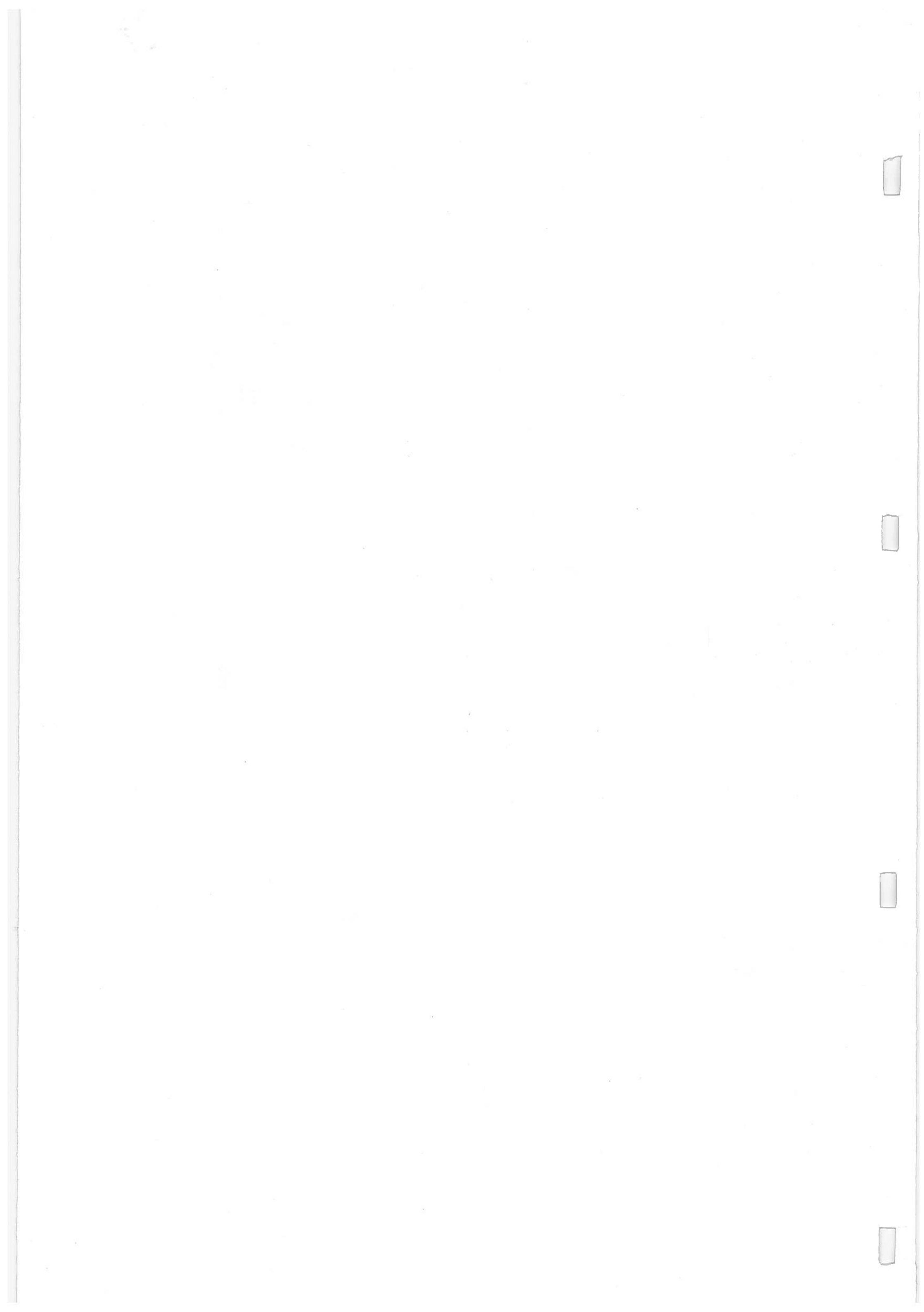
Respectfully submitted,



13A 428

N.R. BARNES ROAD VACATION
 RICHLAND TWP.
 WHEELING TWP.
 SCALE 1" = 200'
 A.C. MURPHY CO. ENGINEER
 Revised May 24, 1940.





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

St. Clairsville, Ohio, May 13, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in _____ session,
present Fulton, Hochevar, and _____ 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 Newell R. Barnes

_____ and others, the same came on to be heard for final hearing in the matter of granting
said improvement, on this 13th day of May 1940, 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 29th day of July 1940, at 2:30 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: _____ Fulton _____
_____ Phillips _____
County Auditor. _____ Hochevar _____
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 29, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in session, present Fulton, Phillips, and Commissioners and Auditor and Secretary of the Board, and it appearing that in the matter of the vacation of the public road, Improvement No. 428 petitioned for by Newell R. Barnes 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 compensation & damages allowed".....	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.

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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:

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Attest: Fulton Phillips

