

ROAD PETITION

For the Alteration of a Road in Kirkwood Township,
Improvement No. 429 Petitioned for by L. F. Sudduth 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 alteration 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 gate on the right hand side of the Kaiser Road (said road starts at the McCartney Tavern and comes out on Route #8) and take the new road around a bad slip that has the road blocked and stops at a big tree at forks of the road on top of hill.

Dated this 29th day of April A. D. 1940

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Mr. L. F. Sudduth		
Mr. M. E. Sudduth		
Wayne Ralston		
Luther McClintock		
Paul Johnson		
Samuel Sudduth		
H. O. Howes		
H. B. Tracey		
Nannie White		
S. D. White		
J. M. Steele		
C. R. Wilkins		
Chas. S. Elliott		
E. M. Taylor		
G. W. Wesley		
W. V. Bond		

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 20, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in _____ session, present Fulton, Hochevar, and _____ Commissioners, and _____, Auditor and Secretary of the Board, and it appearing that L. F. Sudduth and others, have filed a petition in the office of the Commissioners of the County, on the 29th day of April 1940 for the _____ alteration _____ 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 L. F. Sudduth has filed herein a bond as required by law. It is ordered that the 11th day of June 1940, 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 24th day of June 1940, 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 The Daily Times _____ a newspaper published and having a general circulation in the County of Belmont.

Attest:

County Auditor.

Fulton
Hochevar

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 11, 19 40

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 alteration of the public road, petitioned for by L. F. Sudduth 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 L. F. Sudduth and others, in the 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 11th day of June 19 40, 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 24th day of June 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 [REDACTED] and also recommend any changes in the improvement, which in his judgment, should be made.

Attest:

County Auditor.

Fulton

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 24, 19 40

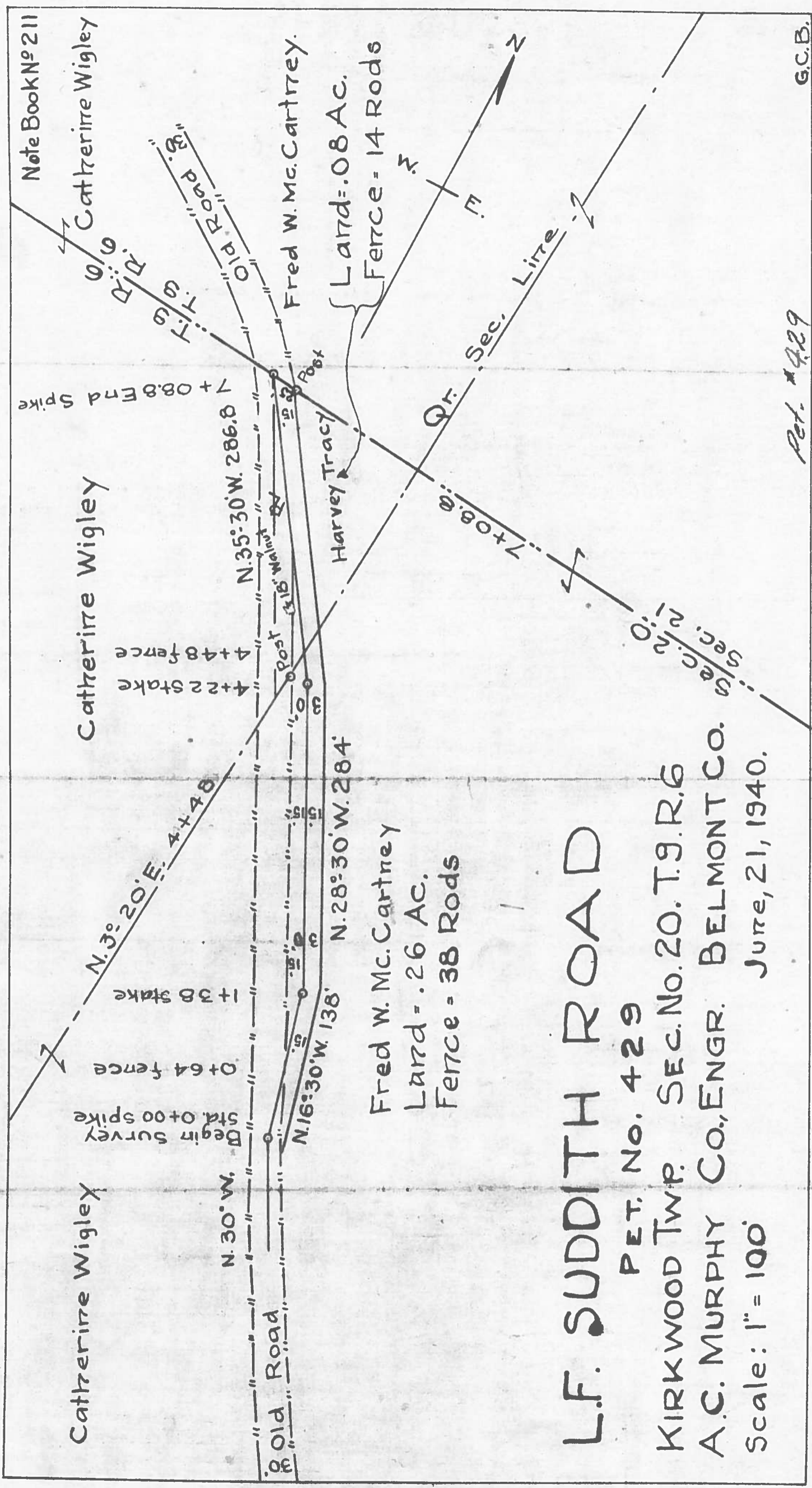
Pursuant to your order dated June 11, 1940, I make my report to you as follows, in the matter of the alteration of the public road petitioned for by L. F. Sudduth and others.

- that this road should be granted as the Old Road is closed and it is not advisable to clean it out.**
1. My opinion is _____ the granting of the improvement but with the following changes, which in my judgment should be made, to-wit:
 2. The width should be 30 feet "See Plat for description"
 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,



L.F. SUDDITH ROAD

PET. No. 429

KIRKWOOD TWP. SEC. No. 20. T. 9. R. 6

A.C. MURPHY CO., ENGR. BELMONT CO.

Scale: 1" = 100'

June, 21, 1940.

Pet. #429

G.C.B.

Note Book No. 211

Catherine Wigley

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N. 30° W.

Begin Survey Sta. 0+00 Spike

0+64 fence

1+38 stake

N. 3° 20' E. 4+48

4+22 stake

4+48 fence

N. 35° 30' W. 286.8

7+08.8 End Spike

Old Road

N. 16° 30' W. 138'

N. 28° 30' W. 284'

Fred W. Mc. Cartney

Land = .26 AC.

Fence = 38 Rods

Post & Rail

Harvey Tract

N. 35° 30' W. 286.8

Fred W. Mc. Cartney.

Land = .08 AC.

Fence = 14 Rods

Old Road

N. 3° 20' E. 4+48

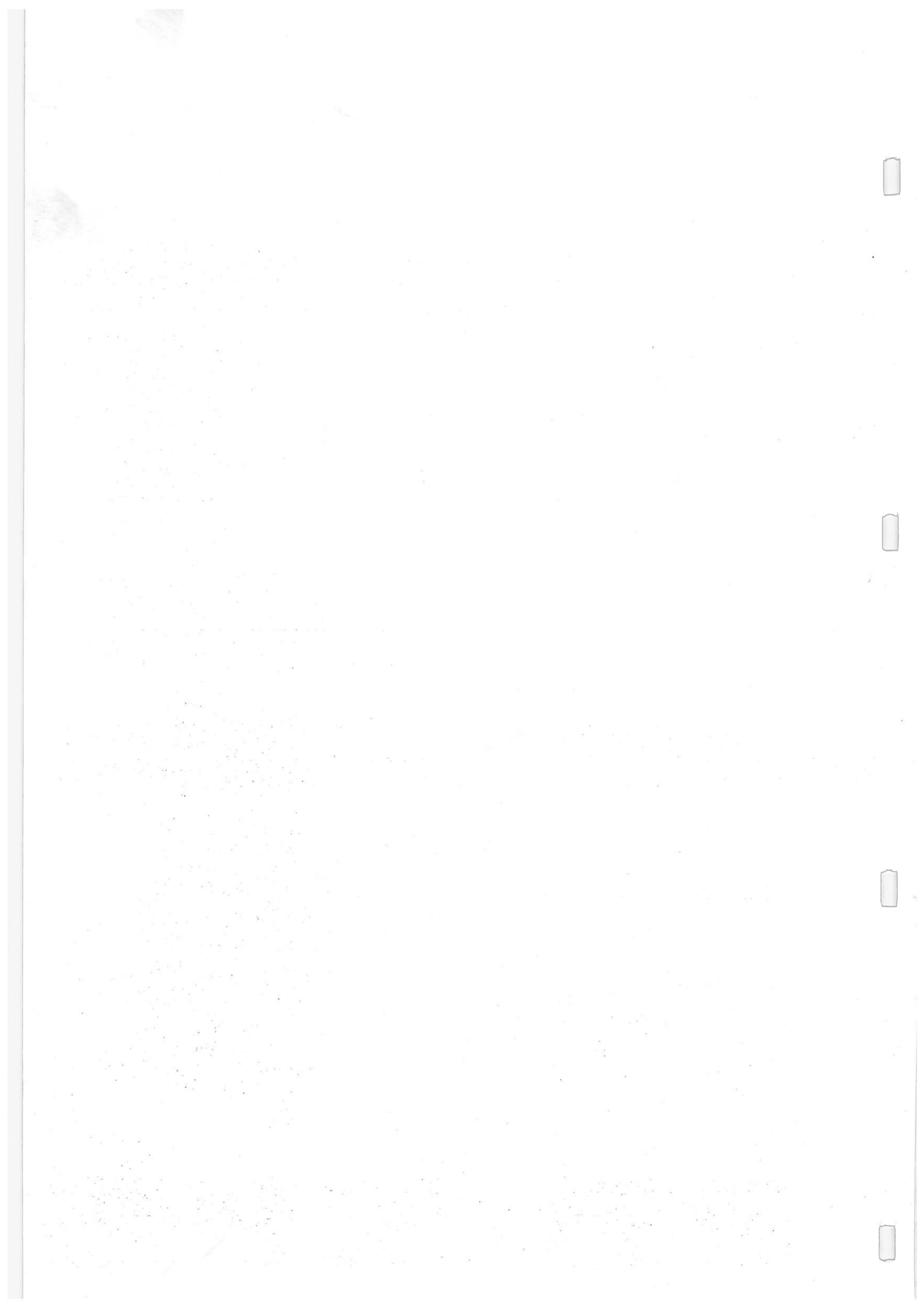
Qr. Sec. Line

7+08.8

Sec. 20

Sec. 19

Sec. 18



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

St. Clairsville, Ohio, July 29, 19 40

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 alteration of the public road petitioned for by L. F. Sudduth
_____ and others, the same came on to be heard for final hearing in the matter of granting
said improvement, on this 29th day of July 19 40, 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 5th day of August 19 40, 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: _____ Fulton _____
_____ Phillips _____
County Auditor. _____
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, August 5, 1940

The Board of Commissioners of Belmont County, Ohio, met this day in session present Fulton, Phillips, and Hochevar Commissioners and Auditor and Secretary of the Board, and it appearing that in the matter of the alteration of the public road, Improvement No. 429 petitioned for by L. F. Sudduth 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.

Harvey & Theda Tracy	(The sum of \$200.00 for land taken and for damages to the building according to application for compensation & damages filed)	Compensation	\$	Damages	\$
		Compensation	\$	Damages	\$
Fred W. McCartney	(The sum of \$37.00 for land taken and \$38.00 for fencing; a total of \$75.00.)	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:

Fulton

Phillips

