

ROAD PETITION

For the ^{Vacation} Vacating of a Road in ^{Wheeling} Wheeling Township, Improvement No. ⁵²³ 523 Petitioned for by William A. Lee 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 ^{Vacating} Vacating 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 Said vacation is located in N.W. corner of section 2, Township 8, Range 4, Wheeling Township, Belmont County, Ohio.

Beginning for the same in the centerline of a township road (formerly known as County Highway No. 13) and at its intersection with the Cox Run Township road; thence N. 86 deg. 00' E. 19.94' to the centerline of the W.&L, E. R.R., from which the face of the mud wall on the south and W. & L. E. R. R. bridge No. ^{bears N. 4° 00' W 69.36'} 6, thence S. 38 deg. 20' ^{thence N 86° 00' E 27.67'} E. 99. 97'; thence S. 5 deg. 20' E. 149. 30'; thence S. 16 deg. 10' E. 175.97'; thence S. 48 deg. 30' E. 116.30'; thence S. 9 deg. 00' W. 144.61'; thence S. 27 deg. 50' W. 51.56' ; thence S. 44 deg. 10' E. 93.09'; thence S. 0 deg. 20' W. 170.06'; thence S. 15 deg. 50' E. 127.19'; thence S. 9 deg. 30' E. 134.66'; thence S. 24 deg. 10' E. 266.37'; thence S. 30 deg. E. 149.74' to the end of said vacation. The length of said vacation is 1726.43' and from the end of said vacation the face of the mud wall on the north end of W.& L. E. R. R. bridge NO. ⁷/₂₂ is located as follows; S. 2 deg. 50' E. 98. 17'; thence S. 16 deg. 22' E. 112. 89'; thence S. 5 deg. 20' E. 276.13'; thence S. 2 deg. 02' W. 517.92'; thence S. 20 deg. 16' W. 77.25' to the centerline of the W. & L. E. R. R.; thence with said W. & L. E. R. R. centerline in a southerly direction 58. 00'.

Dated this _____ day of _____ A. D. 19 ⁴⁷

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
William A. Lee	Wheeling Tp.	C. Phillips Wheeling Tp.
Emil Rose	"	(Jos. F. Hogan Exr. Est.
Woodrow Burton	"	(Frank Dunning A partner Of
F. H. Grimes	"	(Johnson Mining Co. Marie
Everet H. Nichol	"	(Dunning
Steve Miller	"	
W.J. Walker	St. Clairsville Corp.	
John T. Walker	"	
Richard A. Thomas	Wheeling Tp.	

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____

Checking List

St. Clairsville, Ohio, Oct 6 1947

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Hayes, and Reasbeck Commissioners, and Geneva Beck, Auditor and Secretary of the Board, and it appearing that _____ and others, have filed a petition in the office of the Commissioners of the County, on the 25th day of July 1947 for the _____ Vacation of a public road, along the following route, to-wit: Beginning(see previous page)

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 William A. Lee has filed herein a bond as required by law. It is ordered that the 29 day of Oct 1947, at 1:30 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 3 day of Nov 1947, 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 Times Leader a newspaper published and having a general circulation in the County of Belmont.

Attest: _____ Hayes
_____ Reasbeck
Geneva Beck County Auditor. _____
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, Oct 29 1947

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Hayes, and Reasbeck Commissioners and Geneva Beck, Auditor and Secretary of the Board, and it appearing that in the matter of the Vacation of the public road, petitioned for by William A. Lee 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 William A. Lee and others, in the Times Leader, a newspaper of general circulation in said county required by law, and the former orders of this Board, the Commissioners on this 29 day of Oct 1947, 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 17 day of Nov 1947, 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 XXXXXXXXXX and also recommend any changes in the improvement, which in his judgment, should be made.

Attest:

Geneva Beck County Auditor. Hayes Hardesty Commissioners.

SURVEYOR'S REPORT ON ROAD

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio: St. Clairsville, Ohio, Nov 6 1947

Pursuant to your order dated Nov 3 1947, I make my report to you as follows, in the matter of the Vacation of the public road petitioned for by William A. Lee and others.

- My opinion is should be granted, because said road is not used by the public. being the granting of the improvement but with the following changes, which in my judgment should be made, to-wit: closed by spoil banks
- The width should be feet
- 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:

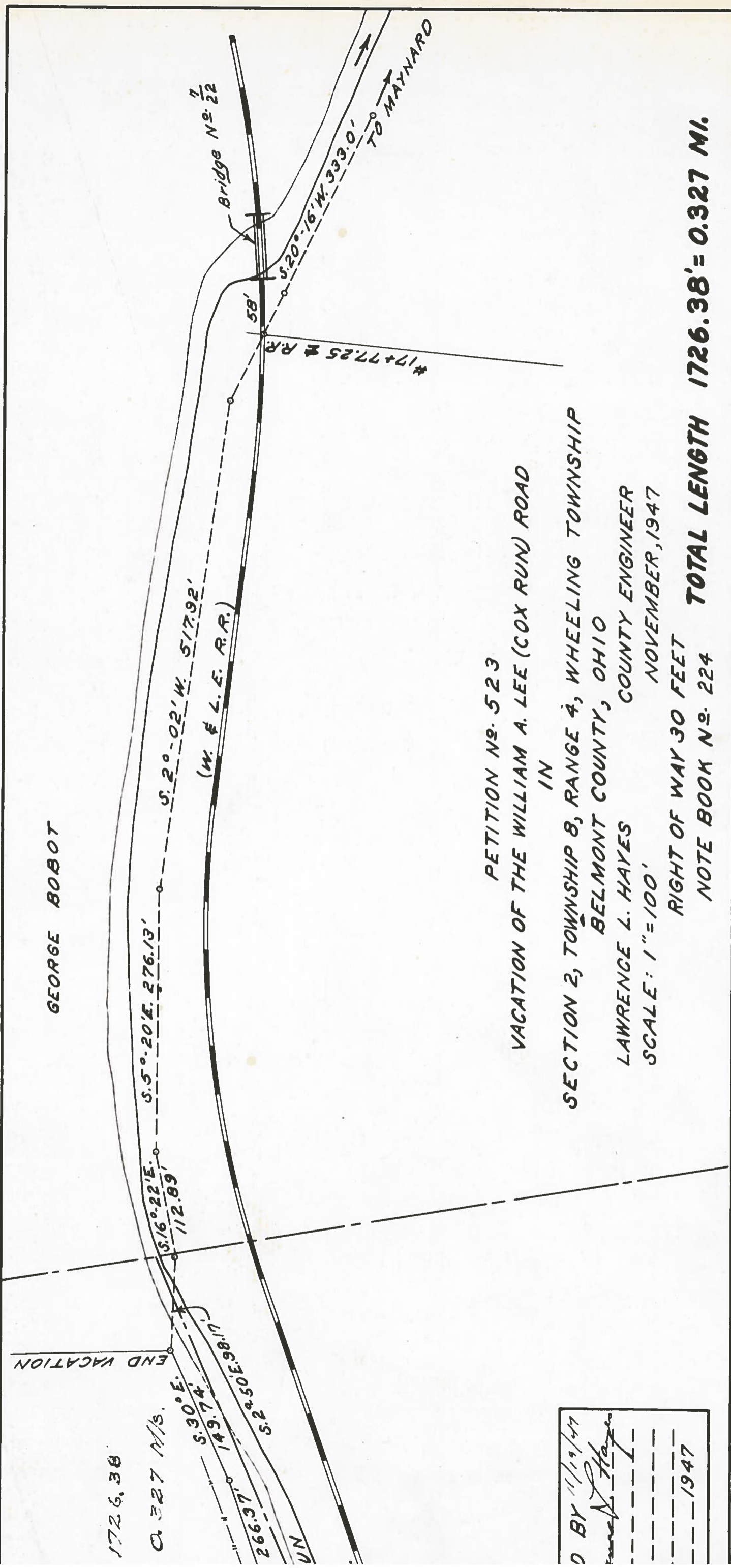
NAME	AMOUNT (Written Out)	AMOUNT (In Figures)
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My plat and survey is also attached hereto.

Respectfully submitted,



GEORGE BOBOT



1726.38

0.327 M/S.

S. 30° E. 149.74'

S. 2° 50' E. 98.17'

266.37'

UN

(W. & L. E. R.R.)

S. 2° 02' W. 517.92'

58'

#17+77.25 R.R.

S. 20° 16' W. 333.0'

TO MAYNARD

PETITION No. 523

VACATION OF THE WILLIAM A. LEE (COX RUN) ROAD

IN

SECTION 2, TOWNSHIP 8, RANGE 4, WHEELING TOWNSHIP

BELMONT COUNTY, OHIO

LAWRENCE L. HAYES

COUNTY ENGINEER

NOVEMBER, 1947

RIGHT OF WAY 30 FEET

NOTE BOOK No. 224

TOTAL LENGTH 1726.38' = 0.327 MI.

BY	11/19/47
Lawrence L. Hayes	

---	1947

JOE & KATHERINE MATUSEK

THE PATTON RUN COLLIERY CO.
(MRS. J.E. CHRISTY)

ALFREY S. & WILLELLA HENDERSON

MARIE R. DUNNING

ADENA

BR. No. 67
TACK in tie S. END



1726.38

0.327 M/S.

S. 30° E.
149.74'
S. 22° 50' E.

RUN

CO.

R. R.

COX

POWER POLES

TIPPLE

PRIVATE

SEC. 2

SEC. 8, T-8, R-4

SCHOOL LOT

Former County Highway N 8 1/3

APPROVED BY 11/19/47

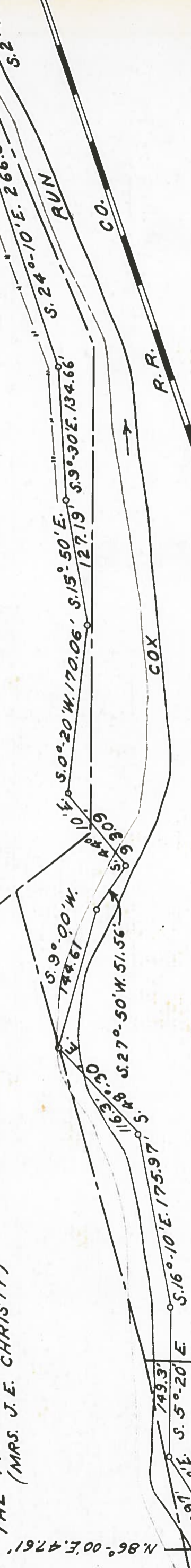
Co. Engineer *James L. Hays*

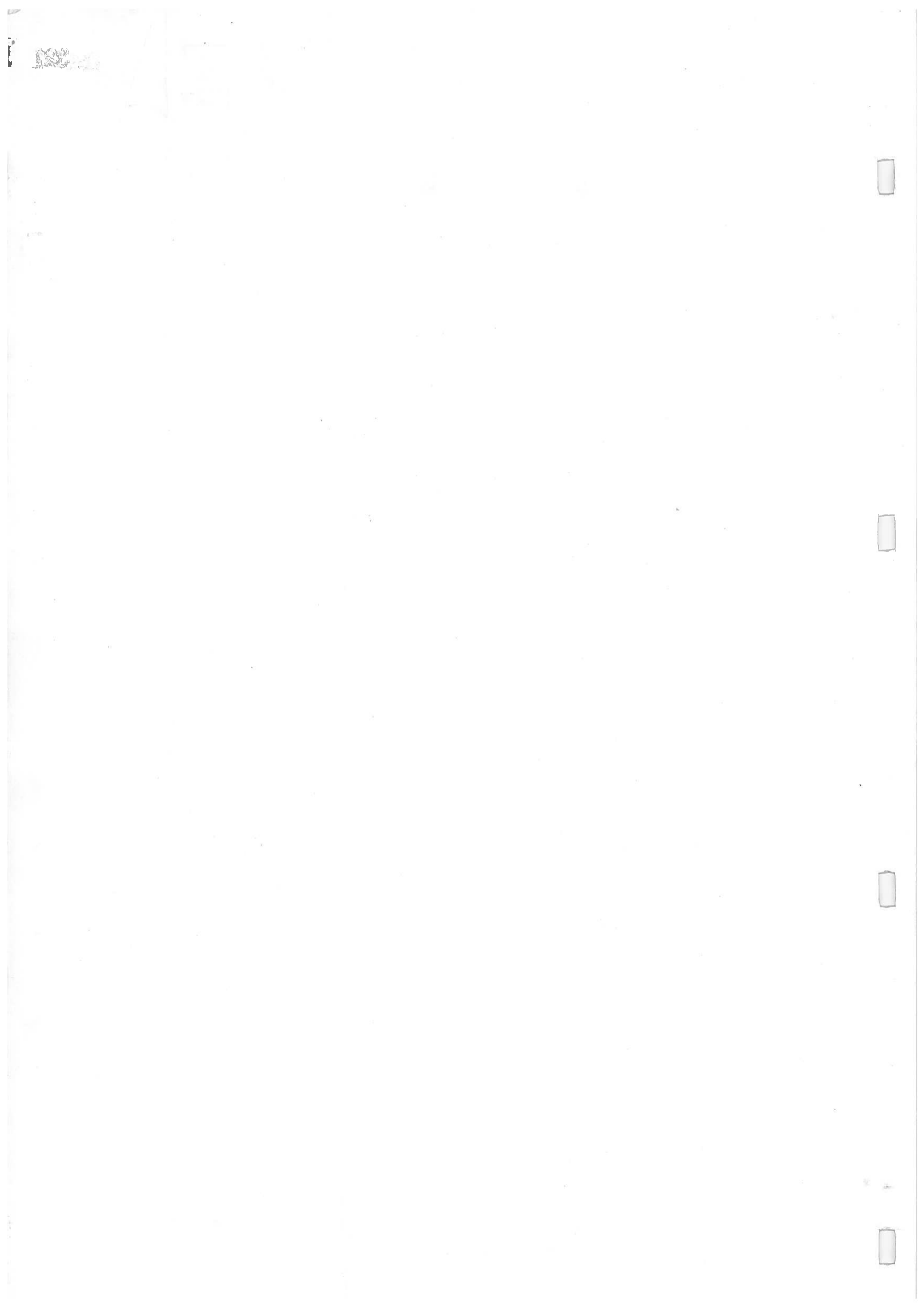
Co. Comm. -----

Co. Comm. -----

Co. Comm. -----

This --- day of --- 1947





Plat of the Vacation of a public road in Wheeling Township.
Range 4 Township 8 Section 2

St. Clairsville, Ohio, May 10 19 48

The Board of Commissioners of Belmont County, Ohio, met this day in Special session,
present Hayes, and Reasbeck Commissioners
and Geneva Beck, Auditor and Secretary of the Board, and it appearing that
in the matter of the Vacation of the public road petitioned for by William A. Lee
and others, the same came on to be heard for final hearing in the matter of granting
said improvement, on this 10 day of May 19 48, 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 10 day of May 19 48, 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:

Geneva Beck
County Auditor.

Hayes
Reasbeck
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 _____, 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, May 10 1948

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Hayes, and Reasbeck Commissioners and Geneva Beak Auditor and Secretary of the Board, and it appearing that in the matter of the Vacation of the public road, Improvement No. 523 petitioned for by William A. Lee 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.

Patton Run Colliery CO.)	Compensation	\$ 50.00	Damages	\$ 50.00
Mrs. Earl Christy)	Compensation	\$	Damages	\$
By M. B. HoldenStein)	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 that said road be closed as intered in the Commiosners journal dated May 10 1948

Attest: Geneva Beak Hayes Reasbeck

