

ROAD PETITION

For the Establishment of a Road in Pultney Township,
 Improvement No. 540 Petitioned for by Elizabeth McCurdy 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 Establishment 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 township road at Neffs Cemetery,
Starting at the South end of said road to proceed Northeast (3/4) three-
fourths of a mile, Bordered on the Southeast by Godfrey Petrin to the Wm. McCurdy
line. On the Northwest Bordered by Godfrey Petrin (1/4) One-fourth of a mile.
Then to Robert Clark's about (500) Five hundred feet, then to Susan Kalinowski's
about (300) three hundred feet. At this point the road ends. Said right of way
branches off about (300) three hundred feet west of east end. Proceeds
about (1/2) one half mile to the Harry Dixon property line, Bordered on
the west by Robert Clark about (500) Five hundred feet. Then to Russell Davis
about (1/4) one fourth of a mile on the North side. Bordered by Susan
Kalinowski property about (150) one hundred and fifty feet, then on to
the Robert Clark property about (1500) Fifteen hundred feet or more

("C" Commissioners Journal)
 Vol. 33 page 274

Dated this 27th day of March A. D. 1950

PETITIONER'S NAMES	PETITIONER'S NAMES	PETITIONER'S NAMES
Mrs. Elizabeth McCurdy	P. C. Wheeler & Sons	Howard Wilson
Milton M. Davies	S. L. Yoush	Baumrecht Funeral Service
Mrs. Susan B. Kalinowski	Joseph Lartetake	Ohio Bell Telephone Co.
Mrs. Joseph Kalinowski	Frances E. Kotera	
Mr. Howard B. Theaker	R. J. Schramm	
Mr. & Mrs. Russell Davis	John A. Smelko	
Mr. & Mrs. Lewis W. Trigg	Mr. & Mrs. Lawrence Davis	
Mr. & Mrs. Robert Clark	R. A. Niple, M. D.	
Mr. Frank Roseman	Mrs. Knox Alexander	
Andrew Kozlowski (Grocery)	Mr. Loumas Dunfee	
Rev. N. E. Brunner	Dr. L. H. Liggett	

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, March 27 1950

The Board of Commissioners of Belmont County, Ohio, met this day in Special session, present Hardesty, Reasbeck, and Mackey Commissioners, and Geneva Beck (Clerk), Auditor and Secretary of the Board, and it appearing that Elizabeth McCurdy and others, have filed a petition in the office of the Commissioners of the County, on the _____ day of _____ 19____ for the _____ Establishment 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 _____ has filed herein a bond as required by law. It is ordered that the 19 day of April 1950, 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 of the route and go over the route of said proposed road.

They also fixed the 24 day of April 1950, at 11 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:

Geneva Beck (Clerk)
County Auditor.

Signed: Hardesty
Reasbeck
Mackey
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

*In the matter of Establishment of a road in Pultney twp.,
 petitioned for by Elizabeth McCurdy et al, - Improvement # 540 -*

Survey Ordered by Commissioners - Hardesty & Reasbeck

Recorded in Commissioners Journal # 33 - Page - 319

Survey re-ordered - May-15, 1950 - Journal # 33 - Page 347.

" " " June 5, 1950 Journal # 33 page. 372

St. Clairsville, Ohio, April 19 1950

The Board of Commissioners of Belmont County, Ohio, met this day in _____ session, present Hardesty, Reasbeck, and _____ Commissioners and Geneva Beck (Clerk), Auditor and Secretary of the Board, and it appearing that in the matter of the Establishment of the public road, petitioned for by Elizabeth McCurdy 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 Elizabeth McCurdy 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 19 day of April 1950, 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 _____ day of _____ 19____, 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:

Geneva Beck (Clerk)
County Auditor.

Signed: Hardesty

Reasbeck

Commissioners.

SURVEYOR'S REPORT ON ROAD

Surveyor's Office, Belmont County,

To the Board of Commissioners of Belmont County, Ohio:

St. Clairsville, Ohio, August 11 1951

Pursuant to your order dated April 24, 1950, I make my report to you as follows, in the matter of the Establishment of the public road petitioned for by Mrs. Eliz. McCurdy and others.

1. My opinion is that the granting of the improvement but with the following changes, which in my judgment should be made, to-wit: the improvement be granted provided there is no cost to the county for right-of-way or construction. The road is strictly a township maintenance problem, and Pultney township should concur in the granting thereof.
2. The width should be 40 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

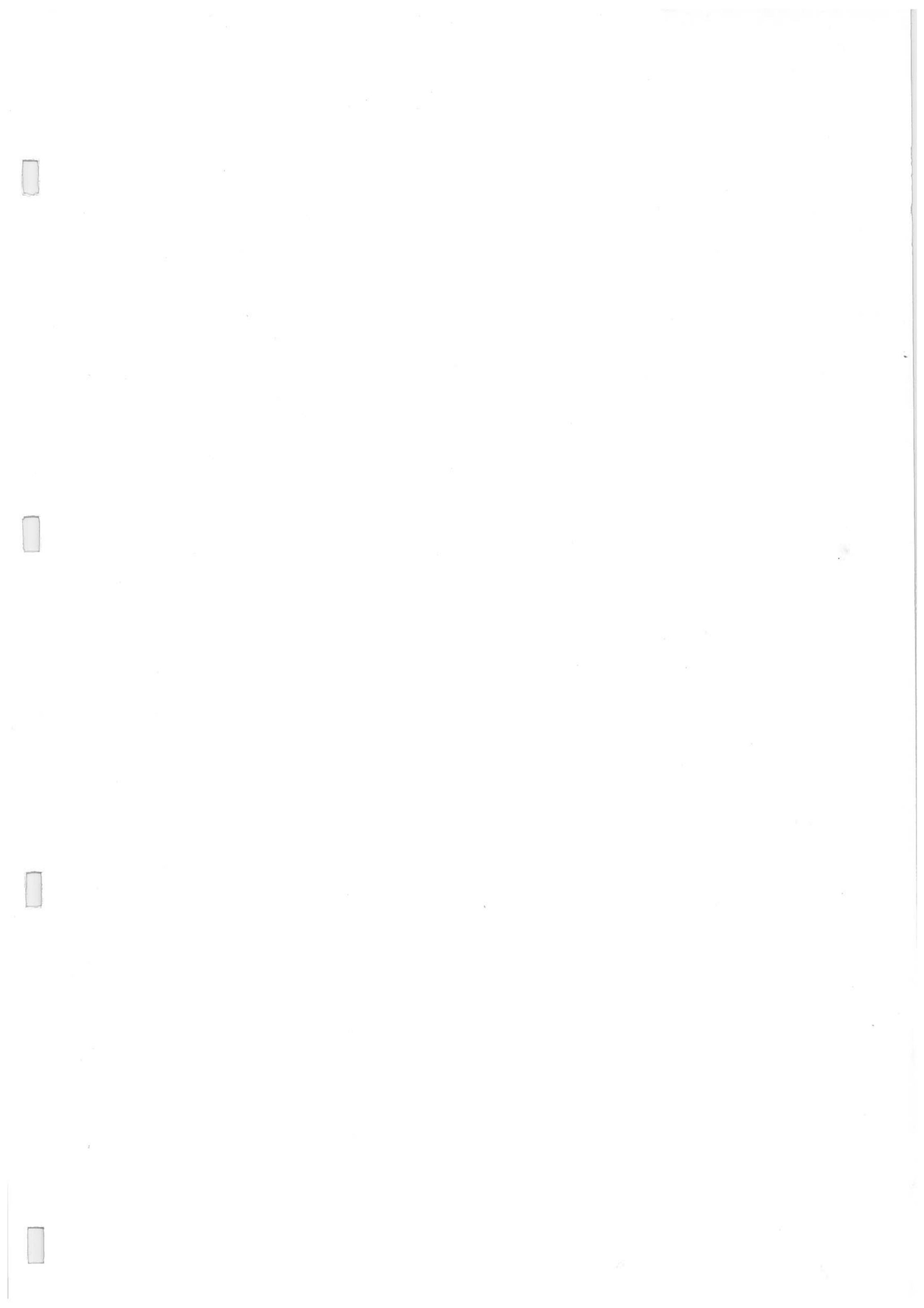
AMOUNT
(Written Out)

AMOUNT
(In Figures)

My plat and survey is also attached hereto.

Respectfully submitted,



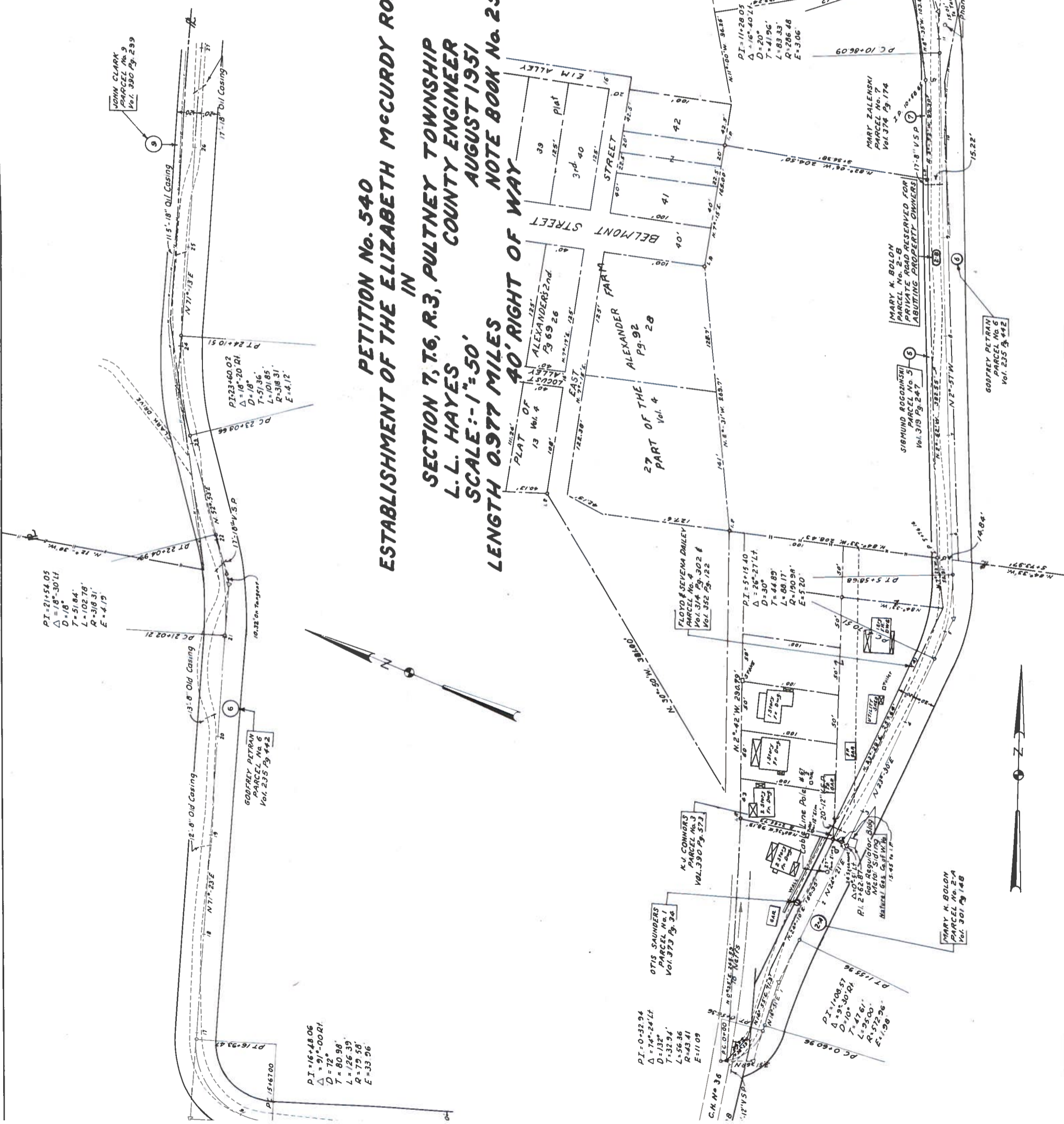


PARCEL NO.	NAME	BELMONT COUNTY RECORD OF DEEDS		ACRES	RODS OF FENCE	
		VOL.	PG.			
1	OTIS SAUNDERS	373	34	0.031	10	
2-A	MARY K. BOLON	361	148	0.425	35	
2-B	MARY K. BOLON	PRIVATE ROAD				0.350
3	K. J. CONNORS	390	573	0.0001	1	
4	FLOYD & SEVENA DAILEY	314	302	0.045	18	
5	SIGMUND ROGOZINSKI	319	247	0.048	23	
6	GODFREY PETRAN	235	442	1.642	205	
7	MARY ZALENSKI	374	174	0.016	12	
8	CEMETERY			0.004	5	
9	JOHN CLARK	390	299	0.433	117	
10	SUSAN BERTHAL/INOWSKI	342	621	0.028	4	
11	M. M. ALEXANDER'S HEIRS *			0.317		
12	RUSSELL DAVIS	292	572-3	0.141	32	
13	HARRY DIXON	251	288	1.008	135	
2+65	NATURAL GAS CO. of W.VA	STA. 1-1209				
TOTALS				4.488	597	

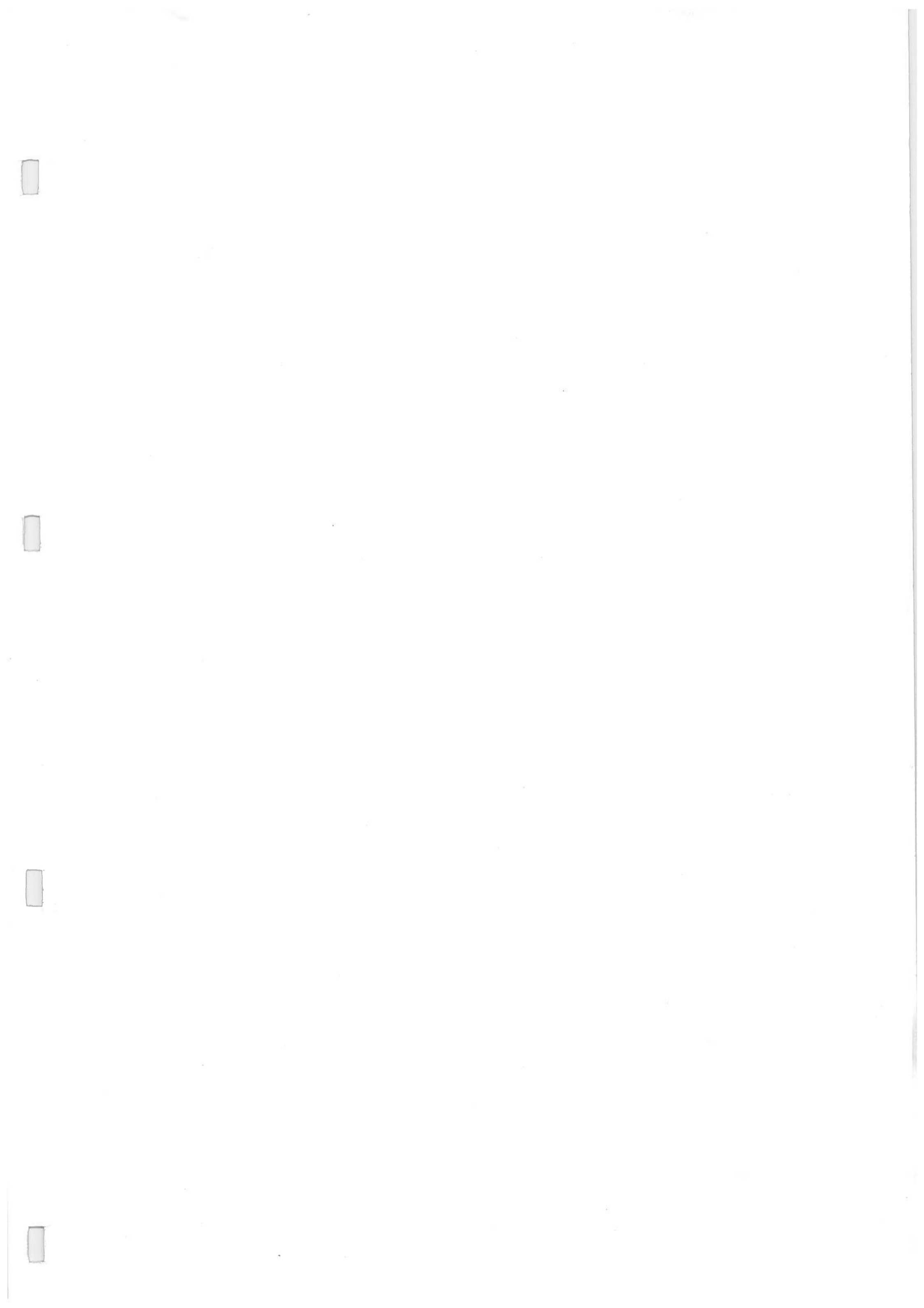
* Private road reserved by predecessor.

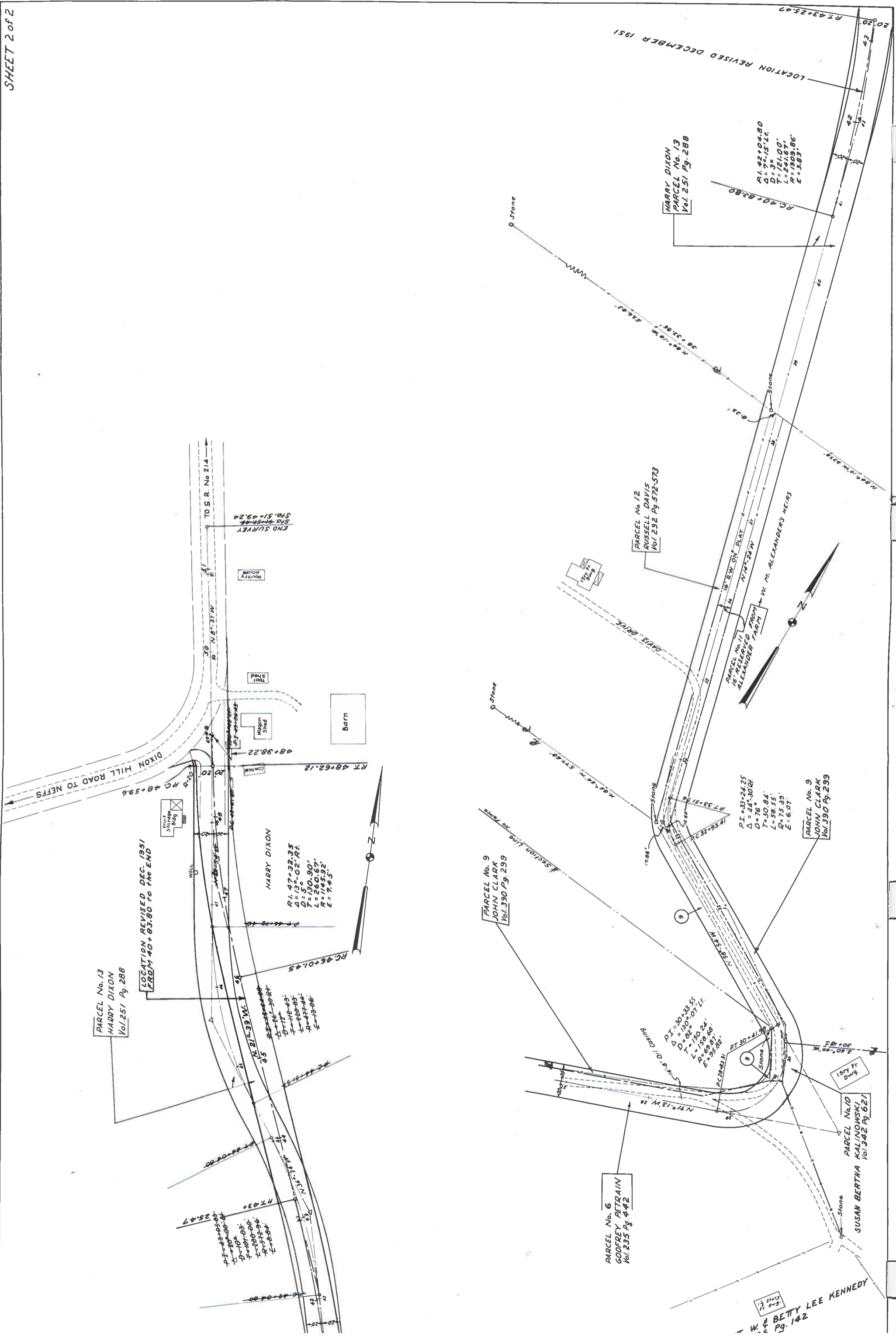
NOTE:- Sheet 2 of 2 (Through Lands of Harry Dixon) Revised in December 1951

ESTABLISHMENT OF THE ELIZABETH McCURDY ROAD
IN
PETITION No. 540
SECTION 7, T.6, R.3, PULTNEY TOWNSHIP
L. L. HAYES
COUNTY ENGINEER
AUGUST 1951
NOTE BOOK No. 255
SCALE: -1"=50'
LENGTH 0.977 MILES
40' RIGHT OF WAY



APPROVED BY
 Co. Engineer
 Co. Comm.
 Co. Comm.
 Co. Comm.
 This day of 1951





Plat of the _____ of a public road in _____ Township.
Range _____ Township _____ Section _____
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, the same came on to be heard for final hearing in the matter of granting
said improvement, on this _____ day of _____ 19 _____, 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 October 19 51, at 11:00 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. _____
_____ Commissioners.

Proof of Personal Notice

Name of Person Served	How Served. D or R	When Served
Godfrey Petran	D	Sept. - 19 - 1951
Otis Saunders	D	" " "
K. J. Connors	D	" " "
Sigmund Rogozinski	D	" " "
Mary Zaleski	D	" " "
Floyd & Sevena Dailey	D	" " "
John Clark	D	" " "
Susan Bertha Kalinowski	D	" " "
Russell Davis	D	" " "
Harry Dixon	D	" " "
Mary K. Bolon	D	" " "
W.M. Alexander's Heirs	D	" " "
Cemetery	D	" " "

Norman Nichols
Assistant County Surveyor

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, _____ 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, Improvement No. _____ petitioned for by _____ 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.

_____ 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:

- See page 360 -

be _____

Attest: _____

March-10-1952.

Mr. Furbee (County Commissioner) offered the following resolution:

Whereas, proceedings have heretofore been had by this board for the establishment of a road in Pultney Township, known as the McCurdy Road on our records;

Whereas, certain claims for compensation and damages have been filed, awards made and certain appeals taken;

Whereas, the board is now of the opinion that it is necessary for the public convenience and welfare to establish said road only through the Dixon property and adjoining properties to the North line of the Petran property and the Kalinowski property where the same connects with a private right-of-way, and that it is not necessary for the public convenience and welfare to establish said roadway from said Petran line South along said private right-of-way; and

Whereas, all property owners along said proposed road through the portion mentioned have waived compensation and damages except Harry A. Dixon who has offered to settle his claim for \$2,000.00.

Now, Therefore, Be It Resolved that said McCurdy Road be established as surveyed through the Dixon property and other properties to the North line of the Petran property and the Kalinowski property, and that we accept Mr. Dixon's offer of settlement of all claims for compensation and damages for the sum of \$2,000.00 and further, that the appeals filed in the Probate Court be dismissed at the county's cost, said claim settlement to be paid when the township trustees agree to proceed with said road.

Mr. Reasbeck seconded the resolution and the roll being called upon its adoption the vote resulted as follows - Mr. Hardesty - yes
Mr. Reasbeck - yes
Mr. Furbee - yes

Recorded in Commissioners Journal #34- Page #400

Payment of \$2,000.00 to Harry A. Dixon approved June 16, 1952

Docket No. 12932 - Compensation and Damages allowed on acct. McCurdy Road. \$2,000.00
Recorded in Comm Journal No. 34- Page 499