

PUBLIC ROAD PETITION # 657

St. Clairsville, Ohio, October 31, 1963

To the Honorable Board of County Commissioners of Belmont County, Ohio:

The undersign petitioners, freeholders of said County residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the vacating of all of the Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating such road, the same not being a road on the State Highway System.

The following is the general route and termini of said road:

Beginning at a point on the Southern edge of County Road # 10 in the Hamlet of Oco and running directly South to the Railroad Tracks; thence East and West along Track Street and being more particularly defined as all of the streets and alleys South of County Highway #10 originally laid out on the plat of Oco as recorded in Plat Volume 8, page 31, Belmont County Plat Records. Said plat being vacated some years ago through the County Auditor's Office which had authority over vacation of lots but not over vacation of streets and alleys.

We request that said streets and Alleys be vacated under section 5553.042 of the Revised Code of Ohio, as amended and effective since August 19, 1963. The abutting property owners to said streets and alleys are Audrey Elerick, Louise Sparapani, Aniela Michalak, William S. Johnson, and Ida Marchetti.

The signing of this petition also constitutes our testimony that said streets and alleys have not been used in the last 21 years.

Commissioners Journal Vol. 40 p. 455

Dated this 8th day of November, A. D. 1963

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Names listed include Ida Marchetti, William S. Johnson, Audrey Elerick, Louise Sparapani, and Aniek Michalak.

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION

IN THE MATTER OF THE

Vacating

All or a

Public Road.

Petitioned for by Ida Marchetti

, and others.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in special session

on the 8th day of November, 1963, at the office of County Commissioners

with the following members present:

Louis Salvador

Austin C. Furbee

W. H. Dorsey

Mr. Furbee moved the adoption of the following Resolution:

WHEREAS, A Petition signed by at least 5 freeholders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioners requesting said Board to Vacate under Sec. 5553.042 Revised

Code of Ohio a Public Road as described therein; therefore, be it

RESOLVED, That the 27th day of November, 1963, at 2 o'clock P.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the commencing point of said proposed road

and go over the line of said proposed improvement; and be it further

RESOLVED, That the 4th day of December, 1963, at 11 o'clock A.M., be fixed as the date for

a final hearing thereof, which hearing will be at the office of the Board; and be it further

RESOLVED, That the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the St. Clairsville Gazette

a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

Mr. Dorsey seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Salvador Yes

Mr. Furbee Yes

Mr. Dorsey Yes

Adopted the 8th day of November, 1963

Genius Book

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Streets & Alleys in the Hamlet of Oco Public Road.

Office of County Commissioners

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session

on the 4th day of December, 1963, at the office of County Commissioners

with the following members present:

Louis Salvador

Austin C. Furbee

Wm. H. Dorsey

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, On the 27th day of November, 1963, the time heretofore fixed for view of the proposed improvement, we, the Board of County Commissioners having jurisdiction in said matter, went upon the line of said proposed improvement and made personal view of the proposed route and termini thereof, and after full investigation and due consideration of all the facts and conditions pertaining thereto; therefore, be it

RESOLVED, That we do find and consider said improvement of sufficient public importance to instruct the County Engineer to make an accurate survey and plat of the same, and furnish an accurate and detailed description of the proposed improvement describing the center line and right of way lines thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner.

Said County Engineer shall also, at the time of making such survey, set stakes at the termini of each right of way line and at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of the proposed improvement may be discernible to property owners and other interested persons; and be it further

RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 8th day of January, 1964, the date fixed for the final hearing, setting forth his opinion either for or against said proposed improvement, and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be accompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this cause is continued until said date.

Mr. Salvador seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Salvador Yes

Mr. Furbee Yes

Mr. Dorsey Yes

Adopted the 4th day of December, 1963

Geneva Beck

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of Streets & Alleys

in the Hamlet of Oco

Public Road.

County Engineer's Office,

Belmont County, Ohio.

December 16, 1963

To the Board of County Commissioners of Belmont County, Ohio:

The undersigned in obedience to your order dated December 4, 1963, proceeded on the 12th day of December, 1963, to make an accurate survey and plat of the Public Road proposed to be improved, and respectfully submits the following report:

In the opinion of the undersigned the proposed vacation should be granted.

The width to which said improvement should be opened is \_\_\_\_\_ feet.

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See attached Plat"

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

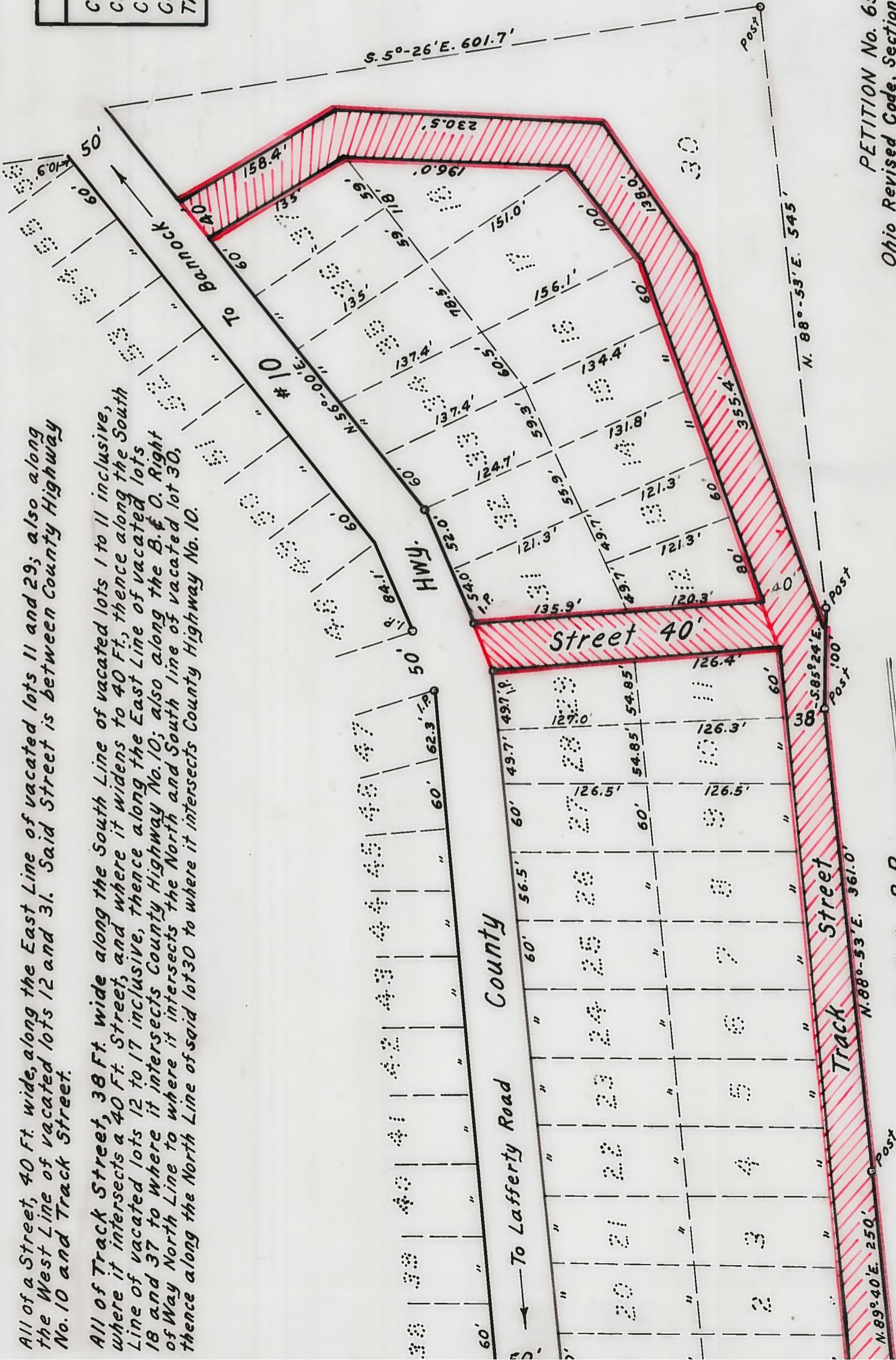
Handwritten initials and date at the bottom of the page.

All of a Street, 40 Ft. wide, along the East Line of vacated lots 11 and 29; also along the West Line of vacated lots 12 and 31. Said Street is between County Highway No. 10 and Track Street.

All of Track Street, 38 Ft. wide along the South Line of vacated lots 1 to 11 inclusive, where it intersects a 40 Ft. Street, and where it widens to 40 Ft., thence along the South Line of vacated lots 12 to 17 inclusive, thence along the East Line of vacated lots 18 and 37 to where it intersects County Highway No. 10; also along the B. & O. Right of Way North Line to where it intersects the North and South line of vacated lot 30, thence along the North Line of said lot 30 to where it intersects County Highway No. 10.

**APPROVED BY**

Co. Engineer *R. J. Boccabella*  
 Co. Comm. *Samuel Sabatini*  
 Co. Comm. *Hunter C. Van Arman*  
 Co. Comm. *William H. Dorey*  
 This 8 day of JAN. 1964.



PETITION No. 657  
 Ohio Revised Code, Section 5553.042

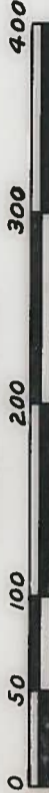
**VACATION OF CERTAIN STREETS  
 IN THE HAMLET OF OCO**

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS Vol. 8, Pg. 31  
 WHEELING TWP. SEC. 36, T. 7, R. 4

Belmont County, Ohio  
 RICHARD J. BOCCABELLA  
 COUNTY ENGINEER

December, 1963

SCALE IN FEET



**SOUTH LINE OF SEC. 36, T. 7, R. 4**



**Vacated**



RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

Commissioners Journal Vol. 40 Pg. 477 Hearing Cont. Dec. 4, 1963 To Jan 8, 1964 Salvador, Furbee, Dorsey

IN THE MATTER OF THE Vacation of Streets & Alleys in the Hamlet of Oco. Public Road.

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session on the 8th day of January, 1964, at the office of County Commissioners with the following members present:

- Wm. H. Dorsey Austin C. Furbee Louis Salvador

Mr. Furbee moved the adoption of the following Resolution: WHEREAS, This day this matter came on to be heard on the report, survey, plat and detailed and accurate descriptions as filed by the County Engineer, and said report having been read in open session, the Board proceeded with the hearing of testimony bearing upon the necessity of the said improvement for the public convenience or welfare and offered either for or against going forward with the proposed improvement by interested persons; and

WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; there fore, be it

RESOLVED, That said Board of County Commissioners do find said vacation will serve the public convenience and welfare; and be it further RESOLVED and determined to proceed with said vacation, it being the opinion of this Board of County Commissioners that the improve- ment is of sufficient importance to the public to cause the compensation and damages on account thereof to be paid to the persons entitled thereto out of the County Treasury, and such method of payment of compensation and damages is hereby ordered; and be it further

RESOLVED and determined to proceed with said improvement only upon the condition that the compensation and damages or such part thereof as this Board may deem reasonable and just be paid by the landowners owning lands within the vicinity who will be benefited by the improvement, and the balance, if any, be paid out of the County Treasury, it being the opinion of this Board of County Commissioners that the improvement is not of sufficient importance to cause all compensation and damages to be paid from the County Treasury. On failure of such benefited landowners to pay

such compensation and damages as may be adjudged against them by the day of 19 it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; and be it further

RESOLVED, That said improvement as set forth and defined in said report, survey, plat and detailed and accurate descriptions as filed by the County Engineer be and the same is hereby granted and said road is hereby ordered vacat under authority of Sec. 5553,042 Revised Code of Ohio

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered to record & close feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal;

and be it further RESOLVED, That the County Engineer be and he is hereby directed to cause a record of the proceedings, including the survey and plat and accurate and detailed description of said proposed improvement, to be forthwith entered in the proper road records of said County; and be it further

RESOLVED That the day of 19 at o'clock M., at the office of this Board, be and the same are hereby fixed as the time and place for hearing of such claims for compensation and damages as may be filed in writing with the Clerk of this Board on or before said date; and be it further

RESOLVED, That notice of the time and place of such hearing be given by the County Engineer or his Deputy or Assistant, and the Clerk of this Board, as required by law; and be it further

RESOLVED, That this cause be and the same is hereby continued to said date above fixed.

Mr. Dorsey seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr. Mr. Mr.

Adopted the day of 19

**RESOLUTION—AWARDING COMPENSATION AND DAMAGES**

IN THE MATTER OF THE

Office of County Commissioners,  
Belmont County, Ohio.

Public Road.

The Board of County Commissioners of Belmont County, Ohio, met in ..... session  
on the ..... day of ....., 19....., at the office of .....  
with the following members present:

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

Mr. .... moved the adoption of the following Resolution:

WHERSAS, This day the matter of award of compensation and damages to landowners through or upon whose lands said improvement is located,  
came on to be heard, and the Board finds that notice of the time and place of this hearing has been given to all such owners as provided by law and our  
former order and the Board has heard all applications for compensation and damages filed herein, and considered all claims of minors and those under  
legal disabilities; therefore, be it

RESOLVED, That we do find and allow compensation and damages, in amounts as held to be just and equitable to the following landowners, to-  
wit:

None

and be it further

RESOLVED, That, when the amount of compensation and damages is paid to the owners, as herein ordered, or the amount thereof as allowed by  
this Board is deposited with the Probate Court, upon an appeal being perfected, for the use of the appellants, said improvement described as follows:

None

be and the same is hereby established.

Mr. .... seconded the Resolution and the roll being called upon its adoption, the vote  
resulted as follows:

Mr. ....  
Mr. ....  
Mr. ....

Adopted the ..... day of ....., 19.....