

PUBLIC ROAD PETITION # 666

RD # 4 Bellaire, Ohio, November 14, 1964

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 Establishing of a 40' R/W & Maintenance thereafter of Breezy Point Lane as a Twp. Road a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for Establishing 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 state Route 214, Rock Hill Pike opposite T. L. Wise Dairy Barn and marked Breezy Point Lane proceeding as outlined on attached Map to Franklin C. Shaffer property and Zygmunt E. Rataiczak Property.

The Pultney Township Trustees has agreed to give this Road the same consideration as they do any other township road if approved by the Belmont County Commissioners.

Signed: Charles A. Wilson
Nick Marinelli
Ray L. Lucas

The following are property owners on said Road and grant the 40' right-of-way.

Dated this 14 day of November, A. D. 1964

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE		
Zygmunt E. Rataiczak & Doreen Rataiczak	Pultney Twp.	B. S.	Dist.
Thomas J. Myers & Rena Myers	"	"	"
Charles O. Myers & Hazel Myers	"	"	"
Henry E. Holderman & Mary Holderman	"	"	"
Mary L. Pogany	"	"	"
Carol L. Shaffer & Franklin Shaffer	"	"	"
Agnes Biggins & Robert E. Biggins	"	"	"
W. L. Wilson & Sally Wilson	"	"	"
E. C. Eikleberry & Verda L. Eikleberry	"	"	"
Margaret J. Marling	"	"	"
John R. Teasdale & Phyllis J. Teasdale	"	"	"
Irene Lillikos	"	"	"
George Lillikos	"	"	"
Anton & Betty Lin Barichar	"	"	"

The following are property owners on said Road, but are not effected by the 40' Right of Way

Donald R. Brinkley & Marguerite	Pultney Twp.	B. S.	Dist.
Theodore L. & Mabel S. Wise	"	"	"
F. Morgan Willis & Virginia Willis	"	"	"
Donald F. Bronchik & Gail Bronchik	"	"	"

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

Commissioners Journal Vol. 41 Pg. 242

IN THE MATTER OF THE

Establishment of Breezy Point Lane Public Road.

Petitioned for by Zygmunt E. Rataiczak, and others.

Office of County Commissioners, Belmont County, Ohio (Pultney Twp.)

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

on the 30th day of November, 1964, at the office of County Commissioners with the following members present:

Wm. H. Dorsey

Louis Salvador

Austin C. Furbee

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, A Petition signed by at least twelve 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 establish

a Public Road as described therein; therefore, be it

RESOLVED, That the 16th day of December, 1964, at 2:00 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 21st day of December, 1964, at 11:00 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. Salvador seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Dorsey Yes

Mr. Salvador Yes

Mr. Furbee Yes

Adopted the 30th day of November, 1964

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

Commissioners Journal
Vol. 41 Pg. 266

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Establishment of Breezy Point
Lane
Public Road.
Pultney Township
petitioned for by Zygmunt E. Rataiczak

Office of County Commissioners

Belmont County, Ohio

Imp. # 666

The Board of County Commissioners of Belmont County, Ohio, met in special session
on the 21st day of December, 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, On the 16th day of December, 1964, 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 1st day of February, 1965, 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. Dorsey seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Dorsey Yes

Mr. Salvador Yes

Mr. Furbee Yes

Adopted the 21st day of December, 1964.

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Estab. of Breezy Point

Lane

Public Road.

Pultney Twp.

County Engineer's Office,

Belmont County, Ohio.

Jan. 27, 19 *65*

Imp. #666

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

The undersigned in obedience to your order dated *Dec. 21*, 19 *64*, proceeded on the *12th* day of *Jan.*, 19 *65*, 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 improvement should be granted.

The width to which said improvement should be opened is *40* feet.

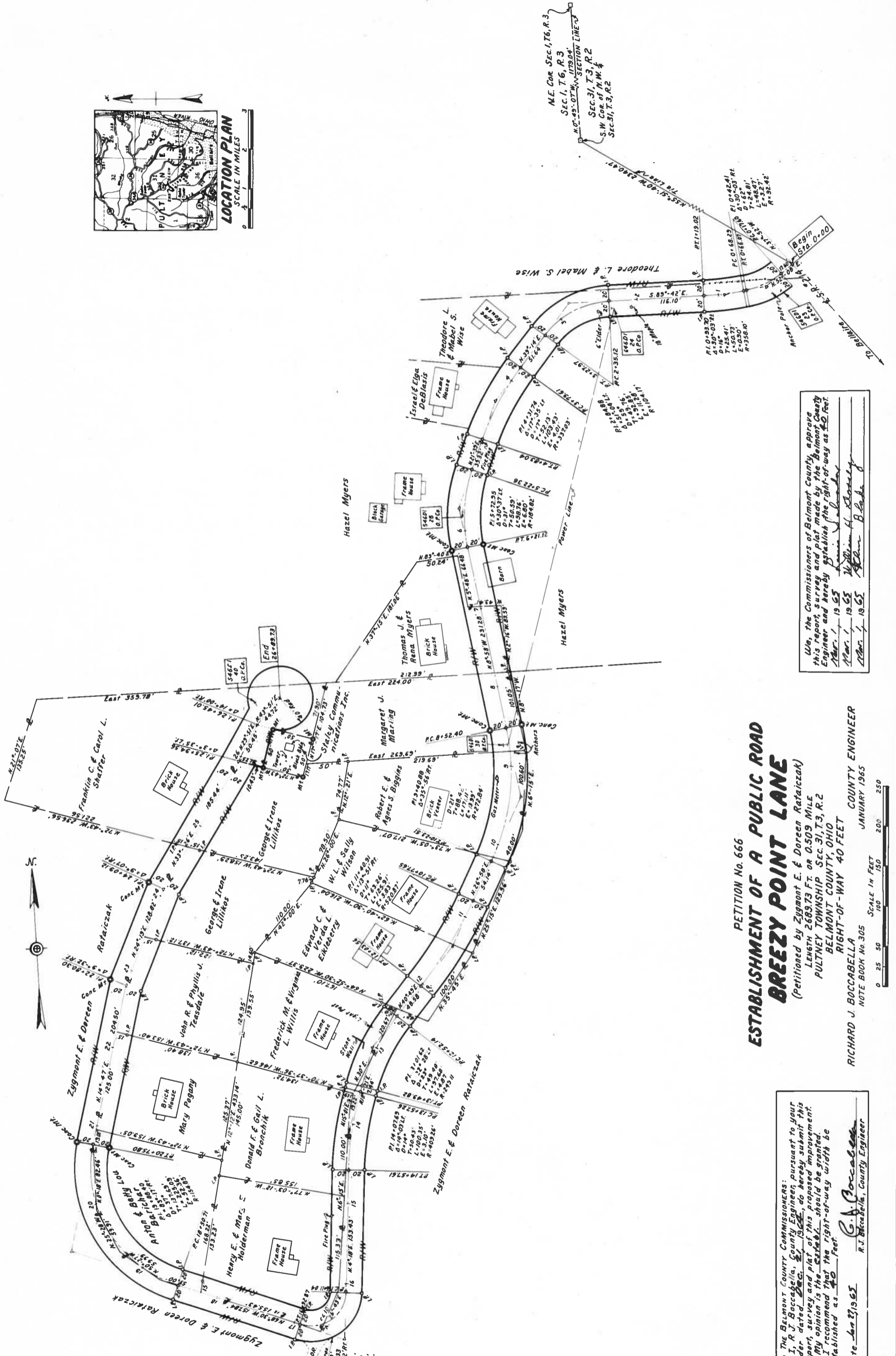
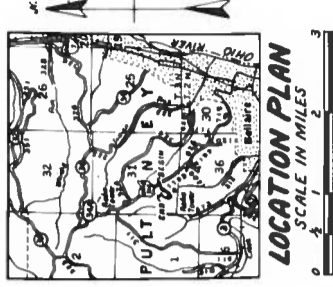
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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:

[Signature]



We, the Commissioners of Belmont County, approve this report, survey and plat made by the Belmont County Engineer and hereby grant the right-of-way as shown.
 Approved:
 Jan. 1, 1965
 Feb. 1, 1965

PETITION No. 666
ESTABLISHMENT OF A PUBLIC ROAD
BREEZY POINT LANE

(Petitioned by Zygmont E. & Doreen Rafaczak)
 LENGTH 2689.73 FT. OR 0.509 MILE
 PULTNEY TOWNSHIP SEC. 31, T.3, R.2
 BELMONT COUNTY, OHIO
 RIGHT-OF-WAY 40 FEET

RICHARD J. BOCCABELLA
 COUNTY ENGINEER
 NOTE BOOK No. 305
 JANUARY 1965

To the Belmont County Commissioners:
 I, R. J. Boccabella, County Engineer, pursuant to your order dated Dec. 21, 1964, do hereby submit this report, survey and plat of this proposed improvement. My opinion is that the same should be granted. I recommend that the right-of-way width be established as 40 feet.
 Date Jan 27, 1965
 R. J. Boccabella, County Engineer





RESOLUTION—GRANTING PROPOSED IMPROVEMENT
Commissioners Journal Vol. 41 Pg. 316
ORDERING RECORD, ETC.

IN THE MATTER OF THE
Establishment
Breezy Point Lane
Public Road.
Petitioned for by Zygmunt E.
Rataiczak et al, Imp. # 666

Office of County Commissioners,
Belmont County, Ohio
Pultney Twp.

The Board of County Commissioners of Belmont County, Ohio, met in special session
on the 3rd day of February, 19 65, at the office of County Commissioners
with the following members present:

Louis Salvador
Arthur Blake

Mr. Salvador 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; therefore, be it

RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further RESOLVED and determined to proceed with said improvement, it being the opinion of this Board of County Commissioners that the improvement 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 Established 40 feet in width; and be it further

~~RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered _____ 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 24th day of February, 19 65, at 11:00 o'clock A.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. Blake seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Salvador Yes
Mr. Blake Yes
Mr. _____

Adopted the 3rd day of February, 19 65

Commissioners Jr.
Vol. 41 Pg. 339

RESOLUTION—AWARDING COMPENSATION AND DAMAGES

IN THE MATTER OF THE

Establishment

Breezy Point Lane

Public Road.

petitioned for by Zygmunt E.

Rataiczak et al

Office of County Commissioners,

Belmont County, Ohio.

Imp. #666

Pultney Township

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 1st. day of March, 19 65, at the office of County Commissioners

with the following members present:

Louis Salvador

Wm. H. Dorsey

Arthur Blake

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, 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:~~

be and the same is hereby established.

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

- Mr. Salvador Yes
- Mr. Dorsey Yes
- Mr. Blake Yes

Adopted the 1st. day of March, 19 65.

County Commissioners W. H. Dorsey

Geneva Beck