

PUBLIC ROAD PETITION No. 694

Pultney Twp., Ohio, Sept. 24, 1969

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.....

of a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for 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

See Copy Journal Entry Vol. 43 Pg. 599
Pg. 170 - A This Road Book

Dated this 24th day of September, A. D. 1969

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
County Commissioners	

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND PUBLIC ROAD ~~WITHOUT~~ PETITION

IN THE MATTER OF THE

Vacating a part of County Highway 42 Known as Fulton Hill, Pultney Township Public Road.

Office of County Commissioners, Belmont County, Ohio

Proposed for by _____, and others.

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

on the 24th day of September, 1969, at the office of the County Commissioners with the following members present:

A. J. Sargus

Earnest C. Loy

W. Dorsey

Mr. Dorsey moved the adoption of the following Resolution: See Page 170-B This Book

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

a Public Road as described therein, therefore, be it

RESOLVED, That the 13th day of October, 1969, at 9:00 o'clock A.M., be fixed as the date when we will view the proposed improvement, on which date we will meet at the commencing point

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

RESOLVED, That the 15th day of October, 1969, at 8:00 o'clock P.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 Martins Ferry Times Leader a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

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

resulted as follows:

Mr. Sargus Yes

Mr. Loy Yes

Mr. Dorsey Yes

Adopted the 24th day of September, 1969

Commissioners Journal Vol. 43 Pg. 599

"Copy of Journal Entry of September 24, 1969"

In the Matter of Vacating a
Part of County Highway No. 42,
known as Fulton Hill, Pultney
Township, Imp. No. 694.

"Commissioners begin Proceedings"

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, This Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to vacate a portion of County Highway 42, a Public Road on the line hereinafter described, known as the Fulton Hill 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 in the Fulton Hill Road in the lands of Cowen & Waddell Trustees which point bears approx. northeast 340 feet from the southeast corner of Pultney Township Sec. 35, Township 2, Range 2; thence following said road in a southwesterly direction through the lands of Cowen & Waddell Trustees about 365 feet to the section line between Sec. 35, Township 2, Range 2 and Sec. 5, Township 5, Range 3; thence through the lands of Ful-Brook Land Development Co. in a southwest and northwest direction about 1116 feet to the property line of Frank & Jessie Hooker; thence through Hookers' property about 124 feet to the end of the vacation. Being about 1708 lineal feet or 0.32 mile in length.

RESOLVED, That the 13th day of October, 1969, at 9:00 o'clock A.M. be fixed as the date when said Board will view the proposed improvement, on which date we will meet at the commencing point and go over the line of said proposed improvement; and be it further

RESOLVED, That the 15th day of October, 1969, at 8:00 o'clock P.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 Martins Ferry Times Leader, a newspaper published and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

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

Mr. Sargus	YES
Mr. Loy	YES
Mr. Dorsey	YES

I hereby certify the foregoing to be a true copy of Journal Entry of
Sept. 24, 1969, as recorded in Vol. 43 of the County Commissioners' Journal.

Janet K. Loy
Janet K. Loy, Clerk

cc: Frank E. & Jessie L. Hooker, Route 2, Box 398, Bellaire, Ohio
Ful-Brook Land and Development Co., %Robert Crozier, Jr., Fulton Hill Road, Bellaire,
Cowen & Waddell, Trustees, %Robert H. Cowen, Belmont Federal Savings & Loan Assn.,
213 West Main, St. Clairsville, O.

Vacating

RESOLUTION

PUBLIC ROAD WITHOUT PETITION AND FIXING TIME OF VIEW AND FINAL HEARING

Gen'l Code, Sec. 6862.-3.

Office of the Board of County Commissioners,

Belmont County, Ohio.

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

Regular session on the 24th day of September, 1969, at the office of

the County Commissioners with the following members present:

A. J. Sargus

Earnest C. Loy

W. Dorsey

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, This Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to vacate a portion of County Highway 42 a Public Road on the line hereinafter described, known as the Fulton Hill 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 in the Fulton - Hill Road in the lands of Cowen & Waddell Trustees which point bears approximately northeast 340 feet from the Southeast corner of Pultney Township Section 35, Township 2, Range 2; thence following said road in a Southwesterly direction through the lands of Cowen & Waddell Trustees about 365 feet to the Section line between Section 35, Township 2, Range 2 and Section 5, Township 5, Range 3; thence through the lands of Ful-Brook Land Development Company in a Southwest and Northwest direction about 1116 feet to the property line of Frank & Jessie Hooker; thence through Hookers property about 124 feet to the end of the vacation. Being about 1708 Lineal feet or 0.32 Mile in length.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a part of County Highway 42,
Known as Fulton Hill, Pultney Township,
Public Road.
Imp. # 694

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 13th day of October, 19 69, at the office of the County Commissioners

with the following members present:

A. J. Sargus

Earnest C. Loy

W. Dorsey

Mr. Dorsey moved the adoption of the following Resolution:

WHEREAS, On the 13th day of October, 19 69, 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 15th day of October, 19 69, the date fixed for the final hearing, setting forth his opinion either for or against said proposed improvement, ~~_____~~; 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. Loy seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Sargus Yes
Mr. Loy Yes
Mr. Dorsey Yes

Adopted the 13th day of October, 19 69.

Janet K. Loy

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating a part of County Hwy. # 42
Known as Fulton Hill, Pultney Twp.
Public Road.
Imp. # 694

County Engineer's Office,
Belmont County, Ohio.

October 14, 1969

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

The undersigned in obedience to your order dated October 13, 1969, proceeded on the 14th day of October, 1969, 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.

[Redacted line]

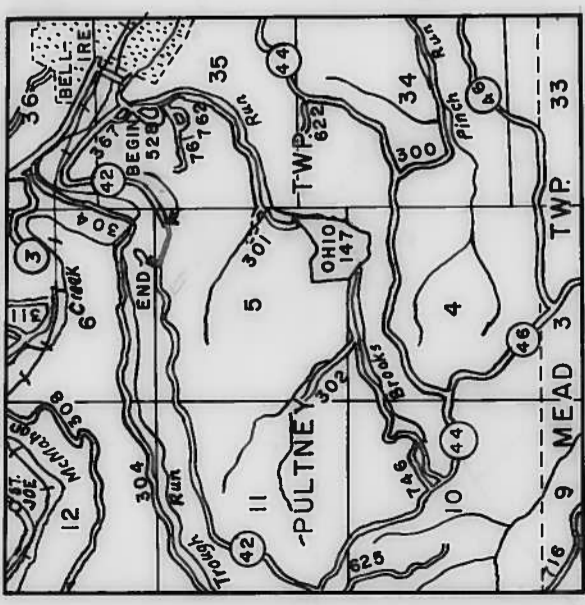
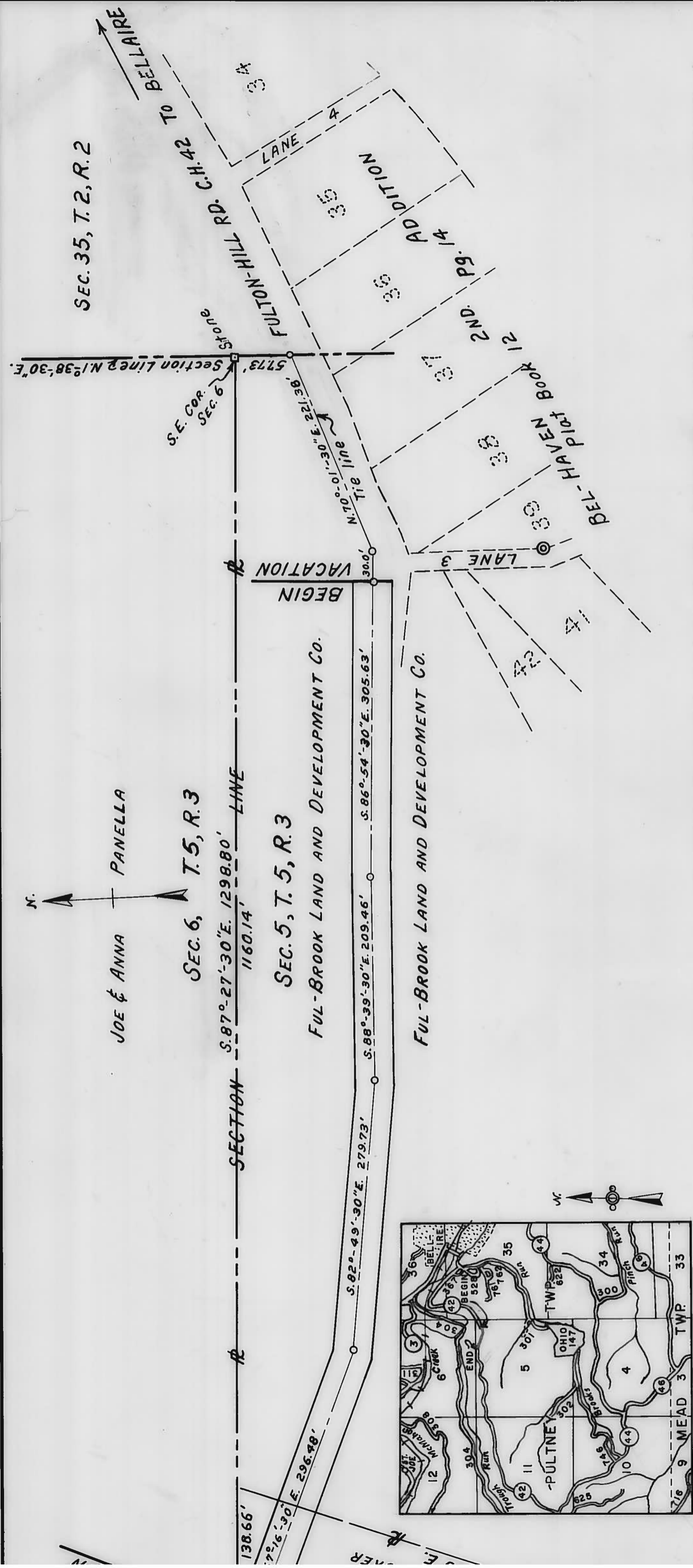
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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

" See attached map "

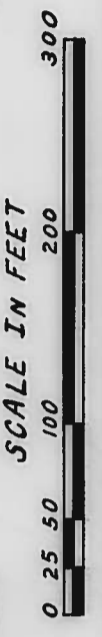
The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

[Signature]



IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.02 et. seq.
VACATION OF A PART OF COUNTY HIGHWAY NO. 42

(FULTON HILL ROAD)
 PULTNEY TOWNSHIP SECTION 5, T. 5, R. 3 & SEC. 35, T. 2, R. 2
 BELMONT COUNTY, OHIO
 Length 1091.30 Ft. or 0.21 Mile
 NOTE Book No. 310 PAGES 23 & 24
 RICHARD J. BOCCABELLA
 COUNTY ENGINEER
 1969

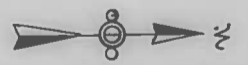
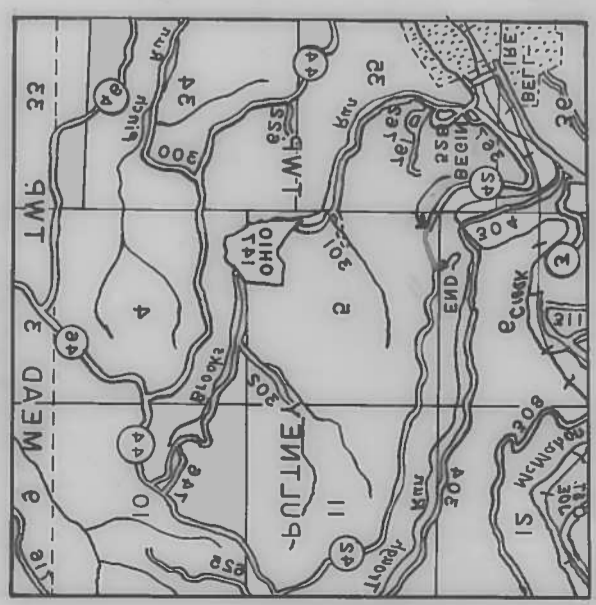


APPROVED BY

 day of Oct. 1969

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 APPROVED BY

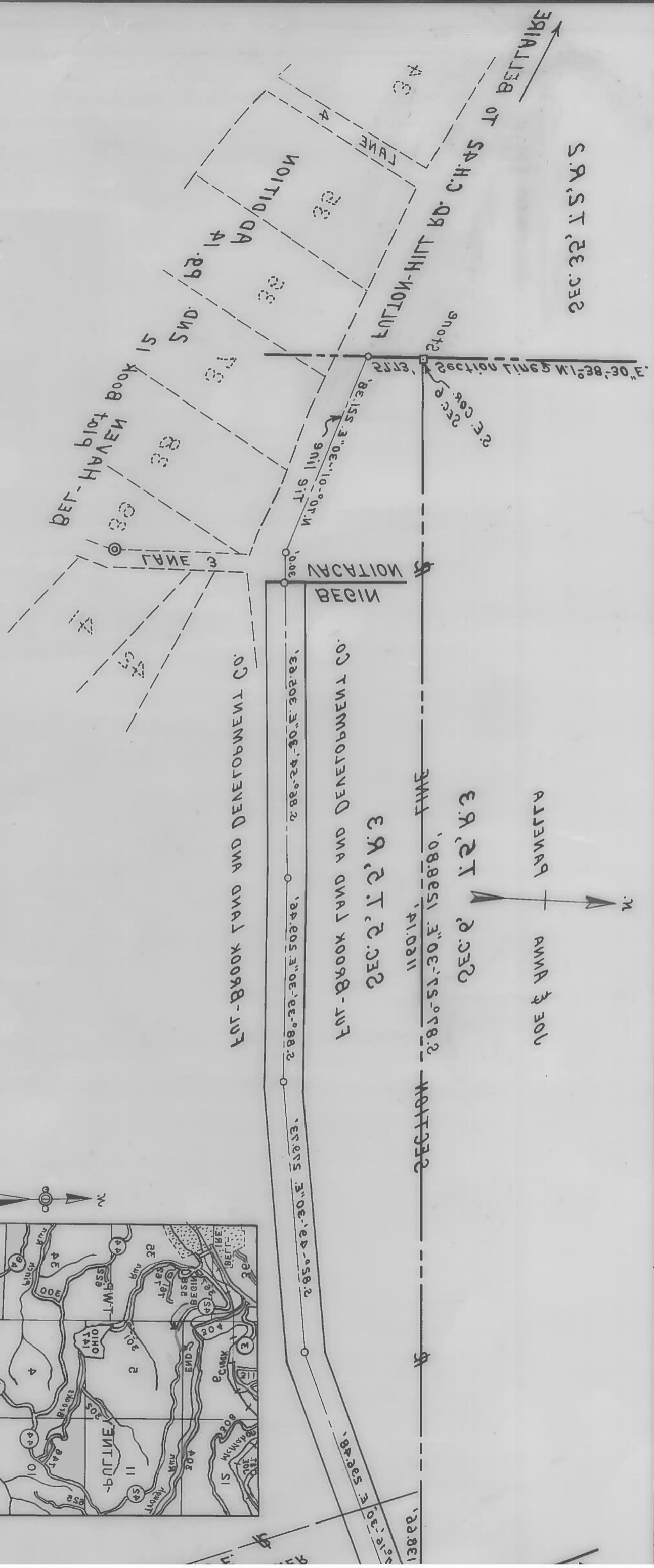
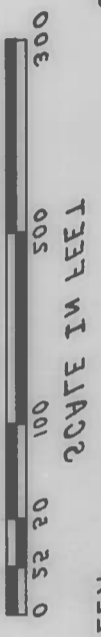
SCALE IN MILES
 0 1/4 1/2 1 1 1/2 2 3



**VACATION OF A PART OF COUNTY HIGHWAY NO. 45
 IN ACCORDANCE WITH OHIO REVENUE CODE SECTION 223.05 & 223.09**

RICHARD J. BOCCARIELLA
 COUNTY ENGINEER
 1981

NOTE BOOK NO. 310 PAGES 53 & 54
 LENGTH 103.30 FT. OR 0.51 MILES
 BELMONT COUNTY, OHIO
 PARTIAL TOWNSHIP SECTION 2, T. 2, R. 3 & SEC. 32, T. 2, R. 3
 (EGLON HILL ROAD)



SECTION 2, T. 2, R. 3
 SECTION 32, T. 2, R. 3
 BELLAIRE
 BELLAIRE

SECTION 32, T. 2, R. 3

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacating a part of County Highway No. 42, Known as Fulton Hill, Pultney Public Road. Township, Imp. # 694

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 15th day of October, 1969, at the office of the County Commissioners with the following members present:

A. J. Sargus
Earnest C. Loy
W. Dorsey

Mr. Dorsey 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 on 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 1969, 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 vacated

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is hereby ordered feet in width, with the following modifications and changes in the route and terms 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 in 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;

RESOLVED, That the day of 1969, 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. Loy seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Sargus Yes
Mr. Loy Yes
Mr. Dorsey Yes

Adopted the 15th day of October, 1969

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:

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:

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:

10 days elapsed notice to County Engr.
Commissioners Journal Vol. 44 Pg. 150

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.....