

**PUBLIC ROAD PETITION #700**

..... Cadiz, Ohio, January, 19 70

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 ..... a 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 the intersection of said road and county Highway No. 114, said road being in section 28 & 34. Warren Township. Thence in a westerly direction through the lands of consolidation Coal Co, and the seaway Coal Co, to the County line. Said road being Township Road No. 159

Dated this 25 day of February, A. D. 1970

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Chas. R. Vockey	Warren Tap.
Helen G. Phillips	" "
Ben Thompson	" "
Paul Walesh	" "
John R. Gibson	" "
Mrs. W. A. Hutchison	" "
Gail Van Meter	
John Bradfield	" "
Virgil Watson	
Robert Cyllogane	
Consolidation Coal Company	Warren Township
By P. W. Gee Asst. Secy.	Warren "
Dagae H. Myers	Warren Tap, Belmont Co.
" " " "	

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

IN THE MATTER OF THE

*vacating of Warren Township Road #159*

*Schooley Road*

Public Road.

Petitioned for by *Charles R. Yockey*

*Imp. #700*, and others.

Office of County Commissioners,

Belmont County, Ohio

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

on the *25<sup>th</sup>* day of *February*, 19*70*, at the office of *the County Commissioners*

with the following members present:

*W. Dorsey*

*Earnest C. Loy*

*A. J. Sargus*

Mr. *Sargus* 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 *Vacate*

a Public Road as described therein; therefore, be it

RESOLVED, That the *30<sup>th</sup>* day of *March*, 19*70*, at *8:45* 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 *8<sup>th</sup>* day of *April*, 19*70* at *8:00* o'clock *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 the Board be and she is hereby directed to notify the abutting property owners of the time and place of hearing in accordance with the Sec. 5553.05 of the Revised Code of Ohio; 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. *Dorsey* *Yes*

Mr. *Loy* *Yes*

Mr. *Sargus* *Yes*

Adopted the *25<sup>th</sup>* day of *February*, 19*70*

*Tanet K Lou*



"Copy of Journal Entry of February 25, 1970"

In the Matter of Vacating Warren  
Township Road #159, petitioned for  
by Charles R. Yockey, et al, Imp. #700.

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, A petition signed by at lease 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 vacate a public road as described therein; therefore be it

RESOLVED, That the 30th day of March, 1970, at 8:45 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 8th day of April, 1970, 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 the Board be and she is hereby directed to notify the abutting property owners of the time and place of hearing in accordance with Sec. 5553.05 of the Revised Code of Ohio; and be it further

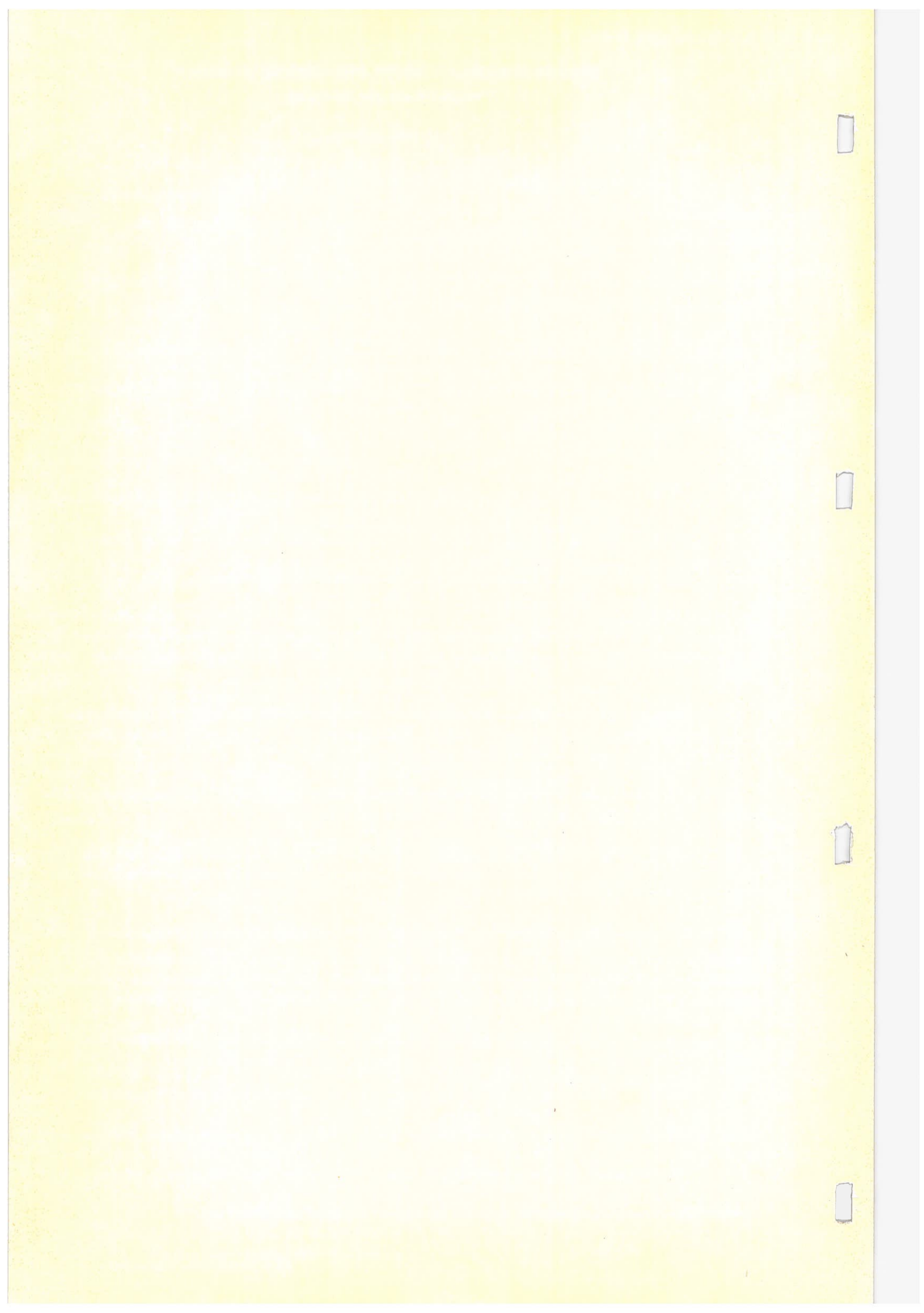
RESOLVED, That the Clerk of this Board be and she is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two consecutive weeks in the Martins Ferry Times Leader, a newspaper published and having general circulation in the County, which said 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. Dorsey	YES
Mr. Loy	YES
Mr. Sargus	YES

*Janet R. Loy*  
\_\_\_\_\_  
Clerk of the Board  
Belmont County, Ohio

Commissioners' Journal Vol. 44 Pg. 111





**RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER**

IN THE MATTER OF THE  
*Vacating Warren Township Road No. 159*  
*petitioned for by Charles R. Yockey*  
Public Road.  
*Imp. #700* *Schooley Rd.*

Office of County Commissioners  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session  
on the *30<sup>th</sup>* day of *March*, 19 *70*, at the office of *the County Commissioners*  
with the following members present:

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

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

WHEREAS, On the *30<sup>th</sup>* day of *March*, 19 *70*, 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 ..... day of....., 19....., 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. *Loy* seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

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

Adopted the *30<sup>th</sup>* day of *March*, 19 *70*

*Janet K. Loy*

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Vacating Warren Township  
Road No. 159, petitioned for  
Public Road.  
By Chas. R. Yockey, Imp. #700  
Schooley Rd.

Belmont County, Ohio.

April 7, 1970

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

The undersigned in obedience to your order dated March 30, 1970, proceeded on the 31st day of March, 1970, 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 \_\_\_\_\_ 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"

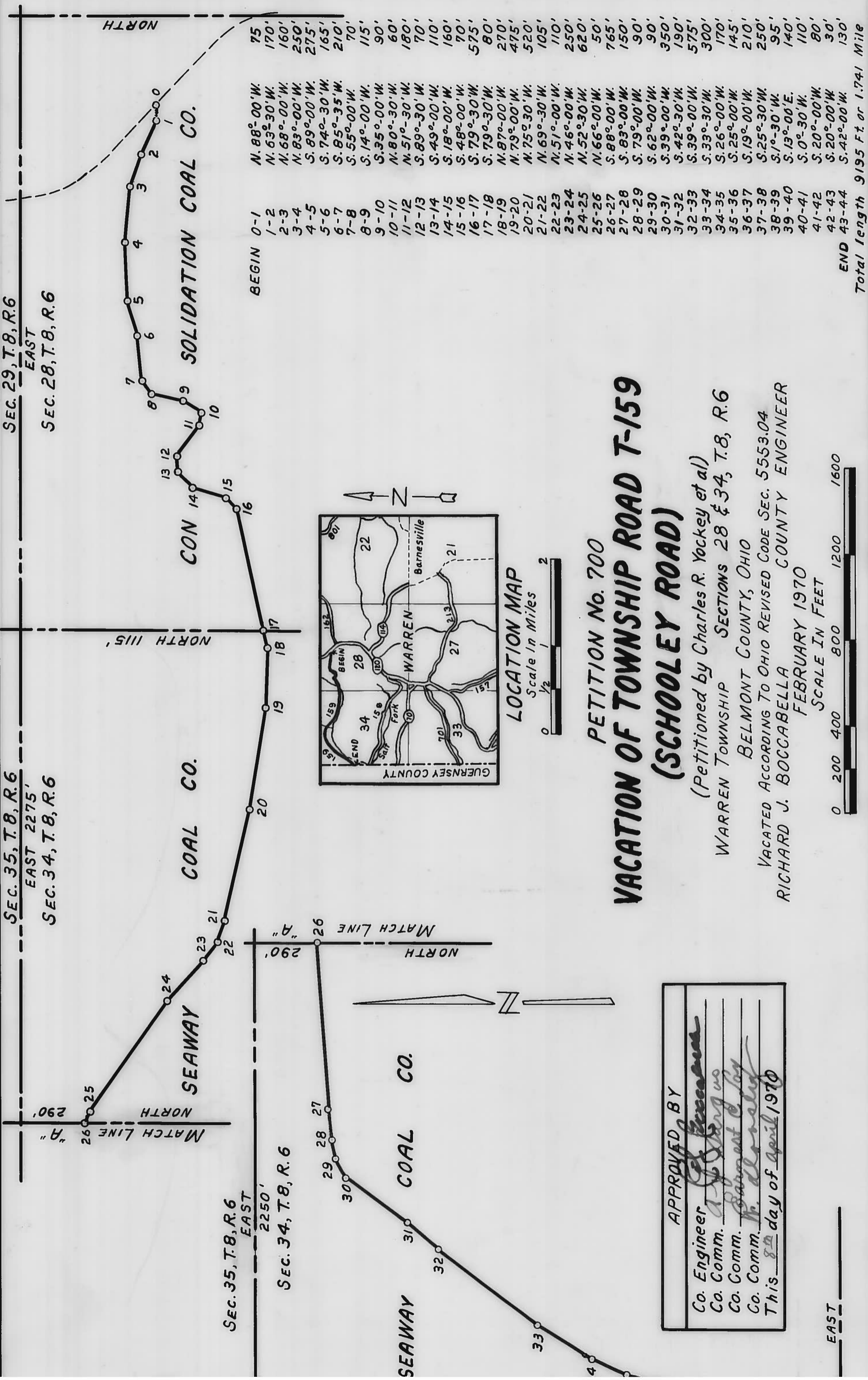
The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

*Ed Kocadunas*

SEC. 35, T.8, R.6  
EAST 2275'  
SEC. 34, T.8, R.6

SEC. 29, T.8, R.6  
EAST

SEC. 28, T.8, R.6

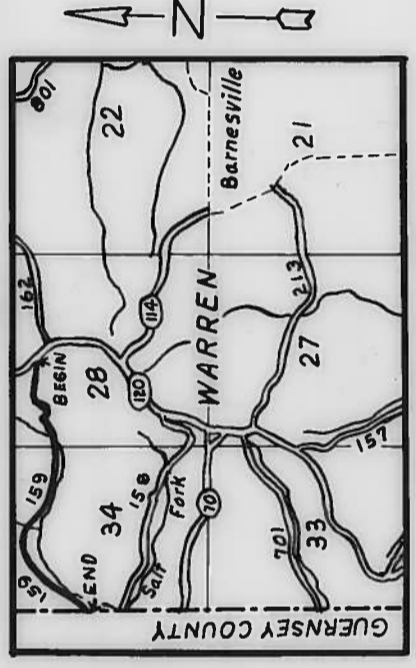


BEGIN 0-1

1-2	N. 88°-00' W.	75'
2-3	N. 63°-30' W.	170'
3-4	N. 68°-00' W.	160'
4-5	N. 83°-00' W.	250'
5-6	S. 89°-00' W.	275'
6-7	S. 74°-30' W.	165'
7-8	S. 85°-35' W.	210'
8-9	S. 55°-00' W.	70'
9-10	S. 14°-00' W.	115'
10-11	S. 35°-00' W.	90'
11-12	N. 80°-30' W.	60'
12-13	N. 51°-30' W.	180'
13-14	S. 89°-30' W.	70'
14-15	S. 49°-00' W.	110'
15-16	S. 18°-00' W.	160'
16-17	S. 48°-00' W.	70'
17-18	S. 79°-30' W.	575'
18-19	S. 79°-30' W.	80'
19-20	N. 87°-00' W.	270'
20-21	N. 79°-00' W.	475'
21-22	N. 75°-30' W.	520'
22-23	N. 69°-30' W.	105'
23-24	N. 51°-00' W.	110'
24-25	N. 46°-00' W.	250'
25-26	N. 52°-30' W.	620'
26-27	N. 66°-00' W.	50'
27-28	S. 88°-00' W.	765'
28-29	S. 83°-00' W.	150'
29-30	S. 79°-00' W.	90'
30-31	S. 62°-00' W.	90'
31-32	S. 39°-00' W.	350'
32-33	S. 42°-30' W.	190'
33-34	S. 39°-00' W.	575'
34-35	S. 33°-30' W.	300'
35-36	S. 26°-00' W.	170'
36-37	S. 25°-00' W.	145'
37-38	S. 19°-00' W.	210'
38-39	S. 25°-30' W.	250'
39-40	S. 1°-30' W.	95'
40-41	S. 13°-00' E.	140'
41-42	S. 0°-30' W.	110'
42-43	S. 20°-00' W.	80'
43-44	S. 20°-00' W.	30'
	S. 42°-00' W.	130'

END 43-44

Total length 9195 Ft. or 1.741 Mile



PETITION No. 700  
**VACATION OF TOWNSHIP ROAD T-159**  
**(SCHOOLEY ROAD)**

(Petitioned by Charles R. Yockey et al)  
WARREN TOWNSHIP SECTIONS 28 & 34, T.8, R.6  
BELMONT COUNTY, OHIO  
VACATED ACCORDING TO OHIO REVISED CODE SEC. 5553.04  
RICHARD J. BOCCABELLA COUNTY ENGINEER  
FEBRUARY 1970

APPROVED BY  
Co. Engineer *[Signature]*  
Co. Comm. *[Signature]*  
Co. Comm. *[Signature]*  
Co. Comm. *[Signature]*  
This 8<sup>th</sup> day of April 1970



EAST







RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacating Warren Township Road No. 159 petitioned for by Charles R. Yockey et al Public Road.

Imp. #700

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 8th day of April, 1970, at the office of the County Commissioners with the following members present:

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

Mr. Sargus 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 to be paid from 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 said benefited landowners to pay such compensation and damages as may be adjudged against them, by the day of April, 1970, it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and a part thereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such lands 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

and be it further RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is hereby vacated with the following modifications and changes in the plats and descriptions which in our judgment the public convenience and welfare require, and it is hereby ordered that as accurate and detailed descriptions of such modifications and changes be entered on our records;

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 April, 1970, at 10 o'clock A.M., at the office of the Board, be and the same be 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 and that above said

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

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

Adopted the 8th day of April, 1970



**RESOLUTION - ~~AWARDING COMPENSATION AND DAMAGES~~**

IN THE MATTER OF THE

*Vacating Warren Township Road No. 159*  
*petitioned for by Charles R. Yockey et al*  
*Public Road.*  
*Imp. # 700*

Office of County Commissioners,  
Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in \_\_\_\_\_ session  
on the *20<sup>th</sup>* day of *April*, 19*70*, at the office of *the County Commissioners*  
with the following members present:

*Dorsey*

*Loy*

*Sargus*

Mr. *Loy* 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, by 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:~~

*10 day elapsed Notice to Trustees*

~~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. *Sargus* seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. <i>Dorsey</i>	<i>Yes</i>
Mr. <i>Loy</i>	<i>Yes</i>
Mr. <i>Sargus</i>	<i>Yes</i>

Adopted the *20<sup>th</sup>* day of *April*, 19*70*.

*Janet K. Loy*