

PUBLIC ROAD PETITION ~~TEMP.~~ No. 734

St. Clairsville, Ohio, March 13, 1974

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 Vacation of Township Road T-172 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 centerline intersection of Kirkwood Township Road No. T-172 and Kirkwood Township Road No. T-173. Said beginning point situated in State of Ohio, County of Belmont, Township of Kirkwood, Section No. 1; thence from place of beginning northwesterly for a distance of 2,500 feet more or less; thence northerly along the west line of Section No. 1 for a distance of 1,000 feet more or less; thence northwesterly into Section No. 7 for a distance of 800 feet more or less to the centerline intersection of Kirkwood Township Road No. 172 and Belmont County Road No. 102, the terminus of the road herein petitioned for vacation. Said terminus situated in State of Ohio, County of Belmont, Township of Kirkwood and in the north boundary of Section No. 7 and being 700 feet more or less west from the northeast corner of said section. Total distance being 4,300 feet more or less (0.81 mile).

The petitioner herein states that it is owner of surface or right to mine coal underlying and adjacent to said road and that the traveling public will not be inconvenienced by said vacation.

Dated this 6th day of March, A. D. 1974

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Central Division, Consolidation Coal Co. By: Elmer Loper, Agent	2-25-74
David Merritt Township Trustee	2-25-74
Kenneth A. Eddy Township Trustee	2-25-74
Earl Stephens	2-25-74

RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION IMP. No. 734

IN THE MATTER OF THE

Vacating Kirkwood Township Road # T-172

Office of County Commissioners,

Belmont County, Ohio

Public Road.

Petitioned for by Consolidation Coal Co., Elmer Loper, Agent, and others.

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

on the 13th day of March, 1974, at the office of The County Commissioners

with the following members present:

C. A. Linch

A. J. Sargus

J. F. Giffen

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 township road # 172

a Public Road as described therein; therefore, be it

RESOLVED, That the 3rd day of April, 1974, 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 site

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

RESOLVED, That the 6th day of May, 1974, at 10:30 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 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. Giffen seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Linch Yes

Mr. Sargus Yes

Mr. Giffen Yes

Adopted the 13th day of March, 1974

Teanne P Harris

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT No. 734
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
Vacating Kirkwood Township Road
No. T-172
Public Road.
Consolidation Coal Co.,
Elmer Loper, Agent

Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Special session
on the 3rd day of April, 1974, at the office of Belmont County Commissioners

with the following members present:

- C. A. Linch
- A. J. Sargus
- J. F. Giffen

Mr. Giffen moved the adoption of the following Resolution:

WHEREAS, On the 3rd day of April, 1974, 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 6th day of May, 1974, 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. C. A. Linch Yes
- Mr. A. J. Sargus Yes
- Mr. J. F. Giffen Yes

Adopted the 3rd day of April, 1974

Jeanne P. Harris

REPORT OF COUNTY ENGINEER

IMP. #734

IN THE MATTER OF THE
Vacating Kirkwood Township

Road T-172

Public Road.

Consolidation Coal Co.

Elmer Loper, Agent

County Engineer's Office,

Belmont County, Ohio.

April 29, 1974

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

The undersigned in obedience to your order dated April 3, 1974, proceeded on the 15th day of April, 1974, to make an accurate survey and plat of the Public Road proposed to be improved, and respectfully submits the following report:

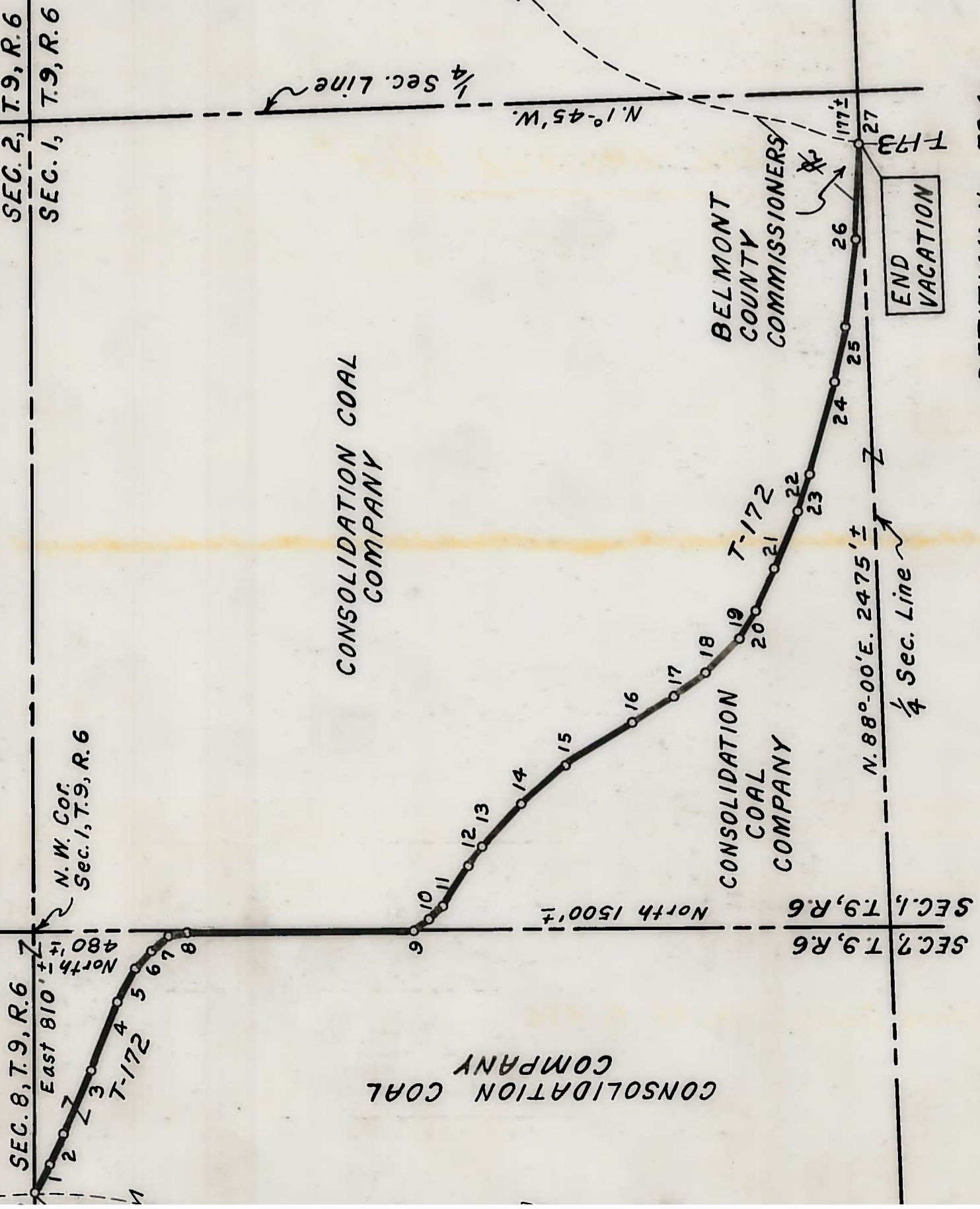
In the opinion of the undersigned the proposed improvement should be granted. - provided Consolidation Coal Co. pays all damages

~~The work to be done on said improvement should be as follows:~~

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

"See Attached Plat"

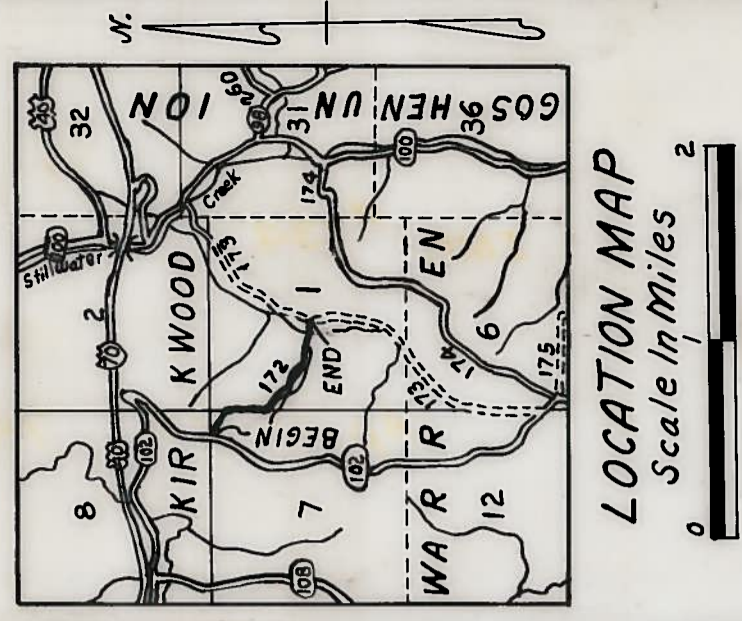
[Handwritten Signature]



VACATION OF T-172

0-1	S. 61°-30'E.	100'
1-2	S. 65°-30'E.	100'
2-3	S. 67°-00'E.	220'
3-4	S. 69°-00'E.	240'
4-5	S. 61°-00'E.	115'
5-6	S. 47°-30'E.	80'
6-7	S. 37°-30'E.	75'
7-8	S. 14°-30'E.	50'
8-9	South	715'
9-10	S. 31°-00'E.	65'
10-11	S. 45°-00'E.	65'
11-12	S. 57°-30'E.	160'
12-13	S. 53°-00'E.	75'
13-14	S. 47°-00'E.	180'
14-15	S. 41°-30'E.	200'
15-16	S. 31°-00'E.	250'
16-17	S. 33°-00'E.	160'
17-18	S. 36°-00'E.	120'
18-19	S. 45°-30'E.	160'
19-20	S. 58°-30'E.	100'
20-21	S. 66°-00'E.	140'
21-22	S. 67°-30'E.	200'
22-23	S. 71°-30'E.	120'
23-24	S. 74°-00'E.	300'
24-25	S. 76°-30'E.	180'
25-26	S. 83°-00'E.	275'
26-27	S. 86°-30'E.	300'

Length 4745 Ft. or 0.90 Mile ±



APPROVED BY

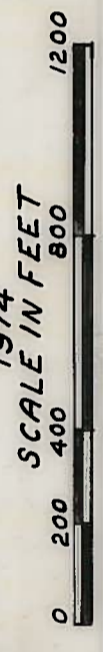
Co. Engineer _____
 Co. Comm. _____
 Co. Comm. _____
 Co. Comm. _____
 This 5th day of May 1974

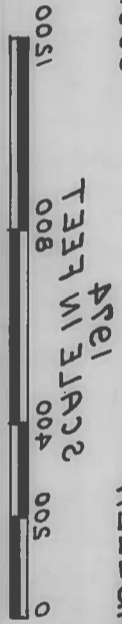
VACATION OHIO REVISED CODE 5553.04

VACATION OF TOWNSHIP ROAD T-172

PETITION No. 734

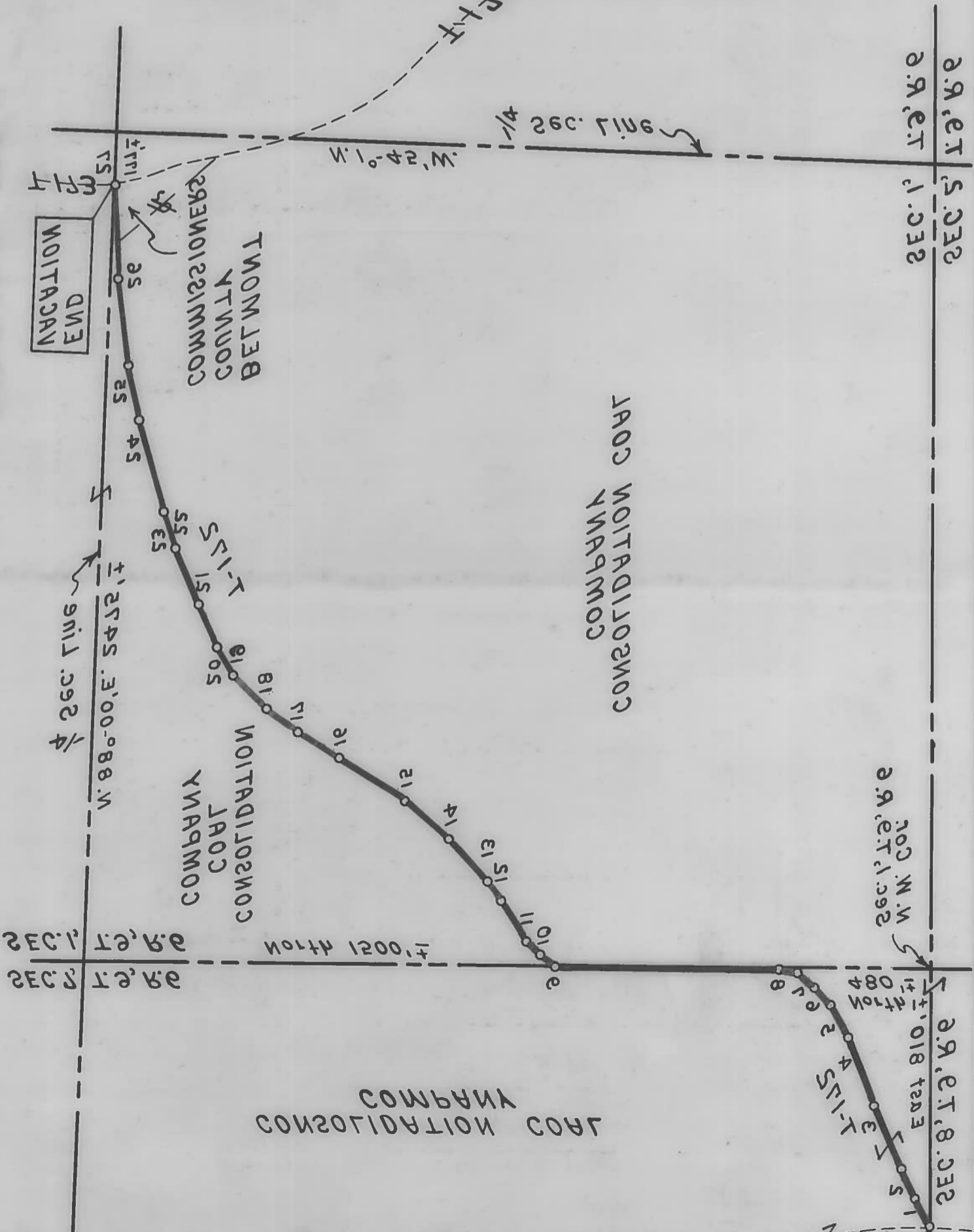
KIRKWOOD TOWNSHIP
 BELMONT COUNTY, OHIO
 (Petitioned by Central Division, Consolidation Coal Co.; Elmer Loper, Agent)
 RICHARD J. BOCCABELLA
 COUNTY ENGINEER





701-2-8888 of 0

SECTION OF DEED
CONVEYANCE TO
WILLIAM J. WOOD
OF
THE COUNTY OF
DELAWARE
STATE OF
DELAWARE



APPROVED BY

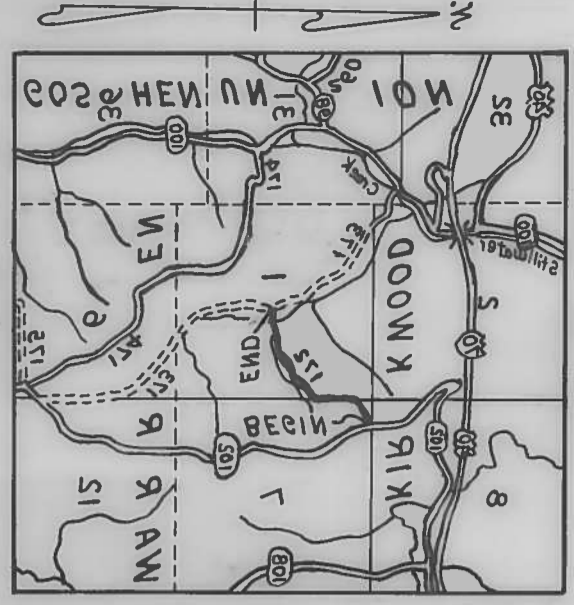
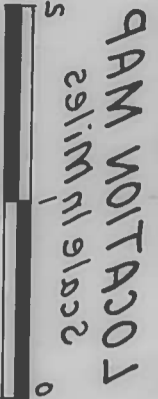
[Signature]
 1999 APR 23
 CO. COMM.
 CO. COMM.
 CO. COMM.
 CO. COMM.

DATE 4/23/99

40.8333 3000 DEGREE 2223.04

SECTION	BEARING	DISTANCE	AREA
51.0	S 03° 12' 30" E	100.0	100.0
51.1	S 03° 12' 30" E	100.0	100.0
51.2	S 03° 12' 30" E	100.0	100.0
51.3	S 03° 12' 30" E	100.0	100.0
51.4	S 03° 12' 30" E	100.0	100.0
51.5	S 03° 12' 30" E	100.0	100.0
51.6	S 03° 12' 30" E	100.0	100.0
51.7	S 03° 12' 30" E	100.0	100.0
51.8	S 03° 12' 30" E	100.0	100.0
51.9	S 03° 12' 30" E	100.0	100.0
52.0	S 03° 12' 30" E	100.0	100.0
52.1	S 03° 12' 30" E	100.0	100.0
52.2	S 03° 12' 30" E	100.0	100.0
52.3	S 03° 12' 30" E	100.0	100.0
52.4	S 03° 12' 30" E	100.0	100.0
52.5	S 03° 12' 30" E	100.0	100.0
52.6	S 03° 12' 30" E	100.0	100.0
52.7	S 03° 12' 30" E	100.0	100.0
52.8	S 03° 12' 30" E	100.0	100.0
52.9	S 03° 12' 30" E	100.0	100.0
53.0	S 03° 12' 30" E	100.0	100.0

± 911M 08.0 70.47



PLAN

2 Copies

RESOLUTION

Kirkwood Township Road No. 172

WHEREAS, on the Sixth day of March 1974, Consolidation Coal Company, Central Division filed its petition with the Board of Commissioners of Belmont County, Ohio requesting that Kirkwood Township Road No. 172 be vacated, and

WHEREAS, Kirkwood Township Road No. 172 being described as follows: Beginning at the centerline intersection of Kirkwood Township Road No. 172 and Kirkwood Township Road No. 173; said beginning point situated in State of Ohio, County of Belmont, Township of Kirkwood, Section No. 1, thence from place of beginning northwesterly for a distance of 2,500 feet more or less; thence northerly along the west line of Section No. 1 for a distance of 1,000 feet more or less; thence northwesterly into Section No. 7 for a distance of 800 feet more or less to the centerline intersection of Kirkwood Township Road No. 172 and Belmont County Road No. 102, the terminus of the road herein petitioned for vacation; said terminus situated in State of Ohio, County of Belmont, Township of Kirkwood and in the north boundary of Section No. 7 and being 700 feet more or less west from the northeast corner of said section. Total distance being 4,300 feet more or less (0.81 mile), and

WHEREAS, Consolidation Coal Company states that it is owner of surface or right to mine coal underlying and adjacent to said road, and

WHEREAS, viewing and hearing dates upon said petition were duly advertised in accordance with law, and

WHEREAS, in accordance with said advertisement, viewing was made and hearing held, and

WHEREAS, there being no valid objections in reference to said vacation.

Now, therefore, be it resolved by Board of Commissioners of Belmont County, Ohio that prayer of petition be granted and that Kirkwood Township Road No. 172 be declared vacated and stricken from the records of public roads of Belmont County, Ohio.

Upon motion by Mr. Giffen

seconded by Mr. Sargus

The foregoing resolution adopted by the following vote:

Mr. <u>Linch</u>	<u>YES</u>
Mr. <u>Sargus</u>	<u>YES</u>
Mr. <u>Giffen</u>	<u>YES</u>

Dated at Belmont County Court House, St. Clairsville, Ohio this 6th day of May, 1974.

EEL:cms

Jeannette P. Harris
CLERK OF BOARD

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

RESOLUTION—GRANTING PROPOSED IMPROVEMENT No. 734
ORDERING RECORD, ETC.

IN THE MATTER OF THE
Vacating Kirkwood Township
Road # T-172

Public Road.

Consolidation Coal Co.
Elmer Loper, Agent

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 6th day of May, 19 74, at the office of Belmont County Commissioners
with the following members present:

C. A. Linch
A. J. Sargus
J. F. Giffen

Mr. Giffen 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, 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 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,
~~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,~~

~~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,~~

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, 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, 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, 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 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;~~

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

Mr. Linch Yes
Mr. Sargus Yes
Mr. Giffen Yes

Adopted the 6th day of May, 19 74

RESOLUTION - ~~_____~~

IMP. #789

IN THE MATTER OF THE
Vacating Kirkwood Township
Road T-172
Public Road.
Consolidation Coal Co.
Elmer Loper, Agent

Office of County Commissioners,
Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 22 day of May, 1974, at the office of Belmont County Commissioners
with the following members present:

- Mr. Linch
- Mr. Giffen
- Mr. Sargus Absent

Mr. Giffen moved the adoption of the following Resolution:

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Whereas, ten days or more have elapsed since our order vacating a Kirkwood Township Road, known as T-172 and it appears that no appeals have been submitted from our order in the matter of said vacation;

and be it further

RESOLVED, ~~_____~~
~~_____~~

THEREFORE BE IT RESOLVED, That the Clerk of this Board be and she is hereby ordered to forward to the Belmont County Engineer a copy of this journal entry and a copy of the plat of said vacation.

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Belmont County Commissioners, entered in Journal 46 Page 499.

be and the same is hereby ~~established~~ vacated.

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

resulted as follows:

Mr. <u>Linch</u>	<u>Yes</u>
Mr. <u>Giffen</u>	<u>Yes</u>
Mr. <u>Sargus</u>	<u>Absent</u>

Adopted the 22nd. day of May, 1974.

Jeanne P. Harris Clerk

BELMONT COUNTY



Office of the
COMMISSIONERS

CHARLES A. LINCH
President
A. J. SARGUS
JAMES F. GIFFEN
MS. JEANNE P. HARRIS
Clerk

St. Clairsville, Ohio

May 22, 1974

In the Matter of Vacating
Township Road #T-172 in
Kirkwood Township.

IMP. #734

"Order to County Engineer"

Mr. Giffen moved the adoption of the following resolution:

WHEREAS, ten days or more have elapsed since our order vacating a Kirkwood Township Road, known as T-172 and it appears that no appeals have been submitted from our order in the matter of said vacation;

THEREFORE BE IT RESOLVED, That the Clerk of this Board be and she is hereby ordered to forward to the Belmont County Engineer a copy of this journal entry and a copy of the plat of said vacation.

Mr. Lynch seconded the motion and upon roll call the vote was as follows:

Mr. Lynch	YES
Mr. Giffen	YES
Mr. Sargus	ABSENT

I do hereby certify that the foregoing is a true and correct copy of the proceedings of the Belmont County Commissioners, entered in Journal 46, Page 499.

Jeanne P. Harris
Jeanne P. Harris, Clerk

BELMONT COUNTY



CHARLES A. LINCH
President
A. J. SARGUS
James F. GIBBEN
Mrs. Jeanne P. HARRIS
Clark

[Faint, illegible text, likely a list or record of names and dates, possibly related to a meeting or election.]

