

PUBLIC ROAD PETITION IMP. No. 765

Midway, Ohio, June 16, 1975

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 Altering of part of a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for altering such road, the same not being a road on the State Highway System.

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

Change the location of Hickory Street from the east side of Lot No. 32 to the east side of Lot No. 31 in the Second Plat of Montgomery Heights as recorded in Plat Book No. 5, Page 9 of the Belmont County Record of Plats.

Dated this 30th day of June, A. D. 1975

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Lists names like Mr. Paul A. Zavacky Sr. and Stella Zavacky, and corresponding locations like Wheeling Twp. Belmont Co.

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

IMP. No. 765

IN THE MATTER OF THE

Altering a part of Hickory Street  
In Montgomery Heights  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

Petitioned for by Paul Zavacky et al  
....., and others.

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

on the 30<sup>th</sup> day of June, 1975, at the office of the Commissioners

with the following members present:

A. J. Sargus

J. F. Giffen

C. A. Linch

Mr. Giffen 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 Altering a part of

Hickory Street a Public Road as described therein; therefore, be it

RESOLVED, That the 23<sup>rd</sup> day of July, 1975, at 2:30 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 18<sup>th</sup> day of August, 1975, 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. Linch seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Sargus ..... YES

Mr. Linch ..... YES

Mr. Giffen ..... YES

Adopted the 30<sup>th</sup> day of June, 1975

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. No. 765

IN THE MATTER OF THE

Altering a part of Hickory Street  
In Montgomery Heights  
Public Road.

Office of County Commissioners

Belmont County, Ohio

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

on the 28th day of July, 1975, at the office of the Commissioners

with the following members present:

A. J. Sargus

C. A. Linch

Mr. Linch moved the adoption of the following Resolution:

WHEREAS, On the 23rd day of July, 1975, 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 18th day of August, 1975, 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. Sargus YES

Mr. Linch YES

Mr. Giffen ABSENT

Adopted the 28th day of July, 1975

Mary Kapolka

**REPORT OF COUNTY ENGINEER**  
*IMP. No. 765*

IN THE MATTER OF THE

*Altering a part of Hickory Street*  
*in Montgomery Heights*  
Public Road.

County Engineer's Office,

Belmont County, Ohio.

*August 18*, 19*75*

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

The undersigned in obedience to your order dated *July 28*, 19*75*, proceeded on the *5* day of *August*, 19*75*, 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.

~~.....~~  
~~.....~~  
~~.....~~  
~~.....~~

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

*" See Plat "*

~~.....~~  
~~.....~~

*[Signature]*

This map was prepared 1932  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Engineer \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_

0 52 20 100 120  
 SCALE IN FEET  
 1932

RICHARD J. BOCCABELLA COUNTY ENGINEER  
 BETWOMT COUNTY, OHIO



MEETING TOWNSHIP SECTION 3, T. 8, R. 4

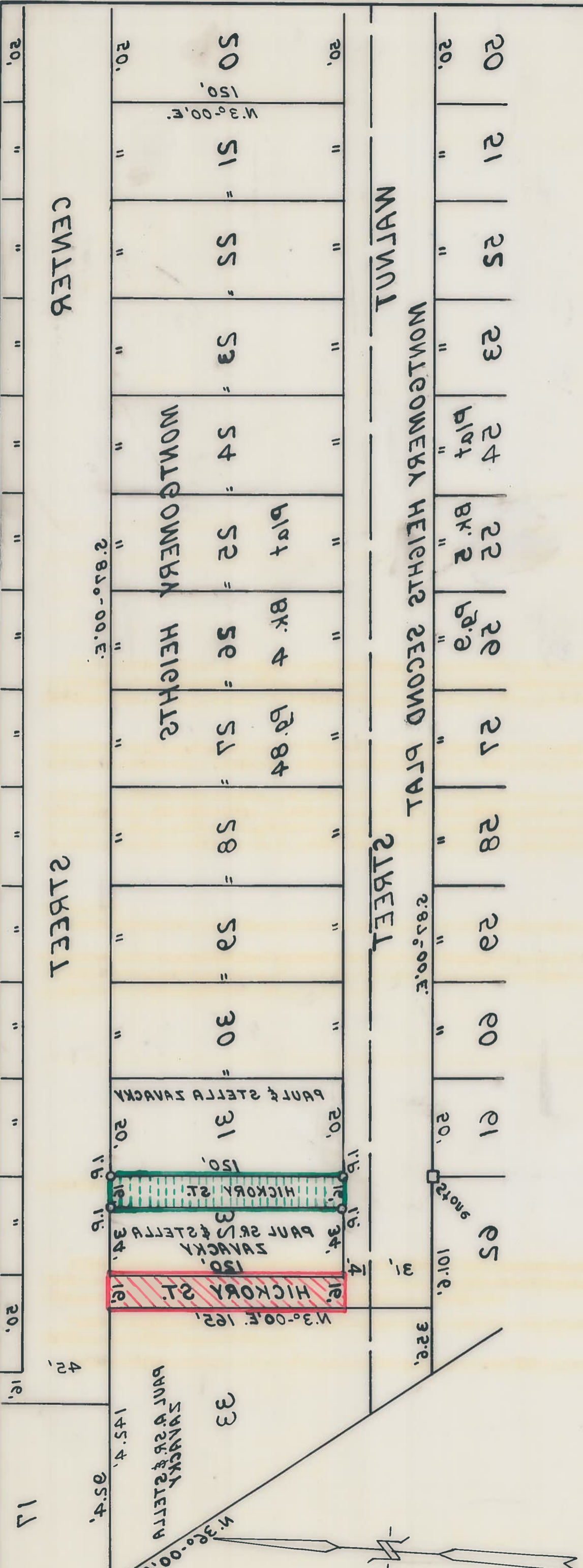
(Petitioned by Paul A. Savacky Jr. et al)

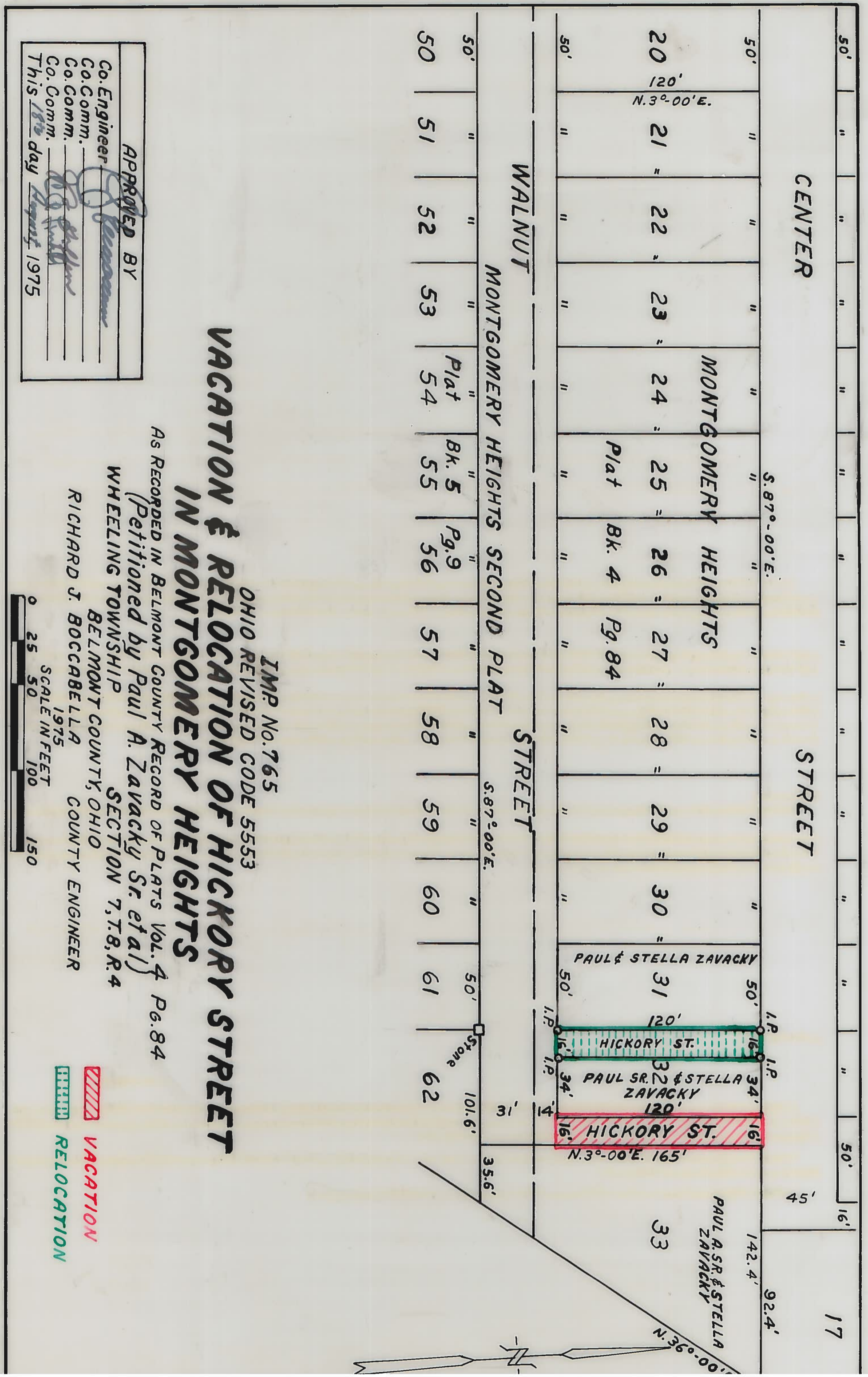
AS RECORDED IN BELMONT COUNTY RECORD OF PLATS VOL. 4 PG. 84

# VACATION & RETOCATION OF HICKORY STREET IN MONTGOMERY HEIGHTS

OHIO REVISED CODE 2223  
 IMB No. 292

 RETOCATION  
 VACATION





CENTER

STREET

WALNUT

STREET

MONTGOMERY HEIGHTS SECOND PLAT

**VACATION & RELOCATION OF HICKORY STREET  
IN MONTGOMERY HEIGHTS**

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS VOL. 4 Pg. 84

(Petitioned by Paul A. Zavacky Sr. et al)

WHEELING TOWNSHIP SECTION 7, T. 8, R. 4

BELMONT COUNTY, OHIO

RICHARD J. BOCCABELLA COUNTY ENGINEER

IMP. NO. 765  
OHIO REVISED CODE 5553

APPROVED BY  
 Co. Engineer \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 Co. Comm. \_\_\_\_\_  
 This 18th day August 1975

SCALE IN FEET  
 0 25 50 100 150  
 1975

 VACATION  
 RELOCATION

RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
IMP. No. 765

IN THE MATTER OF THE  
Altering a part of Hickory Street  
in Montgomery Heights  
Public Road.  
Wheeling Township

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 18<sup>th</sup> day of August, 1975, at the office of the Commissioners  
with the following members present:

J. F. Giffen  
C. A. Linch

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

Mr. Giffen YES  
Mr. Linch YES  
Mr. \_\_\_\_\_

Adopted the 18<sup>th</sup> day of August, 1975

ORDER TO CLOSE & OPEN

RESOLUTION

SEC. 5563.01 R.C.

IMP. No. 765

IN THE MATTER OF THE

Altering a part of Hickory Street  
In Montgomery Heights

Public Road.

Wheeling Township

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 September, 1975, at the office of The Commissioners

with the following members present:

A. J. Sargus

J. F. Giffen

C. A. Linch

Mr. Linch moved the adoption of the following Resolution:

~~WHEREAS, At least ten days have elapsed since the final order of the board in the matter of this improvement, and~~  
~~WHEREAS, No person, firm or cooperation interested, has effected an appeal from our orders in the matter of the above named improvement,~~  
therefore, be it

~~RESOLVED,~~ That it is hereby ordered that the proceedings be recorded as provided by law, and that said road be Altered, as order heretofore, made on our journal of the date of September 3, 1975, and a copy of this resolution be forwarded to the Wheeling Township Trustees.

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

resulted as follows:

Mr. Sargus YES  
Mr. Giffen YES  
Mr. Linch YES

Adopted the 3rd day of September, 1975.

Maru Kanaka