

PUBLIC ROAD PETITION IMP. No. 773

St. Clairsville

Ohio, November 19<sup>th</sup>, 1975

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

with right to mine coal

The undersigned petitioners, freeholders of said County in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience and welfare require the Vacating

of a 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 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 a point in the center line of Kirkwood Township Road No. 585 said beginning point situated in State of Ohio, County of Belmont, Township of Kirkwood Section No. 27, T9N, R6W and referenced as follows: from the Northwest Corner of Section No. 27, S. 2°-29'-20"W. for a distance of 2,641.03, thence at a right angle thereto easterly for a distance of 770.42 feet to place of beginning thence from place of beginning the following courses and distances:

- 1. N. 83°-36'-04"W. 107.67'
- 2. N. 88°-34'-04"W. 320.10'
- 3. S. 84°-10'-25"W. 98.51'
- 4. N. 59°-20'-58"W. 62.79'
- 5. N. 41°-59'-14"W. 94.17'
- 6. N. 36°-27'-17"W. 138.00'
- 7. N. 50°-21'-21"W. 45.45'
- 8. N. 79°-46'-40"W. 61.90'
- 9. N. 86°-11'-09"W. 210.47'
- 10. N. 84°-36'-38"W. 106.47'
- 11. N. 78°-54'-23"W. 155.91'
- 12. N. 76°-42'-55"W. 369.90'
- 13. N. 82°-26'-19"W. 113.99'
- 14. N. 81°-28'-09"W. 40.45'
- 15. N. 49°-16'-04"W. 95.01'
- 16. N. 40°-36'-05"W. 147.51'
- 17. N. 33°-41'-24"W. 72.11'
- 18. N. 24°-17'-09"W. 89.96'
- 19. N. 34°-54'-09"W. 52.43'
- 20. N. 82°-59'-01"W. 65.49'
- 21. N. 88°-35'-08"W. 405.12'
- 22. N. 81°-18'-49"W. 72.84'
- 23. N. 58°-54'-45"W. 79.40'
- 24. N. 51°-48'-33"W. 190.85'
- 25. N. 46°-32'-04"W. 158.45'
- 26. N. 34°-35'-32"W. 70.46'
- 27. N. 12°-26'-22"W. 69.63'
- 28. N. 0°-51'-46"E. 332.04'
- 29. N. 21°-48'-05"W. 32.31'
- 30. N. 57°-59'-41"W. 56.60'
- 31. N. 68°-08'-15"W. 174.55'
- 32. N. 48°-04'-27"W. 276.88'
- 33. N. 54°-27'-44"W. 86.02'
- 34. N. 64°-04'-38"W. 80.06'
- 35. N. 67°-42'-23"W. 108.08'
- 36. N. 69°-00'-34"W. 262.41'
- 37. West 47.00' to terminus

Consolidation Coal Company, the petitioner, herein states that it is owner of surface of right to mine coal underlying and adjacent to said road and that the travelling public will not be inconvenienced by said vacation.

Dated this 19<sup>th</sup> day of November, A. D. 1975

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Consolidation Coal Company By: Elmer E. Loper Agent;	Kirkwood Township

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

IMP. No. 773

IN THE MATTER OF THE

Vacating of a part of

Public Road.

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

Office of County Commissioners, Belmont County, Ohio

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

on the 19th day of November, 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, 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 Vacating a part of

a Public Road as described therein; therefore, be it

RESOLVED, That the 7th day of January, 1976, 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 12th day of January, 1976, at 10 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. Sargus seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Sargus YES

Mr. Linch YES

Mr.

Adopted the 19th day of November, 1975

Mary Kalka



RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. No. 773

IN THE MATTER OF THE
Vacating a part of Twp. Road
585
Public Road.
in Kirkwood Township

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 7th day of January, 1976, at the office of the Commissioners
with the following members present:

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

Mr. Sargus moved the adoption of the following Resolution:

WHEREAS, On the 7th day of January, 1976, 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 12th
day of January, 1976, 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. Linch seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

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

Adopted the 7th day of January, 1976

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. No. 773

IN THE MATTER OF THE

Vacating a part of Twp. Road 585

Public Road.

in Kirkwood Township known as  
the Brooks Road

County Engineer's Office,

Belmont County, Ohio

, 19.....

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

The undersigned in obedience to your order dated January 7<sup>th</sup>, 1976, proceeded on the 8<sup>th</sup> day of January, 1976, 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]

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

" see Plat "

[REDACTED]

*[Handwritten Signature]*

IMP NO. 773  
**VACATION OF A PART**

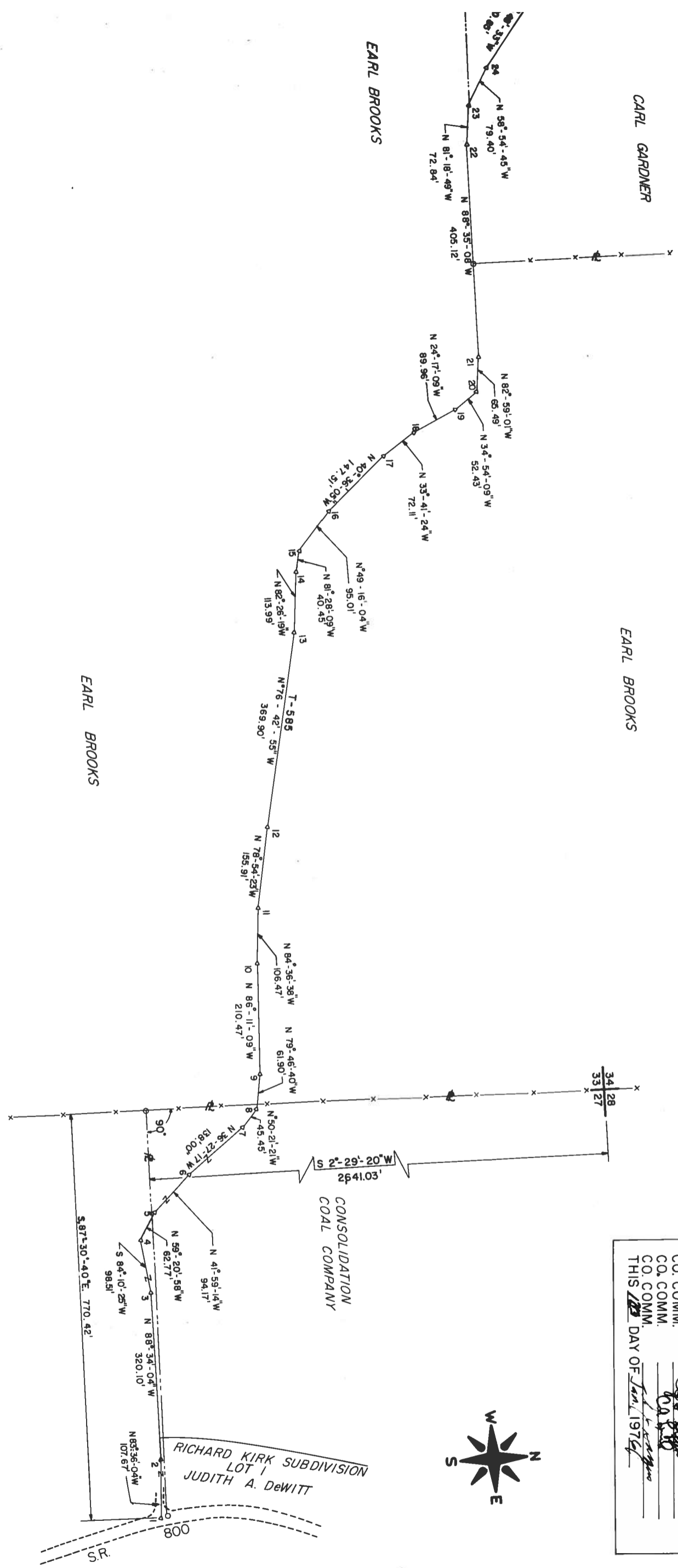
OF KIRKWOOD TWP RD. N<sup>o</sup>585 BROOKS ROAD  
 SITUATED IN STATE OF OHIO  
 COUNTY OF BELMONT

TOWNSHIP OF KIRKWOOD  
 SECTIONS NOS 27,33, T.9, R.5

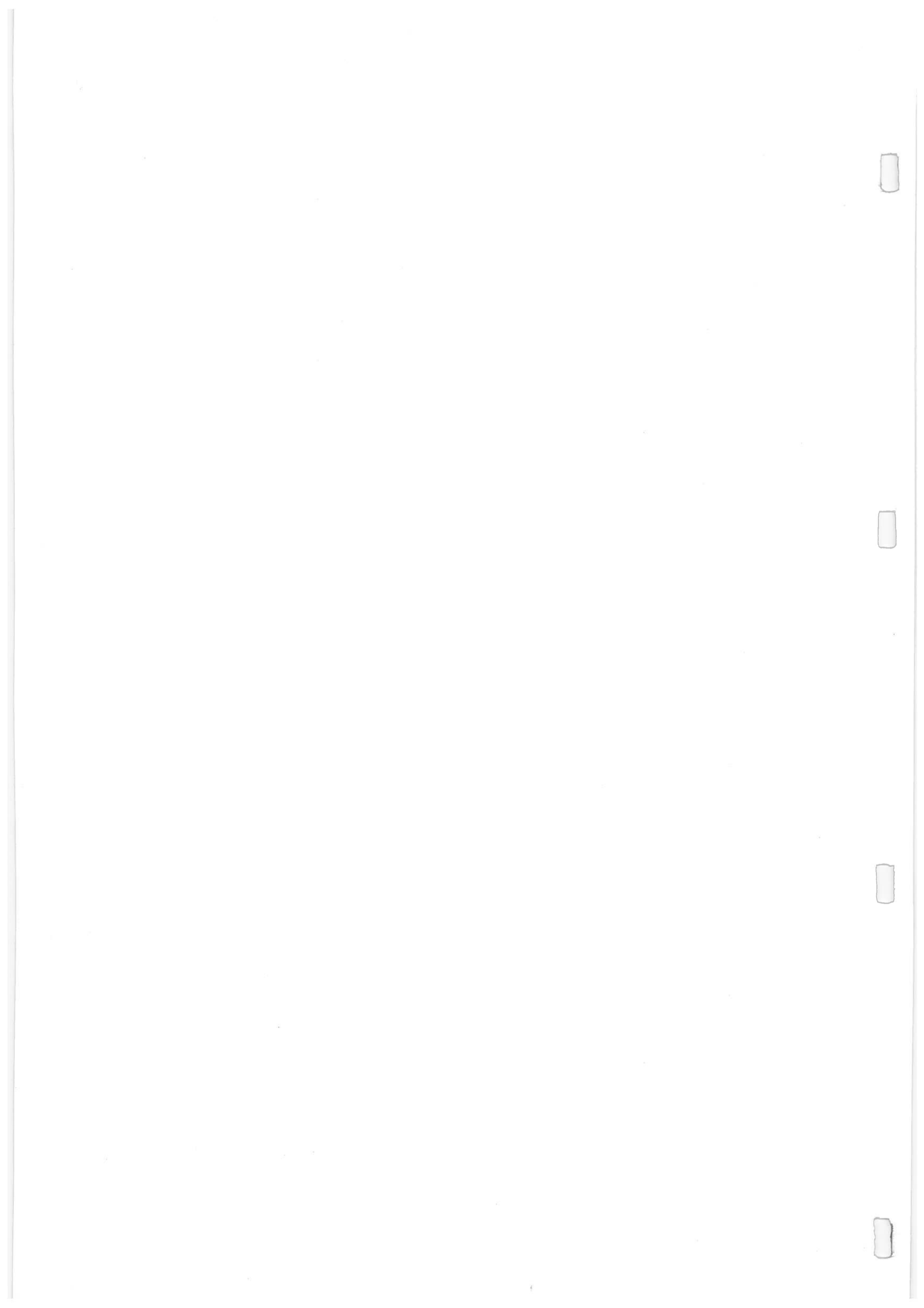


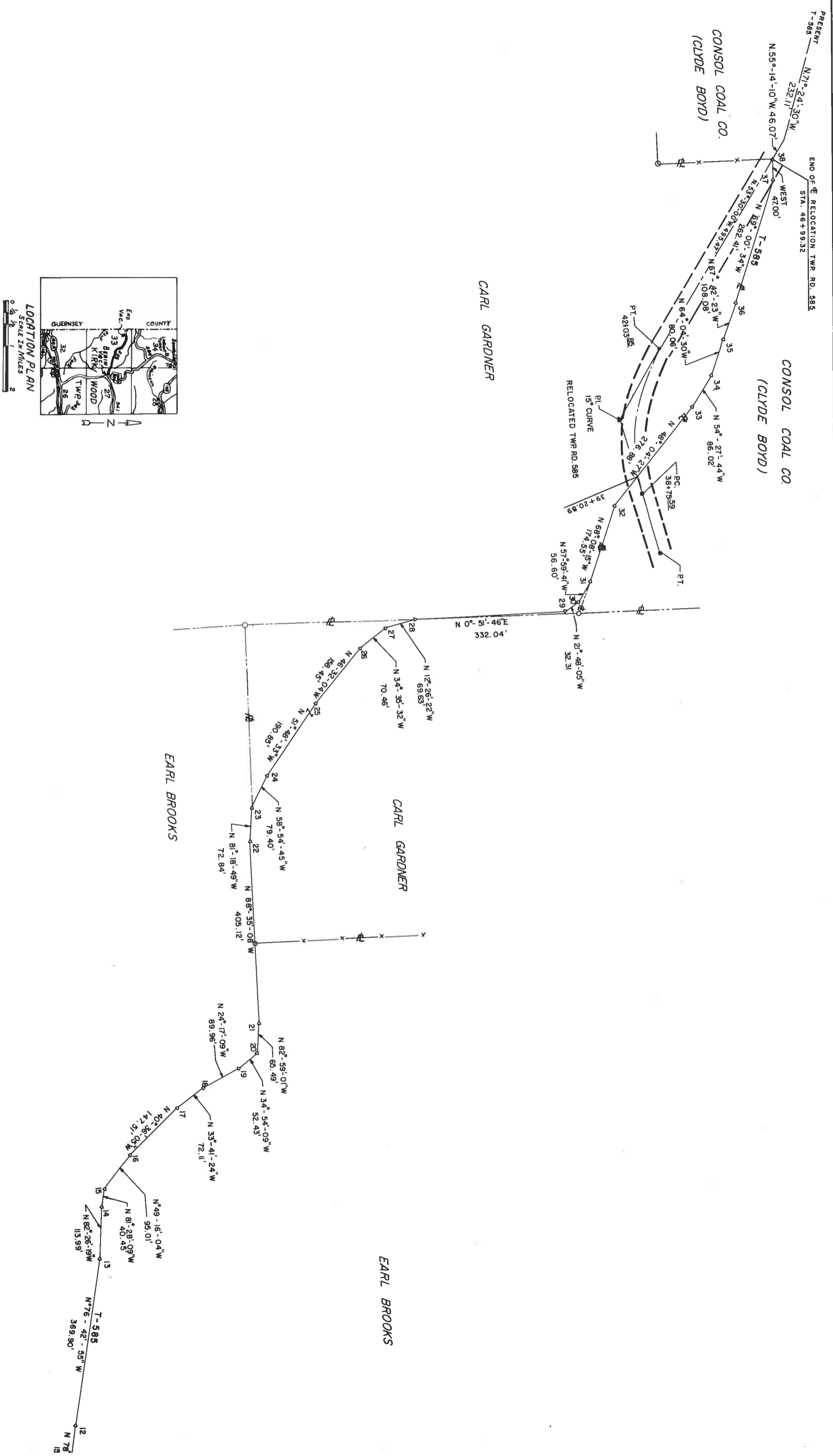
LENGTH OF VACATION 4950.97 FEET OR 0.94 MILE

APPROVED BY	
CO. ENGINEER	<i>[Signature]</i>
CO. COMM.	<i>[Signature]</i>
CO. COMM.	<i>[Signature]</i>
CO. COMM.	<i>[Signature]</i>
CO. COMM.	<i>[Signature]</i>
THIS DAY OF Jan. 1974	



CONSOLIDATION COAL COMPANY





EARL BROOKS

EARL BROOKS

CARL GARDNER

CONSOL COAL CO.  
(CLYDE BOYD)





RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.  
IMP. No. 773

IN THE MATTER OF THE  
*Vacating a part of Twp. Road 585*

Office of County Commissioners,  
Belmont County, Ohio

Public Road.  
*in Kirkwood Township*

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session  
on the *12<sup>th</sup>* day of *January*, 19 *76*, at the office of *The Commissioners*  
with the following members present:

*J. F. Giffen*

*C. A. Linch*

*A. J. Sargus*

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 description 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; there fore, 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.

[REDACTED]

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*

[REDACTED]

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. *Giffen* YES

Mr. *Linch* YES

Mr. *Sargus* YES

Adopted the *12<sup>th</sup>* day of *January*, 19 *76*

*Mary Kapolka*  
Clerk Board of County Commissioners

RESOLUTION—ORDER TO Close ROAD  
Sec. 5563.01 R.C. (~~Close~~)  
IMP. No. 773

IN THE MATTER OF THE  
Vacating a part of Twp. Road 484  
Public Road.  
In Kirkwood Township

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met  
in Regular session on the 26<sup>th</sup> day of January, 1976,  
(Regular ~~session~~)  
at the office of the Commissioners with the following members present:

- J. F. Giffen
- A. J. Sargus
- 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 corporation 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 vacated  
as order heretofore, made on our journal of the date of January 26, 1976,  
and a copy of this resolution be forwarded to the Kirkwood Township Trustees.

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

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

Adopted the 26<sup>th</sup> day of January, 1976.

Mary Kapolka  
Clerk, Board of County Commissioners.

Belmont County, Ohio