

PUBLIC ROAD PETITION IMP. No. 777

St. Clairsville, Ohio, March 31st, 1976

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

The undersigned 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 certain Public Roads on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacation of such roads; the same not being a road on the State Highway System.

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

Being the following roads and avenues located in and on MCELWAIN PLACE IN Plat No. 23 located in Section 33, Township 7 and Range 4 in Richland Township, Belmont County, Ohio.

- No. 1 McDowell Avenue in its entirety.
No. 2 Charleston Road south from McDowell Avenue to Highland Avenue.
No. 3 Highland Avenue in its entirety.
No. 4 Broadview Avenue in its entirety.
No. 5 Grady Avenue from Highland Avenue to Tulane Road.
No. 6 Part of Springdale Avenue

Dated this 19th day of April, A. D. 1976

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Lists names like James Matz, La Donna Matz, Rollo K. Moore, Betty J. Moore, Arlie J. Thoenen, Herbert E. Thoenen, Ralph F. Clark, Audrey M. Clark, Clifford Dale Hall, Elsa Berlett, Larry P. Greenwood, Paul R. Greenwood, Verna T. Greenwood, Beverly J. McCort and their corresponding taxing districts in Richland Twp. or Richland Township.

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

IMP. No. 777

IN THE MATTER OF THE

Office of County Commissioners,

Vacation of certain Public Roads, known as McElwain Place, Richland Twp. Public Road.

Belmont County, Ohio

Petitioned for by James & La Donna Matz, and others.

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

on the 19th day of April, 1976, at the office of the Commissioners

with the following members present:

C. A. Linch

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 certain

Public Road as described therein; therefore, be it

RESOLVED, That the 19th day of May, 1976, 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 24th day of May, 1976, 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. Giffen Absent

Mr. Linch Yes

Mr. Sargus Yes

Adopted the 19th day of April, 1976

Mary Kanalt

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. No. 777

IN THE MATTER OF THE
Vacation of Certain
Public Roads
Known as McElwain Place in Richland
Township.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 19th day of May, 1976, 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, On the 19th day of May, 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 24th day of May, 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. 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 19th day of May, 1976.

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. No. 777

Gen'l Code Sec. 5553.06

IN THE MATTER OF THE

Vacation of Certain

Public Road\$

Known as McElwain Place in
Richland Township.

County Engineer's Office,

Belmont County, Ohio

May 24, 1976

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

The undersigned in obedience to your order dated May 19, 1976, proceeded on the 20th day of May, 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 text]

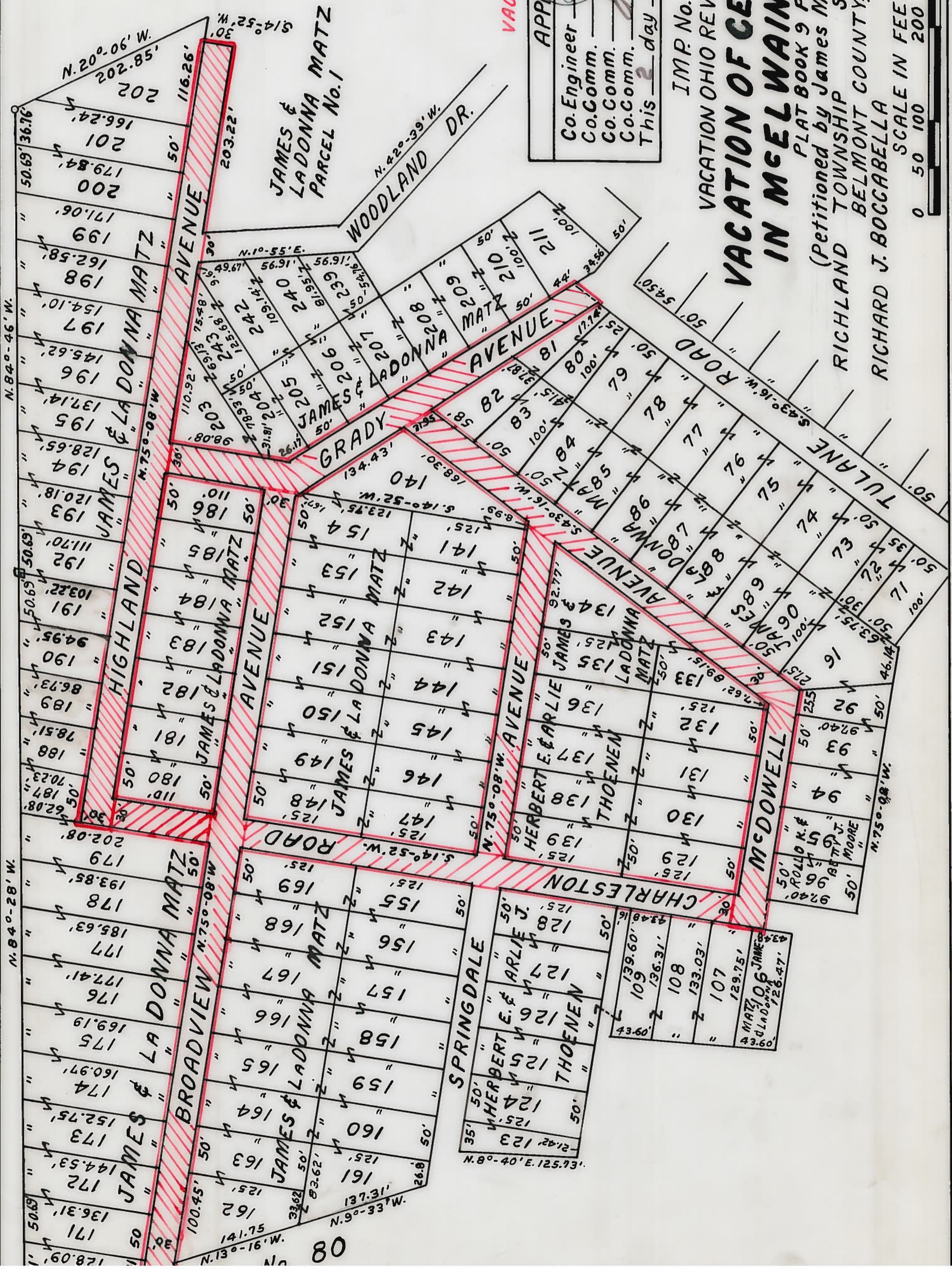
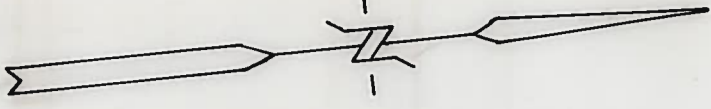
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See 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:

Springdale Avenue should be vacated from
Charleston Road to McDowell Avenue.

[Signature]



JAMES &
LADONNA MATZ
PARCEL No. 1

VACATION

APPROVED BY

Co. Engineer _____
 Co. Comm. _____
 Co. Comm. _____
 Co. Comm. _____

This 2 day June 1976

IMP No. 777

VACATION OHIO REVISED CODE 5553

VACATION OF CERTAIN STREETS IN MCELWAIN PLACE

PLAT BOOK 9 PG. 75

(Petitioned by James Matz et al)

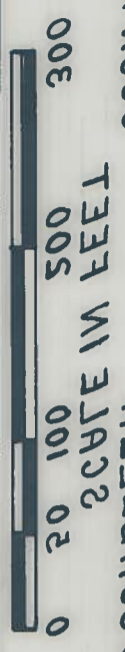
RICHLAND TOWNSHIP SECTION 33, T. 7, R. 4

BELMONT COUNTY, OHIO

RICHARD J. BOCCABELLA COUNTY ENGINEER

SCALE IN FEET

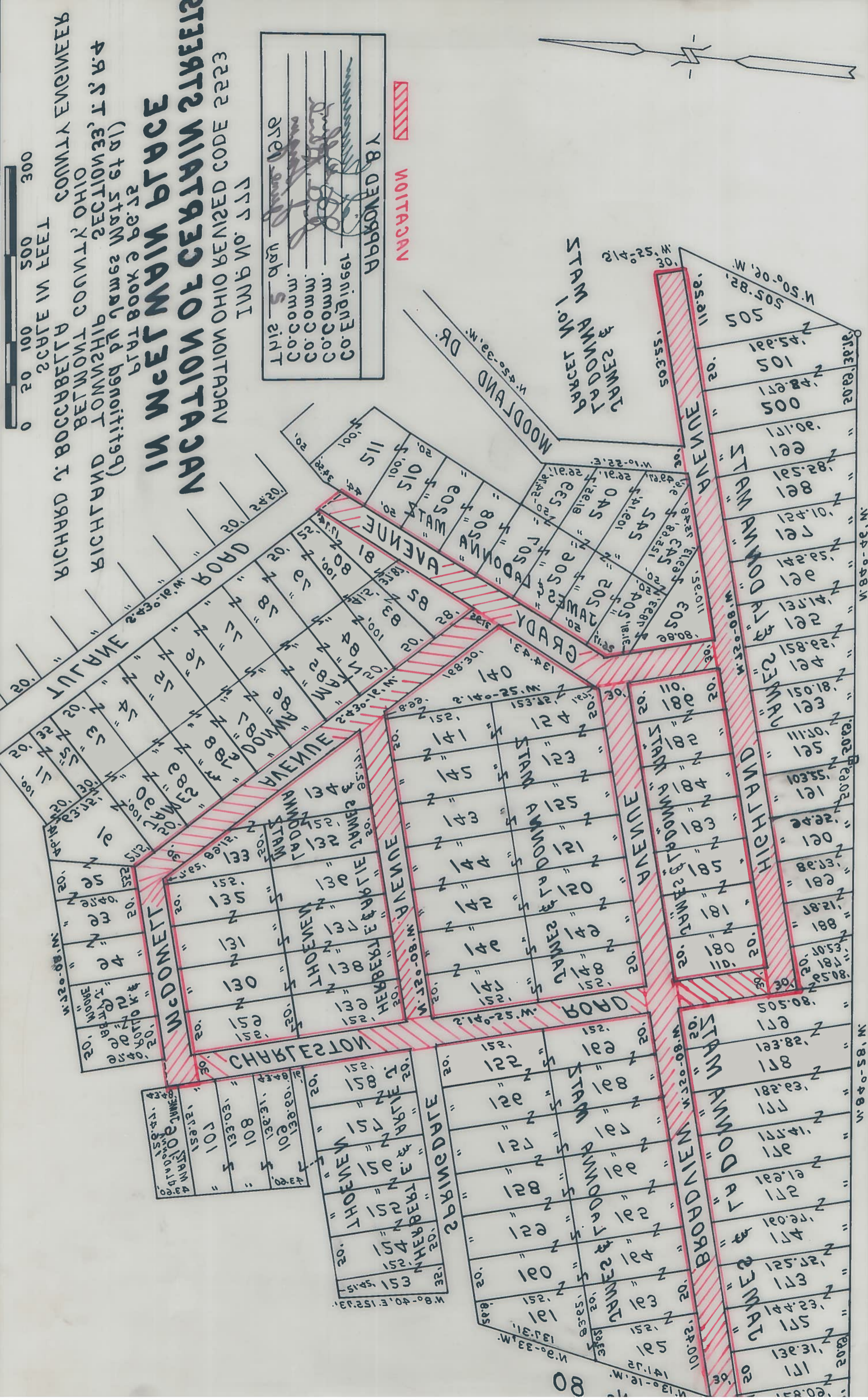
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RICHARD T. BOCCABELLA
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 RICHARD J. BOCCABELLA
 COUNTY ENGINEER
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APPROVED BY
 CO. COMM.
 CO. COMM.
 CO. COMM.
 CO. ENGINEER

MOITACAN



STAM 110 JUNES

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101	133.81
101	136.81

THOEWEN 153 N.E. & HARTIE 20.

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BROADVIEW STAM 110 JUNES

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RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 777

IN THE MATTER OF THE
Vacation of Certain
Public Roads
Known as McElwain Place in
Richland Township

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 2nd day of June, 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, 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; 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.

[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 and be it further

[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. 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 2nd day of June, 1976

Mary Kapolka
Clerk, Board of County Commissioners.

RESOLUTION—ORDER TO Close ROAD
Sec. 5563.01 R.C. (~~Close~~)
IMP. No. 777

IN THE MATTER OF THE
Vacation of certain

Office of County Commissioners,
Belmont County, Ohio

Public RoadS
Known as McElwain Place in
Richland Township.

The Board of County Commissioners of Belmont County, Ohio, met
in Regular session on the 14th day of June, 1976,
(Regular)
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, 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 June 14, 1976,

and a copy of this resolution be forwarded to the Richland 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 14th day of June, 1976

Mary Kapolka
Clerk, Board of County Commissioners.

Belmont County, Ohio