

PUBLIC ROAD PETITION IMP. No. 780

St. Clairsville, Ohio, May 19, 1976

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

with right to mine

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 all of Warren Township Road No. 42 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacation 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 Warren Township Road No. 42 and Warren Township Road No. 801; said beginning point situated in the State of Ohio, County of Belmont, Township of Warren, Section No. 30; thence from the place of beginning easterly for a distance of 1,000 feet more or less to the terminus of the portion of road herein petitioned for vacation; said terminus situated in the State of Ohio, County of Belmont, Township of Warren, Section No. 30.

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

Dated this 19th day of May, A. D. 1972

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
CONSOLIDATION COAL COMPANY By Elmer Loper Agent Paul J. Anderson Hager H. Myers	Warren Township Warren Township Trustee, Belmont Co. Warren Township Trustee, Belmont Co.

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

IMP. No. 780

IN THE MATTER OF THE

Vacating all of Warren Township Road No. 42

Public Road.

Petitioned for by Elmer Loper

and others.

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, 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 all of Warren

Township Road No. 42 a Public Road as described therein; therefore, be it

RESOLVED, That the 30th day of June, 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 July, 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. 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.

Marc Kanaka

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. No. 780

IN THE MATTER OF THE

Vacating all of Warren Township

Road No. 42

Public Road.

Office of County Commissioners,

Belmont County, Ohio

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

on the 30th day of June, 1976, at the office of Belmont County 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 30th day of June, 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 July, 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 30th day of June, 1976

Mary Kapolka

Clerk, Board of County Commissioners

REPORT OF COUNTY ENGINEER

IMP. No. 780

Gen'l Code Sec. 5553.06

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

July 12, 1976

Vacating all or
Warren Township Road No. 42
Public Road.

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

The undersigned in obedience to your order dated June 30th, 1976, proceeded on the 1st day of July, 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:

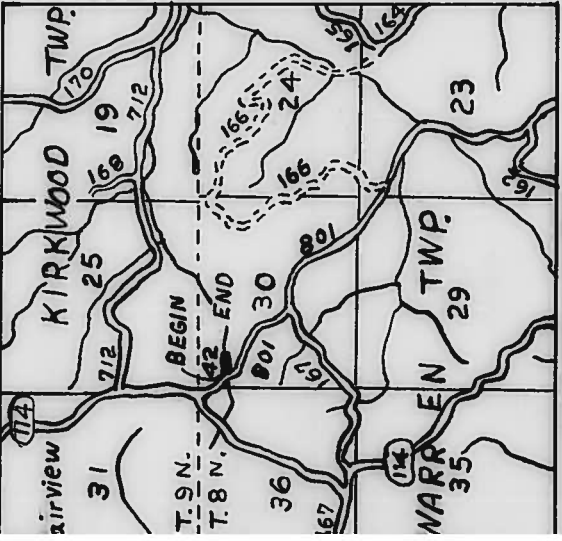
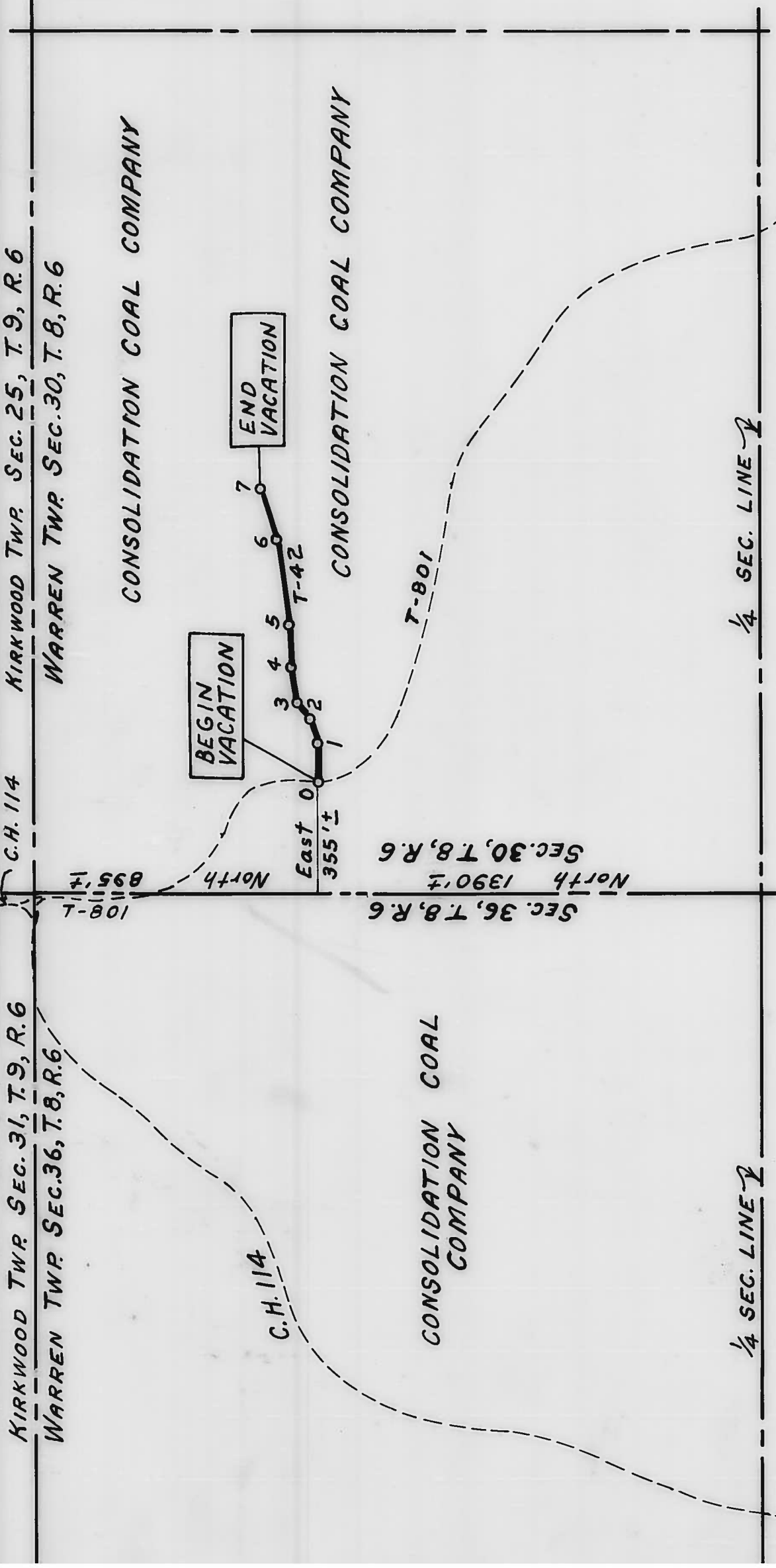
" See attached Plat "

Fred Z Bennett

VACATION OF SELLERS ROAD T-42

0-1	S. 89°-30'E.	120'
1-2	N. 67°-30'E.	75'
2-3	N. 52°-30'E.	70'
3-4	N. 82°-00'E.	110'
4-5	N. 87°-00'E.	145'
5-6	N. 82°-30'E.	270'
6-7	N. 72°-00'E.	160'

Length 950 Feet or 0.18 Mile ±



Aerial Photo QM-1G-95

IMR No. 780
 VACATION OHIO REVISED CODE 5553
VACATION OF THE SELLERS ROAD T-42

(Petitioned for by Consolidation Coal Company, by Elmer Loper, Agent et al.)
 WARREN TOWNSHIP
 BELMONT COUNTY, OHIO
 FRED F. BENNETT
 COUNTY ENGINEER

SCALE IN FEET
 0 200 400 600 800 1000 1200

APPROVED BY

Co. Engineer *Fred F. Bennett*

Co. Comm. *[Signature]*

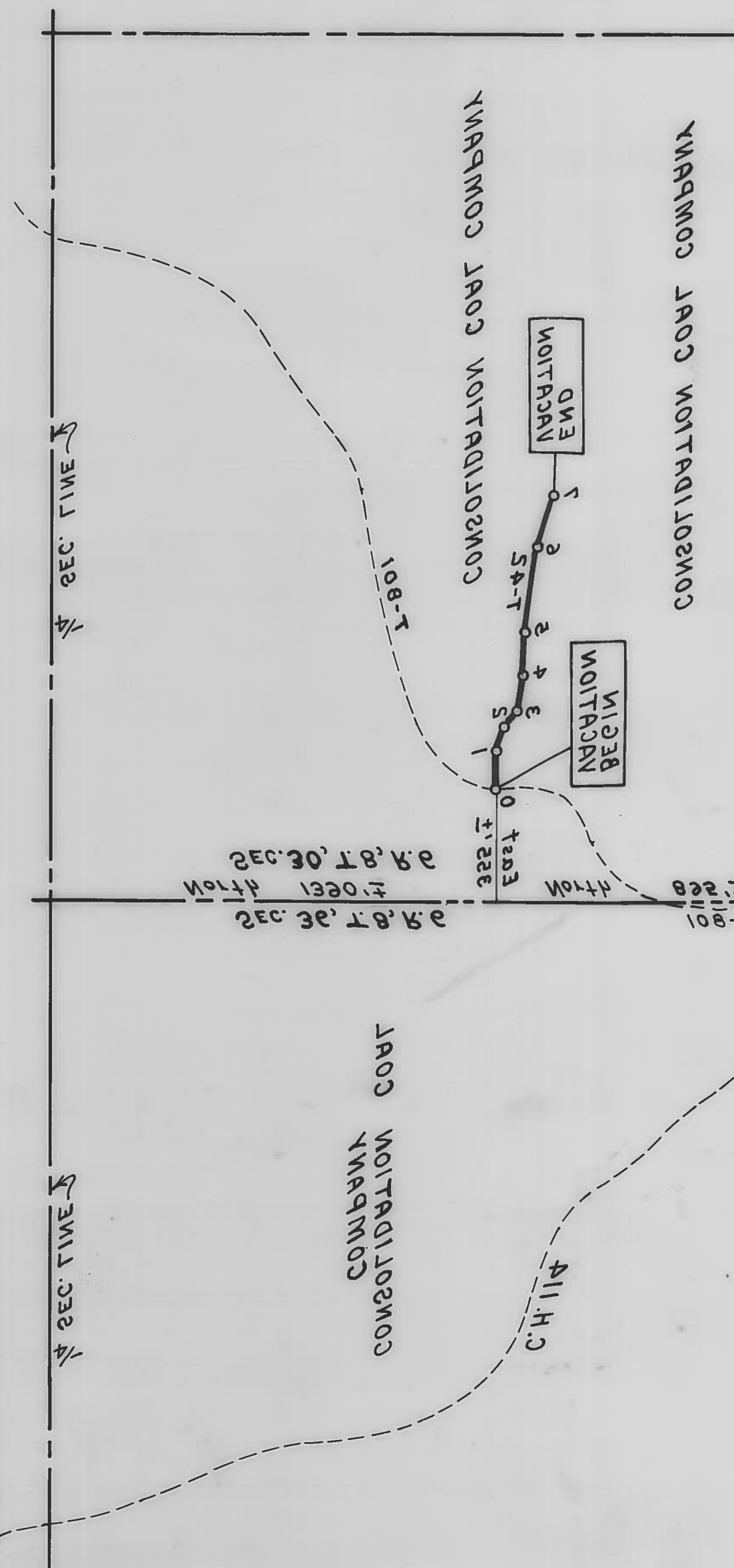
Co. Comm. *[Signature]*

Co. Comm. *[Signature]*

This 12th day July 1976

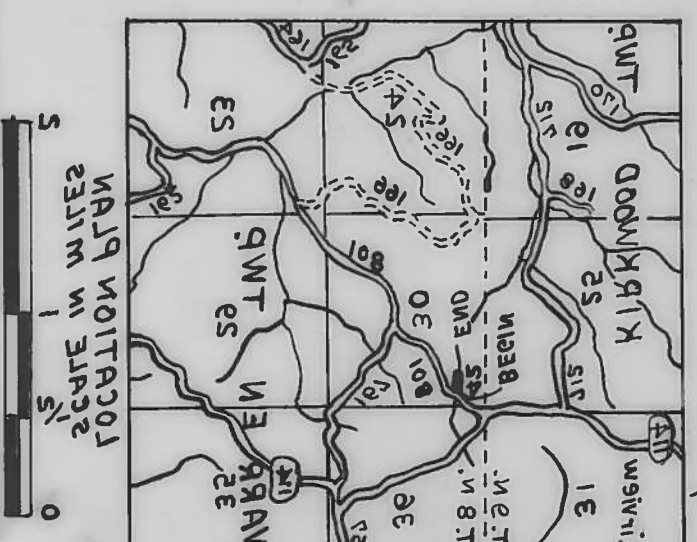
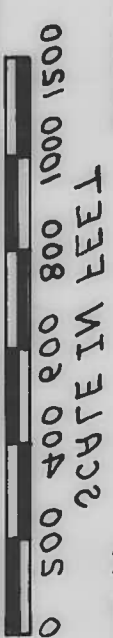
54-T	10	1997	02E	Atena	1-0
1'051				3'06°28.2'	5-1
1'051				3'06°17.3'	5-5
1'011				3'06°52.2'	4-3
1'241				3'00°58.8'	4-4
1'075				3'06°58.8'	2-4
1'200				3'00°58.8'	2-2
1'200				3'00°58.8'	2-2
± 91m	81.0	10	1997	02E	Atena

29, E.T. 25.322 9WT 000WYKX
 29, E.T. 05.322 9WT W3R9AW
 29, E.T. 15.322 9WT 000WYKX
 29, E.T. 25.322 9WT W3R9AW



SECTION OF THE SELLERS ROAD

087.0M 9MT
 IWB NO. 580
 REVISED CODE 2223
 OHIO ROADWAY
 SECTION 30, T.8, R.2
 COUNTY ENGINEER
 FRED F. BEWMEYER



APPROVED BY	1997
CO. ENGINEER	1997
CO. COMM.	1997
CO. COMM.	1997
CO. COMM.	1997
DATE	1997

RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 780

Office of County Commissioners,
Belmont County, Ohio

IN THE MATTER OF THE
Vacating of all of
Warren Township Road No. 42
Public Road.

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session
on the *12th* day of *July*, 19*76*, at the office of *Belmont County 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]

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

[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 *12th* day of *July*, 19*76*

Kathleen Norris
Clerk Board of County Commissioners

RESOLUTION—ORDER TO Close ROAD
Sec. 5563.01 R.C. (~~Close~~)
IMP. No. 780

IN THE MATTER OF THE

1 Vacating all of Warren Township
No. 42
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, 1976,
(Regular ~~Close~~)
at the office of The Commissionets with the following members present:

J. F. Giffen

C. A. Linch

A. J. Sargus

Mr. Sargus 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 July 28, 1976,

and a copy of this resolution be forwarded to the Warren Township Trustees.

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 28th day of July, 1976

Mary Kapotka

Clerk, Board of County Commissioners.

Belmont

County, Ohio