

PUBLIC ROAD PETITION IMP. No. 797

Belmont County, Ohio, March 30, 1978

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 an Alley 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:

~~Route~~

Vacate the Alley which is 13 feet wide on the East Side of Lot 5 of P.B. Caldwell's 2nd Addition in Richland Township, Section 29, Township 7, Range 4.

Length is 70 feet 8 3/4"

Dated this 3rd day of April, A. D. 1978

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Robert E. Stagmate	Box 55 Bannock O. 43972

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

REVISED CODE SEC. 5553.05
IMP. No. 797

IN THE MATTER OF THE

Vacating an Alley
P.B. Caldwell's 2nd Addition
Public Road.

Petitioned for by *Robert E. Stagmate*
....., and others.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session
on the *3rd* day of *April*, 19*78*, at the office of *the Commissioners*
with the following members present:

Mr. A. J. Sargus

Mr. J. F. Giffen

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 *Vacate an Alley*
P.B. Caldwell's 2nd Addition a Public Road as described therein; therefore, be it

RESOLVED, That the *19th* day of *April*, 19*78*, 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 *April*, 19*78*, at *10:00* 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 *§*he 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.

Mr. *Giffen* *Yes*

Adopted the *3rd* day of *April*, 19*78*

M. K. ...

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER
Gen'l. Code, Sec. 6865
IMP. NO. 797

IN THE MATTER OF THE
Vacation of an Alley P. B.
Caldwell, 2nd Addition
Public Road.

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 April, 1978, at the office of the Commissioners

with the following members present:

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

Mr. Giffen moved the adoption of the following Resolution:

WHEREAS, On the 19th day of April, 1978, 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 April, 1978, 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. Sargus Yes
- Mr. Linch Yes
- Mr. Giffen Yes

Adopted the 19th day of April, 1978

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. NO. 797

Rev. Code Sec. 5553.06

IN THE MATTER OF THE

Vacation of an Alley P.B. Caldwell

2nd Addition

Public Road.

County Engineer's Office,

Belmont County, Ohio

April 24, 1978

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

The undersigned in obedience to your order dated April 19, 1978, proceeded on the 24th day of April, 1978, 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.

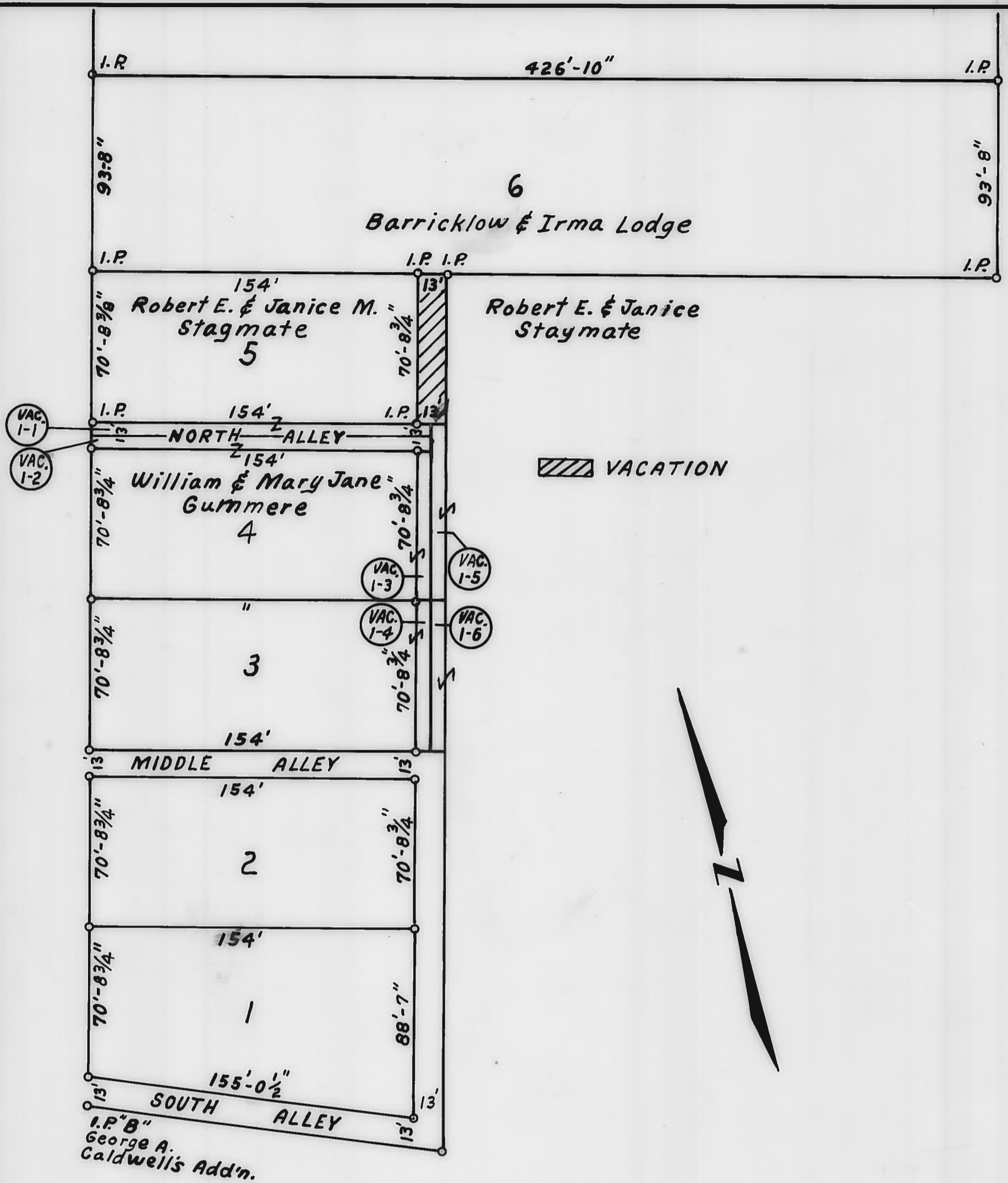
[Redacted text]

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

" See Plat "

[Redacted text]

April 27 1978



APPROVED BY	
Co. Engineer	<i>Fred F. Bennett</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
Co. Comm.	<i>[Signature]</i>
This 24 th day April 1978	

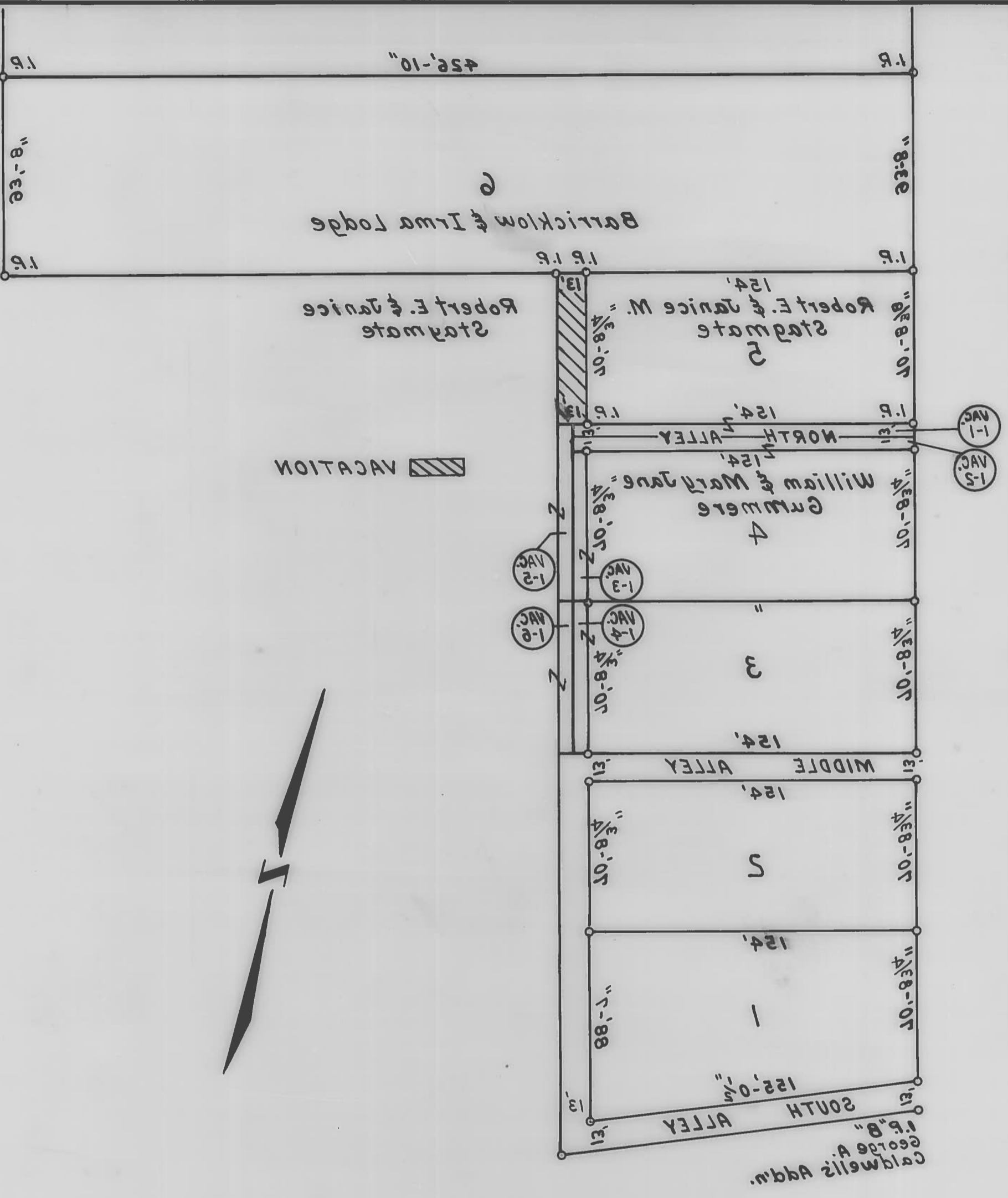
IMP. No. 797
 VACATION OHIO REVISED CODE 5553
**VACATION OF A PART OF AN ALLEY NEXT
 TO LOT 5 P. B. CALDWELL'S 2ND ADD'N
 PLAT BOOK 5 PAGE 87**

(Petitioned by Robert E. Stagmate)
 RICHLAND TOWNSHIP SECTION 29, T.7, R.4

PLAT BOOK 5 PAGE 87
TO LOT 5 R. B. CALDWELL'S 2ND ADDN
VACATION OF A PART OF AN ALLEY NEXT
VACATION OHIO REVISED CODE 5523
IMP. NO. 797

Richland Township Section 29.7.R.4
 (Petitioned by Robert E. Stagmate)

This 5th day April 1978
 Co. Comm. _____
 Co. Comm. _____
 Co. Comm. _____
 Co. Engineer _____
 APPROVED BY



RESOLUTION—GRANTING PROPOSED IMPROVEMENT

ORDERING RECORD, ETC.

IMP. No. 797

IN THE MATTER OF THE

Vacation of an Alley, P. B. Caldwell
2nd Addition

Public Road.

Office of County Commissioners,

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 24th day of April, 1978, 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, 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

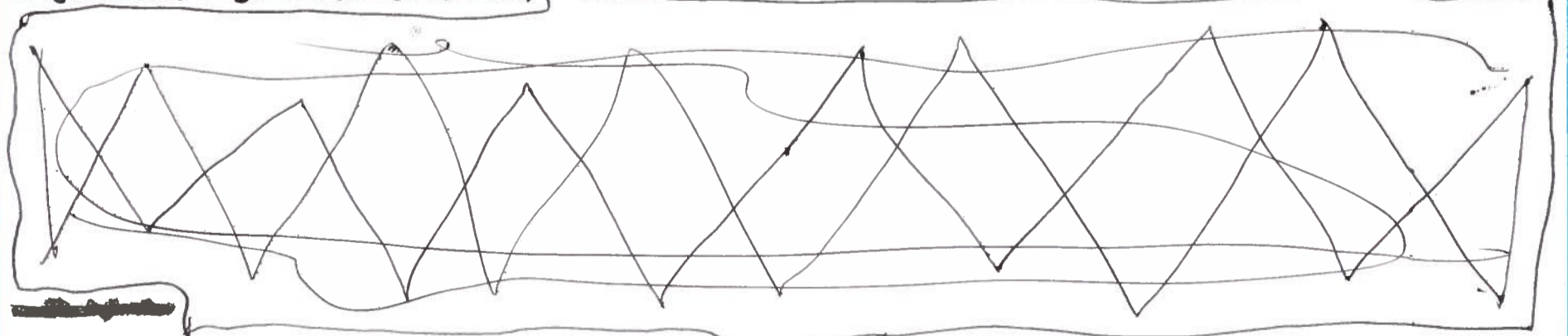
RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

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,

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

and be it further 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. 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 24th day of April, 1978

Mary Kapolka

RESOLUTION—ORDER TO Close ROAD
Sec. 5563.01 R.C. (~~Close~~)
IMP. No. 795

IN THE MATTER OF THE

Vacation of an Alley, P. B. Caldwell
2nd Addition
Public Road.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met

in Regular session on the 8th day of May, 1978,
(Regular ~~session~~)

at the office of the Commissioners with the following members present:

Sargus

Linch

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 April 24, 1978,

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

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. _____

Adopted the 8th day of May, 1978

Marg Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio