

PUBLIC ROAD PETITION IMP. No. 808

Belmont County, Ohio, August 14, 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 a part of Alley C 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 Vacate Alley C between Lots No. 10 & 11, on the Plat of P. B. Caldwell's 3rd Addition, Plat Book 6, Page 34.
Length 166 feet, 11-3/4 inches by 14 feet.

Dated this 21st day of August, A. D. 1978

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Geraldine Gibeaut	Richland
Dorothy Gossett	Richland
Lyle Gossett	Richland
Mary Gibeaut	Richland
Nancy Gossett	Richland
John Gossett	Richland
Robert Waggle	Richland
Claudette Waggle	Richland
Pam DeFelice	Richland
Morris Thomas	Richland
Betty Thomas	Richland
Maureen Myers	Richland
Dave Stack	Richland
Faye Scott	Richland
Charles Scott	Richland
Brenda K. Scott	Richland
Rose Mary Roberts	Richland
June E. Groves	Richland
Charles Paxton	Richland
Robert D. Robert	Richland
Eugene Scott	Richland
A. R. Cheslock	Richland
Ann Cheslock	Richland

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

IMP. No. 808

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Vacating a part of Alley C, in P. B. Caldwell's 3rd Addition Richland Township Public Road. Petitioned for by Kenneth Gibeaut, and others.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 21st day of August, 1978, at the office of the Commissioners with the following members present:

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

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 vacate a part of Alley C, in P. B. Caldwell 3rd Add. a Public Road as described therein; therefore, be it

RESOLVED, That the 6th day of September, 1978, at 1:30 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 11th day of September, 1978, 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 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. Giffen 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 21st day of August, 1978.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER
Gen'l. Code Sec. 6865
IMP. No. 808

IN THE MATTER OF THE
Vacation of a Part of Alley C
in P. B. Caldwell 3rd 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 6th day of September, 1978, at the office of The Commissioners

with the following members present:

A. J. Sargus

C. A. Linch

J. F. Giffen

Mr. Linch moved the adoption of the following Resolution:

WHEREAS, On the 6th day of September, 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 11th day of September, 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. Giffen 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 6th day of September, 1978.

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. No. 808

Rev. Code Sec. 5553.06

IN THE MATTER OF THE

Vacating a part of Alley C, in P. B.
Caldwell's 3rd Addition in Richland Township
Public Road.

County Engineer's Office,

Belmont County, Ohio

Sept. 11, 1978

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

The undersigned in obedience to your order dated Sept. 6, 1978, proceeded on the 7th day of Sept., 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.

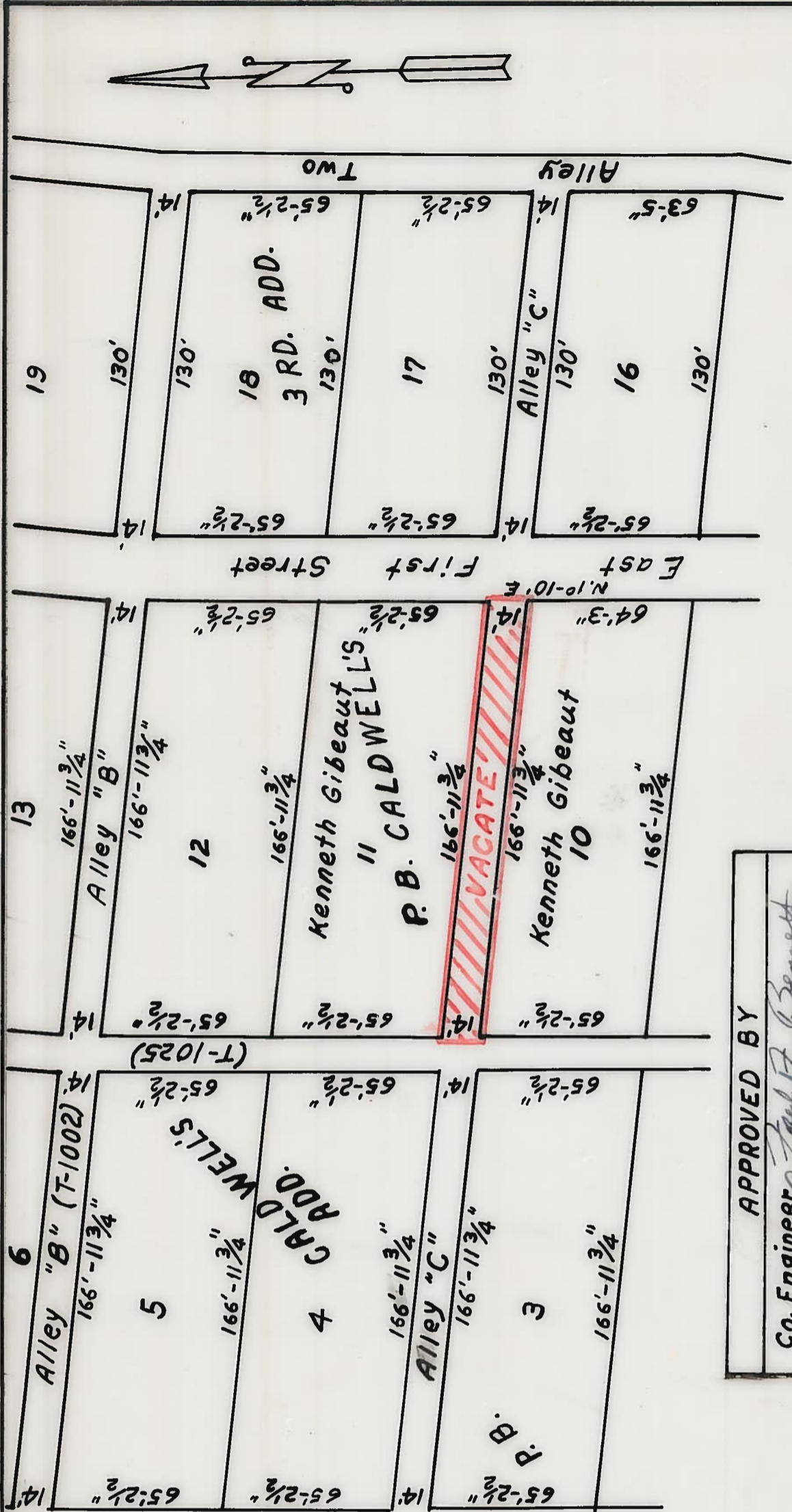
[Redacted text]

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

"see attached plat"

[Redacted text]

Paul F. Bennett



APPROVED BY

Co. Engineer *Fred F. Bennett*

Co. Comm. *W. J. ...*

Co. Comm. *...*

Co. Comm. *...*

This 11th day of Sept., 1978

VACATION OF A PART OF ALLEY "C" BETWEEN LOTS 10 & 11, P. B. CALDWELL'S 3RD. ADD.

IMP. No. 808

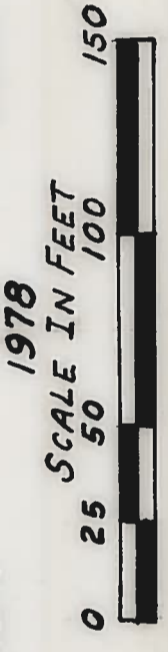
PLAT BOOK 6 PAGE 34

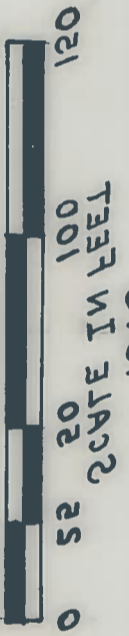
(PETITIONED BY ROBERT WAGGLE)

RICHLAND TOWNSHIP SECTION 29 T. 7, R. 4

BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

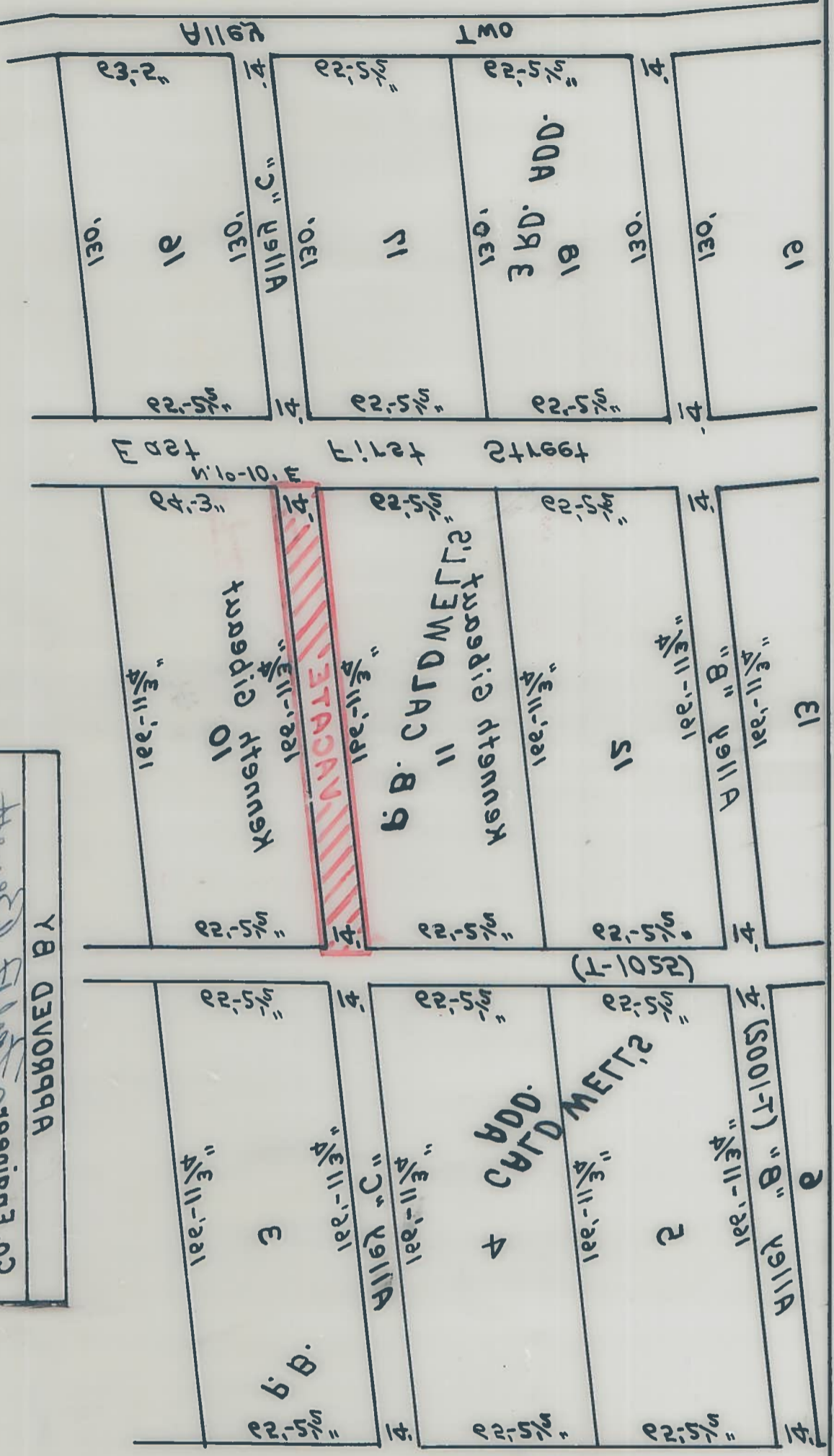




FRANK E. BEHNKE
COUNTY ENGINEER
BEAUMONT COUNTY, OHIO
SECTION 52'S 67
PLAT BOOK 6 PAGE 34
(MENTIONED BY ROBERT MUEBE)

**808.01 AMT
"C" 10' X 11' 3/4" B. CARGO WELLS 3 RD ADD.**

APPROVED BY
Y. B. DEVORQA
CO. ENGINEER
CO. COMM.
CO. COMM.
CO. COMM.
THIS IS TO BE FOR THE SIGHT



RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. No. 808

IN THE MATTER OF THE
Vacation of a Part of Alley C
in P. B. Caldwell's 3rd Addition
Public Road.
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 11th day of September, 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, 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.

~~_____~~
~~_____~~
~~_____~~

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,

~~_____~~
~~_____~~
~~_____~~

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
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; and be it further

~~_____~~

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 11th day of September, 1978

Mary Kapalka
Clerk

RESOLUTION—ORDER TO Close ROAD

Sec. 5563.01 R.C. (~~Close~~)

IMP. No. 808

IN THE MATTER OF THE

Vacation of a part of Alley C
Between Lots 10 & 11
Public Road.
Known as P. B. Caldwell's
3rd Addition

Office of County Commissioners,
Belmont County, Ohio

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

in Regular session on the 25th day of September, 1978,
(Regular ~~Session~~)

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

A. J. Sargus

C. A. Lynch

J. F. Giffen

Mr. Giffen 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 September 25, 1978,

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

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

resulted as follows:

Mr. Sargus Yes

Mr. Lynch Yes

Mr. Giffen Yes

Adopted the 25th day of September, 1978

Marg Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio