

PUBLIC ROAD PETITION IMP. <sup>No.</sup> 810

St. Clairsville, Ohio, September 25, 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 vacating a part of 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 a part of Alley 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 of a part of Alley between Lot No. 6 and Lot No. 5 on the south part for a distance of 86.00 feet. Situated in Merritt's Row in Pultney Township, Section 6, Township 5, Range 3, Belmont County, Ohio.

Dated this 2nd day of October, A. D. 1978

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
Charles H. Weekley	Pultney Belmont County, Ohio
Jean Weekley	Pultney Belmont Co.
Bruce Dunlap Sr.	
Beulah Dunlap	Pultney Belmont Co.
Clara Steele	Pultney Belmont Co.
Jim Smith	Pultney Belmont Co.
Margaret Smith	Pultney Belmont Co.
Elizabeth Bandonee	Pultney Belmont Co.
Patricia M. Wallace	Pultney Twp. Belmont Co.
James R. Wallace	Pultney Twp. Belmont Co.
Robert Bandonee	Pultney Twp. Belmont Co.
Louis Mokros	Pultney Twp. Belmont Co.
Harry Wallace	Pultney Twp. Belmont Co.
Doris Mokros	Pultney Twp. Belmont Co.

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

IMP. No. 810

IN THE MATTER OF THE

Vacation of Part of an Alley in

Merritt's Row

Public Road.

Petitioned for by Charles H. Weekley

, and others.

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 October, 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, 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 an alley

in Merritt's Row a Public Road as described therein; therefore, be it

RESOLVED, That the 25th day of October, 1978, 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 1st day of November, 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. 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 2nd day of October, 1978.

Maru Kanaka

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER  
Gen'l. Code Sec. 6865  
IMP. No. 810

IN THE MATTER OF THE  
*Vacation of an Alley in*  
*Merritt's Row, Pultney Twp.*  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *Regular* session  
on the *25<sup>th</sup>* day of *October*, 19*78*, 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 *25<sup>th</sup>* day of *October*, 19*78*, 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 *1<sup>st</sup>* day of *November*, 19*78*, 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 *25<sup>th</sup>* day of *October*, 19*78*.

*Mary Kapalka*

REPORT OF COUNTY ENGINEER

IMP. No. 800

Rev. Code Sec. 5553.06

IN THE MATTER OF THE

Vacating a part of Alley in

Merritt's Row

Public Road.

County Engineer's Office,

Belmont County, Ohio

Nov. 1, 1978

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

The undersigned in obedience to your order dated October 25, 1978, proceeded on the 26th day of October, 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]

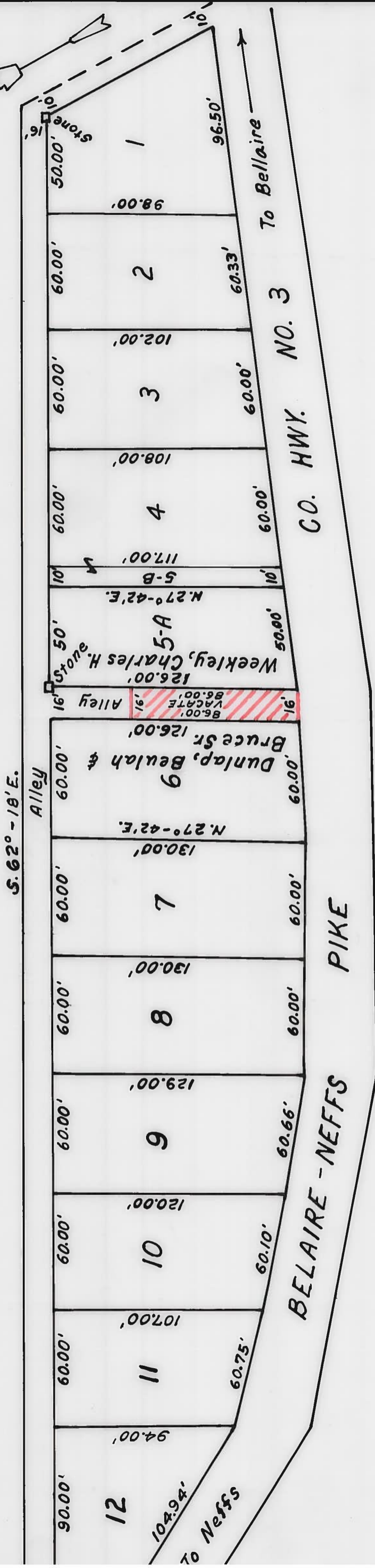
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See attached Plat"

[Redacted text]

Fred F. Bennett

**VACATE**

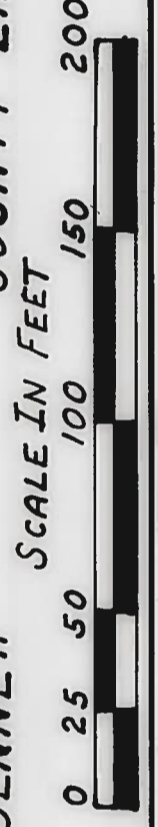


APPROVED BY  
 Engineer Fred F. Bennett  
 Comm. [Signature]  
 Comm. [Signature]  
 Comm. [Signature]  
 day of 27th 1978

**VACATION OF A PART OF AN ALLEY IN MERRITT OHIO, ALSO KNOWN AS MERRITT'S ROW**

IMR. No. 810  
 OHIO REVISED CODE SEC. 5553

PLAT BOOK 4 PG. 57 CABINET "B" PG. 325  
 (Petitioned by Charles H. Weekley et al)  
 PULTNEY TOWNSHIP SECTION 6, T.5, R.3  
 BELMONT COUNTY, OHIO  
 FRED F. BENNETT COUNTY ENGINEER





RESOLUTION—GRANTING PROPOSED IMPROVEMENT  
ORDERING RECORD, ETC.

IMP. No. 810

IN THE MATTER OF THE

Vacation of Part of Alley in  
Merritt's Row, Pultney Township  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session  
on the 1st day of November, 1978, at the office of the Commissioners  
with the following members present:

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

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.

[REDACTED]

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

[REDACTED]

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

[REDACTED]

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 1st day of November, 1978.

Mary Kapolka

RESOLUTION—ORDER TO Close ROAD  
Sec. 5563.01 R.C. (~~Close~~)  
IMP. No. 810

IN THE MATTER OF THE

Vacation of Part of Alley in  
Merritts Row, Pultney Township  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

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

in Regular session on the 15<sup>th</sup> day of November, 1978,  
(Regular ~~Close~~)

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

C. A. Linch

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  
November 1, 1978,  
as order heretofore, made on our journal of the date of

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

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

Mr. Linch Yes

Mr. Giffen Yes

Mr. \_\_\_\_\_

Adopted the 15<sup>th</sup> day of November, 1978

Mary Kapolka

Clerk, Board of County Commissioners.

Belmont County, Ohio