

IMP NO. 818

5-30-1.

Heer P'tg. Co., Col., O.

Form 8502

RESOLUTION

PUBLIC ROAD WITHOUT PETITION AND FIXING TIME OF VIEW AND FINAL HEARING

Gen'l Code, Secs. 6362-3.

IMP #818

Office of the Board of County Commissioners, Belmont County, Ohio.

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 16th day of April, 1979, at the office of the Commissioners with the following members present:

A. J. Sargus

C. A. Linch

R. E. Olexo

Mr. Olexo moved the adoption of the following Resolution:

WHEREAS, This Board of County Commissioners is of the opinion that it will be for the public convenience or welfare to widen County Highway #80 a part of a Public Road on the line hereinafter described, known as the Pogue Road; the same not being a road on the State Highway System.

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

Beginning for the widening of the West side of County Highway No. 80, known as Pogue Road, at its intersection with South right-of-way line of I-70; thence in a Southerly direction through the lands of Henry C. & Wilma Fox, for a distance of 1010 feet more or less; thence Southerly through land of R. & F. Coal Company for a distance of 97 feet more or less; thence Southerly through lands of R & F Coal Company for a distance of 213 feet more or less; thence Southerly through the lands of Seaway Coal Company, for a distance of 5242 feet more or less being end of project. Containing about 1.24 miles.

Richland Twp. Sections 32 & 33 T. 7, R. 4

IMP. NO. 818

.....; therefore, be it
RESOLVED, That the 30th day of April, 1979, at 1:30 o'clock
P.M., be fixed as the date when said Board 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 2nd day of May, 1979, at 11:00 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 s/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. Linch seconded the Resolution and the roll
being called upon its adoption the vote resulted as follows:

Mr. Sargus Yes
Mr. Linch Yes
Mr. Olexo Yes

Adopted the 16th day of April, 1979

Mary Kapelle
Clerk, Board of County Commissioners of
Belmont
County, Ohio.

- 1. "locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing the direction of."
- 2. "locate," "establish," "alter," "widen," "straighten," "vacate," or "change the direction of."
- 3. Insert "a part of," if so.
- 4. Strike out the word "not" if the proposed improvement is on the State Highway System, in which case the approval of the Director of Highways shall be had before proceeding further. See Sec. 6359 G. C.
- 5. Here set forth the general route and termini of the Road, or part thereof, to be located, established, or vacated, or the general manner in which such Road is to be altered, widened, straightened, or the direction thereof changed.

No. County, Ohio.

IN THE MATTER OF THE

Public Road.

RESOLUTION
PUBLIC ROAD
WITHOUT PETITION, AND FIXING
TIME OF VIEW AND FINAL HEARING

Adopted, 19

Journal No. Page

Heer Plg. Co., Cols., O.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER
Gen'l. Code, Sec. 6865
IMP. NO. 818

IN THE MATTER OF THE
Widening C. H. #80 Known as
Pogue Road
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 April, 1979, at the office of The Commissioners

with the following members present:

A. J. Sargus

G. A. Linch

R. E. Olexo

Mr. Olexo moved the adoption of the following Resolution:

WHEREAS, On the 30th day of April, 1979, 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 2nd day of May, 1979, 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. Olexo Yes

Adopted the 30th day of April, 1979

Mary Kapolka

REPORT OF COUNTY ENGINEER

IMP. NO. 818

Rev. Code, Sec. 5553.06

IN THE MATTER OF THE

In the matter of widening
C. H. #80 Known as Pogue Road
Public Road.

County Engineer's Office,

Belmont County, Ohio

May 2, 1979

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

The undersigned in obedience to your order dated April 30, 1979, proceeded on the 1st day of May, 1979, 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.

The width to which said improvement should be opened is sixty (60) feet - minimum

An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

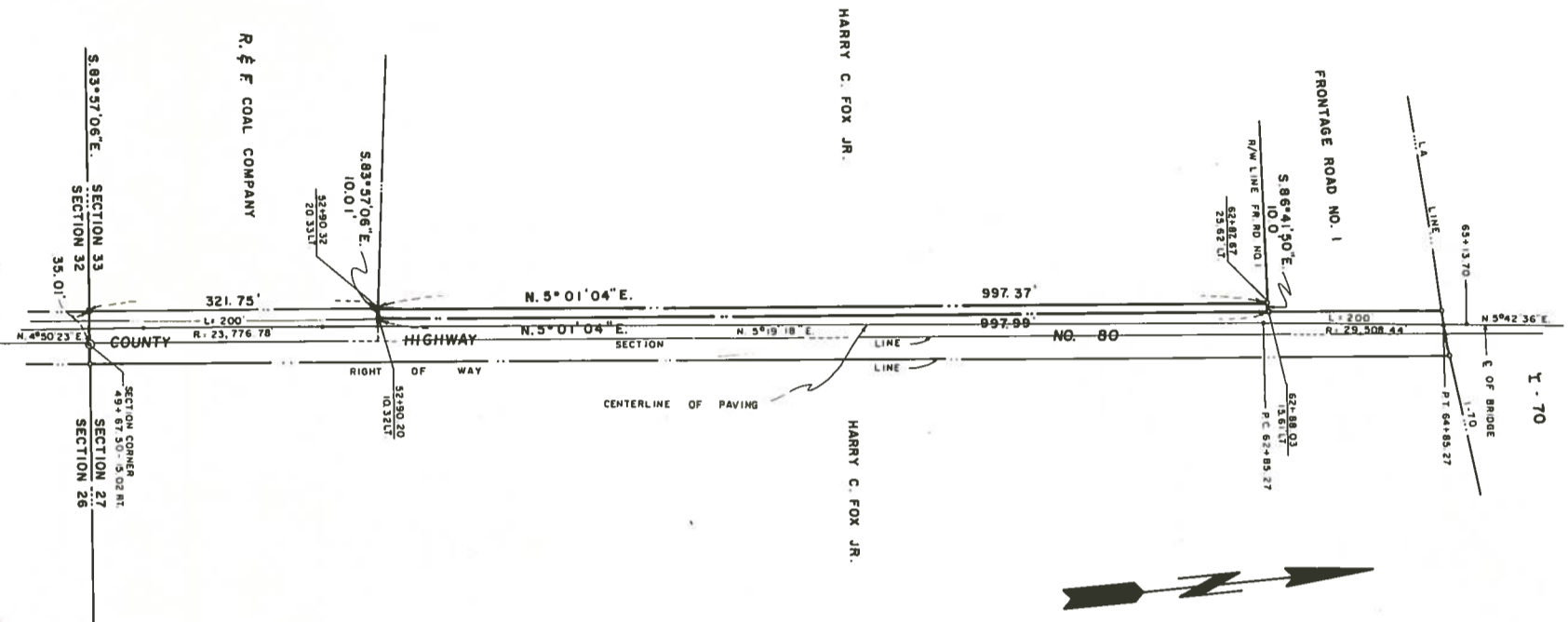
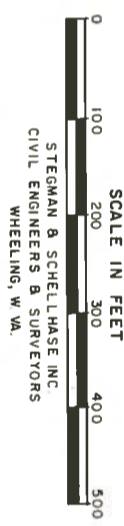
An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See attached plat"

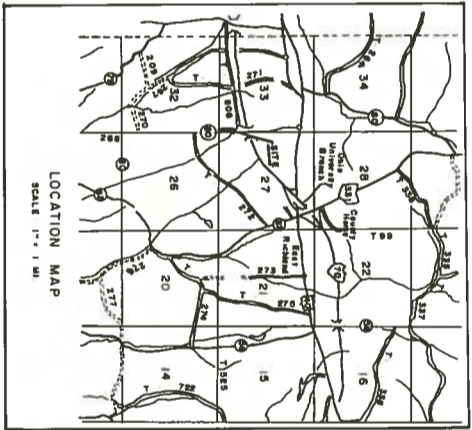
CABINET SLIDE

PLAT OF PART OF
 HENRY C. FOX, JR. PROPERTY
 TO BE DEDICATED TO PUBLIC USE

RICHLAND TOWNSHIP - BELMONT COUNTY, OHIO
 SECTION 33, T-7-N, R-4-W



TRANSFER INFORMATION
 Area in Road 0.229 Acres



STATEMENT:
 I, the undersigned, being the owner of the tract of land as represented by this plat do hereby consent to the execution and recording of same and do hereby dedicate said tract to public use.

Witness
 Owner
 Notary Public
 Henry C. Fox Jr.
 Wilma Fox

STATE OF OHIO
 COUNTY of Belmont ss:
 Be it remembered that on this 14th day of November, 1979, before me the undersigned, a notary public, personally came the owner who acknowledged that they did sign the foregoing plat and that the same is their free act and deed.
 In testimony whereof I have set my hand and notarial seal on the day and date above written.

My commission expires: _____
 Notary Public

COUNTY COMMISSIONERS

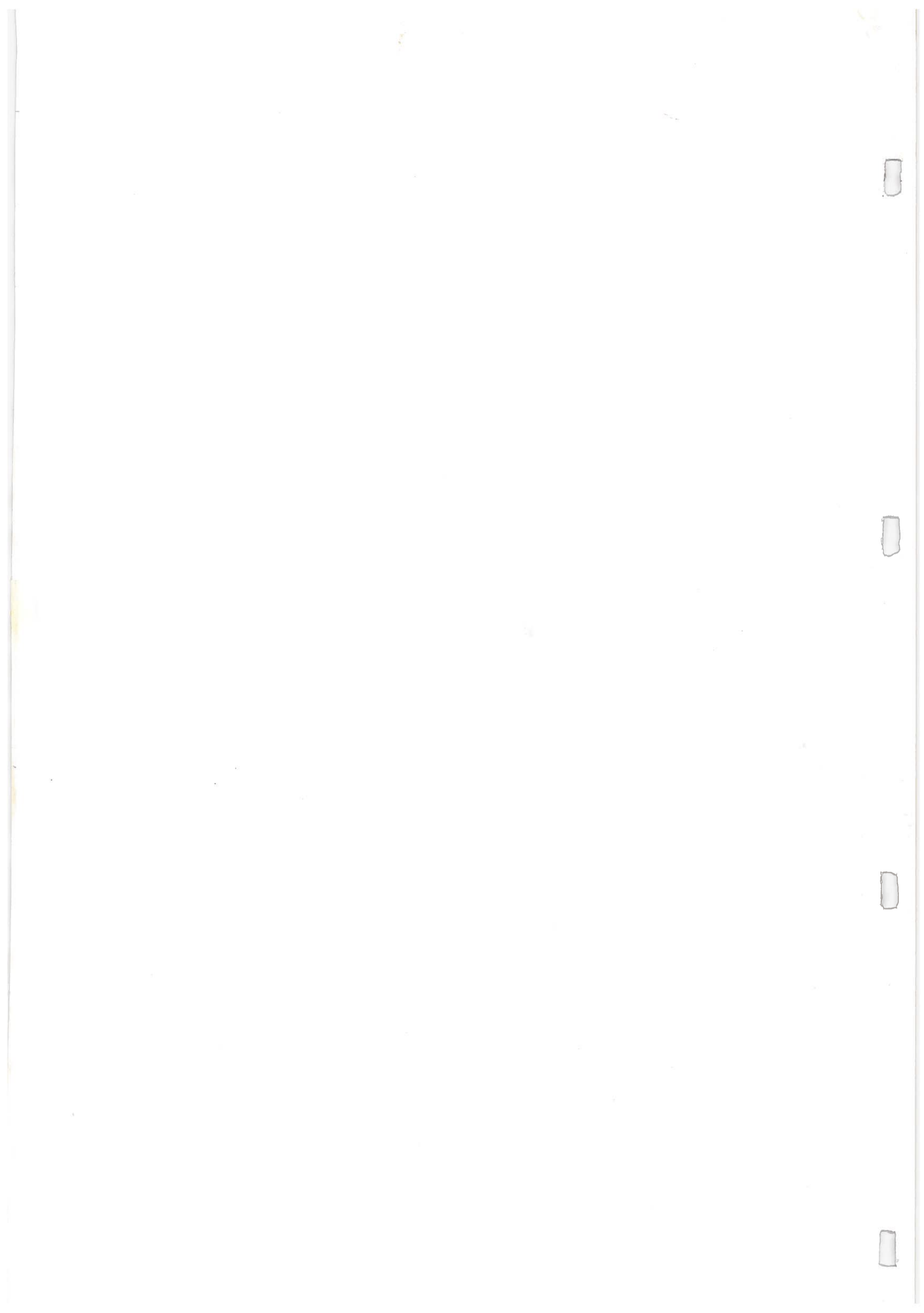
Approved for Record, subject to the rules and regulations governing the platting of subdivisions of lands.
 Belmont County
 Commissioners
 Date _____, 1979.

COUNTY ENGINEER
 Date _____, 1979.
 County Engineer

COUNTY RECORDER
 No. _____
 Recorded for Record Nov. 15, 1979 at 11:22 o'clock A. M.
 Recorded _____, 1979, in Belmont County Record of Plats
 Cabinet _____, Slide _____
 County Auditor

Transferred by Belmont County Auditor November 14th, 1979.
 Fee 0.354
 Auditor
 H. C. Hall

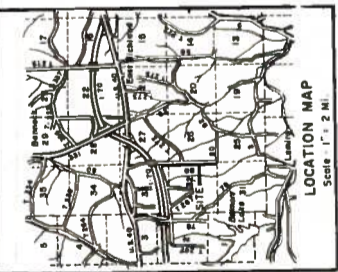
CERTIFICATE OF SURVEYOR
 I, hereby certify that this is a plat of a true and correct survey made by me on July 9, 1979.
 Registered Surveyor No. 5617



CABINET SLIDE

PLAT OF PART OF SEAWAY COAL COMPANY PROPERTY TO BE DEDICATED TO PUBLIC USE

RICHLAND TOWNSHIP - BELMONT COUNTY, OHIO
SECTIONS 32 & 33, T-7-N, R-4-W



STEGMAN & SCHELLHASE INC
CIVIL ENGINEERS & SURVEYORS
WHEELING, W.VA.

TRANSFER INFORMATION

Total Area in Road 2.937 Acres
Sec. 32 Seaway Coal Co. 0.598 Ac. out of 80.00 Ac.
Sec. 33 Seaway Coal Co. 2.339 Ac. out of 140.00 Ac.
Sec. 33 R.F. Coal Co. 0.025 Ac. out of 125.00 Ac.
Sec. 33 R.F. Coal Co. 0.048 Ac. out of 5.547 Ac.

STATEMENT:
Know all men by these presents that the Seaway Coal Company Inc., an Ohio Corporation by its legal agents the undersigned and property owners hereon do give, grant, bargain and forever dedicate said tract to public use.

Witness Edith Moore Owner
P. L. ... President
... Vice President

STATE OF OHIO, ss.
COUNTY of Belmont, ss.

Before me, a notary public in and for said county and state, personally appeared Edith Moore President and ... Vice President of Seaway Coal Company Inc., the corporation which dedicated said plat who acknowledge that the seal affixed to said plat is the corporate seal of said corporation, that they did sign and seal said plat as such President and Vice President in behalf of said Corporation, and that said plat is their free act and deed individually and as such President and Vice President and the free corporate act and deed of said Seaway Coal Company Inc.

In testimony whereof I have set my hand and notarial seal on this 15 day of Nov, 1979

Edith Moore
Notary Public

COUNTY COMMISSIONERS

Approved for Record, subject to the rules and regulations governing the platting of subdivisions of lands.
Belmont County Commissioners
Date 11/15, 1979.

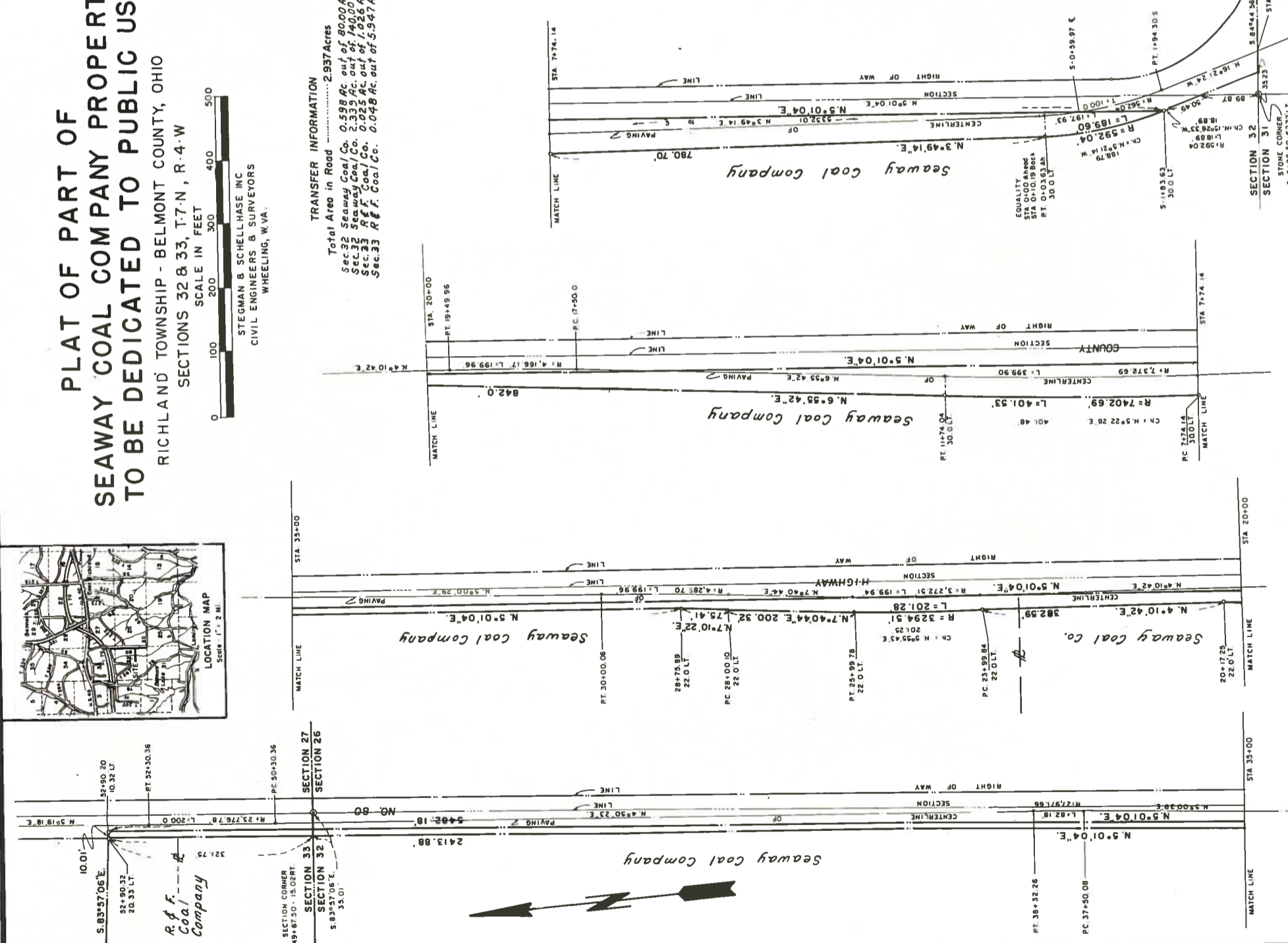
COUNTY ENGINEER
Date 11/15, 1979

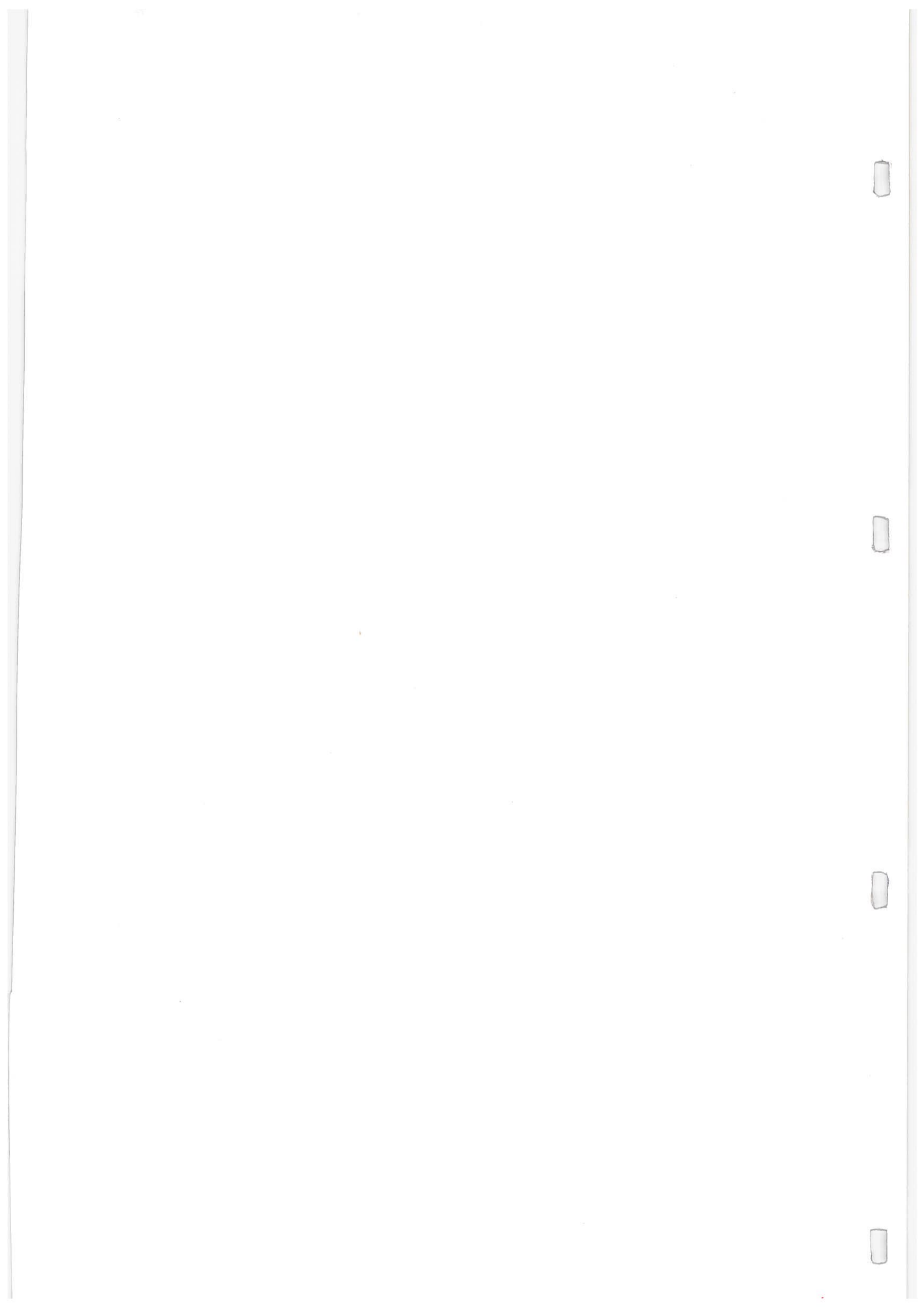
COUNTY RECORDER
No. 115
Received for Record Nov 15, 1979 at 11:22 o'clock A.M.
Recorded Nov 15, 1979, in Belmont County Record of Plats Cabinet Slide

COUNTY AUDITOR
Transferred by Belmont County Auditor ..., 1979
Fee \$1.40

CERTIFICATE OF SURVEYOR
I, hereby certify that this is a plat of a true and correct survey made by me on July 9, 1979

...
Registered Surveyor No. 5617





IMP. NO. 818

STEGMAN & SCHELLHASE, INC.

CIVIL & MINING ENGINEERS AND SURVEYORS

51 - 15TH STREET, P. O. BOX 187

WHEELING, WEST VIRGINIA 26003

October 29, 1979

(304) 232-8080

DESCRIPTION OF RIGHT OF WAY THROUGH CONSOLIDATION COAL COMPANY TRACT, PLUS SLOPE RIGHTS.

Situate in Sections 32 and 33, T7N, R4W, Richland Township, Belmont County, Ohio and being more particularly bounded and described as follows:

Beginning at a point in the present westerly right of way line for County Highway No. 80 at its intersection with southerly line of the 43 and 25/100 acre tract conveyed by Dora M. Grady to Henry C. and Wilma C. Fox by deed dated May 28, 1949 and recorded in the Recorder's Office of Belmont County, Ohio in Deed Volume 378, at page 375. Said point being located the following two (2) bearings and distances from the southeast corner of said Section 33: N. 05° 01' 04" E. 321 and 75/100 feet along the division line between said Section 33 and Section 27 to a point; thence N. 83° 57' 06" W. 25 and 01/100 feet to said beginning point; thence along said westerly right of way line, S. 05° 01' 04" W. (at 321 and 75/100 feet passing the division line between Sections 32 and 33) 5,482 and 17/100 feet to a point in the new westerly right of way line for said County Highway No. 80; thence with same the following nine (9) courses and distances: with a curve to the right having a radius of 592 and 04/100 feet for an arc distance of 189 and 6/10 feet, the chord bearing and distance for said arc being, N. 05° 21' 14" W. 188 and 79/100 feet to a point; thence N. 03° 49' 14" E. 780 and 7/10 feet to a point; thence with a curve to the right having a radius of 7,402 and 69/100 feet for an arc distance of 401 and 53/100 feet, the chord bearing and distance for said arc being N. 05° 22' 28" E. 401 and 48/100 feet to a point; thence N. 06° 55' 42" E. 842 feet to a point; thence N. 04° 10' 42" E. 382 and 59/100 feet to a point; thence with a curve to the right having a radius of 3,294 and 51/100 feet for an arc distance of 201 and 28/100 feet, the chord bearing and distance for said arc being, N. 05° 55' 43" E. 201 and 25/100 feet to a point; thence N. 07° 40' 44" E. 200 and 32/100 feet to a point; thence N. 07° 10' 22" E. 75 and 41/100 feet to a point; thence with a line parallel to and 35' westwardly at right angles from said section line N. 05° 01' 04" W. (at 2,092 and 13/100 feet passing the division line between Sections 32 and 33) 2,413 and 88/100 feet to a point; thence with said southerly line of the 43 and 25/100 acre tract S. 83° 57' 06" E. 10 and 1/100 feet to the place of beginning, containing Two and Nine Hundred, Thirty-Seven, One Thousandths (2 and 937/1000) acres, more or less as the same was surveyed by Stegman & Schellhase, Inc., Civil Engineers, and Surveyors!

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IMP. NO. 818

STEGMAN & SCHELLHASE, INC.

CIVIL & MINING ENGINEERS AND SURVEYORS
51 - 15TH STREET, P. O. BOX 187
WHEELING, WEST VIRGINIA 26003

October 29, 1979

(304) 232-8080

DESCRIPTION OF EXISTING AND PROPOSED RIGHT OF WAY FOR RELOCATED COUNTY HIGHWAY NO. 80, PLUS SLOPE RIGHTS.

The following described right of way situate in Sections 26, 27, 32 and 33, T7N, R4W, Richland Township, Belmont County, Ohio and being more particularly bounded and described as follows:

Beginning at a point in the division line between Section 27, T7N, R4W and Section 33, T7N, R4W, at its intersection with the southerly limited access line for Interstate Route No. 70 said beginning point being located N. 05° 01' 04" W. 1,518 and 79/100 feet along said division line; thence from said beginning point and with said southerly limited access line the following two (2) bearings and distances: N. 86° 25' 41" E. 8 and 04/100 feet to a point; thence N. 83° 05' 29" E. 17 and 43/100 feet to a point in said line at its intersection with easterly right of way line for said County Highway No. 80; thence with same the following two (2) courses and distances: S. 05° 01' 04" W. (at 1,524 and 4/10 feet passing through the division line between Sections 26 and 27) 6,607 and 76/100 feet to a point; thence with a curve to the left having a radius of 230 and 94/100 feet for an arc distance of 361 and 82/100 feet, the chord bearing and distance for said arc being S. 39° 51' 56" E. 325 and 93/100 feet to a point in the division line between Sections 25 and 26; thence with same, N. 84° 44' 56" W. 219 and 75/100 feet to a point in said line at its intersection with the westerly right of way line for said County Highway No. 80 said point being located S. 84° 44' 56" E. 35 and 23/100 feet from a stone at the southeast corner of said Section 26; thence with said westerly right of way line the following twelve (12) courses and distances: N. 16° 21' 24" W. 147 and 16/100 feet to a point; thence with a curve to the right having a radius of 592 and 04/100 feet for an arc distance of 208 and 49/100 feet, the chord bearing and distance for said arc being, N. 06° 16' 05" W. 207 and 41/100 feet to a point; thence N. 03° 49' 14" E. 780 and 7/10 feet to a point; thence with a curve to the right having a radius of 7,402 and 69/100 feet for an arc distance of 401 and 53/100 feet, the chord bearing and distance for said arc being N. 05° 22' 28" E. 401 and 48/100 feet to a point; thence N. 06° 55' 42" E. 842 feet to a point; thence N. 04° 10' 42" E. 382 and 59/100 feet to a point; thence with a curve to the right having a radius of 3,294 and 51/100 feet for an arc distance of 201 and 28/100 feet, the chord bearing and distance for said arc being, N. 05° 55' 43" E. 201 and 25/100 feet to a point; thence N. 07° 40' 44" E. 200 and 32/100 feet to a point; thence N. 07° 10' 22" E. 75 and 41/100 feet to a point; thence N. 05° 01' 04" E. (at 2,092 and 13/100 feet passing the division line between Sections 32 and 33) 3,411 and 25/100 feet to a point in said line at its intersection with the southerly right of way line for frontage road No. 1; thence S. 86° 41' 50" E. 10 feet to a point; thence N. 05° 01' 04" E. 194 and 46/100 feet to a point in said southerly limited access line: thence with same N. 86° 25'

To the Board

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IMP. NO. 818

STEGMAN & SCHELLHASE, INC.

CIVIL & MINING ENGINEERS AND SURVEYORS

51 - 15TH STREET, P. O. BOX 187

WHEELING, WEST VIRGINIA 26003

April 26, 1979

(304) 232-8080

DESCRIPTION OF RIGHT OF WAY FOR COUNTY HIGHWAY NO. 80, HENRY C. FOX PARCEL, PLUS SLOPE RIGHTS.

Being part of the southeast quarter of Section 33, T7N, R4W, Richland Township, Belmont County, Ohio and being more particularly bounded and described as follows:

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Beginning at a point in the present westerly right of way line for said County Highway No. 80, said point being located the following two (2) bearings and distances from the southeast corner of said Section 33: N. 83° 57' 06" W. 25 and 01/100 feet along the division line between said Section 33 and Section 32 to a point; thence N. 05° 01' 04.6" E. 321 and 75/100 feet to said beginning point; thence N. 83° 57' 06" W. 10 feet to a point in the new westerly right of way line for said County Highway No. 80; thence N. 05° 01' 04.6" E. 997 and 37/100 feet to a point in said line at its intersection with the southerly right of way line for frontage road No. 1; thence with same S. 86° 41' 50" E. 10 feet to a point in said present westerly line; thence S. 05° 01' 04.6" W. 997 and 99/100 feet to the place of beginning, containing, Two Hundred Twenty-Nine, One Thousandths (229/1000) acres, more or less.

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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
RESOLVED, That the County Engineer proceed to acquire the necessary right-of-way in accordance with Sections 163.01 to 163.32 inclusive, of the Revised Code.

Mr. seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:
Mr.
Mr.
Mr.
Adopted the day of, 19.....

RESOLUTION—ORDER TO _____ ROAD
Sec. 5563.01 R.C. (Open or Close)

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio

Public Road.

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

in _____ session on the _____ day of _____, 19____,
(Regular or Special)

at the office of _____ with the following members present:

Mr. _____ 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 _____

_____, as order heretofore, made on our journal of the date of _____, 19____,

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

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

resulted as follows:

Mr. _____,

Mr. _____,

Mr. _____,

Adopted the _____ day of _____, 19____

Clerk, Board of County Commissioners.

County, Ohio

RESOLUTION—GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.
IMP. NO. 818

IN THE MATTER OF THE
Widening of C. H. #80 Known
as Pogue Road
Public Road.

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 May, 1979, at the office of the commissioners
with the following members present:

A. J. Sargus
C. A. Linch
R. E. Olexo

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

[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 open a minimum 60 feet in width; and be it further

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered opened a minimum of 60 feet in width, [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; [REDACTED]

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

Mr. Sargus Yes
Mr. Linch Yes
Mr. Olexo Yes

Adopted the 2nd day of May, 1979

Mary Kapolka

RESOLUTION—ORDER TO ^{widen, Dedicate +Open} ROAD

Sec. 5563.01 R.C.

IMP. NO. 818

IN THE MATTER OF THE

Widening C. H. #80
Known as Pogue Road
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 November, 1979,

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

A. J. Sargus

C. A. Linch

R. E. Olexo

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 Widened

as order heretofore, made on our journal of the date of November 19, 1979,

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

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

resulted as follows:

Mr. Sargus, Yes

Mr. Linch, Yes

Mr. Olexo, Yes

Adopted the 19th day of November, 1979

Patricia Bittengle, Assistant
Clerk, Board of County Commissioners.

Belmont County, Ohio