

WITHOUT
PUBLIC ROAD PETITION

IMP. No. 845

BELMONT COUNTY, Ohio, MARCH 11, 1981

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 & DEDICATION of SEWELLSVILLE-PIEDMONT T-803 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for VACATION & DEDICATION 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 FOR VACATION AT INTERSECTION OF SAID SEWELLSVILLE-PIEDMONT T-803 IN KIRKWOOD TWP. SECTION 29, 30, & 24 T-9, R-6W AND STATE ROUTE 800, THENCE IN A NORTHEAST DIRECTION FOR APPROXIMATELY 1.54 MI TO END OF VACATION.

TO BEGIN FOR A DEDICATION OF T-803 KNOWN AS SEWELLSVILLE PIEDMONT ROAD AT ITS INTERSECTION WITH STATE ROUTE 800. THENCE IN A NORTHEAST DIRECTION FOR APPROXIMATELY 1.54 MI TO EXTEND INTO EXISTING PART OF T-803 THAT WAS NOT VACATED

Dated this 11TH day of MARCH, A. D. 1981

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

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

WITHOUT PETITION IMP. No 845

IN THE MATTER OF THE

VACATION & DEDICATION OF SEWELLSVILLE

PIEDMONT T-803 IN KIRKWOOD TWP. SEC.

29, 30, & 24 T-9, R-6W Public Road.

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 MARCH, 1981, at the office of THE COMMISSIONERS

with the following members present:

R. E. OLEXO

C. A. LINCH

Mr. LINCH moved the adoption of the following Resolution:

WITHOUT

WHEREAS, Petition

Board of County Commissioners to VACATE & DEDICATE

SEWELLSVILLE - PIEDMONT T-803 a Public Road as described therein; therefore, be it

RESOLVED, That the 1ST day of APRIL, 1981, at 2 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 8TH day of APRIL, 1981, at 10 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. OLEXO seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. [blank] YES

Mr. OLEXO YES

Mr. LINCH YES

Adopted the 11TH day of MARCH, 1981

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IMP. NO. 845

IN THE MATTER OF THE
VACATION & DEDICATION OF
T-803 KIRKWOOD 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 APRIL, 1981, at the office of THE COMMISSIONERS

with the following members present:

A. J. SARGUS

R. E. OLEXO

C. A. LINCH

Mr. LINCH moved the adoption of the following Resolution:

WHEREAS, On the 1ST day of APRIL, 1981, 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 8TH
day of APRIL, 1981, 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. OLEXO seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. SARGUS YES

Mr. OLEXO YES

Mr. LINCH YES

Adopted the 1ST day of APRIL, 1981

MARY KAPOLKA

304

REPORT OF COUNTY ENGINEER

IMP. No. 845

IN THE MATTER OF THE
VACATION & DEDICATION OF
T-803, KIRKWOOD TOWNSHIP
Public Road.

County Engineer's Office,
Belmont County, Ohio

AUGUST 8, 19 81

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

The undersigned in obedience to your order dated APRIL 1, 19 81, proceeded on the 2ND day of APRIL, 19 81, 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.

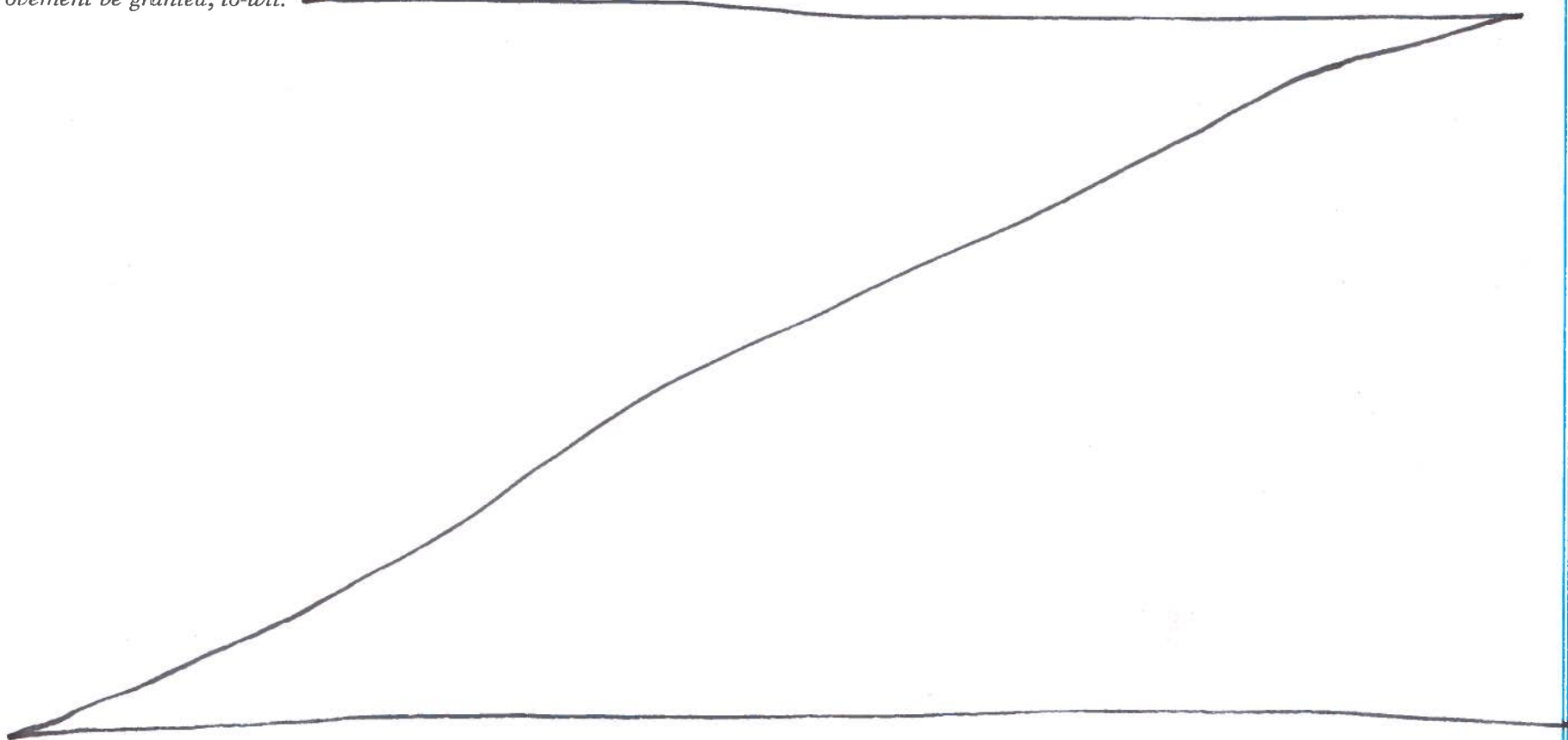
The width to which said improvement should be opened is FIFTY (50) feet.

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 PLATS

The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:



Jul 17 1981

DEDICATION OF

KIRKWOOD TOWNSHIP ROAD N^o. 803

50' R/W

KIRKWOOD TOWNSHIP

SECT. 29, 30, 24

T, 9 R, 6W

BELMONT COUNTY, OHIO

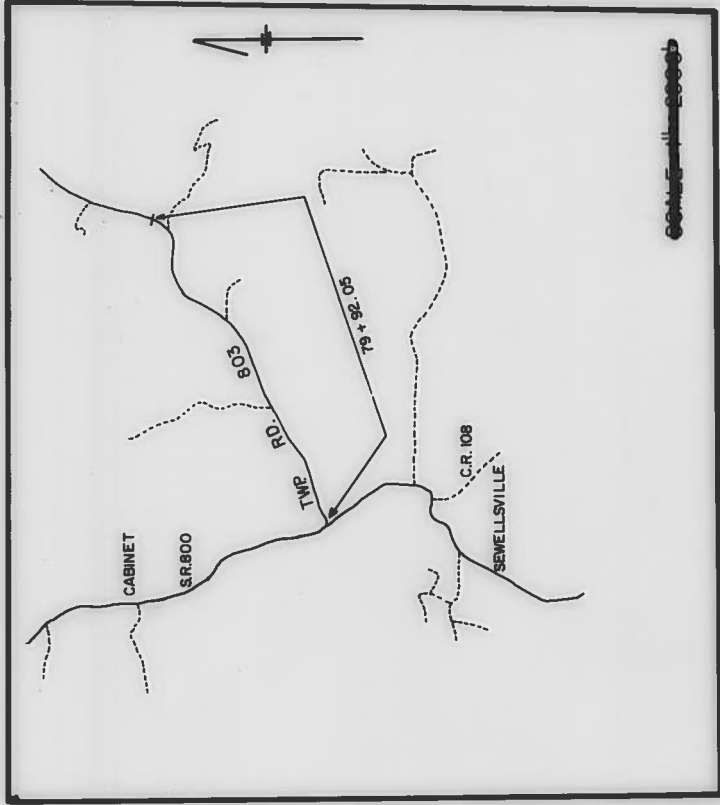
FRED BENNETT, COUNTY ENGINEER

1.51 MILES

APPROVED BY

COUNTY ENGINEER. Fred F. Bennett
COUNTY COMMISSIONER. A. J. Sauer
COUNTY COMMISSIONER. C. O. Lind
COUNTY COMMISSIONER. W. E. Olesky

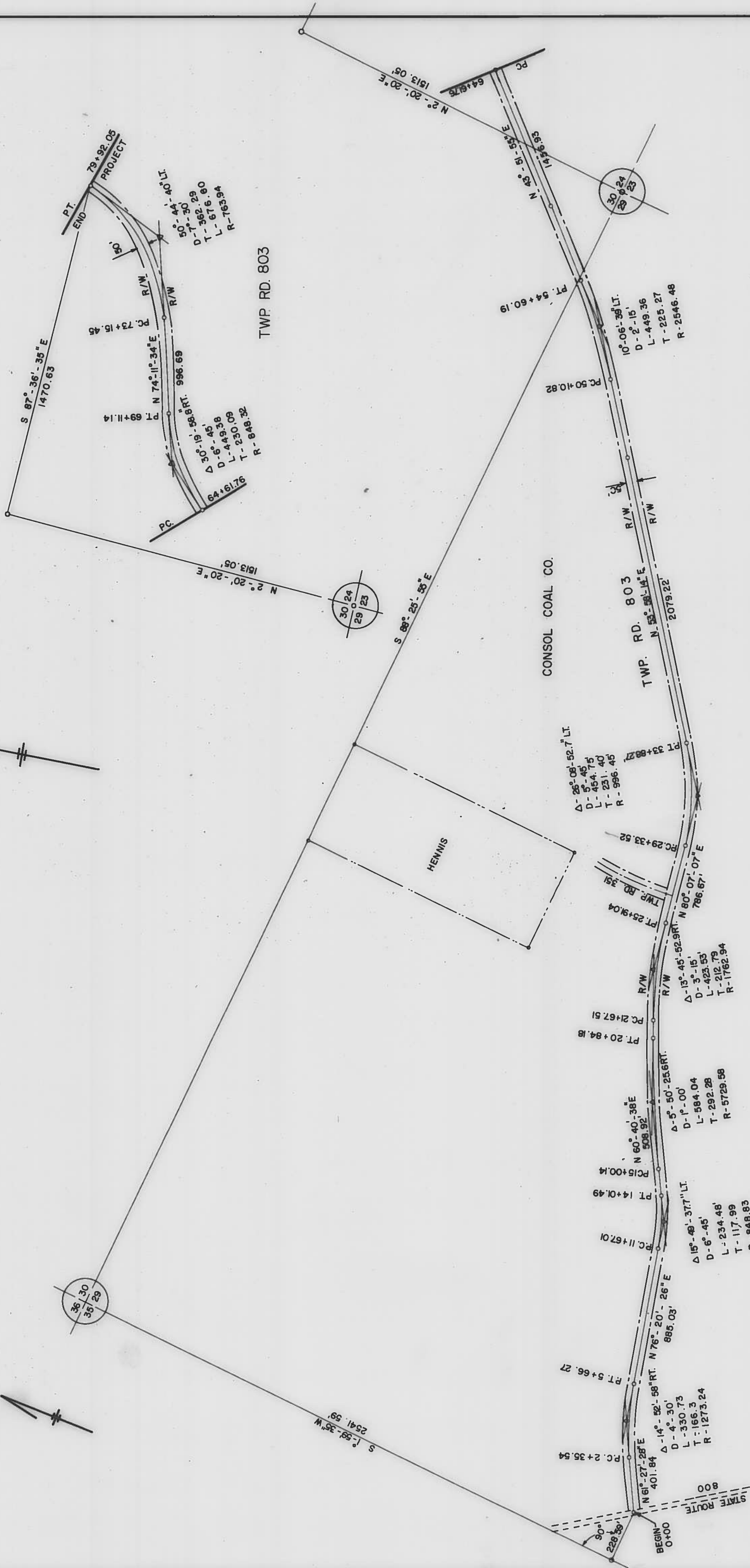
THIS 8TH DAY OF APRIL 1981.



KNOW ALL MEN BY THESE PRESENTS THAT CONSOLIDATION COAL COMPANY AND OTHERS BY THEIR LEGAL AGENTS THE UNDERSIGNED AND PROPERTY OWNERS HEREOF DO GIVE; GRANT; BARGAIN AND FOREVER DEDICATE TO THE BELMONT COUNTY COMMISSIONERS AND THEIR SUCCESSORS IN OFFICE, THE HEREIN PLATTED TRACT OF LAND FOR ROAD PURPOSES ONLY. SECT. 5553.31 OF REVISED CODE.

WITNESSES: [Signature] SIGNERS: Cecil M. DeLorna V.P. [Signature] [Signature] Asst. Sec.

STATE OF OHIO: COUNTY OF BELMONT: BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED C. M. DeLorna AND J. V. Head OF CONSOLIDATION COAL COMPANY THE CORPORATION WHICH DEDICATED SAID ROAD 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 [Signature] IN BEHALF OF SAID CORPORATION, AND THAT SAID PLAT IS THEIR FREE ACT AND DEED INDIVIDUALLY AND AS SUCH V.P. AND Asst. Sec. AND THE FREE AND CORPORATE ACT AND DEED OF SAID CONSOLIDATION COAL COMPANY. IN TESTIMONY WHEREOF I HAVE HERE UNTO SET MY HAND AND OFFICIAL SEAL THIS 9TH DAY OF April 1981.
[Signature]
NOTARY PUBLIC.



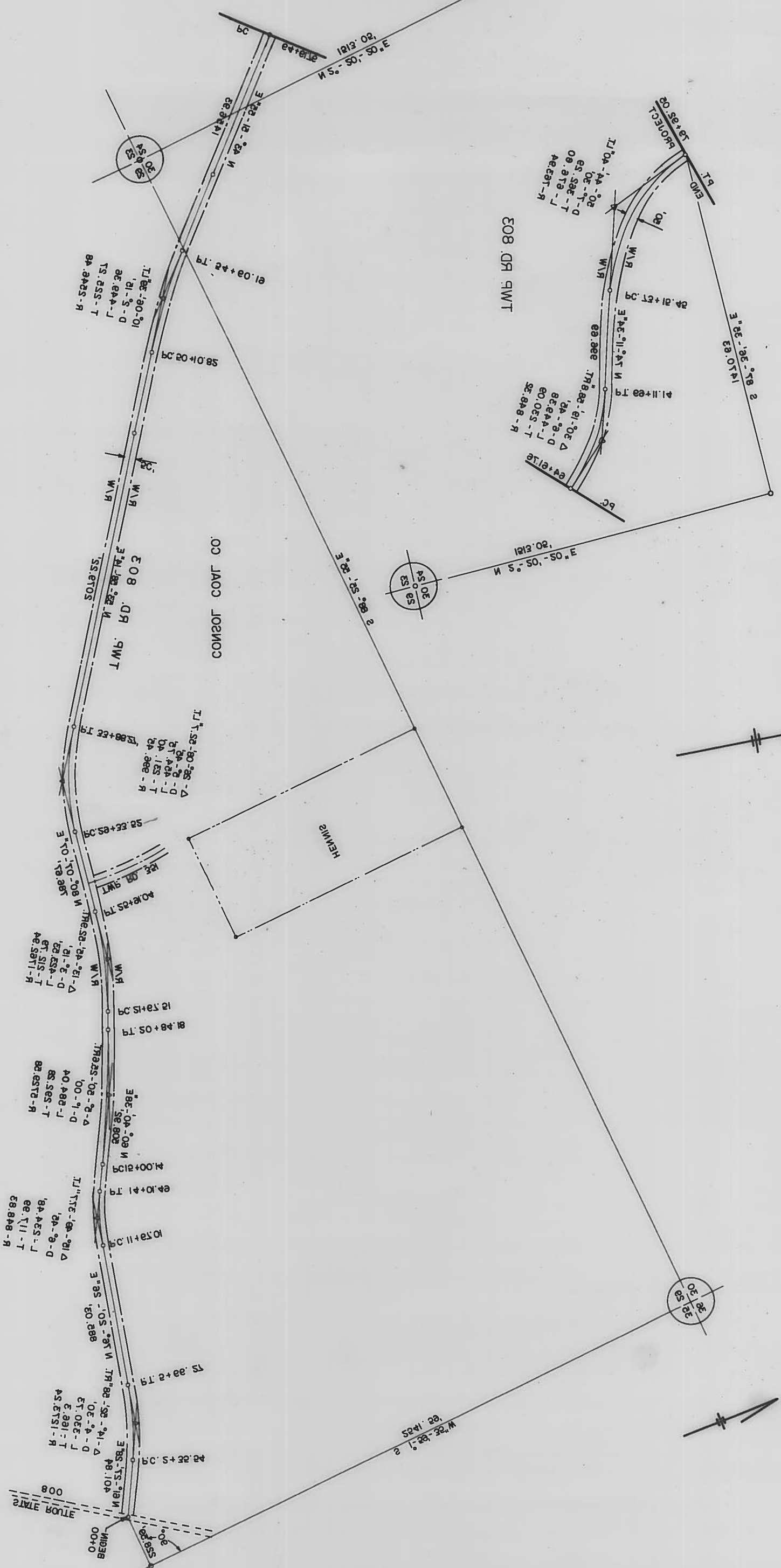
DEDICATION OF
 KIRKWOOD TWP. SEC. 29, 30, 24, T9, R6W — TWP. RD. 803
 SCALE: 1" = 200'

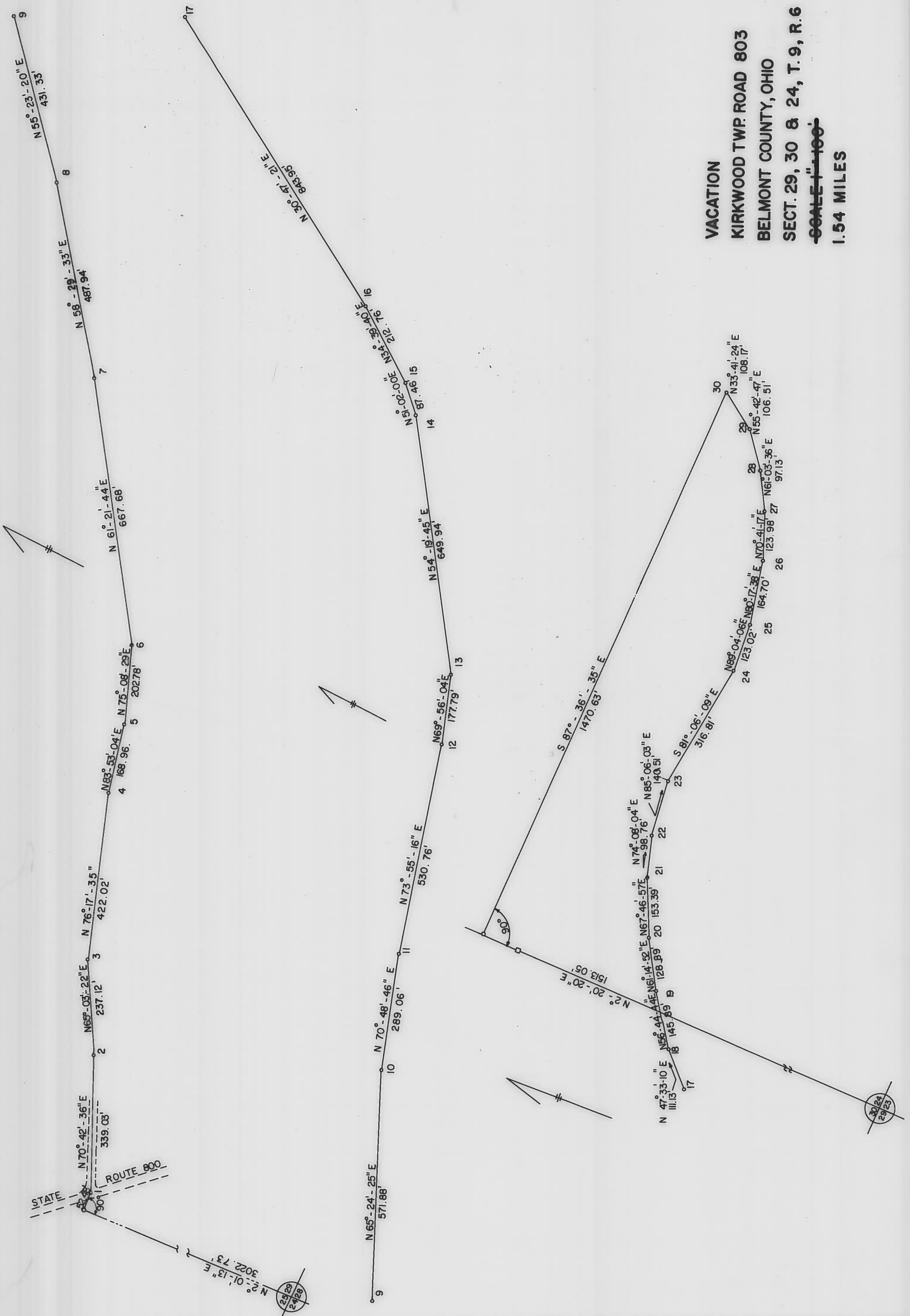
CONFIDENTIAL
KIRKWOOD TWP SEC 25.05, 26.05, 27.05
E08 RD QWT - W&A, ET, AS, OS, ES, 803

DEDICATION OF

CONSOG COVLT CO

CONSOG COVLT CO





VACATION
KIRKWOOD TWP. ROAD 803
BELMONT COUNTY, OHIO
SECT. 29, 30 & 24, T. 9, R. 6
~~SCALE 1"=100'~~
1.54 MILES

STATE
 ROUTE 800

N 2°-01'-13" E
 3022.73'
 24/28
 23/29

N 47°-33'-10" E 111.13'
 N 55°-44'-14" E 145.59'
 N 61°-14'-52" E 128.89'
 N 67°-46'-57" E 98.76'
 N 74°-09'-04" E 140.51'
 N 85°-06'-03" E 140.51'
 S 87°-36'-35" E 1470.63'
 S 81°-06'-09" E 316.81'
 N 89°-04'-06" E 123.02'
 N 80°-17'-38" E 164.70'
 N 70°-41'-17" E 123.98'
 N 61°-03'-36" E 97.13'
 N 55°-42'-47" E 106.51'
 N 33°-41'-24" E 108.17'

30/24
 29/23

2311MIGES
~~0011-31400~~
 208 DAOR PWT BOZ
 BEГHONЛ COHИЛГ ОННО
 KИPКMOOD PWT BOZ
 HOITACAY



RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IMP. No 845

IN THE MATTER OF THE

Office of County Commissioners,

VACATION & DEDICATION OF T-803, KIRKWOOD TOWNSHIP Public Road.

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session on the 8TH day of APRIL, 1981, at the office of THE COMMISSIONERS with the following members present:

A. J. SARGUS

R. E. OLEXO

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; 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. On failure of such benefited landowners to pay such compensation and damages as may be adjudged against them by the day of , 19 it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; 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 the balance, if any, be paid out of the County Treasury, it being the opinion of this Board of County Commissioners that the improvement is not of sufficient importance to cause all compensation and damages to be paid from the County Treasury. On failure of such benefited landowners to pay such compensation and damages as may be adjudged against them by the day of , 19 it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule setting forth the names of such benefited landowners, a pertinent description of such land and a statement of the amount of such compensation and damages to be paid by the owner, or owners, of each parcel of such land; 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 & DEDICATED 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 feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal;

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

Mr. SARGUS YES

Mr. OLEXO YES

Mr. LINCH YES

Adopted the 8TH day of APRIL, 1981.

MARY KAPOLKA

Clerk, Board of County Commissioners

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