

PUBLIC ROAD PETITION

IMP. #857  
JANUARY 6 1982

ST. CLAIRSVILLE

, Ohio,

, 19

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 FIVE STAR DRIVE 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

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

Beginning on the northeasterly side of County Road 28-A commonly known and referred to as Mall Road, and then following a north northeasterly course along the east side of Five Star Subdivision as the same is platted and of record in Cabinet D, Slide 275, of the Plat Records of Belmont County, Ohio, and terminating at a forty foot (40') cul de sac, being all of FIVE STAR DRIVE which is sought to be vacated.

For specific bearings and distances, consultation should be made of Cabinet D, Slide 275 of the Belmont County Plat Records and Sheet 68 of the Richland Township Lots Maps of the Belmont County Engineer.

Dated this 6TH day of JANUARY, A. D. 1982

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

The undersigned petitioners request the vacation as described above.

PETITIONERS NAME	TAXING DISTRICT
1. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
2. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
3. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
4. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
5. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
6. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
7. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
8. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
9. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>
10. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>

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IMP. #857

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

IN THE MATTER OF THE  
VACATION OF FIVE STAR DRIVE  
Public Road.  
Petitioned for by JOHN J MALIK JR.  
....., and others.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session  
on the 6<sup>TH</sup> day of DAY, 1982, 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, 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 FIVE STAR DRIVE  
..... a Public Road as described therein; therefore, be it

RESOLVED, That the 27<sup>TH</sup> day of JANUARY, 1982, 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 1<sup>ST</sup> day of FEBRUARY, 1982, 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. 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 6<sup>TH</sup> day of JANUARY, 1982

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IMP. # 857

IN THE MATTER OF THE  
VACATION OF FIVE STAR DRIVE  
Public Road.

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session  
on the 27TH day of JANUARY, 1982, at the office of THE COMMISSIONERS  
with the following members present:

- A. J. SARGUS
- R. E. OLEXO
- C. A. LINCH

Mr. OLEXO moved the adoption of the following Resolution:

WHEREAS, On the 27TH day of JANUARY, 1982 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 1ST day of FEBRUARY, 1982, 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. OLEXO YES
- Mr. LINCH YES

Adopted the JANUARY 27TH day of 1982

MARY KAPOLKA

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IMP. # 857

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATION OF FIVE STAR DRIVE

Public Road.

County Engineer's Office,

Belmont County, Ohio

FEBRUARY 1, 1982

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

The undersigned in obedience to your order dated JANUARY 27TH, 1982, proceeded on the 28TH day of JANUARY, 1982, 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]

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

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:

F.F.B. Fred F. Bennett

**VACATION OF FIVE STAR DRIVE**

ON THE NORTHEASTERLY SIDE

OF ROAD 28-A COMMONLY KNOWN

AS MALL ROAD, AND

SHOWING A NORTH NORTH-

EAST COURSE ALONG THE EAST

SIDE OF FIVE STAR DRIVE AS

IS PLATTED AND OF RECORD

IN T. D. SLIDE 275, OF THE PLAT

OF BELMONT COUNTY, OHIO, AND

SHOWING AT A FORTY FOOT (40') CUL-DE-SAC,

THE EAST END OF FIVE STAR DRIVE WHICH IS SOUGHT

TO BE

RE-

PLAC-

SEC. 28 T. 6 R. 3

SEC. 34 T. 6 R. 3

FOR SPECIFIC BEARINGS AND DISTANCES, CONSULTATION

WAS MADE OF CABINET D, SLIDE 275 OF THE

PLAT RECORDS AND SHEET 68

OF RICHLAND TOWNSHIP LOTS MAPS OF THE

PLAT RECORDS.

N 87° 11' 40" W

STEWART DRIVE



CURVE 1  
 $\Delta$  35° 37' 07"  
 Dc 46.015  
 L 77.41  
 R 124.52  
 T 40.0

N 2° 34' E 215.0'

FIVE STAR DRIVE

N 2° 34' E 215.0'

S 38° 11' 07" W 154.09'

N 50° 04' 26" E 175.0'

0.533 Ac. IN SEC. 28

N 0° 46' W 1269.08'

**LOT 1**

1.425 Ac. Total

0.892 Ac. IN SEC. 34

C.R. 284 MALL

S 39° 55' 34" E 71.63'

R/W

S 10° 33' 05" E 275.0'

IMP. NO. 857

VACATION OF FIVE STAR DRIVE

RICHLAND TWP SEC. 28 & 34 T. 6 R. 3

BELMONT COUNTY, OHIO

FRED F. BENNETT

COUNTY ENGINEER

APPROVED BY

\_\_\_\_\_  
 M. *Fred F. Bennett*  
 M. *Fred F. Bennett*  
 M. *Fred F. Bennett*  
 day FEBRUARY 1981

SCALE





RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IMP. #857

IN THE MATTER OF THE VACATION OF FIVE STAR DRIVE RICHLAND 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 1ST day of FEBRUARY, 1982, 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 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 [REDACTED]

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]

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

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is hereby [REDACTED] feet in width, with the following modifications and changes in the route and [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. OLEXO YES
Mr. LINCH YES

Adopted the 1ST day of FEBRUARY, 1982

MARY KAPOLKA

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

IMP. 857

IN THE MATTER OF THE

VACATION OF FIVE STAR DRIVE  
RICHLAND 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 17<sup>TH</sup> day of FEBRUARY, 1982,  
(Regular or Special)

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, 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 FEBRUARY 1, 1982,

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. OLEXO, YES

Mr. LINCH, YES

Adopted the 17<sup>TH</sup> day of FEBRUARY, 1982

MARY KAPOLKA  
Clerk, Board of County Commissioners.

BELMONT County, Ohio