

PUBLIC ROAD PETITION

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 STEWART DRIVE a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for 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

Beginning at a point on Stewart Drive which lies on the west side of Lot No. Six (6) in the Plat of Grandview Heights, said beginning point being Forty Feet (40') south of the northwest corner of said Lot No. Six (6) and situated on the line between the west side of Lot No. Six (6) and the East side of Stewart Drive.

Thence from this point of beginning an approximately southerly course along the west side of Lots Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) in the said Plat of Grandview Heights, also being the East side of Stewart Drive;

Thence from this point, and with the line of the south side of Lot No. Ten (10), an approximately westerly course Forty Feet (40') to the west side of Stewart Drive;

Thence in an approximately northerly course along the west side of Stewart Drive to a point which lies Forty Feet (40') south of the intersection of the North side of Lot No. Six (6), if extended west, and the west side of Stewart Drive;

Thence in an approximately easterly course forty feet (40') to the place of beginning. .423 Ac.

Dated this _____ day of _____, A. D. 19____

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
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>
11. <u>[Signature]</u>	<u>St. Clairsville - Richland</u>

LAW OFFICES
MALIK, MALIK,
KNAPP & KIGERL
1331 BELMONT STREET
BELLAIRE, OHIO

350
IMP. 858

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 STEWART DRIVE
RICHLAND TWP.
Public Road.
Petitioned for by JACK KIGERL
....., and others.

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 17TH day of FEBRUARY, 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 STEWART DRIVE
..... a Public Road as described therein; therefore, be it

RESOLVED, That the 15TH day of MARCH, 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 17TH day of MARCH, 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 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. SARGUS YES
- Mr. OLEXO YES
- Mr. LINCH YES

Adopted the 17TH day of FEBRUARY, 1982

MANU KADAVIA

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
VACATION OF STEWART 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 15TH day of MARCH, 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, On the 15TH day of MARCH, 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 17TH day of MARCH, 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. 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 15TH day of MARCH, 1982.

MARY KAPOLKA CLERK

K352
IMP. 85B

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATION OF STEWART DRIVE

RICHLAND TWP.

Public Road.

County Engineer's Office,

Belmont County, Ohio

MARCH 17, 1982

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

The undersigned in obedience to your order dated MARCH 15, 1982, proceeded on the 16TH day of MARCH, 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.

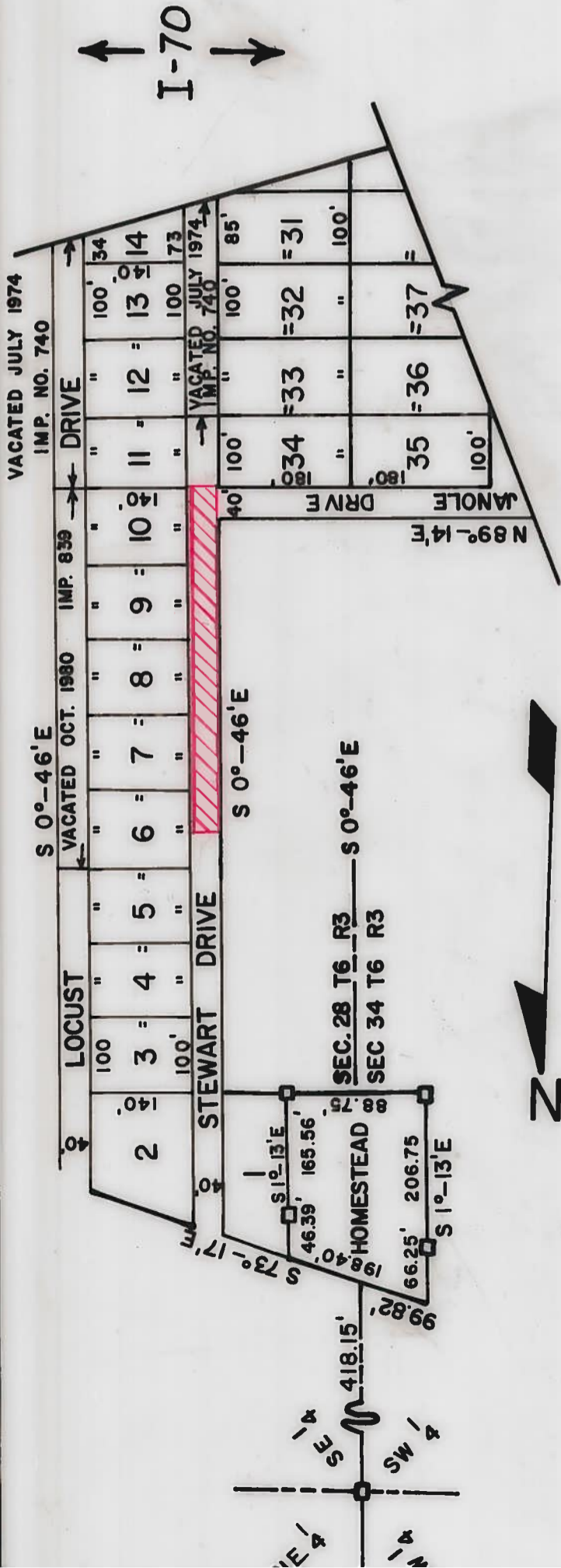
~~The proposed improvement should be granted.~~
~~The undersigned has made an accurate and detailed description of each lot of land which the said proposed improvement is to be made on, and has also made an accurate and detailed description of the proposed improvement to be made on each lot of land, accompanying this report and plat.~~

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. B... #



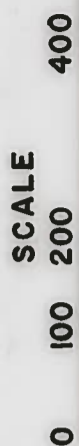
TOWNSHIP OF RICHLAND, COUNTY OF BELMONT AND STATE OF OHIO, BEING A VACATION OF STEWART DRIVE IN GRANDVIEW HEIGHTS, A COPY OF SAID PLAT IS RECORDED AT "C" SLIDE 42 OF THE BELMONT COUNTY PLAT RECORDS.

FOR THE SAME AT A POINT ON THE NORTHEAST CORNER OF LOT 34 IN SAID PLAT, THENCE FROM THIS PLACE OF BEGINNING N 0° 46' W 460.00' FEET TO A POINT ON THE WEST LINE OF STEWART DRIVE (CROSSING JANOLE DRIVE AT PLUS 460.00 FEET) THENCE NORTH 89° 14' EAST 40.00' FEET TO A POINT ON THE EAST LINE OF SAID STEWART DRIVE; THENCE THEREWITH SOUTH 0° 46' EAST 460.00 FEET TO A POINT ON THE SOUTHWEST CORNER OF LOT 10 IN SAID SUBDIVISION; THENCE SOUTH 89° 14' WEST 40.00 FT. TO THE PLACE OF BEGINNING CONTAINING 0.422 ACRES MORE OR LESS

PETITION NO. 858
 (VACATED IN ACCORDANCE WITH OHIO REVISED CODE SECTION 5553.042)
**VACATION OF A PART OF STEWART DRIVE
 GRANDVIEW HEIGHTS SUBDIVISION**

AS RECORDED IN BELMONT COUNTY RECORD OF PLATS CAB. C SLIDE 42
 PETITIONED BY JACK KIGERL
 RICHLAND TWP. SEC. 28, T6, R3
 BELMONT COUNTY

COUNTY ENGINEER



APPROVED BY _____
 COUNTY ENGINEER
 M. _____
 M. _____
 M. _____
 day MARCH 1981

FRED F. BENNETT

1861 H 28 AM ydb
 APPROVED BY
 [Signature]

COUNTY ENGINEER

TRIED F. BEHNETT

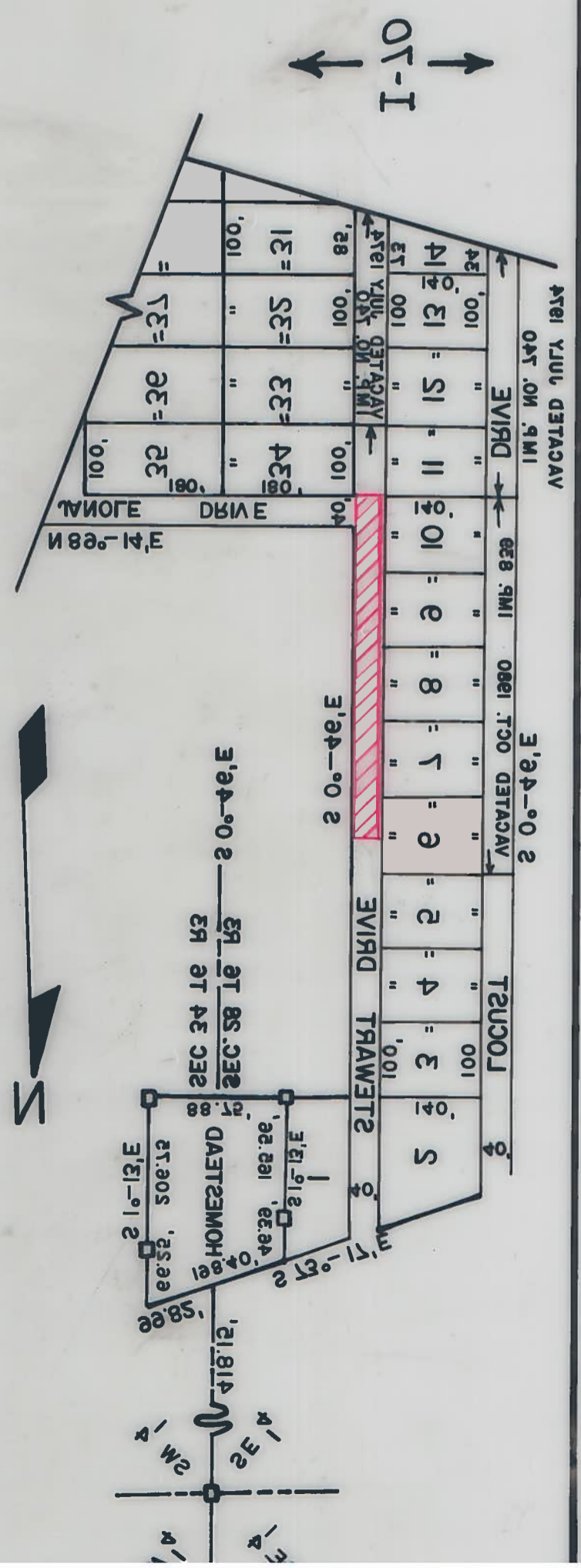


RECORDED IN BEGMONT COUNTY RECORD OF PLATS CAB C SLIDE 45
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**CREATION OF A PART OF STEWART DRIVE
 AND VIEW HEIGHTS SUBDIVISION**

BEING MORE OR LESS ACRES MORE OR LESS
 SOUTH 88° 14' WEST 40.00 FEET TO THE PLACE OF BEGINNING
 A POINT ON THE SOUTHWEST CORNER OF LOT 70 IN SAID SUBDIVISION
 SAID STEWART DRIVE; THENCE THEREWITH SOUTH 0° 48' EAST
 100.00 FEET TO A POINT ON THE EAST LINE OF SAID STEWART DRIVE
 (CROSSING LANGLE DRIVE) THENCE WEST 88° 14' EAST 40.00 FEET
 TO A POINT ON THE WEST LINE OF STEWART DRIVE (CROSSING
 LANGLE DRIVE) THENCE FROM THIS PLACE OF BEGINNING IN
 0° 48' WEST 100.00 FEET TO THE NORTHWEST CORNER OF
 LOT 34 IN SAID SUBDIVISION

A COPY OF SAID PLAT IS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF BEGMONT, OHIO, BEING A
 COPY OF SAID PLAT IS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF BEGMONT, OHIO, BEING A



BEGMONT COUNTY ENGINEER
 TRIED F. BEHNETT
 COUNTY ENGINEER
 BEGMONT COUNTY ENGINEER
 TRIED F. BEHNETT
 COUNTY ENGINEER

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE VACATION OF STEWART 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 17TH day of MARCH, 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, 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

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. 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 17TH day of MARCH, 1982.

MARY KAPOLKA

P. 357
IMP. 858

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

IN THE MATTER OF THE

VACATION OF STEWART 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 31ST day of MARCH, 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 MARCH 17, 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 31ST day of MARCH, 1982

MARY KAPOLKA
Clerk, Board of County Commissioners.

BELMONT County, Ohio