

PUBLIC ROAD PETITION

ST. CLAIRSVILLE

Ohio,

JULY 5

1984

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 DEDICATION & VACATION of COUNTY HIGHWAY No 80 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for DEDICATION & 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

Beginning at a point in the centerline of existing County Road No. 80 at Sta. 6+00, said point bears N. 80° 25' 23" East, 3276.08 feet from the southwest corner of Sec. 34, Township 7, Range 4, of Richland Township (the bearing of the south line of Section 34, being N. 89° 30' East) thence from said point of beginning (Sta. 6+00) N. 2° 20' 35" West, 26.36 feet to the P.C. of a curve (Sta. 6+26.36). Thence along a curve to the right having a radius of 333.51 feet, degree of curve 17° 10' 47", a central angle of 48° 26' a length of 281.92 feet, a tangent of 150.00 feet, and a chord which bears N. 21° 52' 25" East, 273.60 feet to the P.T. of said curve (Sta. 9+08.28). Thence N. 46° 05' 25" East, 1091.72 feet to the P.C. of a curve (Sta. 20+00). Thence along a curve to the left having a radius of 527.93 feet, degree of curve of 10° 51' 10", a central angle of 50° 40' 45", a length of 466.97 feet, a tangent of 250.00 feet, and a chord which bears N. 20° 45' 03" East, 451.89 feet to the P.T. of said curve (Sta. 24+66.97). Thence N. 4° 35' 20" West, 383.03 feet to a point in the center of existing County Road No. 80 at Sta. 28+50, said point being the terminus of said alteration.

Upon completion of the above describe alteration and acceptance by the Belmont County Engineer the following described existing portion of County Road No. 80 shall be vacated:

Beginning at a point in the centerline of County Road No. 80 at the North edge of the intersection of County Road No. 80 and Richland Township Road No. 264, said point bears N. 80° 25' 23" E., 3276.08 feet, N. 1° 35' 35" West, 141.01 feet, and N. 4° 45' West, 60.00 feet from the southwest corner of Section 34, Township 7, Range 4, of Richland Township. (The bearing of the south line of Section 34, being No. 89° 30' East); Thence from said point of beginning and along the centerline of said County Road No. 80 N. 4° 45' West, 41.35 feet; Thence N. 7° 45' East, 90.43 feet; Thence N. 21° 06' East, 105.04 feet; Thence N. 27° 31' East, 195.19 feet; Thence N. 28° 39' East, 167.86 feet; Thence N. 38° 17' East, 99.75 feet; Thence N. 52° 48' East, 67.66 feet; Thence N. 58° 59' East, 116.81 feet; Thence N. 56° 35' East, 209.54 feet; Thence N. 53° 37' East, 96.26 feet; Thence N. 44° 21" East, 49.78 feet; Thence N. 35° 32' East, 63.16 feet; Thence N. 31° 24' East, 247.07 feet; Thence N. 23° 08' East, 160.61 feet; Thence N. 22° 03' East, 156.64 feet to the terminus of said vacation, said point being located on west right-of-way line (30' Lt. of Sta. 27+02.81) of the above described alteration of County Road No. 80.

Dated this 5TH day of JULY, A. D. 1984

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Includes entries for Marietta Coal Company, Belmont County, Richland Township, and date 7/3/84.

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

IN THE MATTER OF THE
ALTERING & VACATING A PORTION
OF COUNTY ROAD 80
Public Road.

Office of County Commissioners,
Belmont County, Ohio

Petitioned for by MARIETTA COAL Co.
....., and others.

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session

on the 23RD day of JULY, 1984, 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 & ALTER A PORTION OF COUNTY ROAD 80 a Public Road as described therein; therefore, be it

RESOLVED, That the 8TH day of AUGUST, 1984, 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 13TH day of AUGUST, 1984, 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. LINCH YES
- Mr. OLEXO YES
- Mr. SARGUS YES

Adopted the 23RD day of JULY, 1984

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
ALTERING & VACATING A PORTION
OF COUNTY ROAD 80
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session
on the 8TH day of AUGUST, 1984, 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 8TH day of AUGUST, 1984, 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 13TH
day of AUGUST, 1984, 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. OLEXO YES

Mr. LINCH YES

Mr. SARGUS YES

Adopted the 8TH day of AUGUST, 1984

MARY KAPOLKA
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE
ALTERING & VACATING A PORTION
OF COUNTY ROAD 80
Public Road

County Engineer's Office,
Belmont County, Ohio

AUGUST 13, 1984

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

The undersigned in obedience to your order dated AUGUST 8, 1984, proceeded on the 9TH day of AUGUST, 1984, 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.

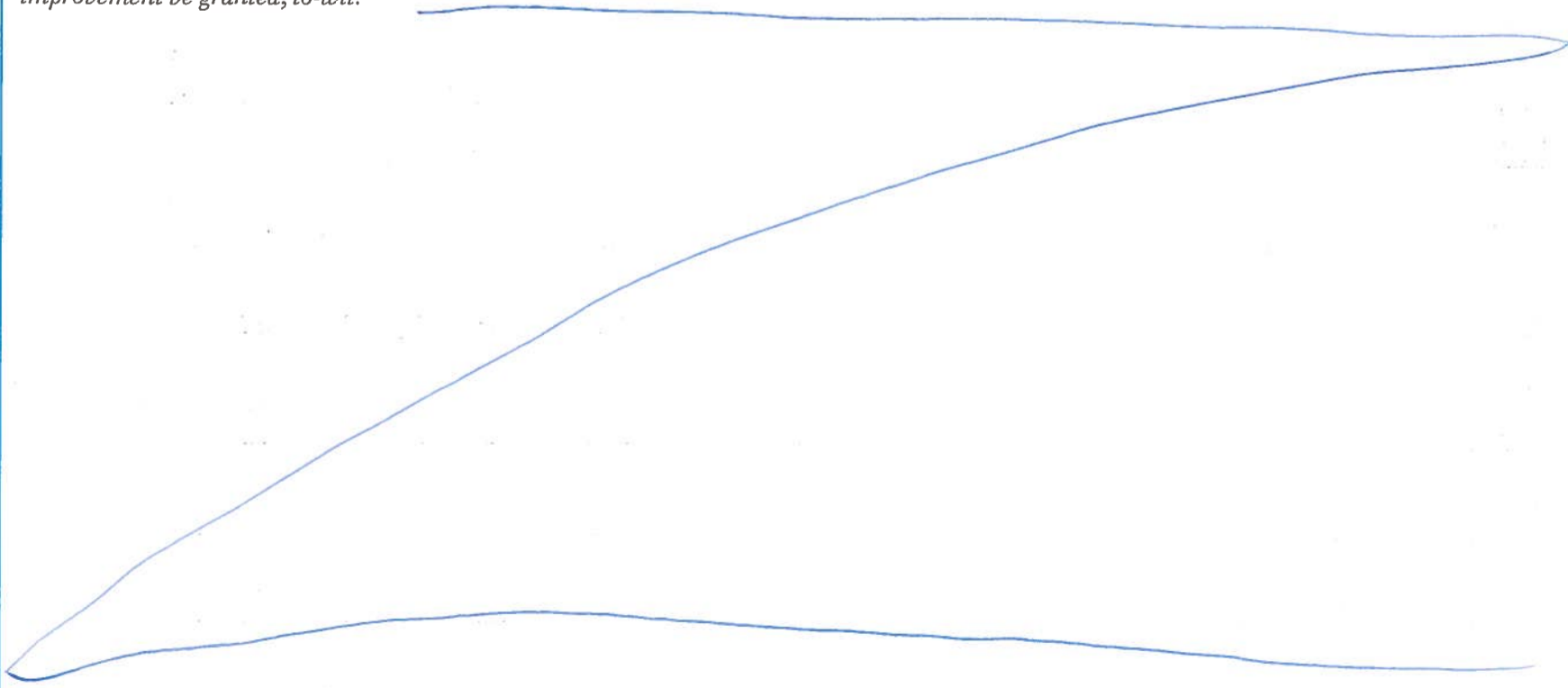
The width to which said improvement should be opened is 60 feet.

~~An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will~~

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:



Fred F. Bennett PE

I, _____, Notary Public, do hereby certify that the above persons are the undersigned and property owners herein and that the same is their free act and deed. My Commission expires Feb. 9, 1988.

Witness
Vernon P. Herot
David L. Lude
David L. Lude

STATE OF OHIO
 COUNTY OF BELMONT

Before me a Notary Public personally appeared the above persons David L. Lude and David L. Lude who acknowledged that they did sign the foregoing, and that the same is their free act and deed. In Testimony Whereof, I have hereunto set my hand and official seal this 23 day of September 1984.

My Commission expires Feb. 9, 1988 Vernon P. Herot
 Notary Public

BELMONT COUNTY HIGHWAY NO. 80

IMPROVEMENT NO. 894

RICHLAND TOWNSHIP

SECTION 34 T-7, R-4

60' R/W

BELMONT COUNTY, OHIO

FRED BENNETT COUNTY ENGINEER

0.43 MILES

APPROVED BY:

COUNTY ENGINEER Fred Z. Bennett, P.E.
 COUNTY COMMISSIONER A. J. ...
 COUNTY COMMISSIONER ...
 COUNTY COMMISSIONER _____

THIS 5TH DAY OF Nov. 1984

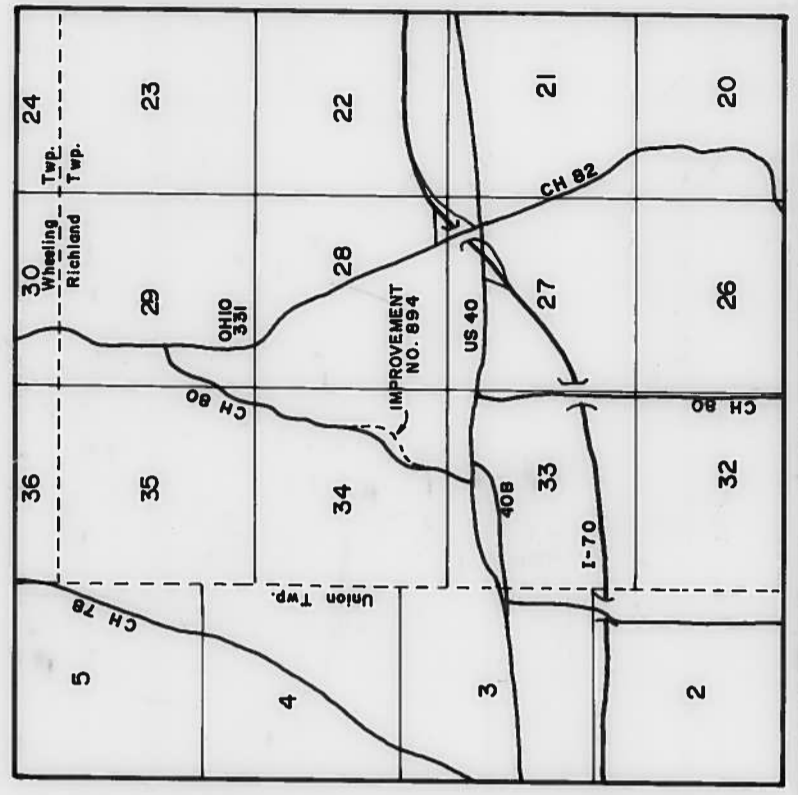
I, _____, Notary Public, do hereby certify that the above persons are the undersigned and property owners herein and that the same is their free act and deed. My Commission expires Feb. 9, 1988.

Witness
Vernon P. Herot
David L. Lude
David L. Lude

STATE OF OHIO
 COUNTY OF BELMONT

Before me a Notary Public personally appeared the above persons David L. Lude and Gail L. Lude who acknowledged that they did sign the foregoing, and that the same is their free act and deed. In Testimony Whereof, I have hereunto set my hand and official seal this 23 day of September 1984.

My Commission expires Feb. 9, 1988 Vernon P. Herot
 Notary Public



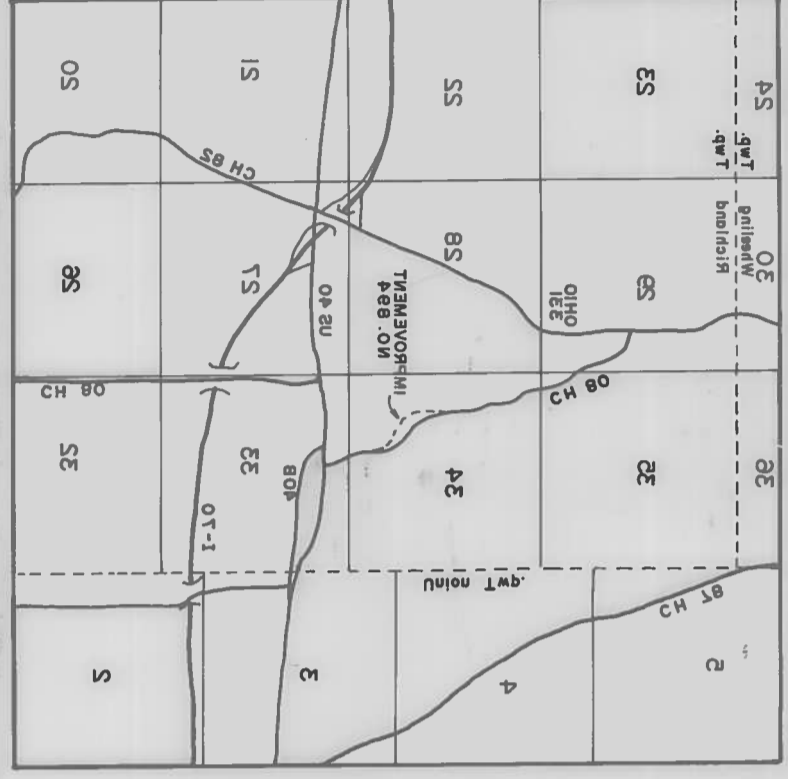
HT2 SHHT NOV 70 YAD 1981

COMMISSIONER UTILITIES
COMMISSIONER UTILITIES
COMMISSIONER UTILITIES
COMMISSIONER UTILITIES

[Handwritten signatures]

BY: DEVELOPER

SECTION 34 45 10123252
WVA '02
BEGMONT TOWNSHIP, OHIO
PUBLIC UTILITIES COMMISSION



COMMISSIONER UTILITIES
COMMISSIONER UTILITIES
COMMISSIONER UTILITIES
COMMISSIONER UTILITIES

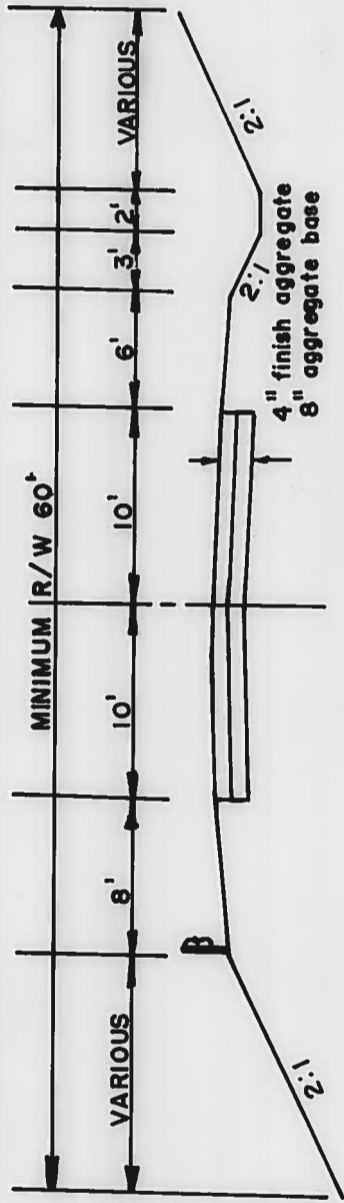
SECTION 34 45 10123252
WVA '02
BEGMONT TOWNSHIP, OHIO
PUBLIC UTILITIES COMMISSION

08 01 YAWNSHIN UTILITIES

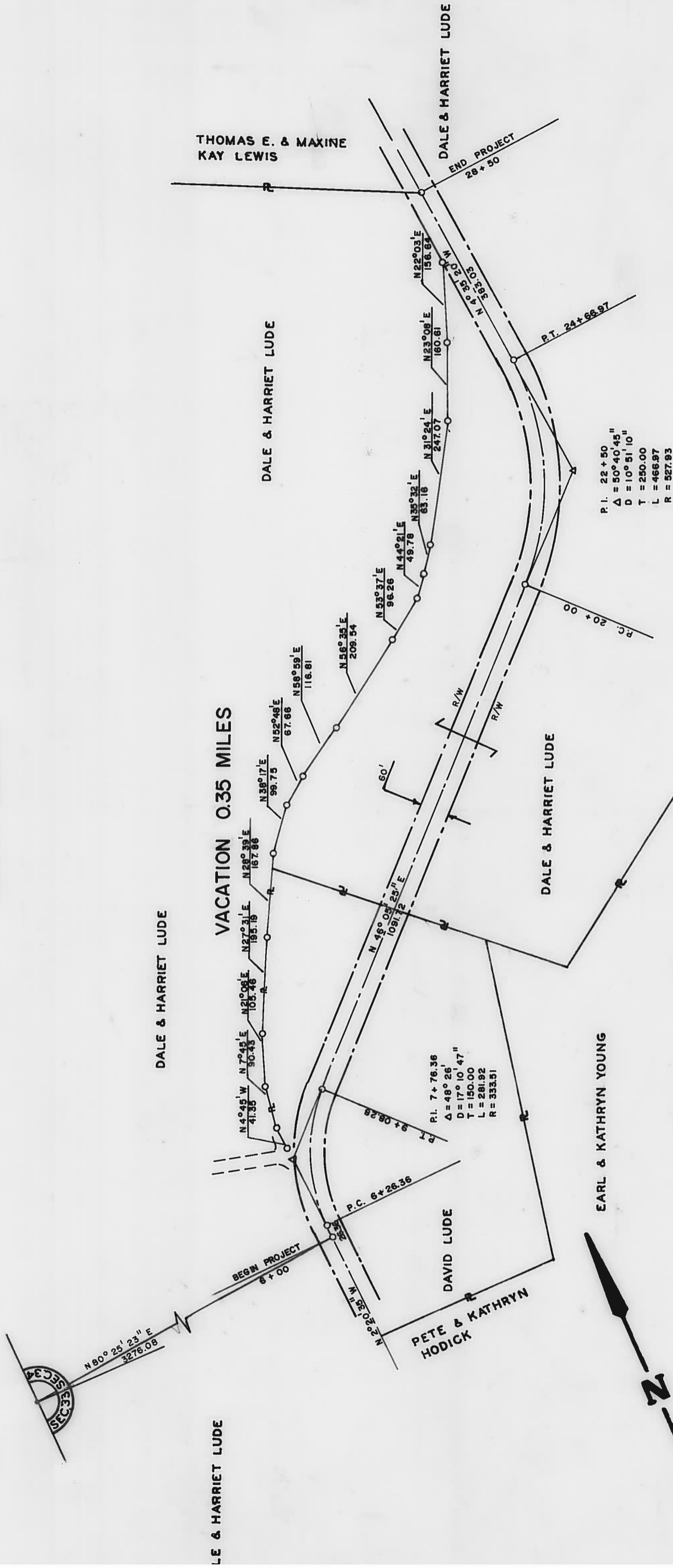
PER ON TИМЕВОРЦИ

РИНШИОТ ДИДЖИР

4-9, 7-1



TYPICAL SECTION



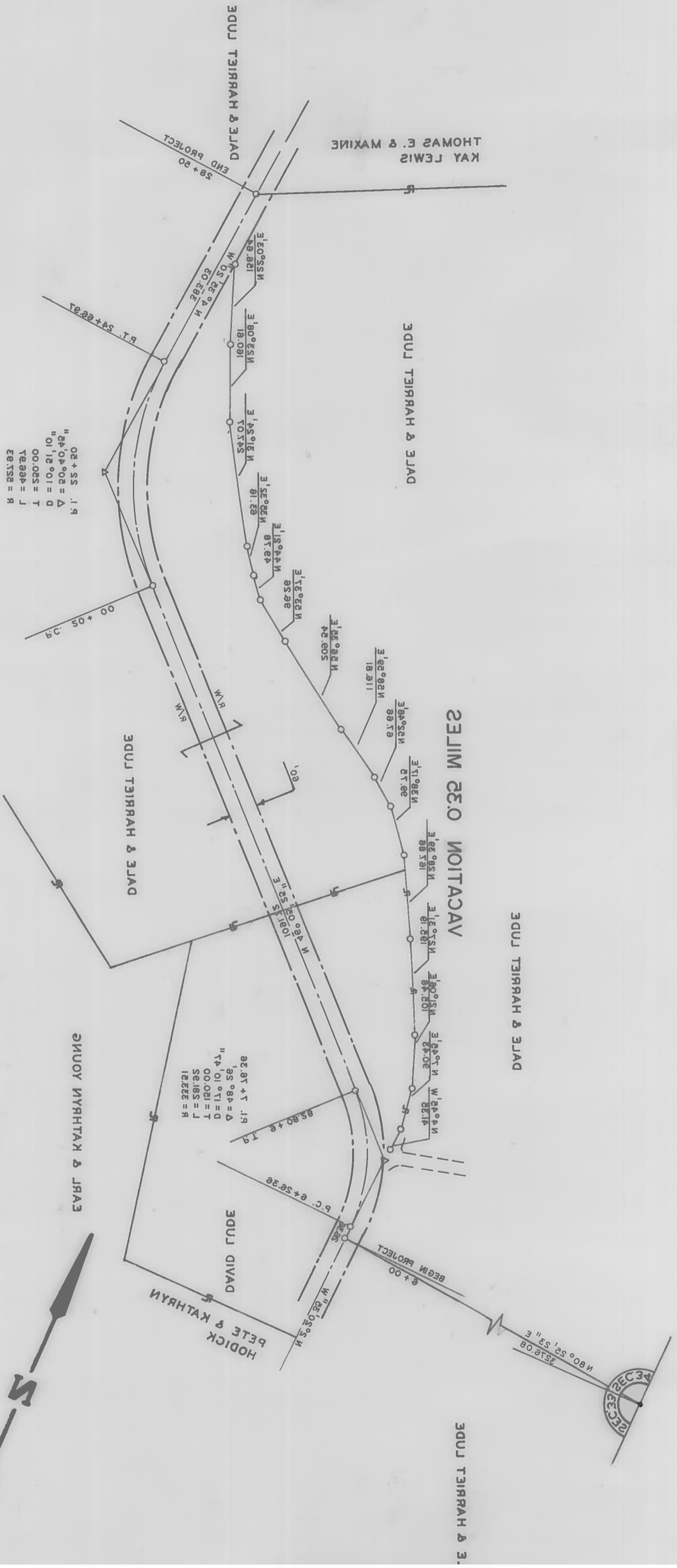
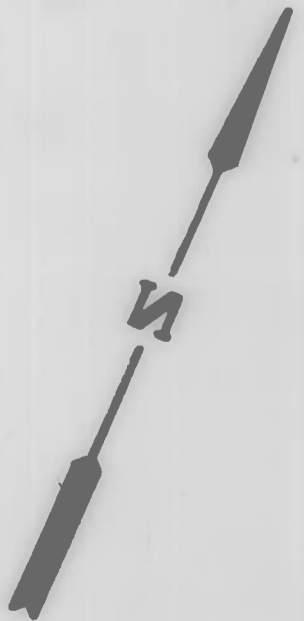
P.I. 22 + 50
 $\Delta = 50^\circ 40' 45''$
 $D = 10^\circ 51' 10''$
 $T = 250.00$
 $L = 466.97$
 $R = 527.93$

P.I. 7 + 76.36
 $\Delta = 48^\circ 26'$
 $D = 17^\circ 10' 47''$
 $T = 150.00$
 $L = 281.92$
 $R = 333.51$

IMPROVEMENT NO. 894
 COUNTY HIGHWAY NO. 80
 RICHLAND TWP. SEC.34 7-4



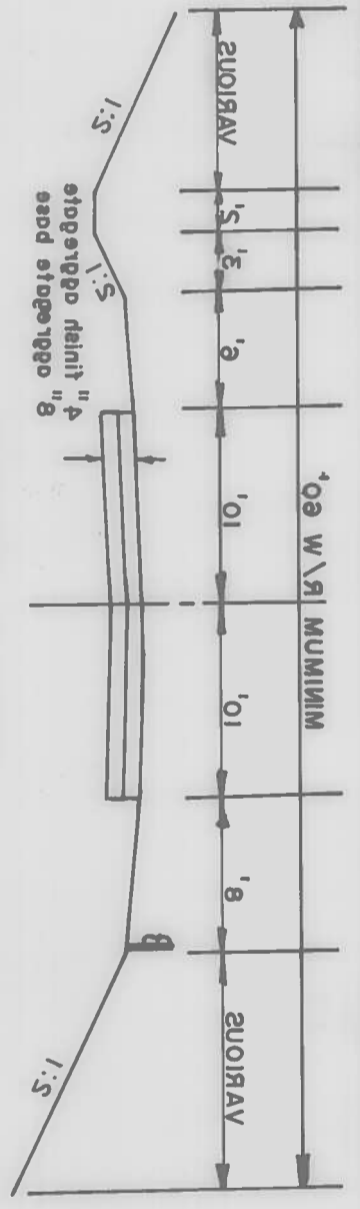
488 ОИ ТИЕМЭВӨРӨМ
 08 ОИ УАШНДИН УТИЛОС
 4-5 45.332 9WT ДИЛДИР



R = 251.83
 L = 488.21
 T = 520.00
 D = 10.21, 10"
 Δ = 20.40, 42"
 B.I. SS + 20

R = 222.21
 L = 581.25
 T = 120.00
 D = 11.10, 41"
 Δ = 48.56"
 B.I. T + 18.28

ТАҮСЛЭГ СЭКЦИОН



ЭДИМ ЭСО ИЛТАГАВ

DAVID & HARRIET GUIDE

ЭДИМ ТЭИРЭН & Э.

THOMAS E. & MAXINE

ЭДИМ ТЭИРЭН & ЭДИМ

DAVID & HARRIET GUIDE

ЭДИМ & КЭТРИН ИЛОН

DAVID & HARRIET GUIDE

DAVID GUIDE

HODICK BETE & KATHRYN

BEGIN PROJECT

END PROJECT



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE ALTERING & VACATING A PORTION OF COUNTY ROAD 80 Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session on the 13TH day of AUGUST, 1984, 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, 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 RESOLVED, That said Board of County Commissioners do find 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 warrant 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 it is hereby determined that said proposed improvement shall be included in this order and made a part hereof of the accompanying plat 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, owners, of such 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 warrant 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 it is hereby determined that said proposed improvement shall be included in this order and made a part hereof of the accompanying plat 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, owners, of such 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 ALTERED & VACATED 60 feet in width; and be it further SUBJECT TO AGREEMENT BETWEEN COMMISSIONERS & MARIETTA COAL WITHIN 90 DAYS

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is hereby altered and vacated as shown on the accompanying plat 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, owners, of such parcel of such land; 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

RESOLVED, That the County Engineer proceed to acquire the necessary right of way in accordance with Sections 163.01 to 163.05, inclusive, of the Revised Code.

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

Mr. OLEXO YES Mr. LINCH YES Mr. SARGUS YES

Adopted the 13TH day of AUGUST, 1984

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