

PUBLIC ROAD PETITION

ST CLAIRSVILLE, Ohio, SEPT. 4, 1985

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 ESTABLISHMENT of SMUTYLO ROAD a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for ESTABLISHING 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 at a point in the centerline of County Highway No. 4 (Willow Grove Road) at log point 7.17 miles. Thence in a southeasterly direction across Little McMahon Creek to a point in the centerline of Pultney Township Road No. 315 (Waznick Road), a distance of 113 feet.

Dated this 4TH day of SEPT., A. D. 1985

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 PETITION

IN THE MATTER OF THE SMUTYLO ROAD Public Road. Petitioned for by WITHOUT PETITION, and others.

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in REGULAR session on the 21st day of AUGUST 1985, 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:

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 ESTABLISH SMUTYLO ROAD a Public Road as described therein; therefore, be it

RESOLVED, That the 9th day of SEPTEMBER, 1985, 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 PROPOSED ESTABLISHED PUBLIC ROAD and go over the line of said proposed improvement; and be it further

RESOLVED, That the 11th day of SEPTEMBER, 1985, 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.

Adopted the 21st day of AUGUST, 1985

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE
ESTABLISHING A ROAD IN PULTNEY
TWP. KNOWN AS SMYTYLO 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 9TH day of SEPTEMBER, 1985, at the office of THE COMMISSIONERS

with the following members present:

A. J. SARGUS
C. A. LINCH

Mr. LINCH moved the adoption of the following Resolution:

WHEREAS, On the 9TH day of SEPTEMBER, 1985, 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 11TH
day of SEPTEMBER, 1985, 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. SARGUS seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. LINCH, YES

Mr. SARGUS, YES

Mr. _____

Adopted the 9TH day of SEPTEMBER, 1985

PATRICIA BITTENGLE
ASSISTANT Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE
ESTABLISHING A ROAD IN PULTNEY
TWP. KNOWN AS SMUTYLO ROAD
Public Road

County Engineer's Office,
Belmont County, Ohio

SEPTEMBER 11, 1985

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

The undersigned in obedience to your order dated SEPTEMBER 9, 1985, proceeded on the 10TH day of SEPTEMBER, 1985, 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.

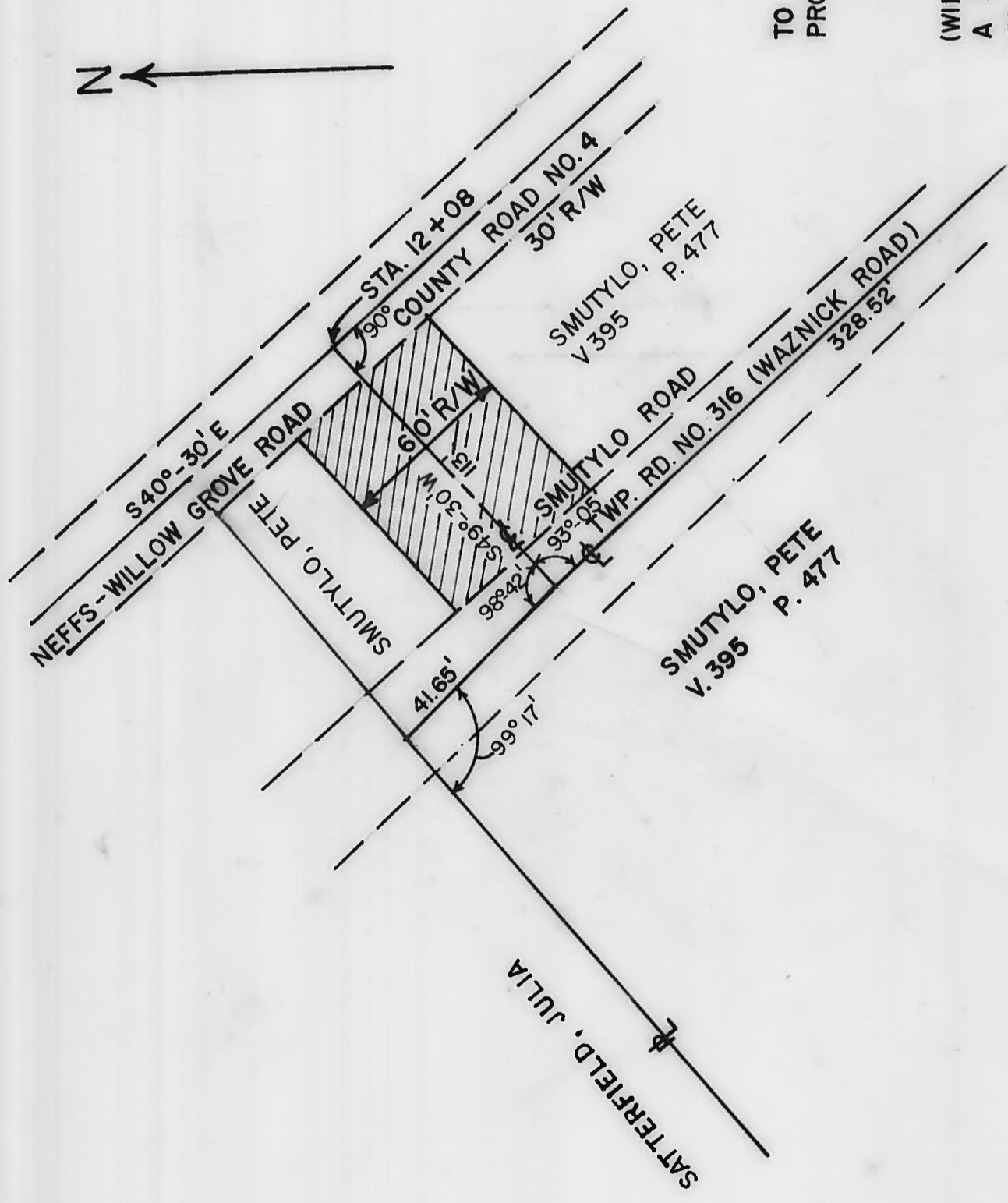
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.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

Paul F. Bennett, P.E.



DEDICATION

THE UNDERSIGNED, PETE SMUTYLO DOES HEREBY DEDICATE TO PUBLIC USE FOR ROAD PURPOSE THE FOLLOWING DESCRIBED PROPERTY

BEGINNING AT A POINT IN THE CENTER LINE OF C.H. NO. 4 - 12+08 STA. (WILLOW GROVE ROAD) AT LOG POINT 7.17 MILES. THENCE IN A SOUTHWESTERLY DIRECTION ACROSS LITTLE Mc MAHON CREEK TO A POINT IN THE CENTER LINE OF PULTNEY TWP. RD. NO. 316 (WAZNICK ROAD), A DISTANCE OF 113.0 FEET.

(THE ABOVE DESCRIPTION BY THE BELMONT COUNTY ENGINEER)

WITNESS: Fred F. Bennett Pete Smutylo
Dan Kravgoric PETE SMUTYLO

STATE OF OHIO
 COUNTY OF BELMONT SS
 BEFORE ME A NOTARY PUBLIC APPEARED PETE SMUTYLO WHO ACKNOWLEDGED HIS SIGNING OF THIS TO BE HIS FREE WILL, ACT AND DEED. THIS 17th DAY OF September, 1985



Dan Kravgoric
 NOTARY PUBLIC MY COMM. EXP. 9-24-87

IMP. NO. 904
 DEDICATION OF SMUTYLO ROAD
 PULTNEY TOWNSHIP SEC. 13, T.6, R.3
 SCALE 1"= 50'



DEDICATION

APPROVED AND ACCEPTED BY

ENGINEER Fred F. Bennett P.E.

M. R. E. O'Leary

M. Old Print

I day 17 day of September 1985

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE ESTABLISHING A ROAD IN PULTNEY TWP. KNOWN AS SMUTYLO 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 11TH day of SEPTEMBER, 1985, 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:

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 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 ESTABLISHED

[REDACTED]

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

Mr. LINCH YES Mr. OLEXO YES

Adopted the 11TH day of SEPTEMBER, 1985

PATRICIA BITTENGLE ASSISTANT Clerk, Board of County Commissioners,

RESOLUTION — ORDER TO OPEN ROAD
Sec. 5563.01 R.C. (Open or ~~close~~)

Office of County Commissioners,
Belmont County, Ohio

IN THE MATTER OF THE
ESTABLISHING A ROAD IN PULTNEY
TWP. KNOWN AS SMUTYLO ROAD
Public Road

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

in REGULAR session on the 30TH day of SEPTEMBER, 1985
(Regular or ~~Special~~)

at the office of THE COMMISSIONERS with the following members present:

R. E. OLEXO

A. J. SARGUS

Mr. SARGUS 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 ESTABLISHED

as order heretofore, made on our journal of the date of SEPTEMBER 11, 1985

and a copy of this resolution be forwarded to the PULTNEY 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. _____, _____

Adopted the 30TH day of SEPTEMBER, 1985

MARY KAPDLKA

Clerk, Board of County Commissioners.

BELMONT County, Ohio