

PUBLIC ROAD PETITION

St. Clairsville, Ohio, October, 1986

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 a part of Twp. Rd. 431 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating 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 forty feet North of the Southeast property line of Michael and Jennie Nestor, which said property line is also the property line of Gary and Penny Nestor, and continuing North across the Michael and Jennie Nestor property and across the G. and J. Beckett property across the creek to where it originally joined the 1874 Jug Run Road. (see attached map where route of abandonment is marked in red)

Dated this day of, A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Lists names like Michael Nestor, Jennie Nestor, Gary Nestor, Penny Nestor, etc., with RICHLAND TOWNSHIP listed in the second column.

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

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio

Vacating part of Twp. Rd. 431
Public Road.

Petitioned for by Michael Wester, and others.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 28th day of February, 1987, at the office of the commissioners with the following members present:

- A. J. Sargus
- J. J. Mark, Jr.
- P. E. Oenyo

Mr. Oenyo 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 part of Twp. Rd. 431 a Public Road as described therein; therefore, be it

RESOLVED, That the 18th day of February, 1987, at 2:45 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 23rd day of February, 1987, at 10:30 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. Mark seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Oenyo, yes
- Mr. Mark, yes
- Mr. Sargus, yes

Adopted the 28th day of January, 1987.

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating part of Twp Rd 431
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in Regular session
on the 18th day of February, 1987, at the office of the commissioners
with the following members present:

A. J. Sargus
J. J. Madix, Jr.

Mr. Madix moved the adoption of the following Resolution:

WHEREAS, On the 18th day of February, 1987, 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 23rd
day of February, 1987, 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. Madix, yes
Mr. Sargus, yes
Mr. _____, _____

Adopted the 18th day of February, 1987

Mary Kaparka
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating part of Twp. Rd. 431

Public Road

County Engineer's Office,

Belmont County, Ohio

May 18

19 87

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

The undersigned in obedience to your order dated February 18, 19 87, proceeded on the 19th day of February, 19 87, 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 feet.

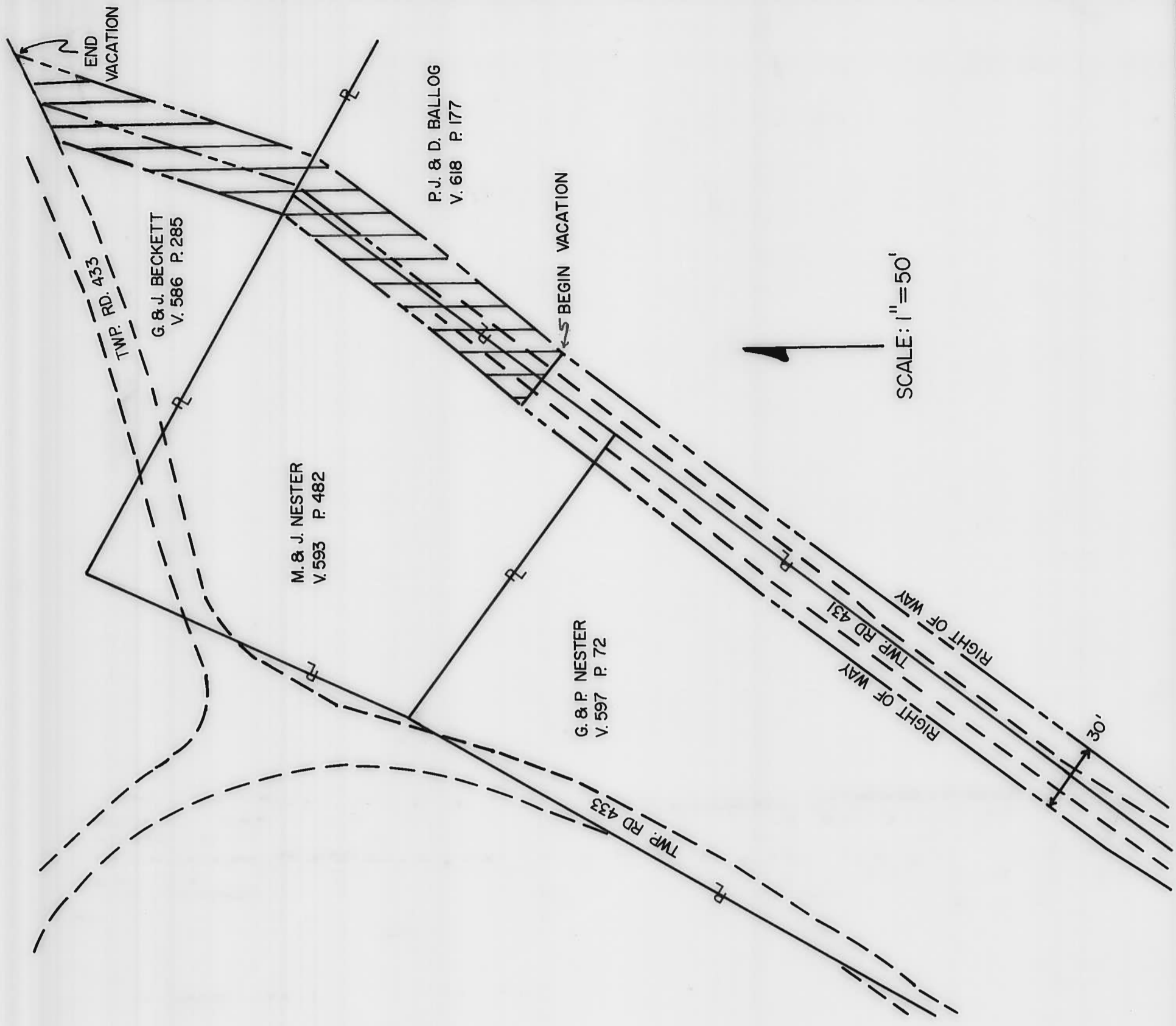
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follows:

"See attached 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, P.E.



IMP. NO. 914
 VACATING PART OF TWP. ROAD 431
 RICHLAND TWP. SECTION II, T-7, R-4
 BELMONT COUNTY, OHIO
 FRED F. BENNETT COUNTY ENGINEER



APPROVED BY:
 ENGINEER *[Signature]*
 BELMONT COUNTY, OHIO
[Signature]

MAY OF MAY, 1987.

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Vacating part of Richland

Twp Rd. #431

Public Road

The Board of County Commissioners of Belmont County, Ohio, met in session on the 18th day of May, 1987, at the office of the commissioners with the following members present:

- Mr. Sargus
Mr. Malik, W.
Mr. Oseya

Mr. Malik 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 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 court within the time specified in this order and made a part hereof, it is hereby determined that said proposed improvement shall be ordered and there be included in this order and made a part hereof the names of such benefited landowners, a brief 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 such improvement is of sufficient importance to cause all compensation and damages to be paid from the County Treasury. If the landowners fail to pay such compensation and damages as may be adjudged against them by the court within the time specified in this order, it is hereby determined that said proposed improvement be ordered and there be included in this order and made a part hereof the names of such benefited landowners, a brief 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.

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 court within the time specified in this order and made a part hereof, it is hereby determined that said proposed improvement shall be ordered and there be included in this order and made a part hereof the names of such benefited landowners, a brief 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 the County Engineer be and he is hereby directed to cause a copy of the report, survey, plat and detailed and accurate 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 162.01 to 162.20 inclusive of the Revised Code.

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

- Mr. Malik Yes
Mr. Oseya Yes
Mr. Sargus Yes

Adopted the 18th day of May, 1987.

Patricia Bittenger 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