

PUBLIC ROAD PETITION

without 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 a portion of Mall Service Road 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 south-west corner of Mall Road Service Road as recorded in Cabinet D, Slide 320 of the Belmont County Record of Plats (said point being located 39 feet left of the center-line of Mall Road, Belmont County Road No. 28-A, at Sta. 42+86.77). Thence along the west side of Mall Road Service Road N. 14° 50' 57" W. 233.36 feet to a point (said point 39 feet left of Mall Road center-line Sta. 40+50.41). Thence N. 75° 09' 03" E. 40.00 feet to a point on the east side of Mall Road Service Road. Thence along the east side of said road S. 14° 50' 57" E. 233.36 feet to the southeast corner of Mall Road Service Road. Thence S. 75° 09' 03" W. 40.00 feet to the point of beginning, containing 0.2143 acres. The existing break in the limited-access line between Mall Road and Mall Road Service Road which is located 39 feet left of Sta. 42+37 to 39 feet left of Sta. 42+77 shall be vacated and relocated to 39 feet left of Sta. 40+10.41 to 39 feet left of Sta. 40+50.41.

Dated this day of, A. D. 19

Table with 2 columns: PETITIONERS' NAMES and 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

Office of County Commissioners,

Belmont County, Ohio

vacating a portion of mass Road
Served Road
Public Road.

Petitioned for by no petition
, and others.

The Board of County Commisioners of Belmont County, Ohio, met in Regular session

on the 11th day of February, 1987, at the office of the commissioners

with the following members present:

A. J. Sargus

J. J. Masik

R. E. Oelke

Mr. Masik 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

a Public Road as described therein; therefore, be it

RESOLVED, That the 4th day of March, 1987, 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 office

and go over the line of said proposed improvement; and be it further

RESOLVED, That the 9th day of March, 1987, 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. Oelke seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Masik, Yes

Mr. Oelke, Yes

Mr. Sargus, Yes

Adopted the 11th day of February, 1987

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacating a portion of main
Service 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 4th day of March, 1987, at the office of the commissioners

with the following members present:

A. J. Sargus
J. J. Malik, Jr.

Mr. Malik moved the adoption of the following Resolution:

WHEREAS, On the 4th day of March, 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 9th
day of March, 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. Malik, yes
Mr. Sargus, yes
Mr. _____, _____

Adopted the 4th day of March, 1987.

Mary Kapaoka
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

Vacating a portion of road

Road Serviced Road

Public Road

March 9, 19*87*

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

The undersigned in obedience to your order dated *March 4*, 19*87*, proceeded on the *5th* day of *March*, 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 shouldbe granted.

The width to which said improvement should be opened isfeet.

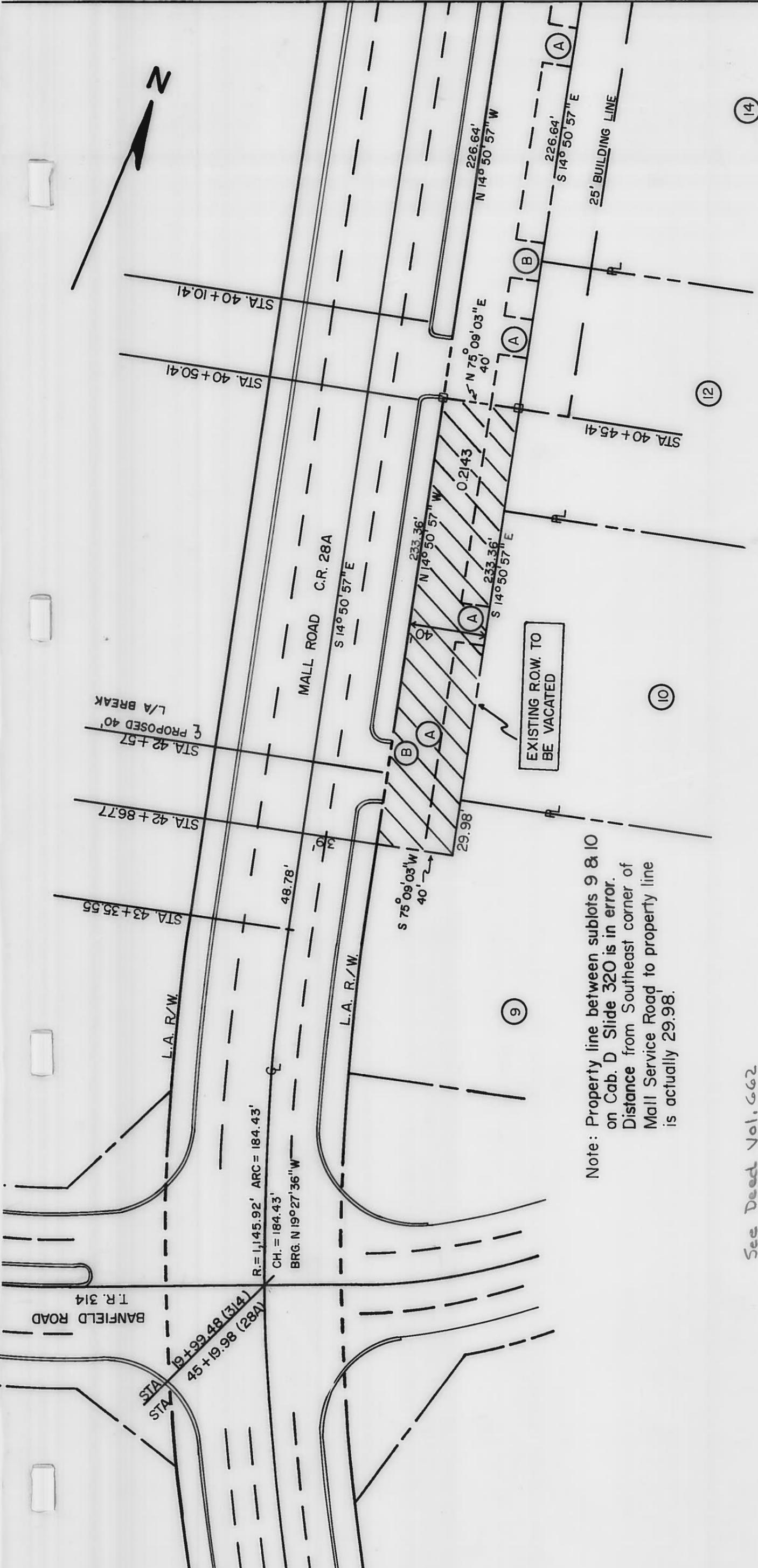
~~An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof:-~~

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:

Paul J. Bennett P.E.



Note: Property line between sublots 9 & 10 on Cab. D Slide 320 is in error. Distance from Southeast corner of Mall Service Road to property line is actually 29.98'.

See Deed Vol. 662 Pg. 476

IMP. NO. 915
 R.O.W. VACATION PLAT FOR MALL ROAD SERVICE ROAD
 RECORDED 4/30/1982 CAB. D SLIDE 320
 RICHLAND TWP., SECTIONS 27 & 28, T-6 R-3
 BELMONT COUNTY, OHIO
 FRED F. BENNETT COUNTY ENGINEER
 SCALE: 1" = 50'



DESIGNED BY	<i>[Signature]</i>
DRAWN BY	<i>[Signature]</i>
CHECKED BY	<i>[Signature]</i>
DATE	MARCH 1987

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,
Belmont County, Ohio

Vacating a portion of main
Road Served Road
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 9th day of March, 1987, at the office of the Commissioners with the following members present:

- A. J. Sargus
- J. J. Malik, Jr.
- R. E. Seayo

Mr. Seayo 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 _____ day of _____, 19____ it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule 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, 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 the improvement is not of sufficient importance to cause all 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 _____, 19____ it is hereby determined that said proposed improvement be abandoned. It is further ordered that there be included in this order and made a part hereof the accompanying schedule 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, 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, subject to ODOT feet in width; and be it further granting change in access road point

~~RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is ordered _____ feet in width, with the following modifications and changes in the route and termini which in our judgment the public convenience and welfare require, and it is hereby ordered that an accurate and detailed description of such modifications and changes be entered on our Journal;~~

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 163.32 inclusive, of the Revised Code.~~

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

- Mr. Seayo Yes
- Mr. Malik Yes
- Mr. Sargus Yes

Adopted the 9th day of March, 1987.

Mary Kapalka
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