

PUBLIC ROAD PETITION

Belmont Co., Ohio, April 3, 1991

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 vacating of two alleys in Hunter 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

Beginning at the northeast corner of what was Lot 27 in the town of Hunter (vacated by Auditor on Feb. 27, 1928) thence in a southerly direction 120.0 ft. (along the east side of Lots 27 and 28) to the southeast corner of Lot 28, thence westerly 120.0 ft. (along the south side of Lot 28) to the southwest corner of Lot 28, thence southerly 16.0 ft. (along the east side of a 30.0 ft. street) to the northwest corner of Lot 29, thence easterly 156.0 ft. (along the north line of Lots 29 and 12) to the northeast corner of Lot 12, thence northerly 16.0 ft (along the west side of a 60.0 ft. street) to the southeast corner of Lot 13 thence westerly 120.0 ft. (along the south side of Lot 13) to the southwest corner of Lot 13, thence northerly 120.0 ft. (along the west side of Lots 13 & 14) to the northwest corner of Lot 14, thence westerly 16.0 ft. to the northeast corner of Lot 27 and place of beginning. The town of Hunter is located in Wayne Township, Section 18, T-6, R-5, Belmont County, Ohio and recorded in Volume 34, Page 299, Belmont County Record of Deeds.

Dated this day of , A. D. 19

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Rows include names like Dominick Bernamici, Wm. Wells, George J. Houston, James Sayer, Ralph R. Johnson, Arthur D. Johnson, Robert D. Nelson, Lowell Kemp, Dana Jakes, L. Margant Perkins, and Chester Perkins with their respective addresses in Belmont County, Ohio.

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 two 16' alleys in

Hunter

Public Road.

Petitioned for by Don Grant

, and others.

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

on the 3rd day of April, 1991, at the office of the Commissioners

with the following members present:

Jim Hepe

John Pollock

Robt E. Olexo

Mr. Pollock 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 two 16' alleys in Hunter

a Public Road as described therein; therefore, be it

RESOLVED, That the 24th day of April, 1991, 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 6th day of May, 1991, 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. Pollock, yes

Mr. Olexo, yes

Mr. Hepe, yes

Adopted the 3rd day of April, 1991.

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacating two 16' alleys in  
Hunter  
Public Road

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session  
on the 24th day of April, 1991, at the office of the commissioners  
with the following members present:

- Mr. Hepe
- Mr. Pollock
- Mr. Alexo

Mr. Pollock moved the adoption of the following Resolution:

WHEREAS, On the 24th day of April, 1991, 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 8th day of May, 1991, 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. Alexo seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Pollock Yes
- Mr. Alexo Yes
- Mr. Hepe Yes

Adopted the 24th day of April, 1991.

Patricia Bittenger  
Clerk, Board of County Commissioners.

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

*vacating two alleys in Hunter*

Public Road

County Engineer's Office,

Belmont County, Ohio

*May 7*, 19*91*

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

The undersigned in obedience to your order dated *April 24*, 19*91*, proceeded on the *25<sup>th</sup>* day of *April*, 19*91*, 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.

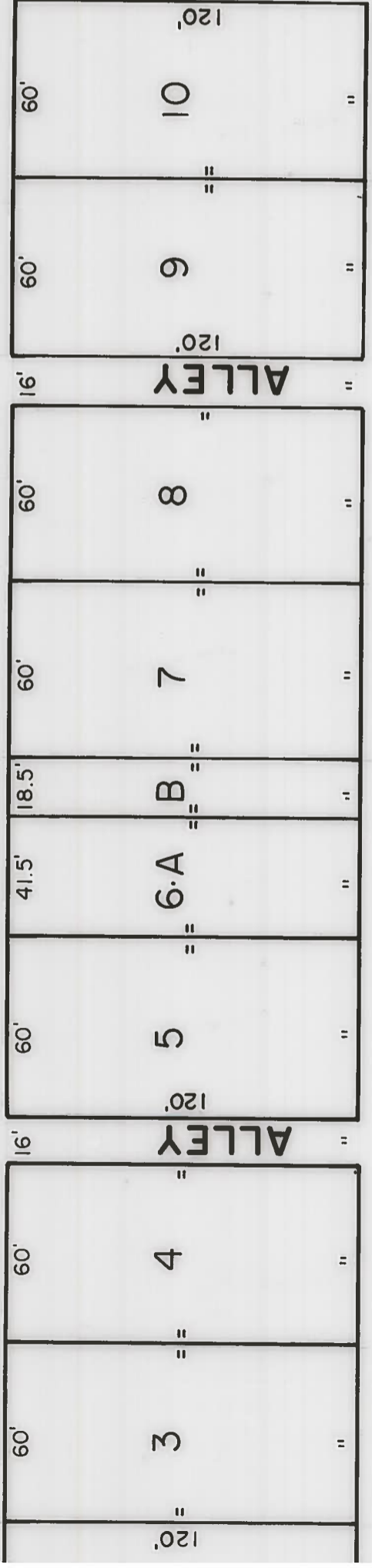
~~The width to which said improvement should be opened is ..... feet.~~

~~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:—~~



IMP. 951

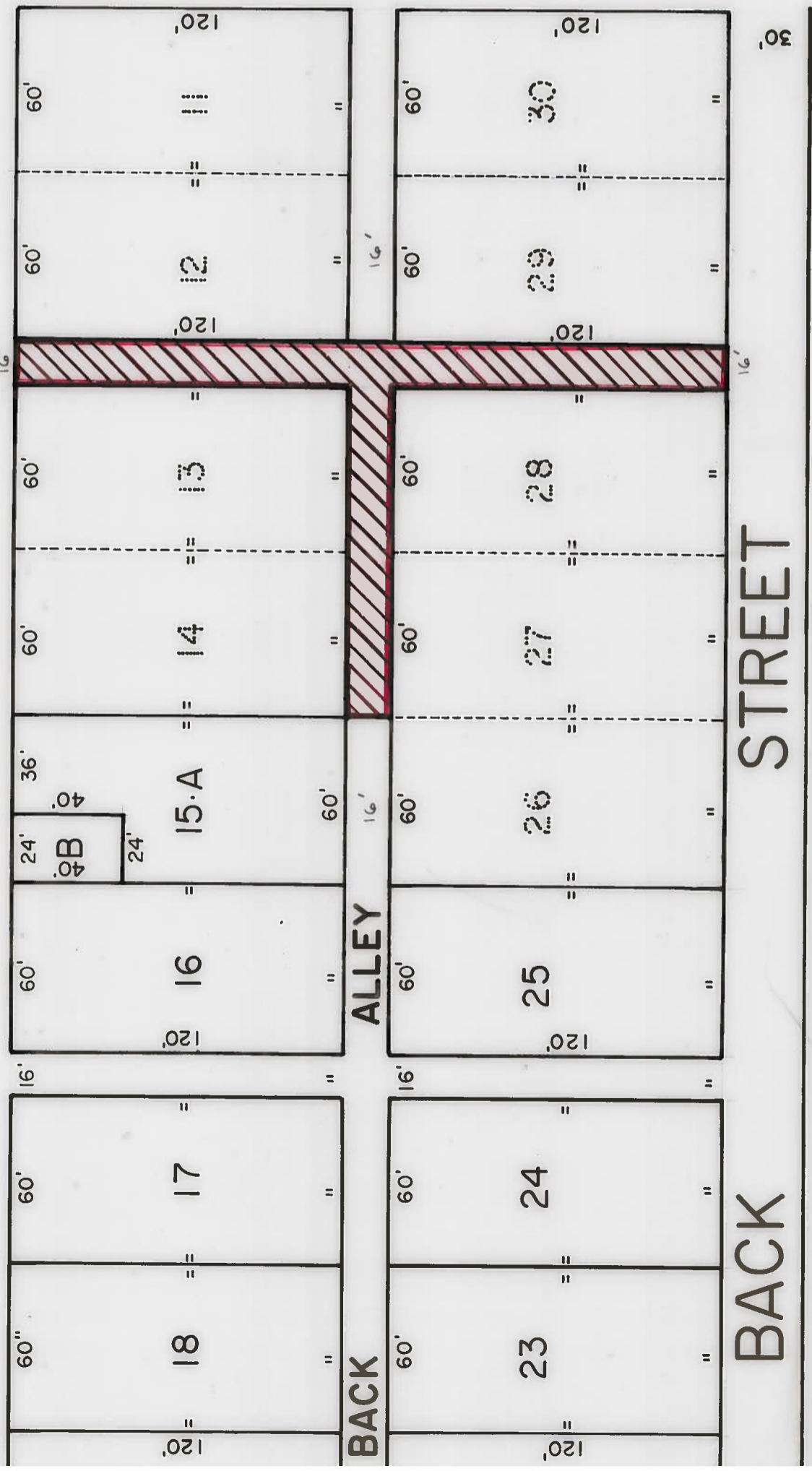
VACATION OF ALLEYS  
IN HUNTER

DEED RECORD VOLUME 34 PAGE 299  
WAYNE TWP.  
SEC. 18, T. 6, R. 5

MAIN

STREET

BELMONT COUNTY, OHIO  
FRED F. BENNETT, COUNTY ENGINEER



APPROVED BY:

CO. ENGINEER *Fred F. Bennett, P.E.*  
CO. COMMISSIONER *John Hepe*  
CO. COMMISSIONER *John Powell*  
CO. COMMISSIONER *R. E. Oley*

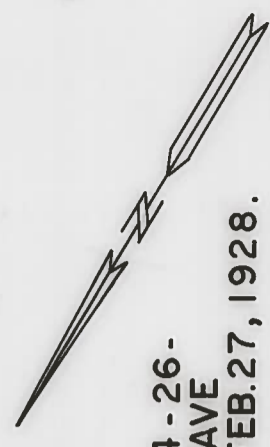
ON THIS 20<sup>th</sup> DAY May OF 1991.



VACATED AREA

SEE DEED VOL. 671 PAGE 96

SCALE: 1" = 50'

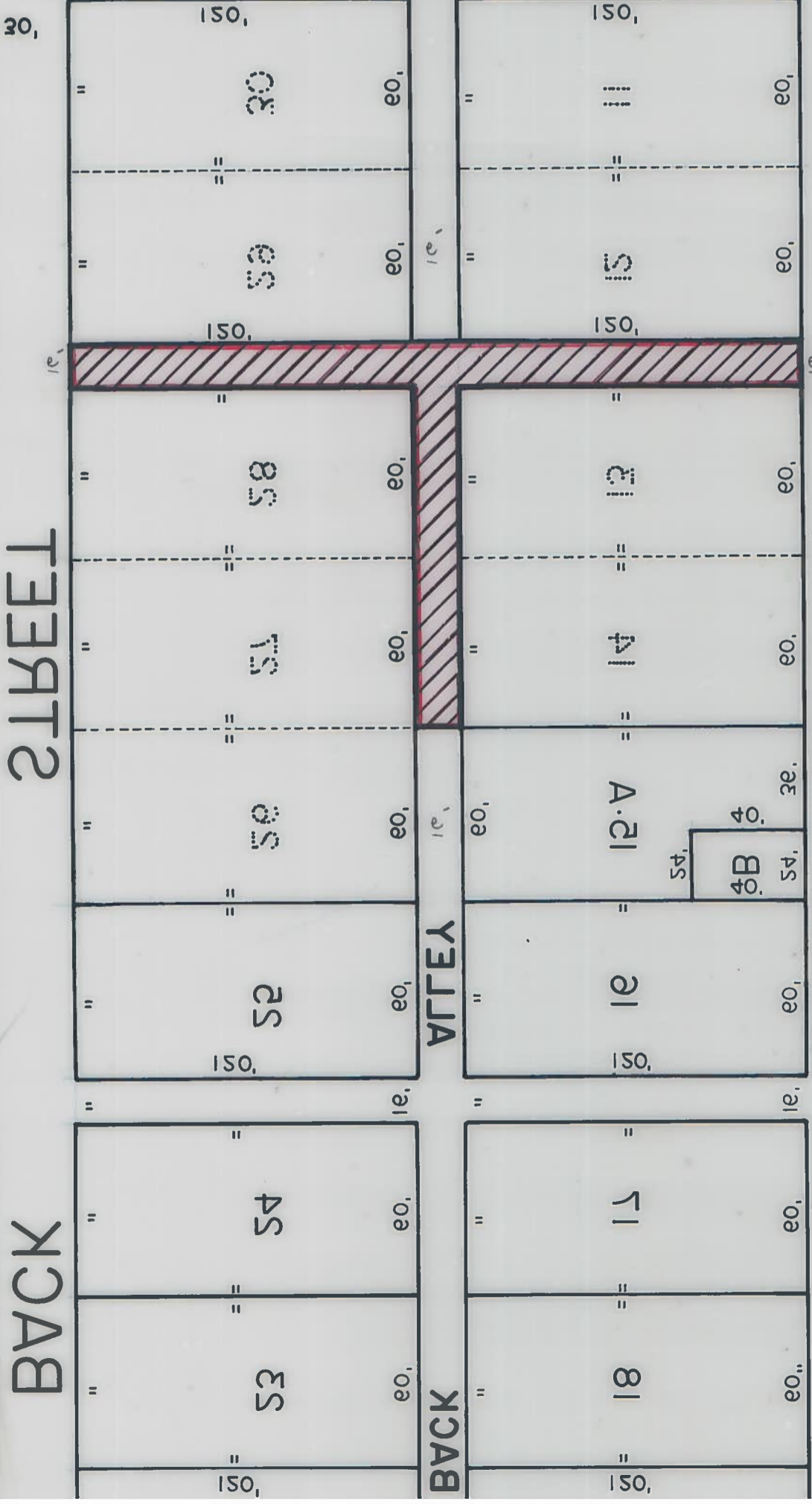


NOTE: LOTS 11-12-13-14-26-27-28-29-30 HAVE BEEN VACATED FEB. 27, 1928.

BACK

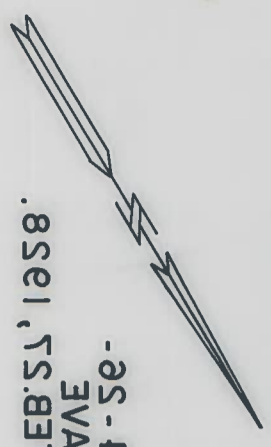
STREET

BACK STREETS



30'

NOTE: ETON  
 -5e-41-31-11 2TOL  
 8S-85-75  
 HAVE  
 30-09-85  
 FEB. 1985, BEING  
 VACATED



SCALE: 1" = 20'

SEE DEED PAGE 172.  
 JOV. DEED DATA

ON THIS 30<sup>th</sup> DAY OF FEBRUARY, 1985

CO. COMMISSIONER  
 CO. COMMISSIONER  
 CO. COMMISSIONER  
 CO. ENGINEER  
*John Hebe*  
*John Hebe*  
*John Hebe*  
*John Hebe*

APPROVED BY:

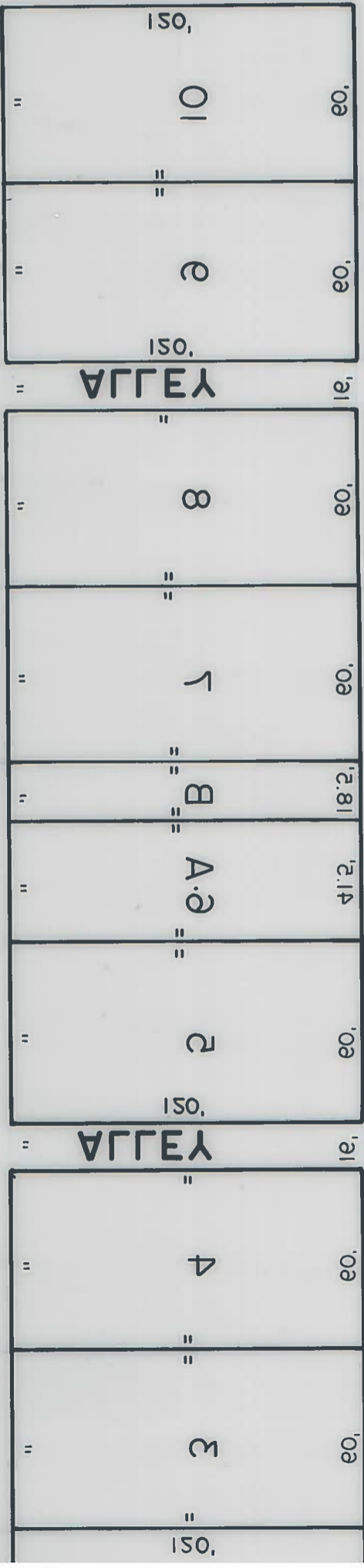
FRANK W. BELMONT, COUNTY ENGINEER  
 BELMONT COUNTY, OHIO

2.9, 2.7, 81.325  
 QWT ENYAW

DEED RECORD PAGE 588  
 IN DETAIL OF  
 DEED RECORD PAGE 588

129 QMI

MIAMI STREETS



30'

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE
Vacating two 16' Alleys in
Hunter
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 May, 1991, at the office of the Commissioners
with the following members present:

Mr. Olexo
Mr. Pollock

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 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 of 1991, 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 if 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 1991, 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 feet in width; and be it further

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,

X X X X

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

Mr. Olexo Yes
Mr. Pollock Yes
Mr. Yes

Adopted the 15th day of May, 1991.

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