

**PUBLIC ROAD PETITION**

..... Belmont County ....., Ohio, January 14, 1993.

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 & rededication of Union T.R. 264 and 94 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for vacating & rededication 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** See attached plat map entitled "Vacation and Rededication - T.R. 264 and 94". This road alteration is located in Union Township - Sections 4 and 10, T-8. R-5.

Dated this 14th day of January, A. D. 1993.

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
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PETITIONERS' NAME	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
<u>Thos D. Habel</u>	
<u>U-P Ohio River Colliers</u>	

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

Vacation & Dedication of United  
Twp. Rds 264 & 94  
Public Road.

Petitioned for by Ohio River Carriers  
....., and others.

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

on the 25th day of January, 1993, at the office of the commissioners

with the following members present:

Jim Hepe  
Michael C. Bianconi  
John Passock

Mr. Bianconi 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 & dedicate United Twp

Rds 264 & 94 a Public Road as described therein; therefore, be it

RESOLVED, That the 17th day of Feb., 1993, at 1:45 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 1st day of March, 1993, 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. Passock seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Bianconi yes  
Mr. Passock yes  
Mr. Hepe yes

Adopted the 25 day of January, 1993



RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

*Location & Dedication of*  
*Union Top. Res 264 + 94*  
Public Road

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in *regular* session  
on the *17th* day of *February*, 19*93*, at the office of *the commissioners*  
with the following members present:

*L. D. Hays*  
*Michael C. Bianconi*  
*Low Passock*

Mr. *Passock* moved the adoption of the following Resolution:

WHEREAS, On the *17th* day of *Feb*, 19*93*, 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 *1st*  
day of *March*, 19*93*, 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. *Bianconi* seconded the Resolution and the roll being called upon its adoption, the vote  
resulted as follows:

Mr. *Passock* *Yes*  
Mr. *Bianconi* *Yes*  
Mr. *Hays* *Yes*

Adopted the *17th* day of *Feb*, 19*93*.

*Patricia Bionge*  
Clerk, Board of County Commissioners.

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,  
Belmont County, Ohio

*Vacating + Rededicating of  
United Top Res 264 + 94  
Public Road*

*March 1*, 19*93*

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

The undersigned in obedience to your order dated *Feb 17*, 19*93*, proceeded on the *1st* day of *March*, 19*93*, 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.

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:



OWNER'S CONSENT AND DEDICATION  
 WE THE UNDERSIGNED, BEING THE OWNERS OF THE  
 LAND HEREIN PLATTED, DO HEREBY VOLUNTARILY GIVE,  
 GRANT, BARGAIN AND FOREVER DEDICATE TO THE  
 BELMONT COUNTY COMMISSIONERS AND THEIR  
 SUCCESSORS IN OFFICE, BELMONT COUNTY, OHIO, THE  
 HEREIN TRACTS OF LAND FOR ROAD PURPOSES: (SECTION  
 5553.31 OF THE OHIO REVISED CODE.)

OWNER

*Tom Bednar*  
 Tom Bednar

WITNESS

*Janet G. Gable*  
 Janet G. Gable

WITNESSES AND MINERAL  
 BANNOCK LAND COMPANY

*Jane P. Nguyen*  
 Jane P. Nguyen

CALL TABLE  
 VACATED TWP. RD. #94  
 COURSE BEARING DISTANCE  
 1 N76°20'00"E 110.14'  
 2 N82°23'24"W 74.50'  
 3 N68°05'04"W 52.00'  
 4 N52°20'11"W 39.88'

VACATED TWP. RD. #264  
 COURSE BEARING DISTANCE  
 1 N71°51'27"W 103.36'  
 2 N69°09'45"W 122.53'  
 3 N53°24'37"W 117.42'  
 4 N44°58'40"W 119.70'  
 5 N47°15'53"W 121.72'  
 6 N39°30'08"W 173.52'  
 7 N37°55'47"W 203.06'  
 8 N40°41'53"W 127.66'

COURSE	BEARING	DISTANCE	CHORD BEARING
A	N46°13'18"W	55.00'	N52°55'32"W
B	N69°37'46"W	63.24'	N55°54'36"W
C	N45°02'46"W	250.19'	N49°37'05"W
D	N45°47'23"W	117.92'	N45°25'05"W
E	N49°46'03"W	603.12'	N47°48'43"W
F	N57°37'34"W	84.03'	N53°41'48"W
G	N68°45'03"W	133.70'	N65°20'14"W
H	N62°55'55"W	363.62'	N79°54'29"W
I	N65°44'39"W	255.87'	N85°34'26"W
J	N85°44'39"W	113.04'	N85°03'44"W

BEFORE ME A NOTARY PUBLIC PERSONALLY APPEARED  
 THE ABOVE PERSONS, *Tom Bednar* WHO ACKNOWLEDGE THAT THEY  
 DID SIGN THE FOREGOING, AND THAT THE SAME IS  
 THEIR FREE ACT AND DEED. IN TESTIMONY WHEREOF,  
 I HEREBY SET MY HAND AND OFFICIAL SEAL THIS  
 19th DAY OF FEBRUARY 1993

NOTARY PUBLIC  
 JEAN ELLEN CRAMBLETT, Notary Public  
 State of Ohio  
 My Commission Expires July 4, 1994

VACATION AND REDEDICATION  
 FROM U.S.G.S. TRIANGULATION STATION MORRIS.

TOWNSHIP ROADS #264 AND #94

IMPROVEMENT NO. 962

BANNOCK LAND CO.  
 UNION TOWNSHIP, SECTIONS 4, AND 10, T-8 R-5

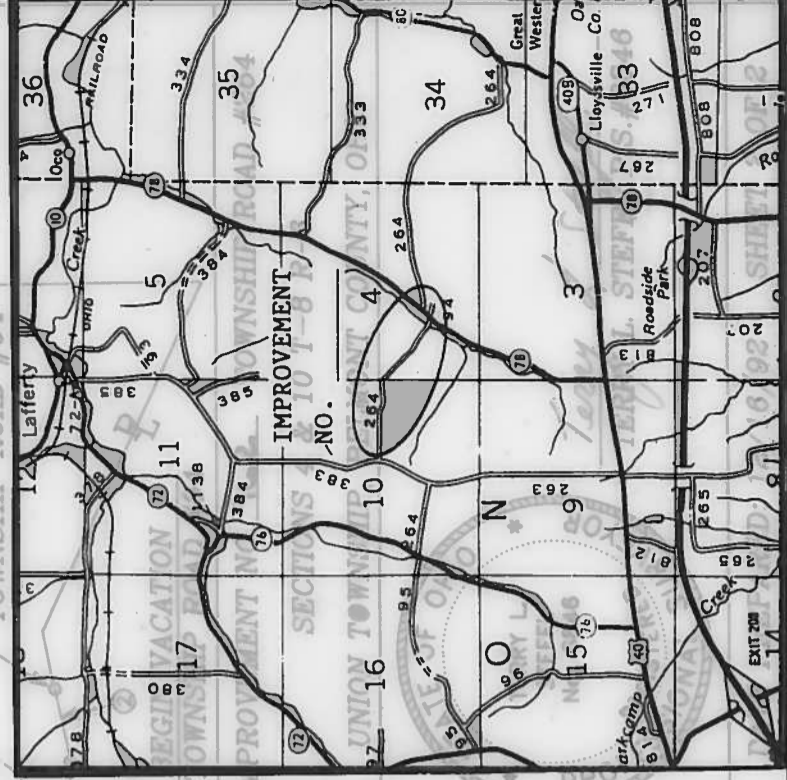
BELMONT COUNTY, OHIO

60' RIGHT-OF-WAY

0.62 MILES

FRED BENNETT - COUNTY ENGINEER

LOCATION MAP - SCALE: 1" = 1 MILE



APPROVED BY  
*John F. Bennett, P.E.*  
 COUNTY ENGINEER  
*John Pollock*  
 COUNTY COMMISSIONER  
*Michael Chisman*  
 COUNTY COMMISSIONER

THIS 27th DAY OF MARCH 1993  
 GRAPHIC SCALE - FEET  
 SHEET 1 OF 2

S6	286.51.02.M	43.34	C-10	15801.18	1.51.20"	189.03.44.M	300	0	300	800	800
S2	281.59.28.M	48.11	C-9	4386.11	5.53.14"	189.34.58.M	SCALE				
S4	183.01.50.M	118.35	C-8	501.81	13.43.08"	188.82					
S3	181.58.01.M	80.21	C-7	184.85	12.52.51"	48.94					
			C-6	451.85	3.21.31"	48.22					
			C-5	1438.83	3.28.38"	88.18					
			C-4	12401.01	0.44.31"	88.84					
			C-3	111.23	3.08.38"	188.88					
			C-2	148.81	1.58.55"	88.88					
			C-1	1354.58"	13.54.58"	48.88					

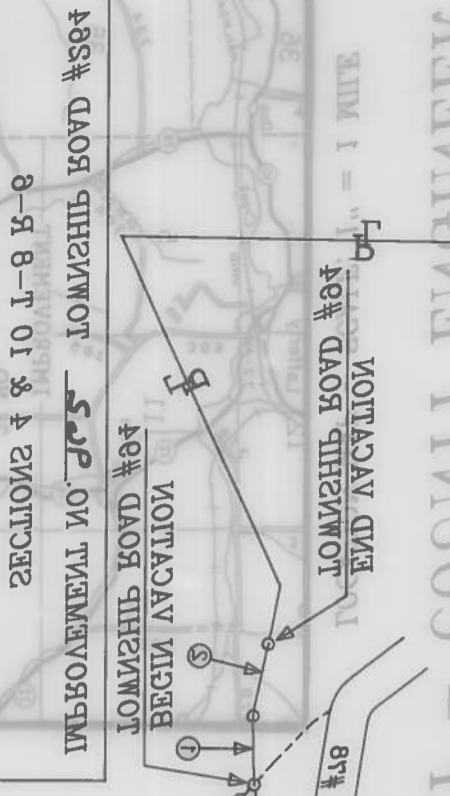
S8	140.41.23.M	154.84	H	113.04	113.04	189.03.44.M	CH BEARING				
S3	142.02.41.M	503.08	G	184.55.48.M	503.81	189.34.58.M					
S5	139.30.08.M	113.25	L	188.48.03.M	383.85	188.82					
S1	141.12.23.M	151.15	E	123.05.22.M	133.10	48.22					
S2	144.08.40.M	118.10	D	148.48.03.M	84.03	88.18					
S3	143.07.28.M	111.45	C	142.41.53.M	903.15	88.84					
S4	140.08.42.M	155.23	B	142.05.48.M	520.18	88.84					
S5	141.01.51.M	103.38	A	148.31.48.M	83.54	48.88					

S6	148.58.40.E	110.14									
S7	288.24.00.E	105.30									

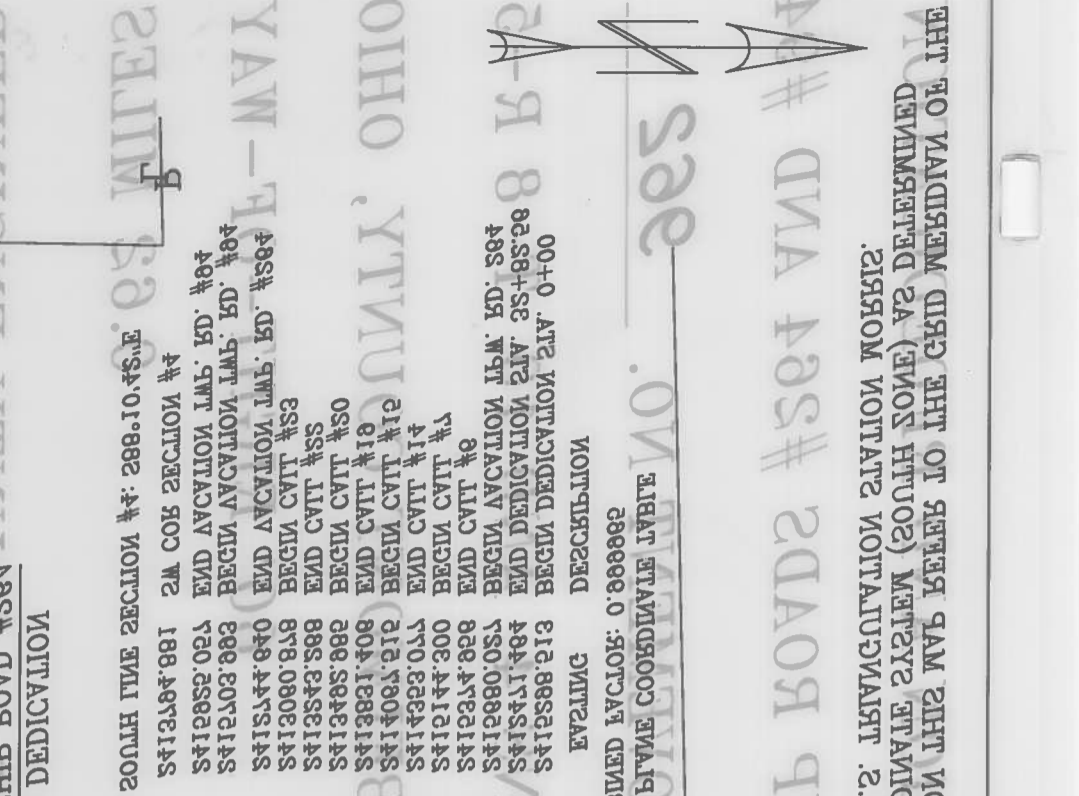
CONSEQE	BEARING	DISTANCE	AVCALLED L.M.B. 'SD' #84
S	148.58.40.E	110.14	
1	288.24.00.E	105.30	

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DATE PREPARED: 12/18/85 SHEET 5 OF 5  
 PROFESSIONAL REGISTERED LAND SURVEYOR  
 NO. 8846  
 TERRY G. STEEL  
 STATE OF OHIO  
 UNION TOWNSHIP, BELMONT COUNTY, OHIO  
 SECTIONS 4 & 10 T-8 R-8  
 IMPROVEMENT NO. 125- TOWNSHIP ROAD #547

DATE PREPARED: 12/18/85 SHEET 5 OF 5  
 PROFESSIONAL REGISTERED LAND SURVEYOR  
 NO. 8846  
 TERRY G. STEEL  
 STATE OF OHIO  
 UNION TOWNSHIP, BELMONT COUNTY, OHIO  
 SECTIONS 4 & 10 T-8 R-8  
 IMPROVEMENT NO. 125- TOWNSHIP ROAD #547

DATE PREPARED: 12/18/85 SHEET 5 OF 5  
 PROFESSIONAL REGISTERED LAND SURVEYOR  
 NO. 8846  
 TERRY G. STEEL  
 STATE OF OHIO  
 UNION TOWNSHIP, BELMONT COUNTY, OHIO  
 SECTIONS 4 & 10 T-8 R-8  
 IMPROVEMENT NO. 125- TOWNSHIP ROAD #547



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Vacating & Dedication of Union Top Row 264 + 94 Public Road

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 15th day of March, 1993, at the office of the commissioners with the following members present:

Michael C. Bianconi, Low Paerock

Mr. Paerock 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 1993, 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 1993, 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 & Dedicated 60 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;

Four large handwritten X marks indicating a vote or signature.

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

Mr. Paerock Yes
Mr. Bianconi Yes
Mr. Yes

Adopted the 15th day of March, 1993.

Patricia Bissinger Clerk, Board of County Commissioners,

**RESOLUTION — ORDER TO Open ROAD**  
Sec. 5563.01 R.C. (Open or Close)

IN THE MATTER OF THE

Office of County Commissioners,  
Belmont County, Ohio

<sup>1</sup> Vacating & Re-dedicating of  
Union Twp. Rds 264 & 994  
Public Road

The Board of County Commissioners of Belmont Co County, Ohio, met

in regular session on the 17th day of March, 1993  
(Regular or Special)

at the office of the commissioners with the following members present:

Michael C. Bianconi

Law Paalock

Mr. Paalock 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 vacated  
& re-dedicated, as order heretofore, made on our journal of the date of March 1, 1993,

and a copy of this resolution be forwarded to the Union Township Trustees.

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

Mr. Paalock, yes

Mr. Bianconi, yes

Mr. \_\_\_\_\_, \_\_\_\_\_

Adopted the 17th day of March, 1993

Patricia Bittenger  
Clerk, Board of County Commissioners.

Belmont County, Ohio