

Imp. 979

PUBLIC ROAD PETITION *without petition*

Belmont County

Ohio, April 20, 1994

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 *the vacating and changing the direction of* *a portion of County Road No. 10* a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for *Vacating and changing direction* *a portion of* 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 ⁵ a point in the existing County Road 10, approximately .5 mile west of its intersection with County Road 5, thence following the centerline of B & O Railroad map valuation station 773+65 to station 884+70, approximately 20 feet west of the intersection of existing County Road 56 located in Colerain Township, Section 31, T-7, R-3 and Section 36, T-6, R-3. The approximate distance of said alteration being 2.10 mile with a 60 feet right-of-way.

Upon completion of the above-described alteration and acceptance by the Belmont County Commissioners, the existing right-of-way for County Road 10 will be vacated from B & O Railroad valuation Station 773+65 to Station 801+47 being an approximate distance of .53 mile located in Colerain Township, Section 36, T-6, R-3 and Section 31, T-7, R-3.

Dated this _____ day of _____, A. D. 19_____

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

Office of County Commissioners,

Belmont County, Ohio

*Vacating and Changing the Direction
of a portion of County Road #10*
Public Road.

Petitioned for by _____

_____, and others.

The Board of County Commissioners of Belmont County, Ohio, met in _____ *Regular* session

on the *20th* day of *April*, 19 *94*, at the office of *the Commissioners*

with the following members present:

Michael C. Bianconi

John Pollock

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 and change the direction*

of a portion of County Road #10 a Public Road as described therein; therefore, be it

RESOLVED, That the *9th* day of *April*, 19 *94*, 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 *11th* day of *May*, 19 *94*, at *9:30* 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. *BIANCONI* seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. *Pollock*, *YES*

Mr. *BIANCONI*, *YES*

Mr. _____

Adopted the *20th* day of *April*, 19 *94*

PATRICIA BITTALKIE - CLERK

IMP NO. 979

VACATING AND CHANGING
A PORTION OF
COUNTY ROAD 10
COLERAIN TOWNSHIP
SECTION 31, T. 7, R. 3
SECTION 36, T. 6, R. 3
BELMONT COUNTY, OHIO
FRED F. BENNETT, ENGINEER

APPROVED BY:

COUNTY ENGINEER

Fred F. Bennett P.E.

COUNTY COMMISSIONERS

John Pollack

Jim Heple

THIS THE 1 DAY OF Nov 19 95.

IMP NO. 979

FRED F. BENNETT, ENGINEER
BELMONT COUNTY, OHIO
SECTION 36, T. 6, R. 3
SECTION 31, T. 7, R. 3
COLERAIR TOWNSHIP
COUNTY ROAD 10
A PORTION OF
VACATING AND CHANGING

APPROVED BY:

COUNTY ENGINEER

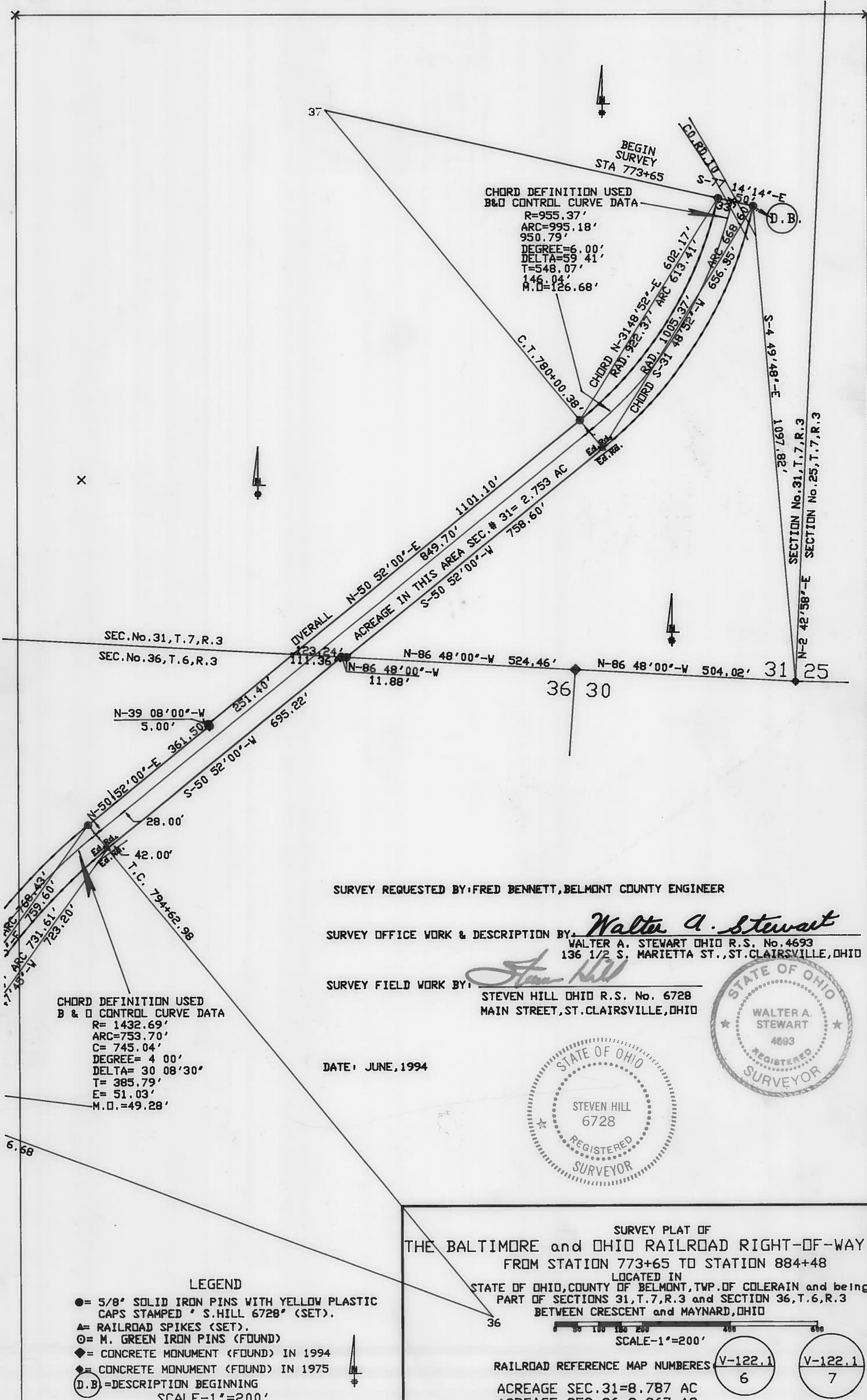
Fred F. Bennett, P.E.

COUNTY COMMISSIONERS

Bob G. Gresh

Jim Hays

THIS THE 1 DAY OF Nov 1992.



CHORD DEFINITION USED
B & D CONTROL CURVE DATA
R=955.37'
ARC=995.18'
950.79'
DEGREE=6.00'
DELTA=59.41'
T=548.07'
E=146.04'
M.O.=126.68'

CHORD DEFINITION USED
B & D CONTROL CURVE DATA
R=1432.69'
ARC=753.70'
C=745.04'
DEGREE=4.00'
DELTA=30.08'30"
T=385.79'
E=51.03'
M.O.=49.28'

SURVEY REQUESTED BY: FRED BENNETT, BELMONT COUNTY ENGINEER

SURVEY OFFICE WORK & DESCRIPTION BY: Walter A. Stewart
WALTER A. STEWART OHIO R.S. No. 4693
136 1/2 S. MARIETTA ST., ST. CLAIRSVILLE, OHIO

SURVEY FIELD WORK BY: Steven Hill
STEVEN HILL OHIO R.S. No. 6728
MAIN STREET, ST. CLAIRSVILLE, OHIO

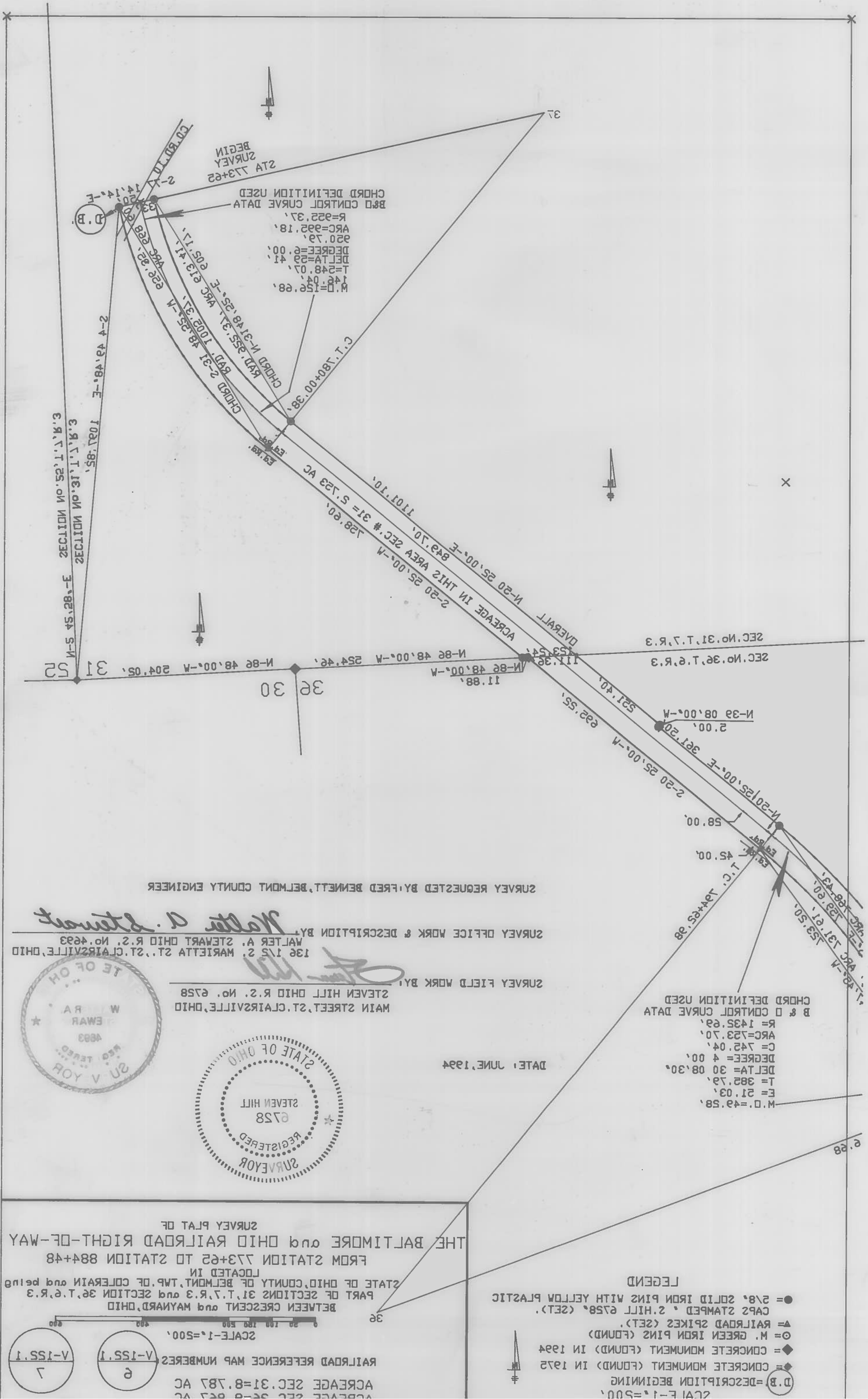
DATE: JUNE, 1994

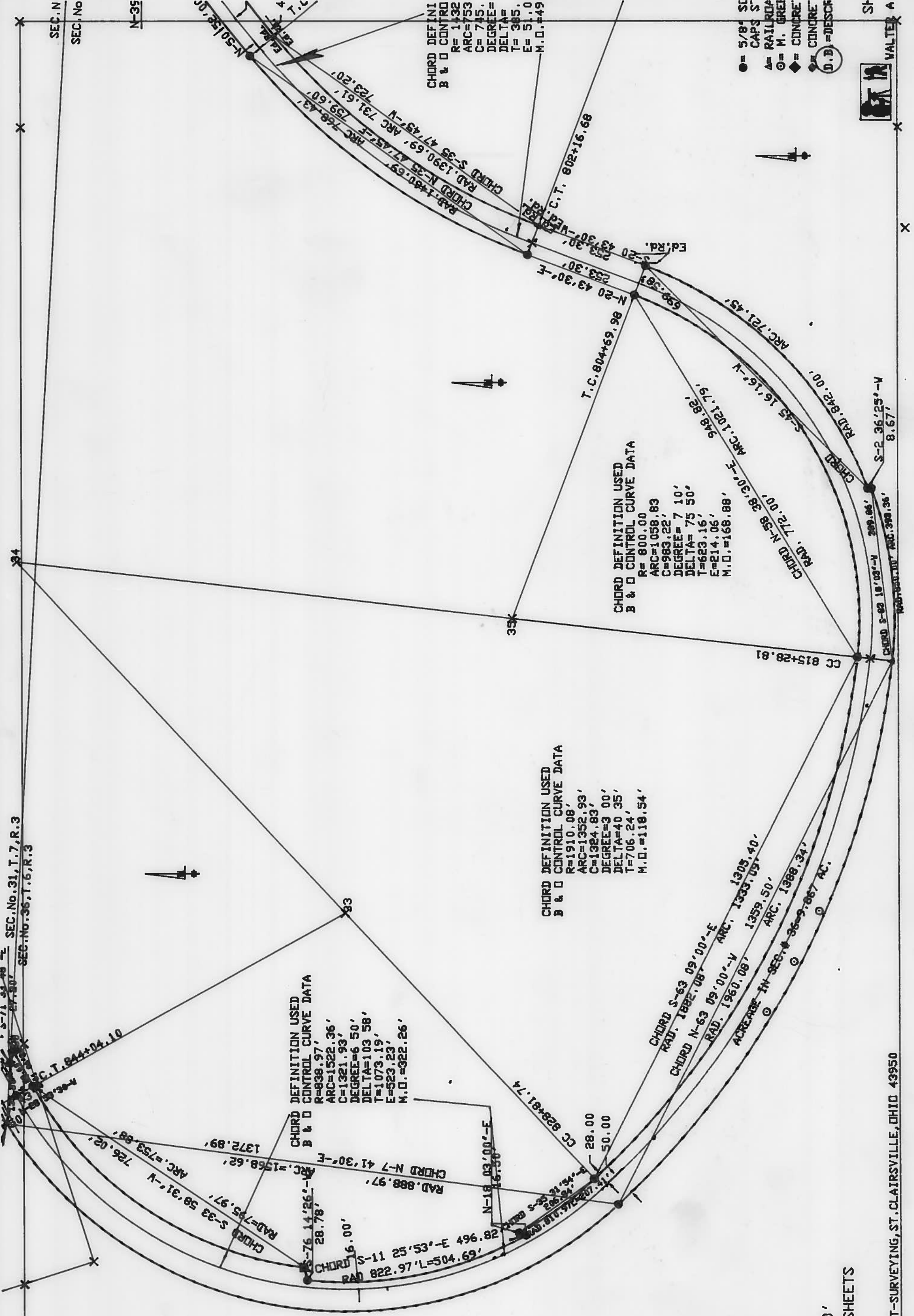
- LEGEND
- = 5/8" SOLID IRON PINS WITH YELLOW PLASTIC CAPS STAMPED "S. HILL 6728" (SET).
 - ▲ = RAILROAD SPIKES (SET).
 - = M. GREEN IRON PINS (FOUND)
 - ◆ = CONCRETE MONUMENT (FOUND) IN 1994
 - ◆ = CONCRETE MONUMENT (FOUND) IN 1975
 - (D.B.) = DESCRIPTION BEGINNING
- SCALE-1"=200'

SURVEY PLAT OF
THE BALTIMORE and OHIO RAILROAD RIGHT-OF-WAY
FROM STATION 773+65 TO STATION 884+48
LOCATED IN
STATE OF OHIO, COUNTY OF BELMONT, TWP. OF COLERAIN and being
PART OF SECTIONS 31, T. 7, R. 3 and SECTION 36, T. 6, R. 3
BETWEEN CRESCENT and MAYNARD, OHIO

RAILROAD REFERENCE MAP NUMBERS: V-122.1/6, V-122.1/7

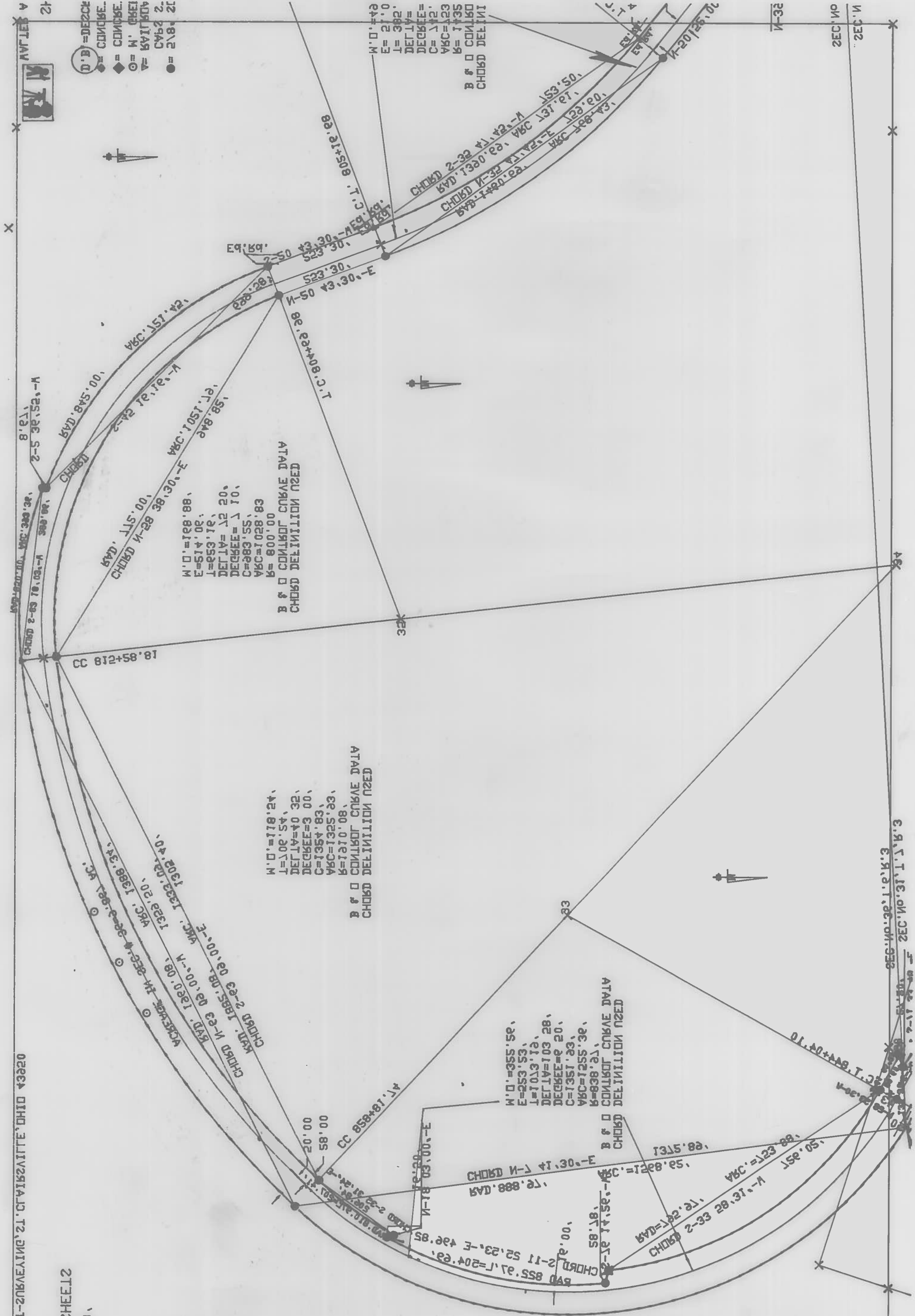
ACREAGE SEC. 31=8.787 AC
ACREAGE SEC. 36=9.867 AC





SCALE-1"=200'
SHEET 2 OF 3 SHEETS

'005='1-3JACZ



END SURVEY
884+48.00 N-34 37' 48" E
CHORD DEFINITION USED
B & O CONTROL CURVE DATA
R=953.37
ARC=417.31
DEGREE=8 00'
DELTA=25 00'
T=242.44
E=104.0137
M.O.=22.70
C.C. 880+30.69

CHORD DEFINITION USED
B & O CONTROL CURVE DATA
R=5729.65
ARC=1013.35
C=1012.03
DEGREE=1 00'
DELTA=10 08'
T=508.00
E=22.48
M.O.=22.39

NOTE:
GARAGE ENCRDACHES
INTO RIGHT-OF-WAY

CHORD DEFINITION USED
B & O CONTROL CURVE DATA
R=1910.08
ARC=1489.62
C=1452.15
DEGREE=3 00'
DELTA=44 41'
T=785.00
E=155.02
M.O.=143.38

PART OF B & O R.R.
PROPERTY BY DEED IN
VOL. 229, PG. 45
LOTS 13, 14 & 15
FATHERMAC'S ADDITION
CABINET 'B', SLIDE 219

LORETTO AVE.
FATHERMAC ADDITION
CABINET 'B', SLIDE 219

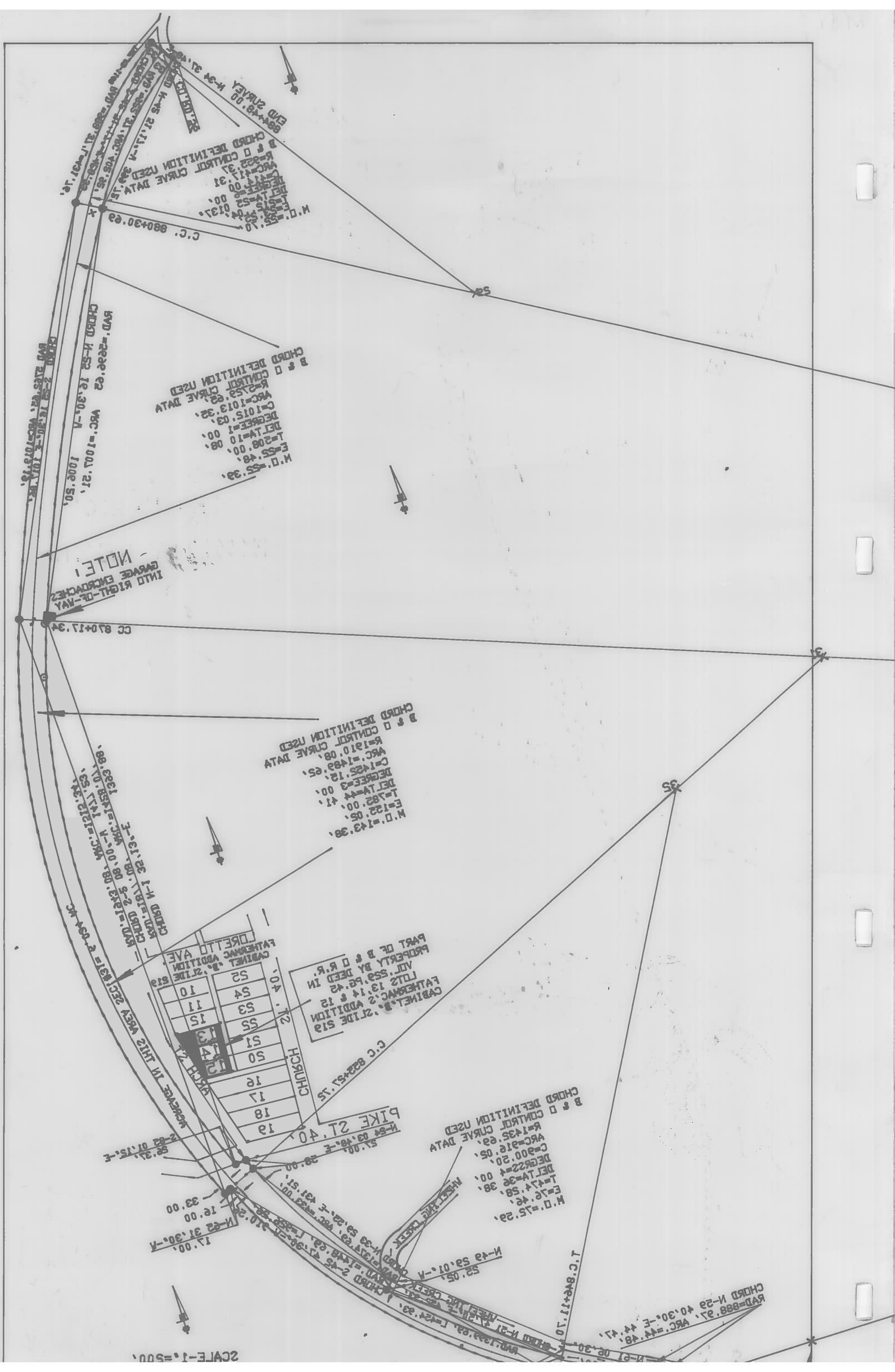
25	10
24	11
23	12
22	13
21	14
20	15
16	
17	
18	
19	

CHORD DEFINITION USED
B & O CONTROL CURVE DATA
R=1432.69
ARC=916.02
C=900.50
DEGREE=4 00'
DELTA=36 38'
T=474.28
E=76.46
M.O.=72.59

PIKE ST. 40'
N-84 03' 48" E
27.00'

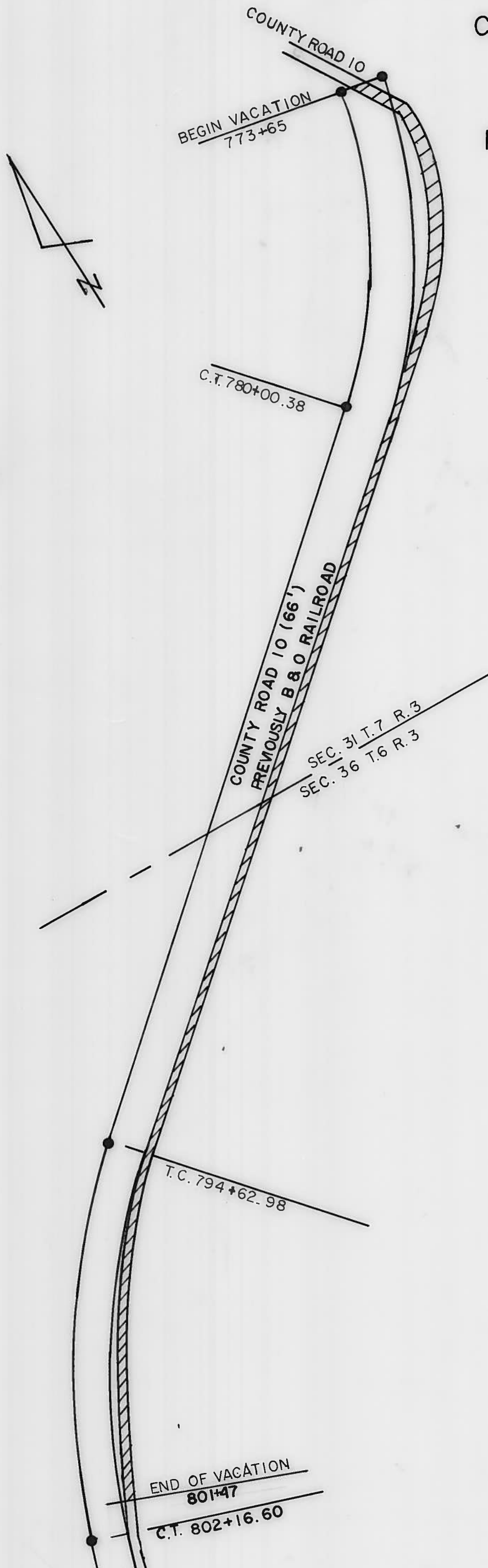
CHORD N-59 40'30"-E 44.47'
RAD=888.97' ARC.=44.48'

SCALE-1"=200'



IMP 979


VACATION OF A PORTION OF
COUNTY ROAD 10
COLERAIN TWP. SEC. 31, T.7, R.3
SEC. 36, T.6, R.3
BELMONT COUNTY, OHIO
FRED F. BENNETT COUNTY ENGINEER

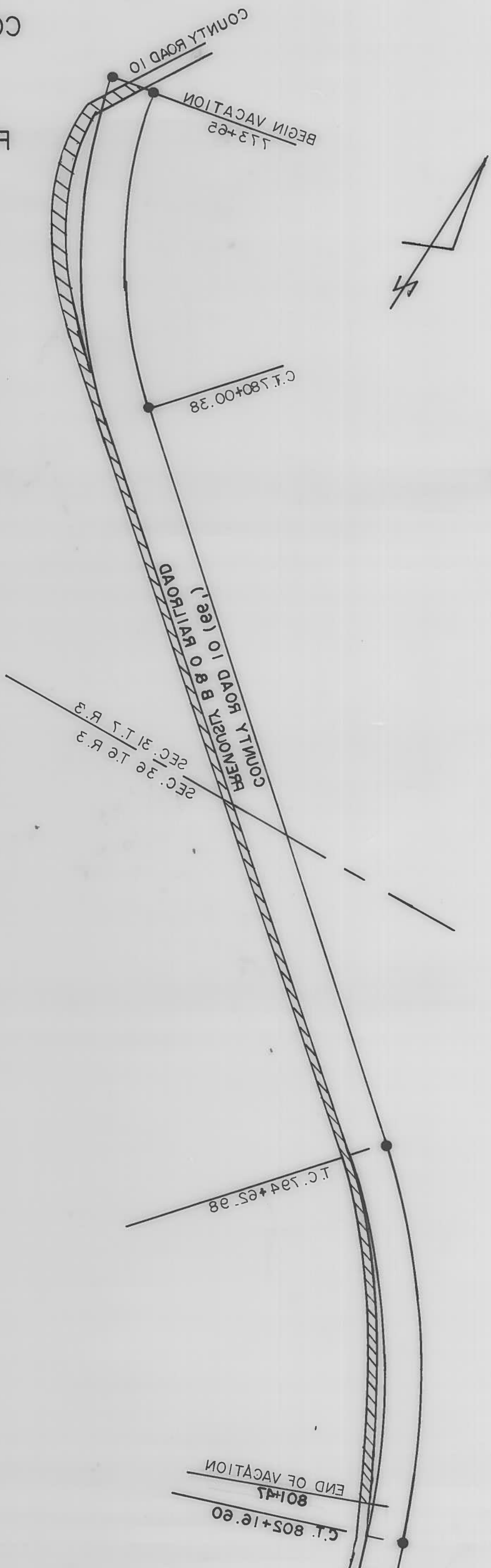


SCALE : 1" = 200'

 = VACATION

FRED F. BENNETT COUNTY ENGINEER
 BELMONT COUNTY, OHIO
 SEC. 36, T. 6, R. 3
 COLERAIN TWP. SEC. 31, T. 7, R. 3
 COUNTY ROAD 10
 VACATION OF A PORTION OF
 IMP 279

SCALE : 1" = 500'
 VACATION = 



Imp # 979

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT

ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

*Vacating and Changing direction
of a portion of County Road 10*
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 *May*, 19*94*, at the office of *the Commissioners*
with the following members present:

*Michael C. Bianconi**John Pollock**Jim Hepe*

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

WHEREAS, On the *9th* day of *May*, 19*94*, 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 *MAY*, 19*94*, 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. *Pollock* seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. *Hepe*, *yes*

Mr. *Pollock*, *yes*

Mr. *Bianconi*, *yes*

Adopted the *9th* day of *May*, 19*94*

Patricia Bittengle, Clerk
Clerk, Board of County Commissioners,

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacating and changing the
direction of a portion of County Road 10
Public Road Maynard-Crescent Rd.

County Engineer's Office,

Belmont County, Ohio

May 11th, 19 94

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

The undersigned in obedience to your order dated May 9, 19 94, proceeded on the 10th
day of May, 19 94, 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 66' min. 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 PLATS"

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

IMP #979

RESOLUTION — GRANTING PROPOSED IMPROVEMENT
ORDERING RECORD, ETC.

IN THE MATTER OF THE
VACATING & CHANGING DIRECTION OF
A PORTION OF COUNTY ROAD 10
Public Road
MAYNARD - CRESCENT

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 MAY, 1994, at the office of THE COMMISSIONERS
with the following members present:

MICHAEL C. BIANCONI
JOHN POLLOCK
JIM HEPE

Mr. HEPE 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 66' min. 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;~~

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. HEPE YES
Mr. POLLOCK YES
Mr. BIANCONI YES

Adopted the 11TH day of MAY, 1994

PATRICIA BITTENGE, CLERK
Clerk, Board of County Commissioners,

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

IN THE MATTER OF THE
 VACATING & CHANGING THE
 DIRECTION OF A PORTION OF COUNTY
 Public Road
 ROAD 10. MAYNARD-CRESCENT RD.

Office of County Commissioners,
 Belmont County, Ohio

The Board of County Commissioners of _____ BELMONT _____ County, Ohio, met
 in _____ REGULAR _____ session on the _____ 25TH _____ day of _____ MAY _____, 1994,
 (Regular or Special)
 at the office of _____ THE COMMISSIONERS _____ with the following members present:

_____ MICHAEL C. BIANCONI _____

_____ JOHN POLLOCK _____

_____ JIM HEPE _____

Mr. _____ HEPE _____ 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 OPENED 66' MIN.
 RIGHTS OF WAY TO BE ACQUIRED
 FROM CSX- REAL PROPERTY _____, as order heretofore, made on our journal of the date of _____ MAY 11 _____, 1995,

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

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

Mr. _____ HEPE _____, YES

Mr. _____ POLLOCK _____, YES

Mr. _____ BIANCONI _____, YES

Adopted the _____ 25TH _____ day of _____ MAY _____, 1995

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_____ PATRICIA BITTENGLE, CLERK _____
 Clerk, Board of County Commissioners.

_____ BELMONT _____ County, Ohio