

PUBLIC ROAD PETITION

Belmont Co., Ohio, July 21, 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... vacating ... 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 and being all of 5th Alley and 6th Alley and that portion of 3rd Alley in between lots 44 and 45, located in Temperanceville Subdivision in Somerset Twp., Section 33, T-7, R-6, Belmont County, Ohio and recorded in Cabinet B, Slide 276 in the Belmont County Recorders Office. All alleys are 16 ft. 6 in. R.O.W.

Table with 2 columns: Name and Address. Includes names like Ronnie W. Stephen, Thomas J. Jellen Jr., Maurice M. Palmer, Anna M. Netling, Julian Winland, Francis D. Starr, Robert M. Poulton, Eunice L. Poulton, Donald R. Howler, Betty Ann Howler, Mollie L. Hughes, Helmer E. Carpenter, Terry A. Stephen, Justin Ingert, Francis G. Molloy, Dick Hughes, Mazy Ryan, Raymond E. Ryan, Don E. Carpenter.

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

Vacating alley in Temperanceville

Somerset Twp.

Public Road

Aug 31, 19*94*

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

The undersigned in obedience to your order dated *August 15*, 19*94*, proceeded on the *24th* day of *August*, 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 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. 984

VACATION OF ALLEYS IN TEMPERANCEVILLE

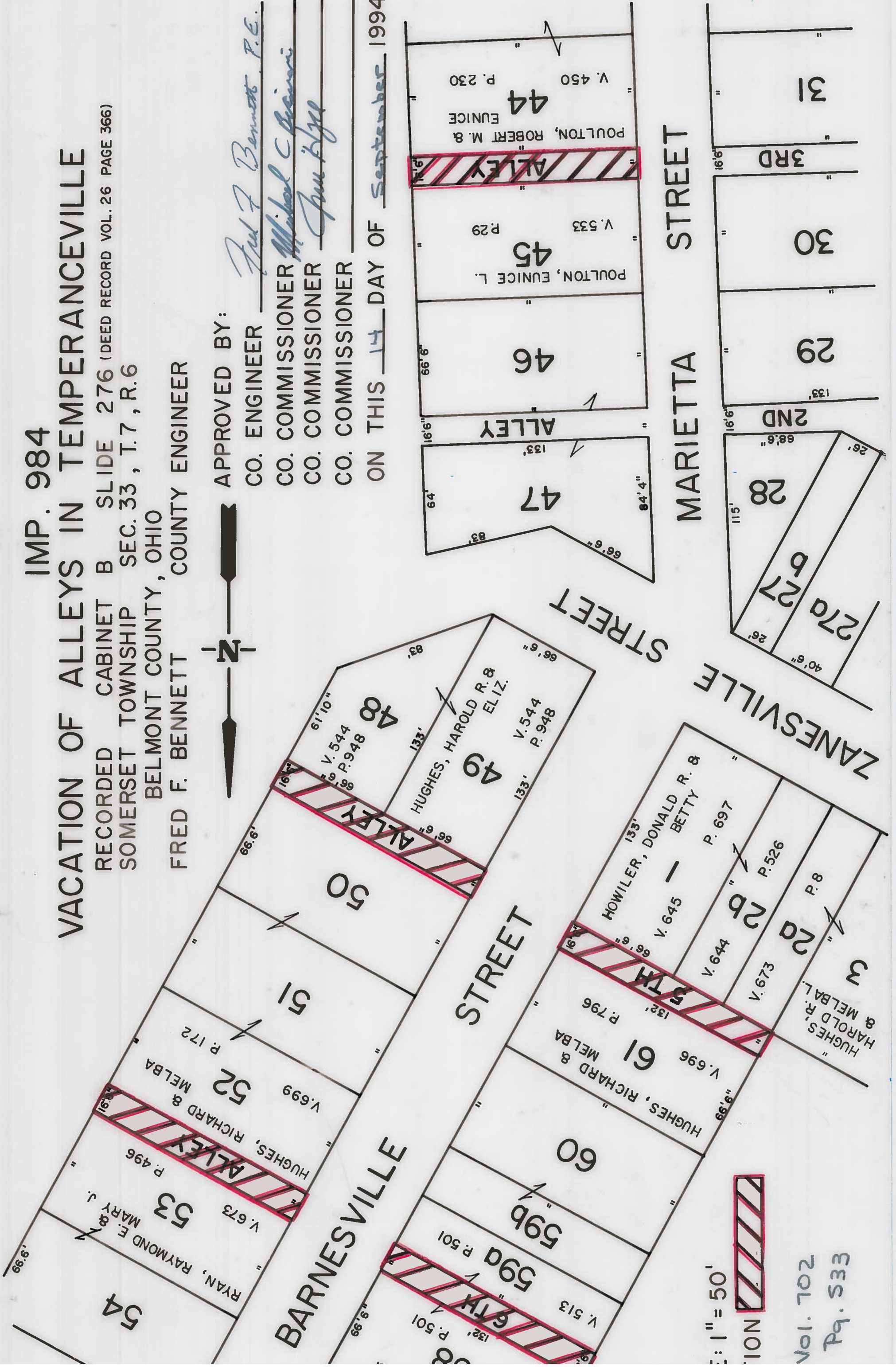
RECORDED CABINET B SLIDE 276 (DEED RECORD VOL. 26 PAGE 366)
SOMERSET TOWNSHIP SEC. 33, T. 7, R. 6

BELMONT COUNTY, OHIO
FRED F. BENNETT COUNTY ENGINEER



APPROVED BY:
CO. ENGINEER *Fred F. Bennett, P.E.*
CO. COMMISSIONER *Michael C. Brainerd*
CO. COMMISSIONER *James E. Hylle*
CO. COMMISSIONER _____

ON THIS 14 DAY OF September 1994



1" = 50'

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Pg. 533

480 . 9MI
 АЛЛУЕСИДРЭМЭТ ИИ ЗУЭЛЛА ЭО ИОИТАСАВ

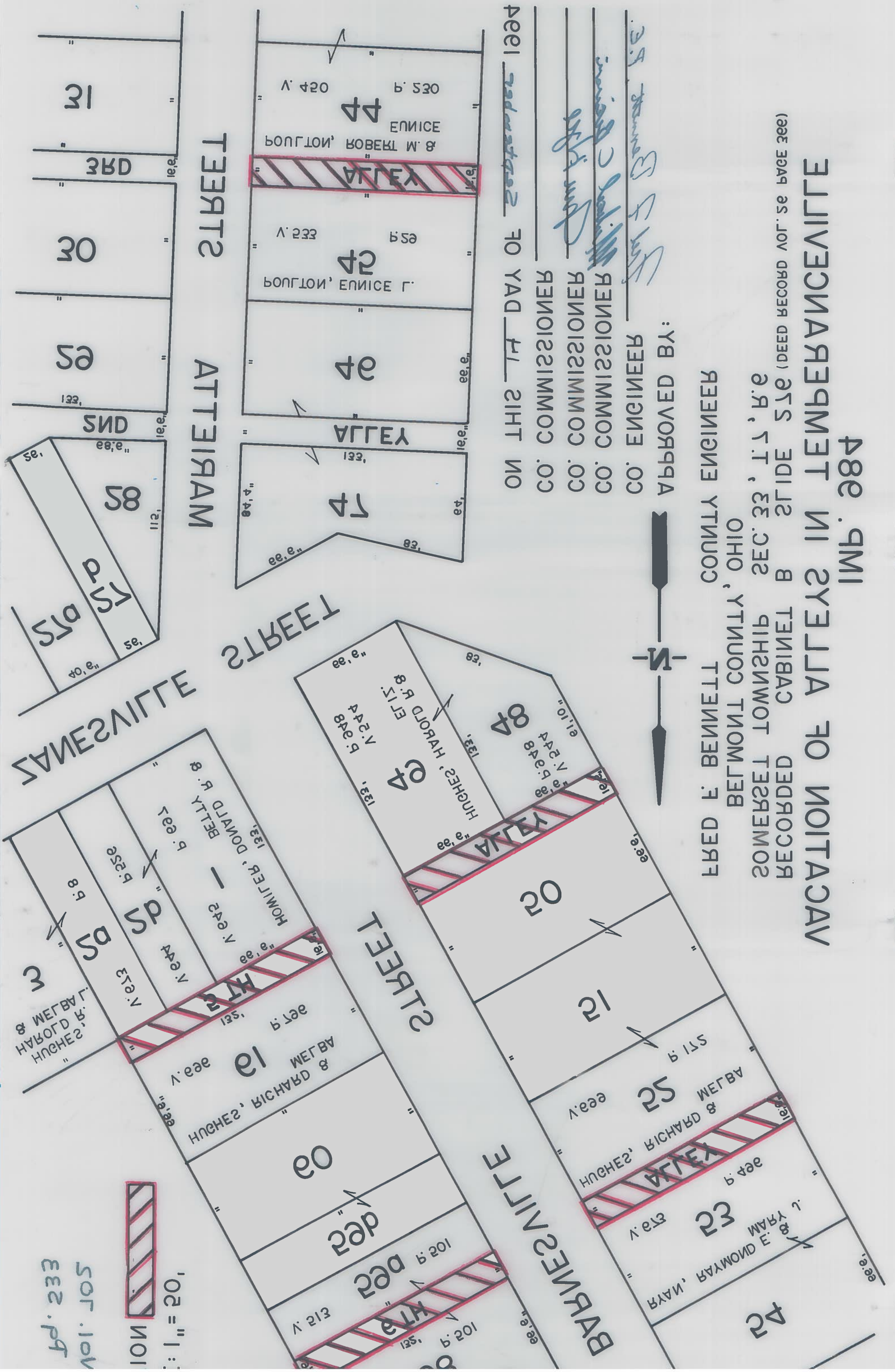
(SEE PAGE 25. DEED RECORD) ATLS EDE STS
 В ТИИИАС В ГЛИДЕ
 РЕСОРДЕД
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 ТЕС.ЕСЗ, Т.Т, К.Е.
 БЕГМОИТ СОИТЛУ, ОИНО
 СОИТЛУ ЕИИИЕР
 ФРЕД Е. БЕИИЕТТ

APPROVED BY:

John M. ...
Michael C. ...
Paul S. ...

CO. ENGINEER
 CO. COMMISSIONER
 CO. COMMISSIONER
 CO. COMMISSIONER

DEED 70000000 TO YAD PL SINT NO



1" = 20'

507.10V
 332.94

RESOLUTION - GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners, Belmont County, Ohio

~~Vacating alley in Temperance~~
~~and Somerset Turn~~
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 31 day of August, 1994, at the office of the commissioners with the following members present:

Leon Porech
Lin Hapel

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

Mr. Porech yes
Mr. Hapel yes
Mr. _____

Adopted the 31 day of August, 1994.

Patricia Bittenger
Clerk, Board of County Commissioners,

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

vacating of alley in
Temperanceville - Somerset
Public Road

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

in regular session on the 14 day of Sept, 1994,
(Regular or Special)

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

Michael A. Bianconi
Lin Hapel

Mr. Hapel 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

, as order heretofore, made on our journal of the date of Aug 31, 1994,

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

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

Mr. Hapel Yes
Mr. Bianconi Yes
Mr. _____

Adopted the 14 day of September, 1994

Patricia Bittenger
Clerk, Board of County Commissioners.

Belmont County, Ohio