

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 of a portion of Barnesville St & five alleys in Jacobsburg 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 alleys in between lots 65-73 and the alley on the Northerly side of lots 65-73 and that portion of Barnesville Street on the Southerly side of lots 65-73. Said alley and street are located in Jacobsburg Subdivision in Smith Twp., Sec. 2, T-6, R-4,, Belmont County, Ohio and recorded in Vol. J, Page 536 in Belmont County Recorders Office. All alleys are 20 ft. R.O.W. and Barnesville Street being a 55 ft. R.O.W.

Dated this day of, A.D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Contains handwritten entries for Stella Lee Ramsey, Richard V. Martin, Karen Stacey, Carol J. Hess, etc.

RESOLUTION — FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION

IN THE MATTER OF THE

uncreating a portion of Barnesville St & find alley in Jacobsburg Public Road.

Office of County Commissioners, Belmont County, Ohio

Petitioned for by Wayne Cooper, and others.

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

on the 27 day of July, 1994, at the office of the commissioners

with the following members present:

- Michael C. Bianconi, Low Passack, Jim Hapel

Mr. Hapel 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 uncreate a portion of Barnesville St & find alley in Jacobsburg a Public Road as described therein; therefore, be it

RESOLVED, That the 29 day of Aug, 1994, 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 sight

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

RESOLVED, That the 31 day of Aug, 1994, at 9:45 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 s/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. Passack seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Hapel, Mr. Passack, Mr. Bianconi, all with 'yes' votes

Adopted the 27 day of July, 1994

Handwritten signature at the bottom of the page.

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacating a portion of Barnesville  
at 9 S. corner in Jacobsburg  
Public Road

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session  
on the 29 day of August, 1994, at the office of the commissioners  
with the following members present:

Michael C. Bianconi  
John P. Beck  
Jim Hupel

Mr. Hupel moved the adoption of the following Resolution:

WHEREAS, On the 29 day of August, 1994, 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 31 day of August, 1994, 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. Beck seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Hupel yes  
Mr. Beck yes  
Mr. Bianconi yes

Adopted the 29 day of August, 1994

Patricia Bitterfeld  
Clerk, Board of County Commissioners

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

*vacating a portion of Barnesville  
St. & find same in Jacobsburg  
Public Road*

County Engineer's Office,  
Belmont County, Ohio

*August 31*, 19*94*

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

The undersigned in obedience to your order dated *Aug. 29*, 19*94*, proceeded on the *30* 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 post "*

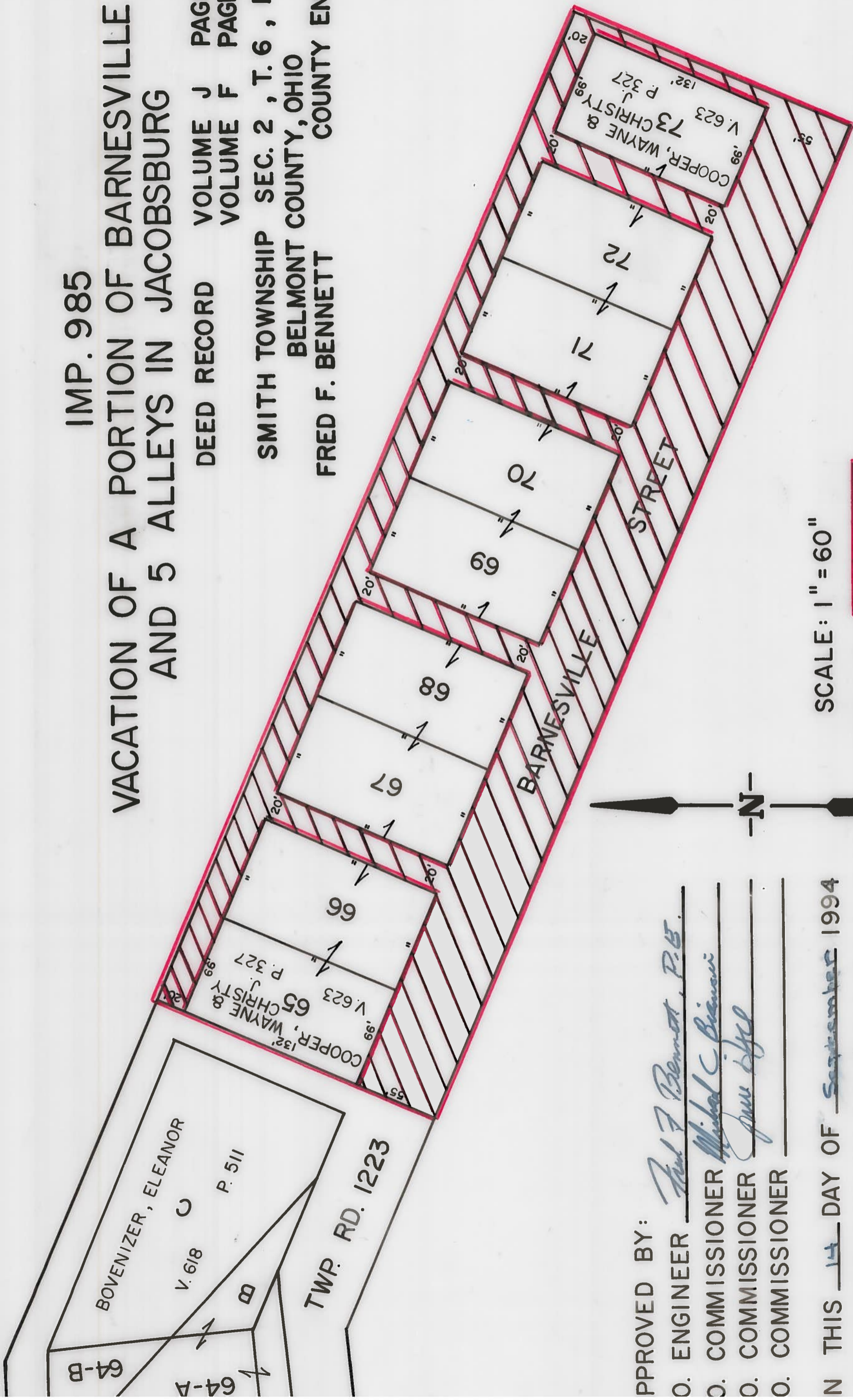
The undersigned recommends the following changes in the proposed improvement which in his judgment should be made in the event the proposed improvement be granted, to-wit:

IMP. 985

VACATION OF A PORTION OF BARNESVILLE ST.  
AND 5 ALLEYS IN JACOBSBURG

DEED RECORD VOLUME J PAGE 536  
VOLUME F PAGE 499

SMITH TOWNSHIP SEC. 2, T. 6, R. 4  
BELMONT COUNTY, OHIO  
FRED F. BENNETT COUNTY ENGINEER



SCALE: 1" = 60"



VACATION

APPROVED BY:

O. ENGINEER Fred F. Bennett, P.E.

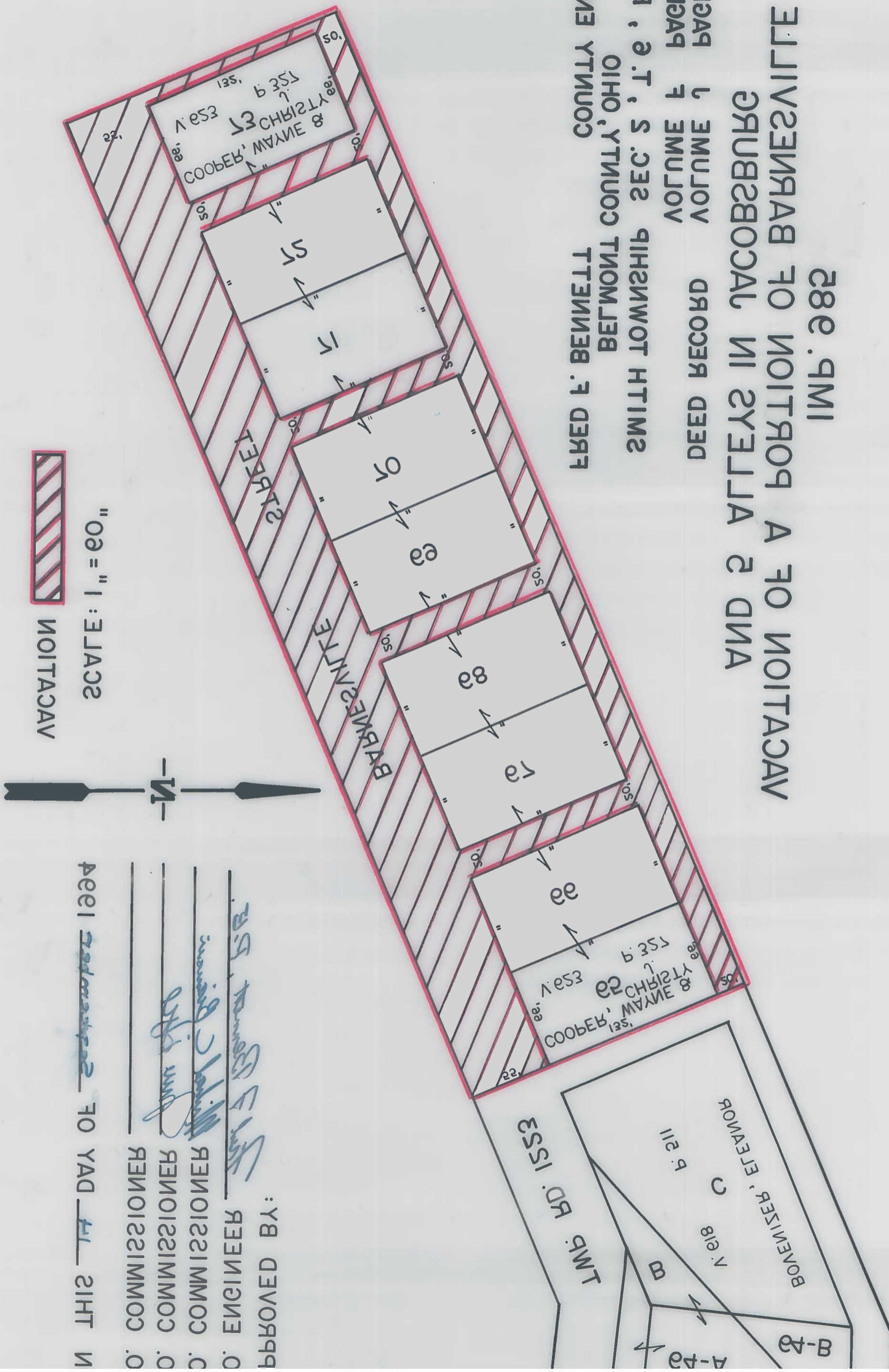
O. COMMISSIONER Michael C. Bianchi

O. COMMISSIONER James J. Hill

O. COMMISSIONER \_\_\_\_\_

IN THIS 14 DAY OF September 1994

28E.9M1  
 DEED RECORD & DEED  
 VOL 230 PAGE 230  
 WITH TOWNSHIP SEC. 5, T. 6, R. 4  
 BEGMONT TOWNSHIP, OHIO  
 FRED F. BENNETT COUNTY ENGINEER



THIS DAY OF April 1941 A.D.  
 I, James J. [Signature] COUNTY ENGINEER  
 do hereby certify that the above is a true and correct copy of the original record as the same appears in the office of the County Engineer.  
 Witness my hand and seal this 15th day of April 1941 A.D.



MORTGAGE

SCALE: 1" = 30'

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners, Belmont County, Ohio

vacating a portion of Barnesville St. and find alley in Leesburg Public Road

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

John Paslack, Jim Hope

Mr. Hope 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 1994, 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 1994, 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

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

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

Mr. Hope Yes, Mr. Paslack Yes, Mr. Yes

Adopted the 31 day of August, 1994.

Rainie Bittange 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

1 vacating a portion of Barnesville  
St and find access in Jacobsburg  
Public Road

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

in regular session on the 14 day of September, 1994.

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

Michael C. Bianconi

Jim Hoped

Mr. Hoped 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 Smith Township Trustees.

Mr. Bianconi seconded the Resolution and the roll being called upon its adoption the vote

resulted as follows:

Mr. Hoped, Yes

Mr. Bianconi, Yes

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

Adopted the 14 day of September, 1994

Patricia Bittenger  
Clerk, Board of County Commissioners

Belmont County, Ohio