

PUBLIC ROAD PETITION

Belmont Co, Ohio, Nov 1, 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 Union T.R. 1129, 1130, and 12' alley 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 a 12 ft. Alley on the East boundary of Jordan's Second Addition located in Union Township Section 6 T-8, R-5 Belmont County, Ohio and recorded in Cabinet B Slide 119 of the Belmont County Recorder's office; and also that portion of Front Street (T-1129) being a 30 ft. R.O.W. located on the north side of Lots 25 through Lot 30 and terminating on the East boundary of said subdivision and that portion of T-1130, being a 20 ft. R.O.W. located on the south side of Lot 20, a 20 ft. alley, & Lots 23 through 30 terminating on the east boundary of said subdivision.

Dated this day of A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Rows include names like Charles Best McFay, Cleona M. McFay, Alberta Burslenki, Chester Burslenki, Mary Margaret McFay, and others, with their respective addresses in Lafferty, 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

vacation of roads in Jordans
2nd add'n - Union Twp
Public Road.

Petitioned for by Chas McGary
, and others.

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

on the 9th day of November, 1994, at the office of the commissioners

with the following members present:

- Michael C. Bianconi
- John Paslock
- Jim Hopel

Mr. Hopel 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 roads in Jordans 2nd addition a Public Road as described therein; therefore, be it

RESOLVED, That the 5 day of Dec, 1994, at 2:00 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 7 day of Dec, 1994, 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. Paslock seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Hopel, Yes
- Mr. Paslock, Yes
- Mr. Bianconi, Yes

Adopted the 9 day of November, 1994

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of roads in Jordan's
2nd addition - Union Twp.
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 5 day of November, 1994, at the office of the commissioners
with the following members present:

Michael C. Bianconi
Lynn Paeerock
Lynn Hopewell

Mr. Hopewell moved the adoption of the following Resolution:

WHEREAS, On the 5 day of December, 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 7
day of December, 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. Paeerock seconded the Resolution and the roll being called upon its adoption, the vote
resulted as follows:

Mr. Hopewell, Yes
Mr. Paeerock, Yes
Mr. Bianconi, Yes

Adopted the 5 day of December, 1994.

Rachina Bittenger
Clerk, Board of County Commissioners.

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of roads in Jordan
2nd addition Union Twp
Public Road

County Engineer's Office,
Belmont County, Ohio

December 7, 1944

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

The undersigned in obedience to your order dated December 5, 1944, proceeded on the 6 day of December, 1944, 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 989
 VACATION OF A PORTION OF TOWNSHIP ROAD 1129, 1130
 AND 12' ALLEY IN JORDEN'S 2ND ADDITION
 RECORDED CABINET B SLIDE 119

UNION TOWNSHIP SECTION 6 TOWNSHIP 8 RANGE 5
 BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

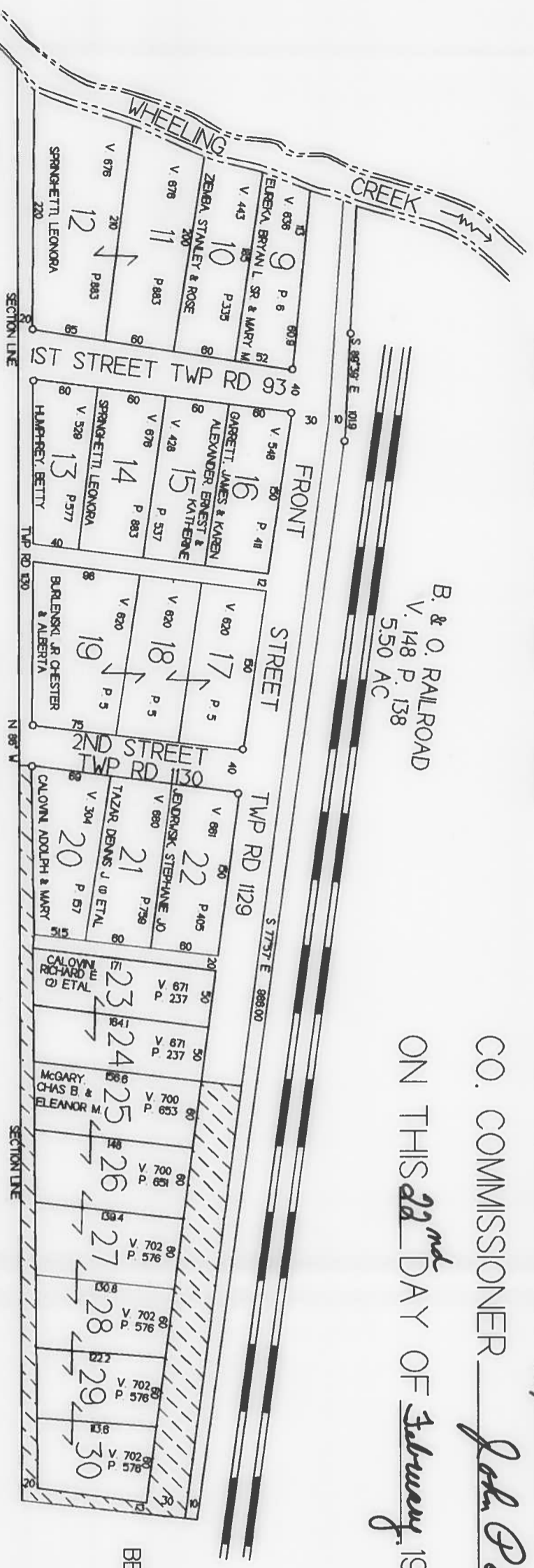


SCALE: 1" = 100'

VACATION 

SEE DEED VOL. 105 PG. 843

B. & O. RAILROAD
 V. 148 P. 138
 5.50 AC



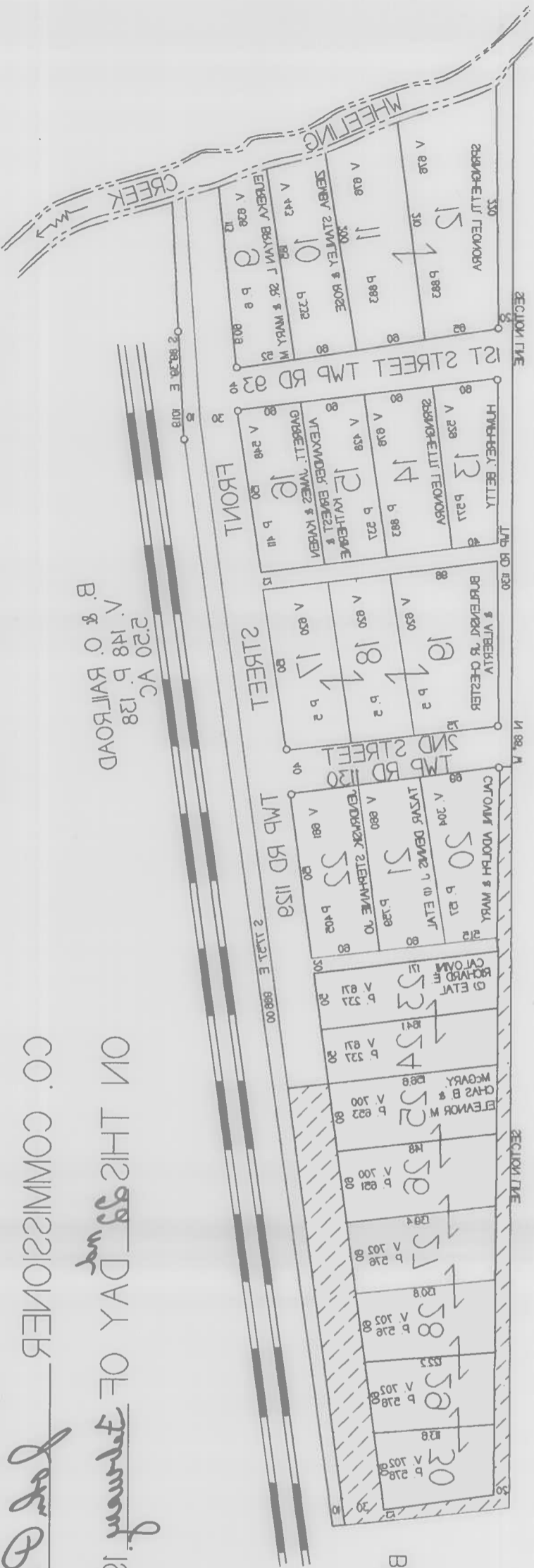
BEDWAY COAL CO.
 V. 481 P. 125
 11.760 AC

BEDWAY COAL CO.
 V. 481 P. 125
 1.12 AC

APPROVED BY:

CO. ENGINEER Fred F. Bennett, P.E., P.S.
 CO. COMMISSIONER Paul H. Hoge
 CO. COMMISSIONER Michael C. Binnick
 CO. COMMISSIONER John O. Oberk

ON THIS 22nd DAY OF February, 1995



11,280 AC
A. 481 B. 152
BEDWAY COAL CO.

115 AC
A. 481 B. 152
BEDWAY COAL CO.

2.20 AC
A. 148 B. 138
B. & O. RAILROAD

ON THIS 9th DAY OF September 1882

SEE DEED NO. 102 PG. 343

CO. COMMISSIONER John O. Clark

CO. COMMISSIONER Walter C. Benson

CO. COMMISSIONER Samuel H. Clark

CO. ENGINEER Fred F. Bennett

APPROVED BY:

AVACATION 

SCALE: 1" = 100.

FRED F. BENNETT COUNTY ENGINEER

BELMONT COUNTY, OHIO

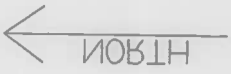
UNION TOWNSHIP SECTION 8 TOWNSHIP 8 RANGE 2

RECORDED CABINET B SLIDE 118

AND IS, ALLEY IN JORDEN'S 2ND ADDITION

AVACATION OF A PORTION OF TOWNSHIP ROAD 1150' 1130'

IMP 889



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

vacation of roads w/ land
2nd addition

Belmont County, Ohio

Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 1st day of February, 1995, at the office of the commissioners with the following members present:

Michael C. Bianconi
David Passock
Jim Hopd

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

Mr. Bianconi Yes
Mr. Hopd Yes
Mr. Passock Yes

Adopted the 1 day of February, 1995.

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 roads in London
and Adm - Union Twp
Public Road

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

in regular session on the 22 day of February, 1995,
(Regular or Special)

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

- Michael A. Bianconi
- Leon Pasarek
- Jim 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 Feb. 1, 1995,

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

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

resulted as follows:

- Mr. Hapel Yes
- Mr. Pasarek Yes
- Mr. Bianconi Yes

Adopted the 22 day of February, 1995

Patricia Bittenger
Clerk, Board of County Commissioners.

Belmont County, Ohio