

Imp # 1003

PUBLIC ROAD PETITION

BELMONT COUNTY

Ohio, FEBRUARY 13, 19 96

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

The undersign 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 VACATION OF A PORTION of WHEELING STREET (Twp Rd. 1161) AND WALNUT STREET 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

The following is the general route and termini of said road:

Beginning at being a portion of Walnut Street West of lot 38 and West of Wheeling Street and a portion of Wheeling Street, South of Lots 35, 36, 37 & 38, being in Worley's new plat of Lansing, Pease Township, Section 4, Township 6, Range 3. Area to be vacated is 30' wide on Walnut Street and 15' wide on Wheeling Street.

Dated this 13TH day of FEBRUARY, A. D. 19 96.

PETITIONERS' NAMES

TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Rows include names like Stephen S. Futey, Shaem Gungich, Mary McLaughlin, Charles M. Carls, David R. Bushy, Stanford Clark, Alvin Hoffman, Maxey Yawneck, Wm. R. Faltner, Richard J. Futey, John R. Calland, Pauline Marcia Calland, Christine Fitchmeyer, Robert Kutchmeyer, Neil B. Jander, Jerry A. Bugay Jr., O'Kellee Conway, Dick Paul, and Lela Kresak.

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 A PORTION OF Wheeling STREET (Twp Rd. 1161) AND WALNUT Public Road. STREET

Petitioned for by BRUCE S. FUTEY

and others.

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

on the 14TH day of FEBRUARY, 1996, at the office of The Commissioners

with the following members present:

John Pollock

MICHAEL C. BIANCONI

Jim Hepe

Mr. Hepe 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 VACATION OF PORTION OF WALNUT ST. & Wheeling St. (Twp Rd. 1161) a Public Road as described therein; therefore, be it

RESOLVED, That the 4TH day of MARCH, 1996, 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 6TH day of MARCH, 1996, 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 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. Hepe YES

Mr. BIANCONI YES

Mr. POLLOCK YES

Adopted the 14TH day of February, 1996

Patricia R. Hannah



Imp #1003

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE  
VACATION PORTION WALNUT &  
WHEELING ST. Twp. Rd. 1161 Pease 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 6TH day of MARCH, 1996, at the office of THE COMMISSIONERS

with the following members present:  
\* COMMISSIONERS MARCH 4, 1996  
MEETING WAS CANCELLED, BUT  
MR. POLLOCK WENT ON VIEW  
WITH ENGINEER FRED BENNETT

John Pollock  
MICHAEL C. BIANCONI  
Jim Hepe

Mr. Pollock moved the adoption of the following Resolution:

WHEREAS, On the 4TH day of MARCH, 1996, 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 6TH  
day of MARCH, 1996, 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. Pollock YES  
Mr. Bianconi YES  
Mr. Hepe YES

Adopted the 6TH day of MARCH, 1996

Patricia Bittenger  
Clerk Board of County Commissioners

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

VACATING A PORTION OF WALNUT  
AND Wheeling St. (Twp. Rd) 1161  
Public Road.  
Pease Twp.

County Engineer's Office,

Belmont County, Ohio.

MARCH 6, 1996

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

The undersigned in obedience to your order dated MARCH 4, 1996, proceeded on the 5TH day of MARCH, 1996, 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 MAP"

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:

\* VACATE ONLY THE PORTION OF WHEELING STREET WHICH IS LOCATED ADJACENT TO LOTS No. 35, 36, 37. & 38 IN WORLEYS NEW PLAT OF LANSING, Pease Township, and DO NOT VACATE ANY PORTION OF WALNUT STREET \*

And F. Bennett, P.E. P.S.

IMP 1003

VACATION OF A PORTION OF TOWNSHIP ROAD 1161

~~WHEELING STREET AND A PORTION OF WALNUT STREET~~

WORLEYS NEW PLAT OF LANSING

PEASE TOWNSHIP SECTION 4 TOWNSHIP 6 RANGE 3

BELMONT COUNTY, OHIO

FRED F. BENNETT COUNTY ENGINEER

APPROVED BY:

CO. ENGINEER *Paul F. Bennett*

CO. COMMISSIONER *Michael C. Brin*

CO. COMMISSIONER *John O'Connell*

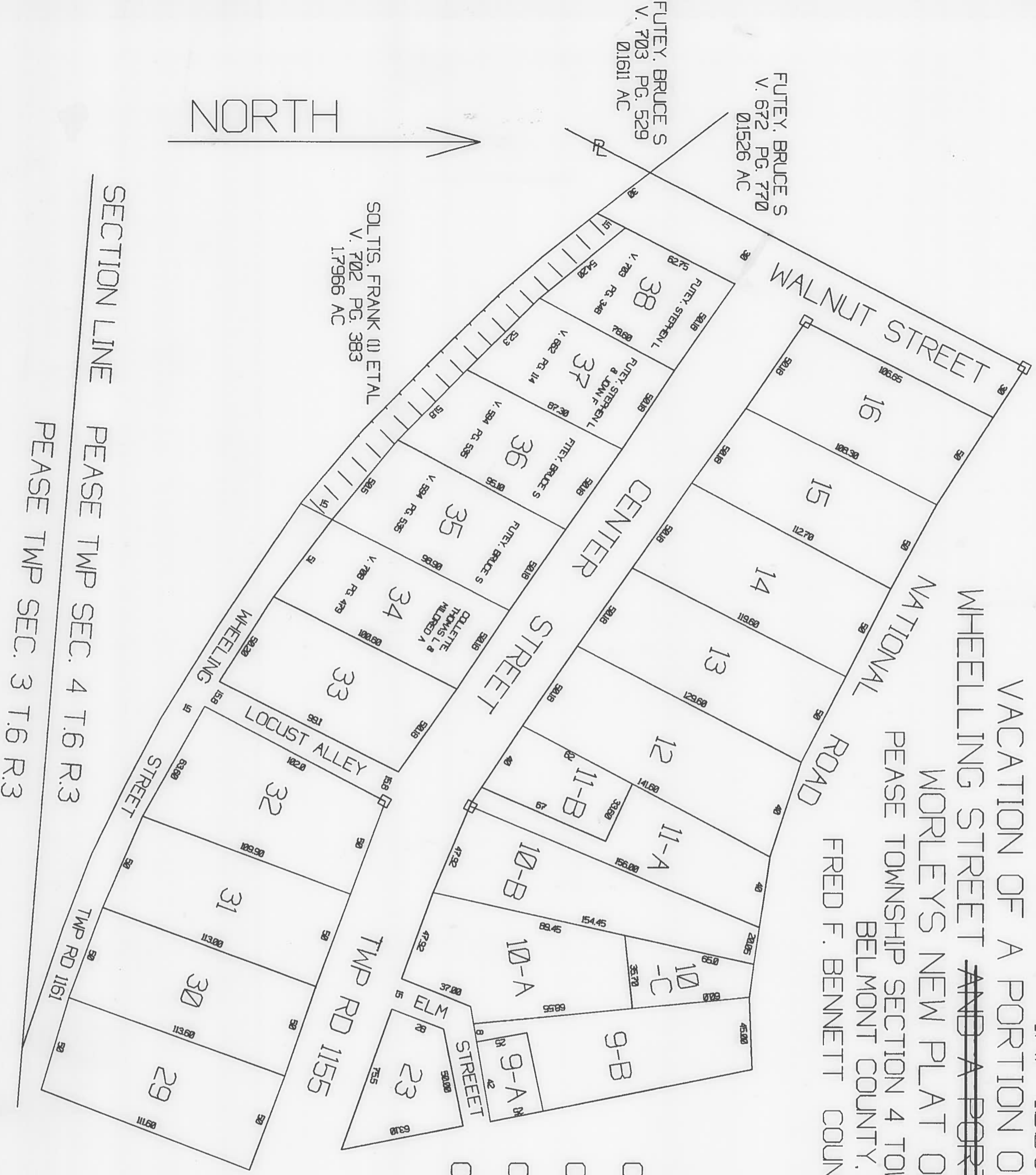
CO. COMMISSIONER \_\_\_\_\_

ON THIS 10th DAY OF April

VACATION 

SCALE: 1" = 50'

SEE DEED VOL. 717 PG. \_\_\_\_\_



NORTH

SECTION LINE

PEASE TWP SEC. 4 T.6 R.3

PEASE TWP SEC. 3 T.6 R.3



BEVSE TWP SEC. 3 T.9 R.3

SECTION LINE BEVSE TWP SEC. 4 T.9 R.3

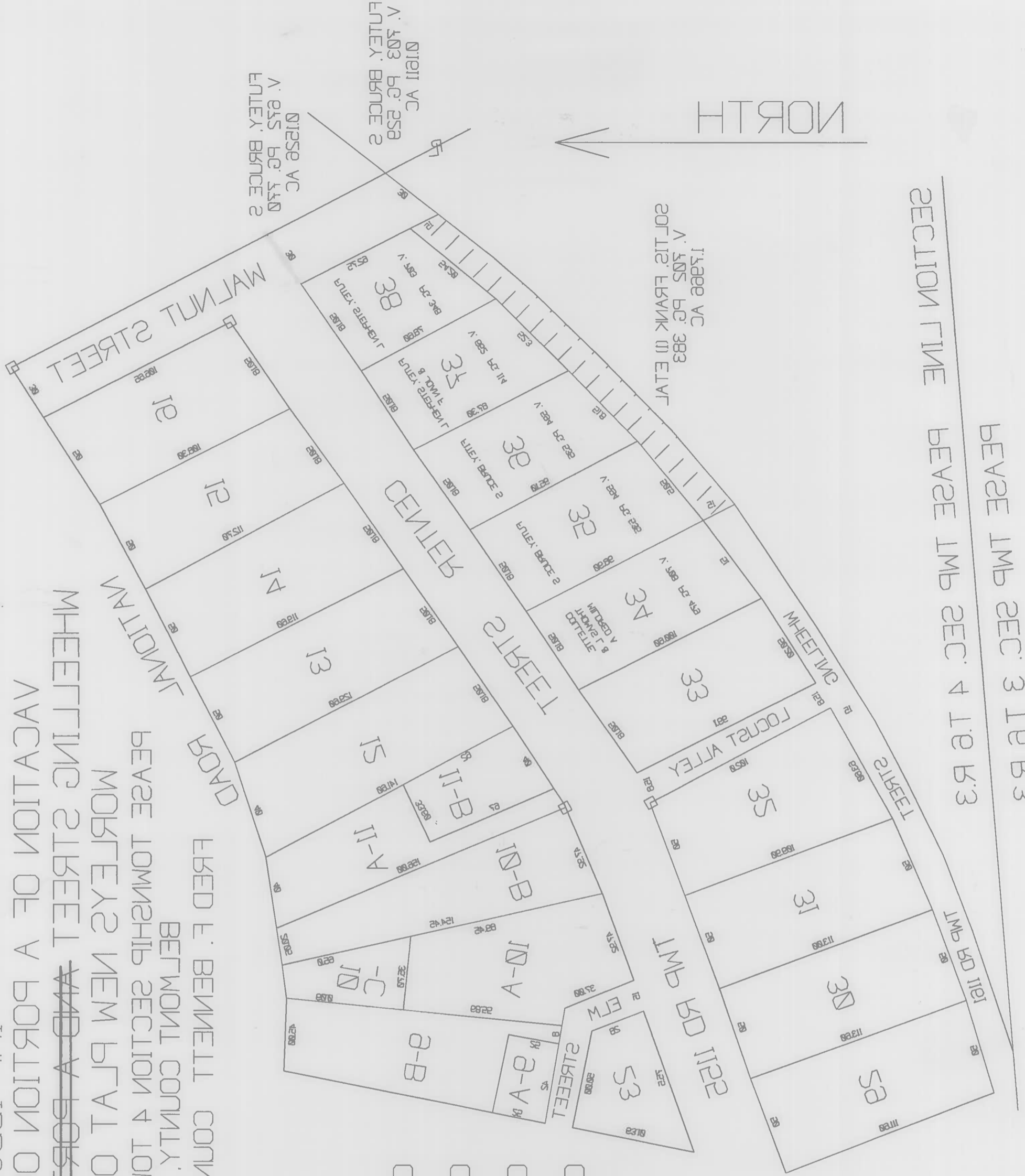
NORTH



T.3888 VC  
A. 505 PG. 383  
SOLITE FRANK (M) ETAL

012911 VC  
A. 503 PG. 258  
FULEY BRUCE 2

012588 VC  
A. 835 PG. 330  
FULEY BRUCE 2



FRED F. BENNETT COUNTY ENGINEER

BELMONT COUNTY, OHIO

BEVSE TOWNSHIP SECTION 4 TOWNSHIP 9 RANGE 3

MORLEY'S NEW BL'G OF LIVING

~~WHEELING STREET AND A PORTION OF WALNUT STREET~~

VACATION OF A PORTION OF TOWNSHIP ROAD 1121

TWP 1003

SEE DEED NO. 517 BC

SCALE: 1. = 20.

VACATION 

ON THIS TW DAY OF April

CO. COMMISSIONER \_\_\_\_\_

CO. COMMISSIONER John P. ...

CO. COMMISSIONER Michael C. ...

CO. ENGINEER

APPROVED BY: Fred F. Bennett

Imp # 1003

RESOLUTION—GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE VACATING A PORTION OF WALNUT STREET AND WHEELING ST. (Twp. Rd 1161) Pease 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 25th day of EVENING MARCH, 1996, at the office of The Commissioners with the following members present:

John Pollock, Michael C. Bianconi, 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 1996, 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 1996, 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 to vacate only the portion of Wheeling St. feet in width; and be it further which is located adjacent to lots No. 35, 36, 37 & 38 in Worley's New Plat of Lansing Pease Twp. and do not vacate any portion of Walnut St.

RESOLVED and determined to proceed with said improvement and the same is hereby granted and said road is hereby 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. Bianconi seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. Hepe YES, Mr. Bianconi YES, Mr. Pollock YES

Adopted the 25th day of MARCH, 1996, 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

VACATION OF PORTION OF WALNUT  
ST. & WHEELING ST. (T.R. 1161)  
Public Road.

(ONLY THE PORTION OF WHEELING ST. WHICH IS LOCATED ADJACENT TO  
LOTS NO. 35, 36, 37 & 38 IN WORLEYS NEW PLAT OF LANSING  
PEASE TWP.)

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

in REGULAR session on the 11TH day of APRIL, 1996  
(Regular or Special)

at the office of The Commissioners with the following members present:

John Pollock  
MICHAEL BIANCONI

Mr. Bianconi 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 VACATION ONLY THE  
PORTION OF WHEELING ST. WHICH IS LOCATED ADJACENT TO LOTS NO. 35, 36, 37, & 38  
IN WORLEYS NEW PLAT OF LANSING, as order heretofore, made on our journal of the date of MARCH 25, 1996

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

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

resulted as follows:

Mr. Bianconi, YES  
Mr. Pollock, YES  
Mr. \_\_\_\_\_, \_\_\_\_\_

Adopted the 11th day of April, 1996

Patricia Bittenger  
Clerk, Board of County Commissioners.

Belmont County, Ohio