

PUBLIC ROAD PETITION

St Clairsville, Ohio, Aug 26, 1999

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 vacation & rededication of Smith Twp Rd. 229 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for 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 the vacation at the intersection of Twp. Rd. 229 and the East line of Section 24 Twp. 6 Rg. 4, thence westerly with said road a distance of approximately 2040 feet to the end of said vacation.

Beginning the rededication for a 60 foot wide right of way at a point which bears N 1°46'14" E a distance of 647.56 feet from the Southeast corner of Section 24 Twp. 6 Rg. 4. Thence N85°27'01"W a distance of 12.07 feet, thence N86°35'30"W a distance of 169.17 feet, thence N79°04'32"W a distance of 393.53, thence N55°27'12"W a distance of 321.47, thence N66°13'52"W a distance of 483.67 feet, thence N78°17'22"W a distance of 107.96 feet, thence S79°35'41"W a distance of 222.77, thence S87°36'35"W a distance of 251.06 feet, thence N86°41'09"W a distance of 394.06 feet to the end of the rededication.

Dated this day of, A. D. 19

Table with 2 columns: PETITIONERS' NAMES, TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE

Table with 2 columns: Petitioners' Name (PLEASE PRINT), Address of Petitioner. Entry: ARTHUR R THOMAS, GM R/F Coal 538 N. Main St, Cadiz, Ohio 43907

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

X

Petitioned for Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice Thereof on Public Road Petition

Rev. Code, Sec. 5553.05

IMP. 1035

The Board

IN THE MATTER OF THE VACATION AND REDEDICATION OF SMITH TOWNSHIP ROAD 229

ession

on the

SMITH TOWNSHIP /Road

Office of County Commissioners

with the following

Petitioned for by freeholders and others.

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 26th day of July 1999, at the office of the Commissioners with the following members present:

Mrs. Wiley

Mr. Probst

Mr. Bianconi

Mr.

Mr./Mrs. Wiley moved the adoption of the following:

RESOLUTION

WHEREAS

WHEREAS, A Petition signed by at least twelve freeholders of the County residing in the vicinity or signed by the owner of the right to mine coal lying under or adjacent to the proposed improvement has been presented to this Board of County Commissioners requesting said Board to vacate and rededicate Smith Township Road 229 Smith Township a Public Road as described therein; therefore be it

in pre-

sented to it

RESOLVED, That the 18th day of August, 1999 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 improvement; and be it further

RESOLVED

when

we will view

RESOLVED, That the 25th day of August 1999, 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

and go over

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.

RESOLVED

late for

a final hearing

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

Mrs. Wiley Yes

Mr. Probst Yes

Mr. Bianconi Yes

hearing

RESOLVED

Adopted July 26th, 1999

Belmont County, Ohio

Daileen [Signature] Clerk, Belmont County Bd. of Commissioners

improve-

Mr.

Footnote: 1. "Locating," "establishing," "altering," "straightening," "change the direction of" 2. "Locating;" "establishing;" 3. Insert "a part of," in

the vote

resulted a

Handwritten notes: Wed Aug 18, 1:30 - Viewing, 1035, Wed. Aug. 25, 9:45 Hearing.

RESOLUTION—UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

Journal Entry--Order Upon View of Proposed Improvement  
ORDER TO COUNTY ENGINEER  
Gen'l Code Sec. 6865

IN THE MATTER OF THE

Imp. 1035

Office of County Commissioners

Vacation and rededication of Smith  
Township Road 229/Smith Township/Road

Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 18th day of August 19 99, at the office of the Commissioners with the following members present:

Mr. Probst

Mrs. Wiley

Mr./Ms. Wiley moved the adoption of the following:

RESOLUTION

WHEREAS, On the 18th day of August, 19 99, 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 even 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 25th day of August, 19 99 the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, <sup>2</sup> 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 case is continued unto said date.

Mr./Ms. Probst seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr./Ms. Wiley, Yes

Mr./Ms. Probst, Yes

Mr./Ms. Bianconi, Absent

Adopted August 18, 19 99

Darlene Pemppek  
Clerk, Board of County Commissioners  
Belmont County, Ohio

1. "Locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing direction of."  
2. Strike out the clause from "and \_\_\_\_\_ feet," if a road is not to be located or established.

REPORT OF COUNTY ENGINEER

19.....

REPORT OF COUNTY ENGINEER

REV. CODE, SEC. 5553.06

To the Board of

County Engineer's Office  
Belmont County, Ohio

The undersigned  
day of.....

Vacation and rededication of }  
Smith Twp. Rd. 229 Road}

August 25, 19 99

respectfully

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

In this

The undersigned, in obedience to your order, dated August 18, 1999, proceeded on the 19th Day of Aug, 19 99, to make an accurate survey and plat of the Public Road proposed to be improved and respectfully submits the following report:

The undersigned

An accurate

be necessary

a part hereof

An accurate

In the opinion of the undersigned the proposed improvement should be granted

The width to which said improvement should be opened is sixty (60) feet.

An Accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believe 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 apart hereof.

An accurate and detailed description of the proposed improvement describing therein the center line and right of way lines follow:

"see attached plat"

The undersigned

improvement

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: \_\_\_\_\_

\_\_\_\_\_

*Paul F. Bennett, PE, P.S.*  
County Engineer of Belmont County, Ohio

ed, and

ves will

re made

roposed

VACATION AND REDEDICATION  
 TOWNSHIP ROAD #229  
 IMPROVEMENT NO. 1035  
 SMITH TOWNSHIP, SECTION 24, T-6, R-4  
 60' RIGHT-OF-WAY  
 BELMONT COUNTY, OHIO  
 FRED BENNETT - COUNTY ENGINEER  
 0.44 MILE - TOWNSHIP ROAD 229

THE UNDERSIGNED, BEING THE OWNER OF THE LANDS  
 HEREIN PLATTED, DOES HEREBY VOLUNTARILY GRANT,  
 BARGAIN AND FOREVER DEDICATE TO THE BELMONT  
 COUNTY COMMISSIONERS AND THEIR SUCCESSORS IN  
 OFFICE, BELMONT COUNTY, OHIO, THE HEREIN TRACTS  
 OF LAND FOR ROAD PURPOSES. (SECTION 5553.31  
 OF THE OHIO REVISED CODE)

John P. Custer  
 WITNESS  
Arthur R. Thomas  
 WITNESS

ARTHUR R. THOMAS  
 GENERAL MANAGER R & F COAL COMPANY

STATE OF OHIO  
 SS  
 HARRISON COUNTY

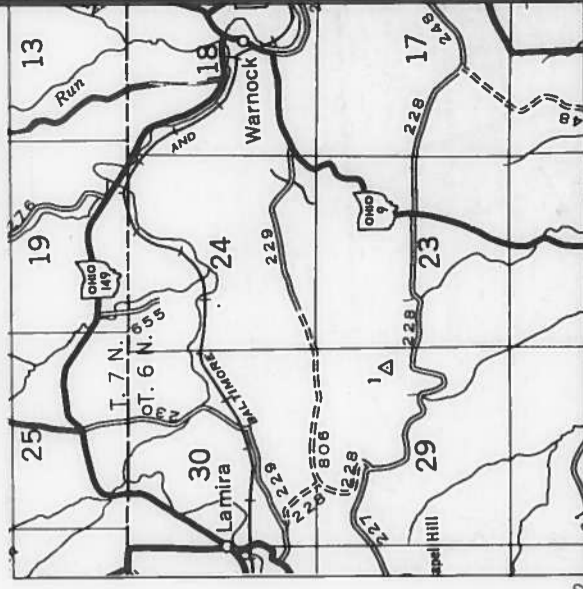
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE  
 ME THIS 25th DAY OF June, 1999 BY ARTHUR R. THOMAS  
 GENERAL MANAGER OF R & F COAL COMPANY, AN OHIO CORPORATION,  
 ON BEHALF OF THE CORPORATION.

Cynthia W. Karto  
 NOTARY PUBLIC  
 COMMISSION EXPIRES MAY 28, 2002  
 State of Ohio  
 My Commission Expires May 28, 2002

APPROVED BY  
 COUNTY ENGINEER Fred F. Bennett, P.E.  
 COUNTY COMMISSIONER Charles R. Probst  
 COUNTY COMMISSIONER Michael C. Branson  
 COUNTY COMMISSIONER \_\_\_\_\_

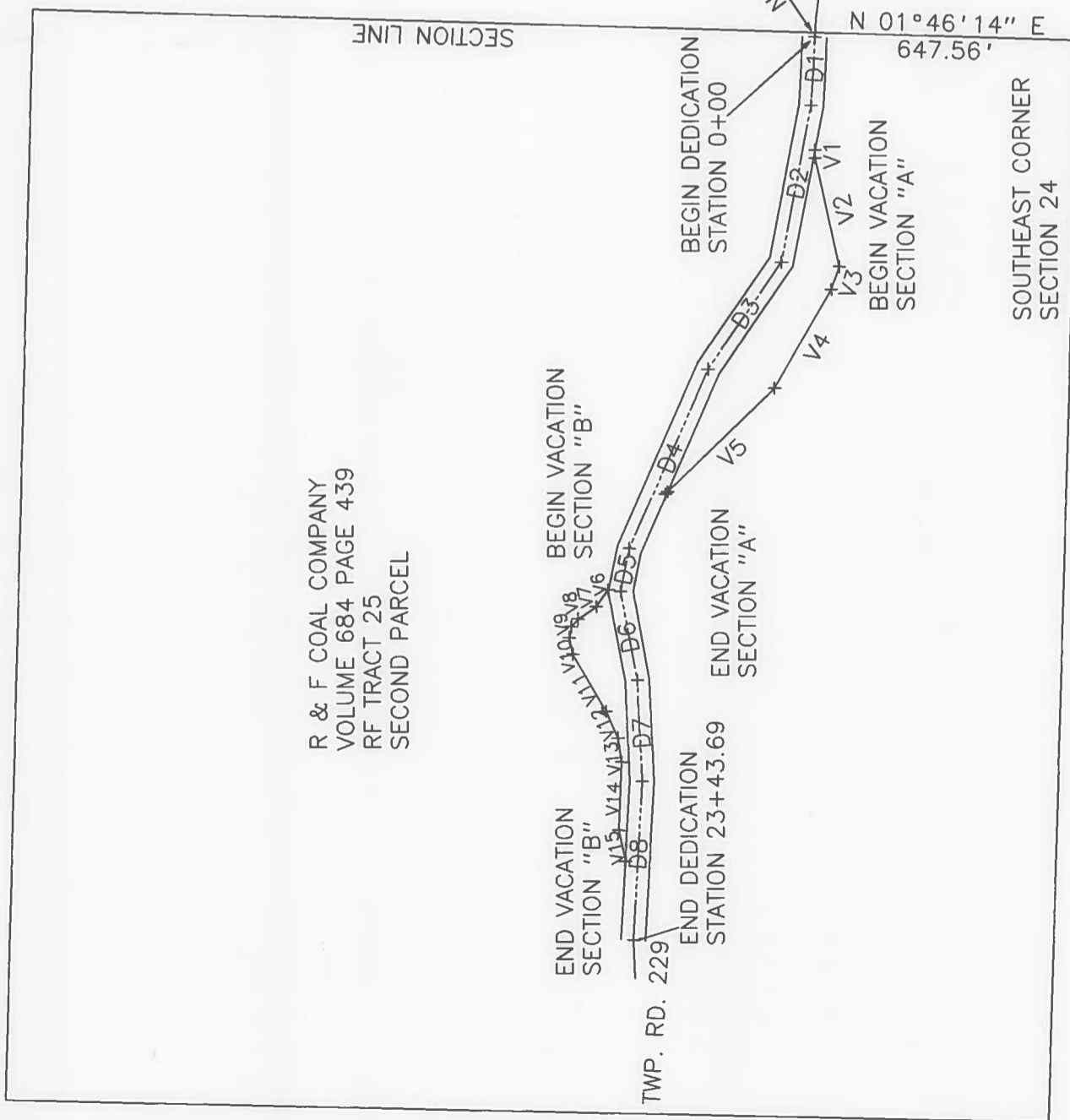
THIS 25th DAY OF AUGUST, 1999

LOCATION MAP  
 SCALE 1" = 1 MILE

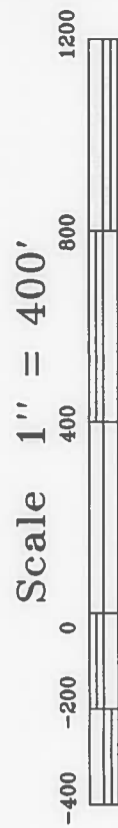




R & F COAL COMPANY  
VOLUME 684 PAGE 439  
RF TRACT 25  
SECOND PARCEL



VACATION TABLE		DEDICATION TABLE	
Name	Angle	Name	Distance
V1	SECTION "A"	D1	N 86°35'30" W 169.17
V2	N 89°49'18" W 19.55	D2	N 79°04'42" W 393.53
V3	S 77°33'14" W 273.79	D3	N 55°27'12" W 321.47
V4	N 70°01'17" W 60.08	D4	N 66°13'52" W 483.67
V5	N 60°04'33" W 281.85	D5	N 78°17'22" W 107.96
V6	N 43°58'22" W 366.92	D6	S 79°35'41" W 222.77
V7	SECTION "B"	D7	S 87°36'35" W 251.06
V8	N 53°26'49" W 50.98	D8	N 86°41'09" W 394.06
V9	N 33°20'18" W 53.96		
V10	N 49°18'48" W 24.70		
V11	N 80°15'09" W 28.73		
V12	S 79°31'10" W 40.39		
V13	S 60°10'51" W 163.82		
V14	S 65°38'49" W 72.54		
V15	S 82°22'54" W 60.46		
	N 87°27'02" W 168.17		
	S 78°02'00" W 78.75		



IMPROVEMENT NO. \_\_\_\_\_ TWP. ROAD 229  
SECTION 24, T-6, R-4  
SMITH TWP. BELMONT CO., OHIO

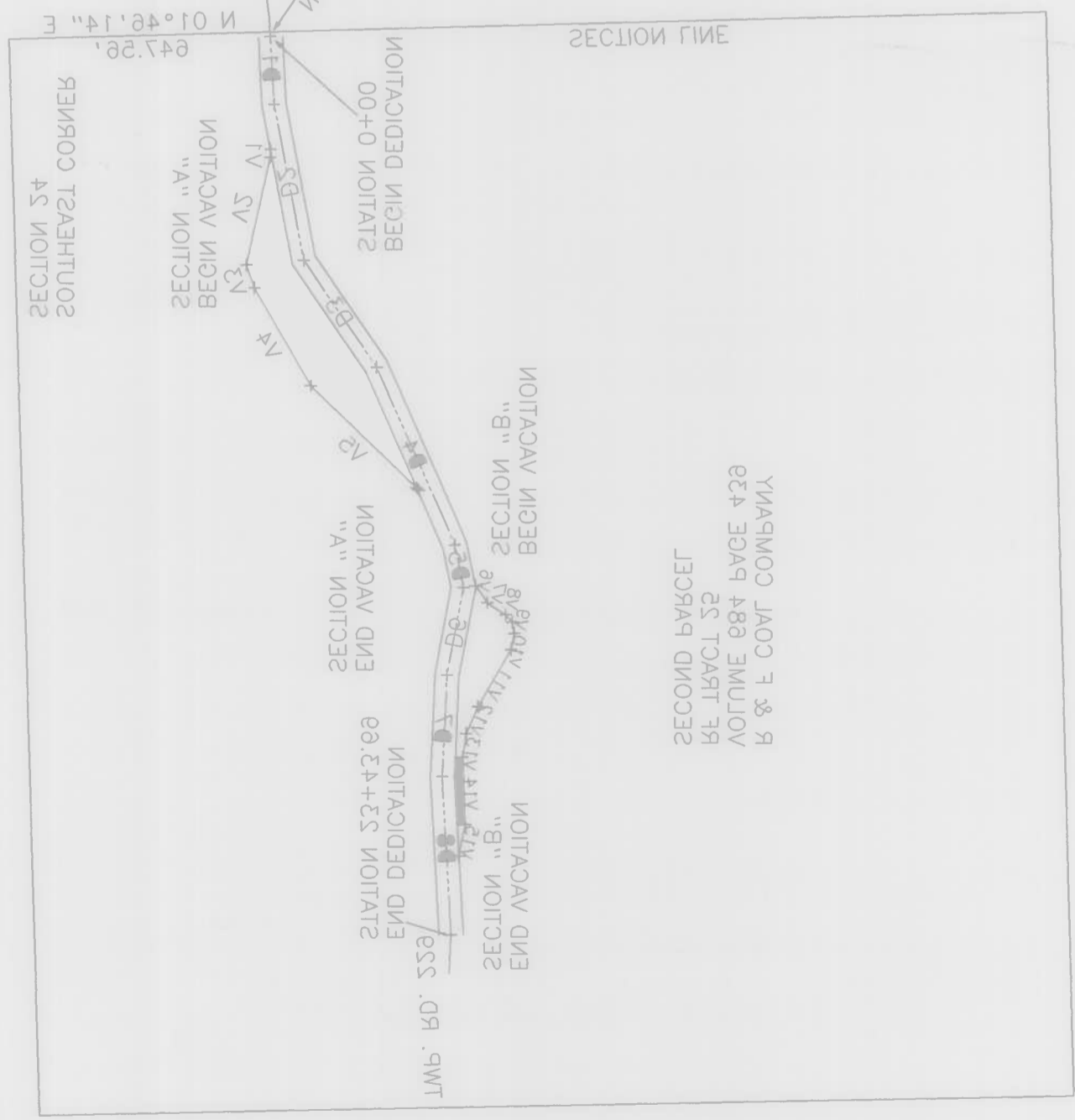
*Thomas Wayne Taylor* 6-7-99  
THOMAS WAYNE TAYLOR PS # 7053 SHEET 2 OF 2

99-5-2 *Robert Campbell*

21111 HWY. BELMONT CO., OHIO

SECTION 34, T-8, R-4

IMPROVEMENT NO. \_\_\_\_\_ TWP. ROAD 338



LOG. 240 BC. 333  
 MAE NIXON

Name	Angle	Distance	Name	Angle	Distance
V12	N 28°05'00"	W	D8	N 88°00'14"	W
V14	N 87°57'05"	W	D7	N 88°00'14"	W
V13	N 85°55'24"	W	D8	N 88°00'14"	W
V15	N 82°38'48"	W	D2	N 88°00'14"	W
V11	N 80°10'21"	W	D4	N 88°00'14"	W
V10	N 78°21'10"	W	D3	N 88°00'14"	W
V8	N 80°12'08"	W	D5	N 88°00'14"	W
V8	N 78°18'48"	W	D1	N 88°00'14"	W
V7	N 73°50'18"	W			
V6	N 73°56'48"	W			
SECTION "B"					
V2	N 88°00'14"	W	D8	N 88°00'14"	W
V4	N 80°00'14"	W	D7	N 88°00'14"	W
V3	N 77°10'00"	W	D8	N 88°00'14"	W
V5	N 77°10'00"	W	D2	N 88°00'14"	W
V1	N 88°00'14"	W	D4	N 88°00'14"	W
SECTION "A"					
V1	N 88°00'14"	W	D3	N 88°00'14"	W
V2	N 88°00'14"	W	D5	N 88°00'14"	W
V3	N 88°00'14"	W	D1	N 88°00'14"	W
V4	N 88°00'14"	W			
V5	N 88°00'14"	W			
V6	N 88°00'14"	W			
V7	N 88°00'14"	W			
V8	N 88°00'14"	W			
V9	N 88°00'14"	W			
V10	N 88°00'14"	W			
V11	N 88°00'14"	W			
V12	N 88°00'14"	W			
V13	N 88°00'14"	W			
V14	N 88°00'14"	W			
V15	N 88°00'14"	W			
V16	N 88°00'14"	W			
V17	N 88°00'14"	W			
V18	N 88°00'14"	W			
V19	N 88°00'14"	W			
V20	N 88°00'14"	W			

SECOND PARCEL  
 BE TRACT 32  
 VOLUME 884 PAGE 434  
 B & F COAL COMPANY





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

IN THE MATTER OF THE

Office of County Commissioners,  
Belmont County, Ohio

Public Road.

The Board of County Commissioners of \_\_\_\_\_ County, Ohio, met

in \_\_\_\_\_ session on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
(Regular or Special)

at the office of \_\_\_\_\_ with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_, as order heretofore, made on our journal of the date of \_\_\_\_\_, 19\_\_\_\_,

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

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

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

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

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

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Commissioners.

\_\_\_\_\_  
County, Ohio