

**PUBLIC ROAD PETITION**

Belmont Co, Ste Clairsville, Ohio, Feb 14, 2003, 19

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 of R/W Dimeone and Lafferty of Union Twp 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:

Being all of the 35 ft. right of way known as High St. located between lots 2 through 8 and lots 9 through 16. Also the 12 ft. alley located between lots 10 through 12 and lots 84 through the north half of lot 81.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_\_

PETITIONERS' NAMES	TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE
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Petitioner's Name (PRINT NAME) (SIGN NAME)	Address of Petitioner PLEASE PRINT
Sharon Wheeler	70240 Harmer St Laferty OH 43951
Sharon Wheeler	43201 Mt Hope Rd LAFERTY OHIO 4
Susan Bartuski	LAFERTY OHIO 4
Gene Brill	1 of 1st Ohio 43
Gene Brill	42957 Mt. Hope Rd Laferty Ohio 43951
Henry A. Seals	70120 Colony OH 45
Henry A. Seals	
DARRI STADLER	43081 HARRAH ST LAFERTY OHIO
DAVID S. MOFFIT	6740 Maple Ave. Rd Laferty OH 43951
DAVID S. MOFFIT	71575 (Ohio) Buckeye Rd. Laferty, OH 43951
Debbie Kolanski	1308 S 2nd Ave Laferty, OH 43951
Eugene D. Miller	1308 S 2nd Ave Laferty, OH 43951
MARSH BUTLER	Box 215 70232 JORDAN Laferty, OH 43951
Marsha Butler	45787 Buckeye St Laferty OH 43951
Marsha Butler	6765 Mountain View Belmont Ohio 43
Robert Stewart	Belmont Ohio 43
JUSTIN DEMARSH	70250 Mountain Rd Fishing OH 43972
JUSTIN DEMARSH	601 92
Alfred H. Hupp	LAFERTY OHIO 43951
Alfred H. Hupp	43951
James E. Orr	LAFERTY OH 43951
DAVID L. HARTMAN	44601 2009E 14th ST. CLAIRSVILLE OHIO 4
DAVID L. HARTMAN	44601 2009E 14th ST. CLAIRSVILLE OHIO 4
John C. Thomas	44601 2009E 14th ST. CLAIRSVILLE OHIO 4
John C. Thomas	44601 2009E 14th ST. CLAIRSVILLE OHIO 4

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 P/W in Dinwiddie Add'l

Lafferty Union Twp  
Public Road.

Petitioned for by Dennis Dalping, and others.

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

on the 21 day of February, 19 2003, at the office of the commissioners

with the following members present:

- Mr. Probat
Mr. Thomas
Mr. Geyo

Mr. Thomas 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 P/W Dinwiddie Add'l Lafferty Union Twp a Public Road as described therein; therefore, be it

RESOLVED, That the 12 day of March, 19 2003, at 1:45 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 19 day of March, 19 2003, at 10:10 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. Probat seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

- Mr. Thomas Yes
Mr. Probat Yes
Mr. Geyo Yes

Adopted the 21 day of February, 19 2003



**RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER**

IN THE MATTER OF THE

vacation of R/W Diamond Aadin  
Lafferty 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 12 day of march, 19 2003, at the office of the commissioners

with the following members present:

Mr. Probat  
Mr. O'Leary  
Mr. Thomas

Mr. Probat moved the adoption of the following Resolution:

WHEREAS, On the 12 day of march, 19 2003, 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 19 day of march, 19 2003, 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. Thomas seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

Mr. Probat yes  
Mr. Thomas yes  
Mr. O'Leary yes

Adopted the 12 day of march, 19 2003

Doreen Pampak

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of R/W Dinwiddie Acad  
Lafferty Union Twp  
Public Road

County Engineer's Office,  
Belmont County, Ohio

March 19, 2003

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

The undersigned in obedience to your order dated March 12, 2003, proceeded on the 13 day of March, 2003 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:



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

vacation of R/W Dinamore  
Add'n Lafferty Union Turn  
Public Road

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 19 day of March, 19 2003, at the office of the commissioners with the following members present:

- Mr. Coyle
Mr. Thomas
Mr. Probat

Mr. Coyle 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

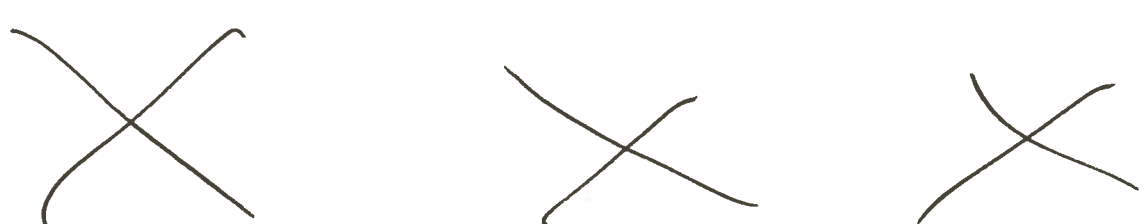
WHEREAS, Said Board has considered said report and all the testimony offered, and all the facts and conditions pertaining to said matter; therefore, be it

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

- Mr. Coyle Yes
Mr. Probat Yes
Mr. Thomas Yes

Adopted the 19 day of March, 19 2003

Max Whitely 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 R/W Dimmers Add'n  
Lafferty Union Twp  
Public Road

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

in regular session on the 2 day of April, 192003,  
(Regular or Special)

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

- Mr. O'Leary
- Mr. Thomas
- Mr. Probat

Mr. O'Leary 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 March 19, 192003,

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

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

resulted as follows:

- Mr. O'Leary Yes
- Mr. Thomas Yes
- Mr. Probat Yes

Adopted the 2 day of April, 192003

Dorlene Pempak  
Clerk, Board of County Commissioners.

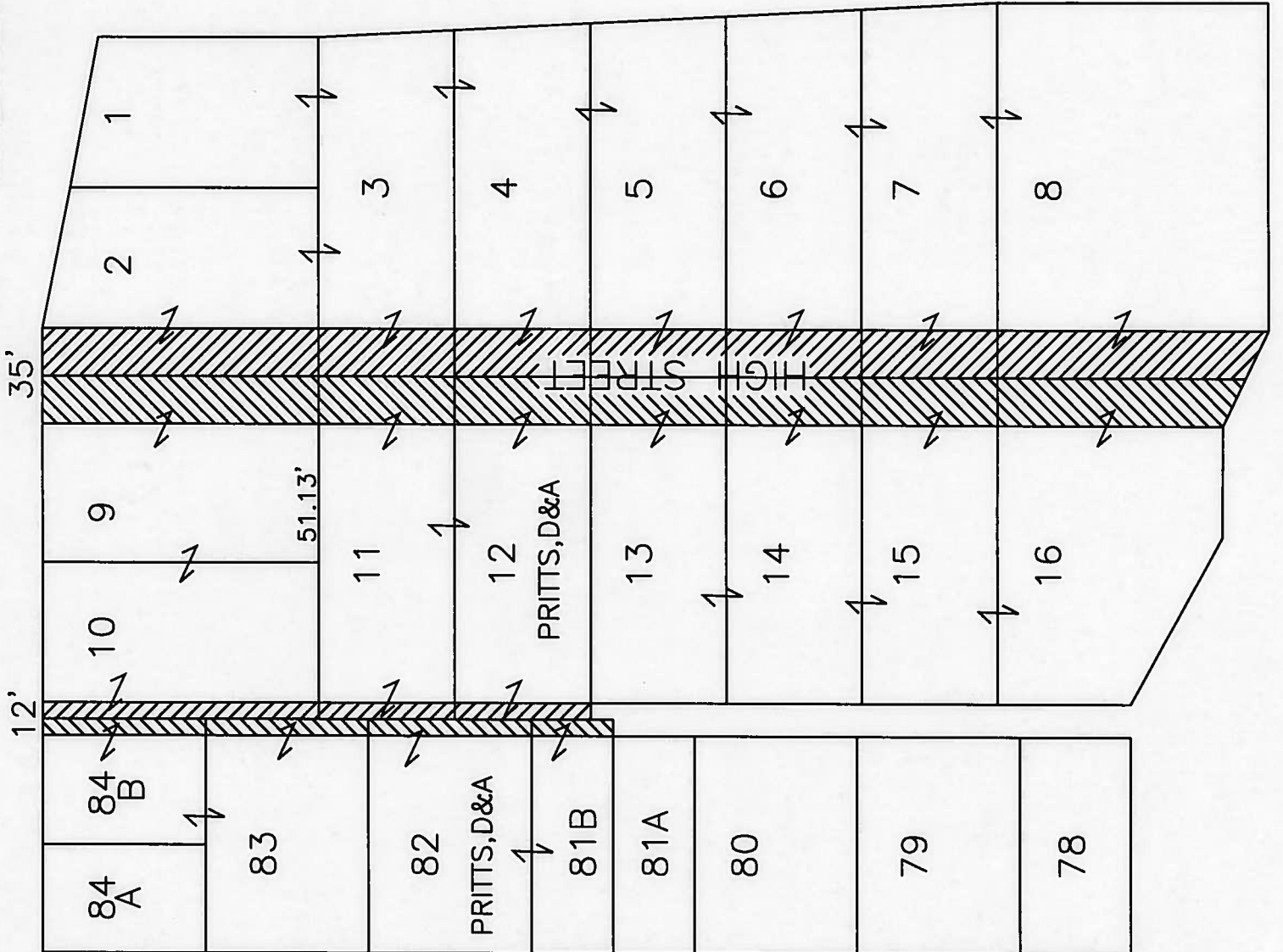
Belmont County, Ohio



IMP NO. 1075

VACATION OF HIGH ST. AND A PORTION OF A 12' ALLEY  
DINSMORES ADDITION TO LAFFERTY & DINESMORE'S THIRD ALLOTMENT  
CABINET B SLIDE 115 & CABINET D SLIDE 175

UNION TWP SEC 6 T-8 R-5



SCALE: 1" = 60'



APPROVED BY:

CO. ENGINEER Paul F. Bennett, P.E., P.S.

CO. COMMISSIONER Ryan E. Oly

CO. COMMISSIONER Mark C. Thoma

CO. COMMISSIONER Charles R. Lubet, Jr.

DATE April 2, 2003

NOTE: ALL LOTS OWNED BY DENNIS DALPIAZ EXCEPT WHERE NOTED

100 881

100 881

*Handwritten notes:*  
100 881  
100 881  
100 881

