

PUBLIC ROAD PETITION

Belmont Co, St Clairsville, Ohio, Nov 12, 19²⁰⁰²

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 dedication of Flushing Twp Rd 377A of Flushing Twp Sec 19 T-9 R-5 a Public Road on the line hereinafter described, and make application to you to institute and order proper proceedings in the premises, for dedicating 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 a marked stone at the SW corner of Flushing Twp. Section 19, T-9, R-5 thence N01°12'10"E 1,603.20 ft. and S88°47'50"E 448.96 ft. to the point of beginning for the description of the dedication of Twp. Rd. 377A, thence S39°20'44"E 69.37 ft., S51°11'23"E 67.11 ft., S63°31'00"E 92.68 ft., S65°03'28"E 72.15 ft., S58°43'20"E 70.86 ft. to a point in existing Flushing Twp. Rd. 377. The dedicated portion of Twp Rd. 377A will be a 60 ft. right-of-way.

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, TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Includes signature of John P. Farrell and Flushing Township Trustee.

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

Dedication of Feushing Twp

Rd 377 A

Public Road.

Petitioned for by Sam Shutway

....., and others.

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

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

with the following members present:

Mr. Probat

Mr. Geyo

Mr. Geyo 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 dedicate Feushing Twp Rd 377 A

..... a Public Road as described therein; therefore, be it

RESOLVED, That the 12 day of March, 19 2003, at 2:15 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 10:30 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. Probat seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Geyo Yes

Mr. Probat Yes

Mr.

Adopted the 21 day of Feb, 19 2003

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Dedication of Fishing Trap
Rd 377 A
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. Probst
- Mr. Coyle
- Mr. Thomas

Mr. Probst 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. Probst Yes
- Mr. Thomas Yes
- Mr. Coyle Yes

Adopted the 12 day of March, 19 2003

Doreen Pampak

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

Dedication of Flashing Turn Rd

377 A

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 60 feet.

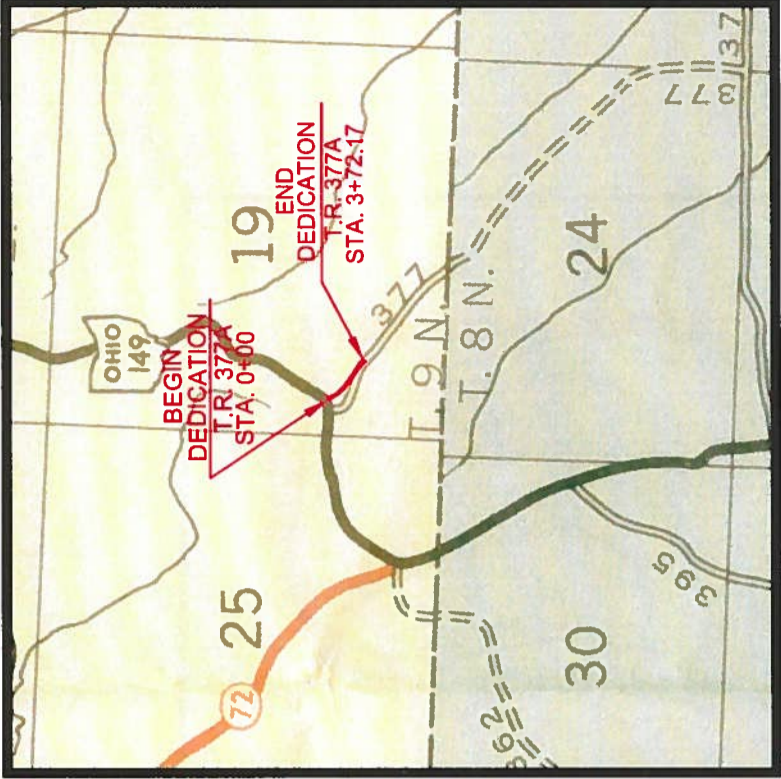
An accurate survey and plat, and an accurate and detailed description of each tract of land which the undersigned County Engineer believes will be necessary to be taken in the event the proposed improvement be made, together with the name of each owner, accompany this report and are made a part hereof.

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:

DEDICATION
OF
TOWNSHIP ROAD #377A (0.07 MILE)
IMPROVEMENT NO. 10716
FLUSHING TOWNSHIP,
SECTION 19, T-9 R-5
60' RIGHT-OF-WAY
BELMONT COUNTY, OHIO
FRED BENNETT - COUNTY ENGINEER



LOCATION MAP
SCALE: 1" = 1/2 MILE

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED AND PROPERTY OWNERS HEREOF DO GIVE, GRANT, BARGAIN AND FOREVER DEDICATE TO THE BELMONT COUNTY COMMISSIONERS AND THEIR SUCCESSORS IN OFFICE, BELMONT COUNTY, OHIO, THE HEREIN PLATTED TRACT OF LAND FOR ROAD PURPOSES. SECTION 5553.31 OF THE OHIO REVISED CODE.

OWNERS
Karen Shurtway
Sam Shurtway

STATE OF OHIO ss:
 BELMONT COUNTY

BE IT REMEMBERED THAT ON THIS 22 DAY OF November, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME KAREN SHURTWAY
SAM SHURTWAY

WHO ACKNOWLEDGE THAT THEY DID SIGN THE FOREGOING PLAT AND THAT THE SAME IS THEIR FREE ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THIS DAY AND DATE ABOVE WRITTEN.

Thayer D. Klayfow 4-11-04
 NOTARY PUBLIC IN AND FOR
 BELMONT COUNTY, OHIO

APPROVED BY
 COUNTY ENGINEER Fred F. Bennett, P.E., P.S.
 COUNTY COMMISSIONER Ryan E. Olyx
 COUNTY COMMISSIONER
 COUNTY COMMISSIONER Mark C. Thomas
 THIS 7 DAY OF April, 2003



11/11/11



BASIS OF BEARINGS

BEARINGS ON THIS MAP REFER TO THE GRID MERIDIAN OF THE OHIO COORDINATE SYSTEM (SOUTH ZONE) AS DETERMINED BY CELESTIAL OBSERVATION.

LEGEND

- DENOTES 1/2" DIA. IRON PIN (SET)
- DENOTES IRON PIN (FOUND)
- ⊠ DENOTES MARKED STONE (FOUND)(4"x11")

S. & K. SHUTWAY
V. 746 P. 813

S. & K. SHUTWAY
V. 700 P. 647

STATE ROUTE #149

A. HOST
V. 712 P.284

K. BAKER, etal
V.740 P.336

D & L HUDSON
V.572 P.74

N 01°12'10" E
1603.20'

S 88°47'50" E
448.96'

S 39°20'44" E
69.37'

S 51°11'23" E
67.11'

S 63°31'00" E
92.68'

S 65°03'28" E
72.15'

S 58°43'20" E
70.86'

Sta. 0+00

T.R. #377

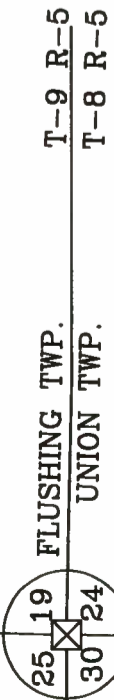
T.R. #377A (60' R.O.W.)

Sta. 3+72.17

TWP. RD. #377 (30' R.O.W.)

K. BAKER, etal
V.740 P.336

D & L HUDSON
V.572 P.74

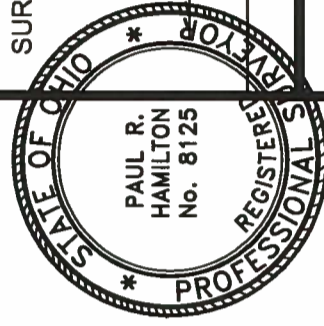


IMPROVEMENT NO. _____
DEDICATION OF TOWNSHIP ROAD #377A
SECTION 19, T-9, R-5, FLUSHING TWP.
BELMONT COUNTY, OHIO



SCALE: 1" = 100'

SURVEYED DURING: JANUARY, 1994 & SEPTEMBER, 2002.



Paul R. Hamilton
PAUL R. HAMILTON, P.S.#8125
DATE 11-19-02

SHEET 2 OF 2

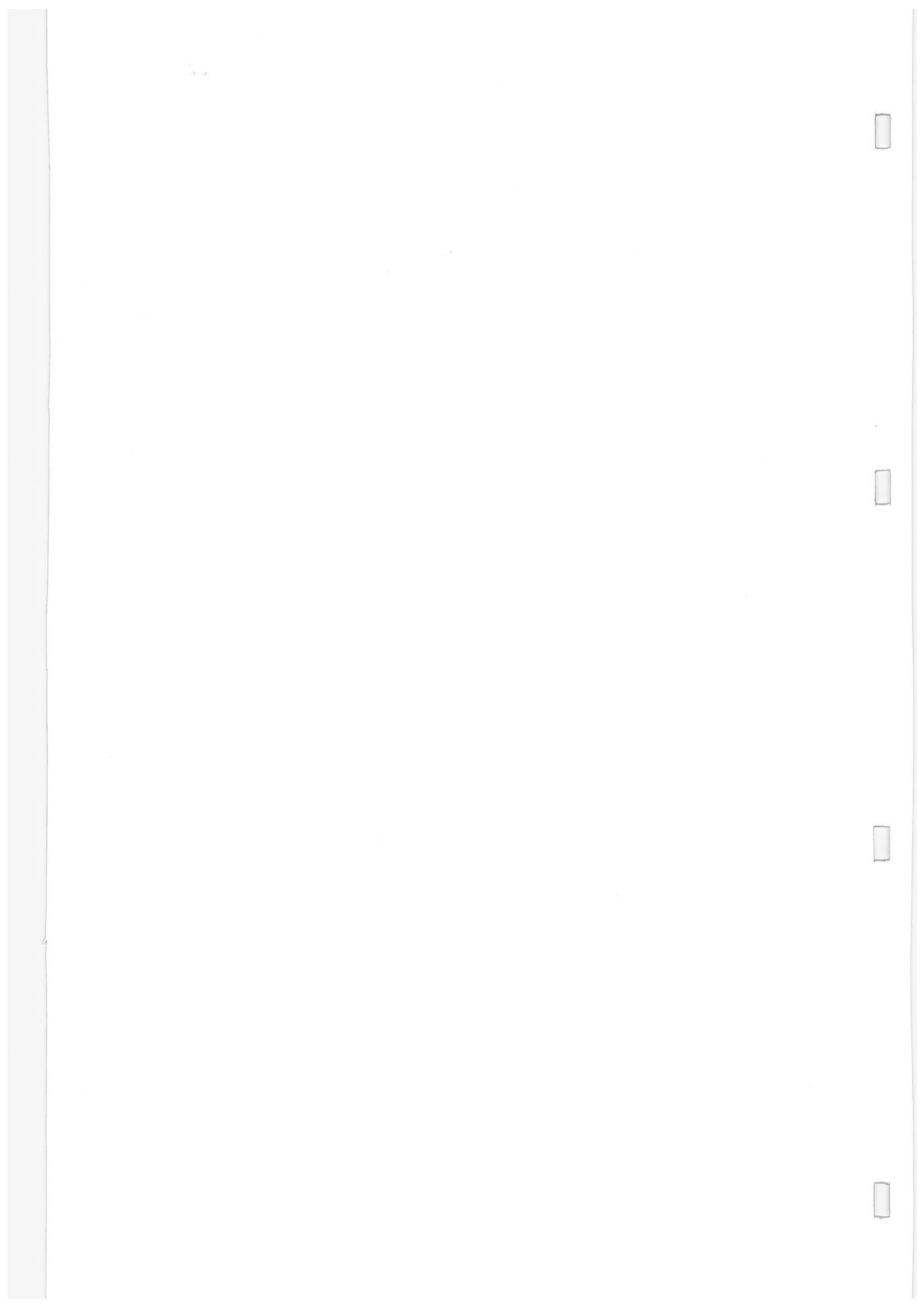


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DRAWN BY: P.R.H.

645-IPLAT.DWG

COMM #645-1



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Dedication of Flashing Top Rd 377A

Public Road

Office of County Commissioners, Belmont County, Ohio

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. Deery
Mr. Thomas
Mr. Probat

Mr. Thomas 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 Dedicated 60 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 163.39 inclusive, of the Revised Code.

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. Deery Yes

Adopted the 19 day of March, 19 2003

Mar. Whiteley Clerk Board of County Commissioners

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

IN THE MATTER OF THE

Office of County Commissioners,

Belmont County, Ohio

Dedication of Flashing Top
Rd 377 A
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. Geyo
- Mr. Thomas
- Mr. Probst

Mr. Geyo 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 dedicated

as order heretofore, made on our journal of the date of March 19, 192003

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

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

- Mr. Geyo, Yes
- Mr. Thomas, Yes
- Mr. Probst, Yes

Adopted the 2 day of April, 192003

Darlene Pemppek
Clerk, Board of County Commissioners.

Belmont County, Ohio