

PUBLIC ROAD PETITION

Belmont County, Ohio, January 26, 2004

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 a 30' x 12' alley in Dinsmore's Addition to Lafferty 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 that portion of a 12 ft alley located between lots 13-16 in Dinsmore's Third Allotment recorded in Cabinet D Slide 175 and lots 78 to the south half of lot 81 in Dinsmore's Addition to Lafferty recorded in Cabinet B Slide 115 Belmont Co Recorder's Office.

The area of vacation also includes that portion of a 30 ft alley located between lots 76 and 78 and encompasses that portion of the above-mentioned 12 ft alley adjacent to the 30 ft alley.

Dated this day of A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. The table lists names and addresses of petitioners, including James L. Wise, James L. Lafferty, and others, with their respective addresses in Belmont County, 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 P/W in Dismore Aard
to Lafferty (Union 6-8-5)
Public Road.

Petitioned for by James & Debra Wise
and others.

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 22 day of January, 19 2004, at the office of the commissioners
with the following members present:

Mr. Coyle
Mr. Probat

Mr. Coyle 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 in Dismore Aard to Lafferty a Public Road as described therein; therefore, be it

RESOLVED, That the 3 day of March, 19 2004, at 11:45 o'clock A.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 17 day of March, 19 2004, at 9:30 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 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. Coyle Yes
Mr. Probat Yes
Mr. _____

Adopted the 22 day of January, 19 2004

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of R/W in Diamond
addn to Liberty
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 10 day of March, 19 2004, at the office of the commissioners
with the following members present:

Mr. Probst
Mr. Thomas
Mr. Geyer

Mr. Probst moved the adoption of the following Resolution:

WHEREAS, On the 10 day of March, 19 2004, 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 17
day of March, 19 2004, 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. Geyer Yes

Adopted the 10 day of March, 19 2004

Doreen Pemppek

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

Vacation of portions of a 30' and 12' alley in Dinsmore's Add'n to Lafferty Public Road

March 17, 2004

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

The undersigned in obedience to your order dated March 10, 2004, proceeded on the 11 day of March, 2004 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:

RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacation of P/W Dinsmore Addn to Lafferty Union G-8-5 Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 17 day of March, 19 2004, at the office of the commissioners with the following members present:

Mr. Thomas
Mr. Probst

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

Mr. Thomas Yes
Mr. Probst Yes
Mr. Yes

Adopted the 17 day of March, 19 2004

Dorena Pampak Clerk, Board of County Commissioners

RESOLUTION — ORDER TO 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 in Dinwiddie Awdin
to Lafferty
Public Road

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

in regular session on the 31 day of March, 2004,

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

- Mr. Oeyo
- Mr. Probat

Mr. Oeyo 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 17, 2004,

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

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

resulted as follows:

- Mr. Oeyo Yes
- Mr. Probat Yes
- Mr. _____

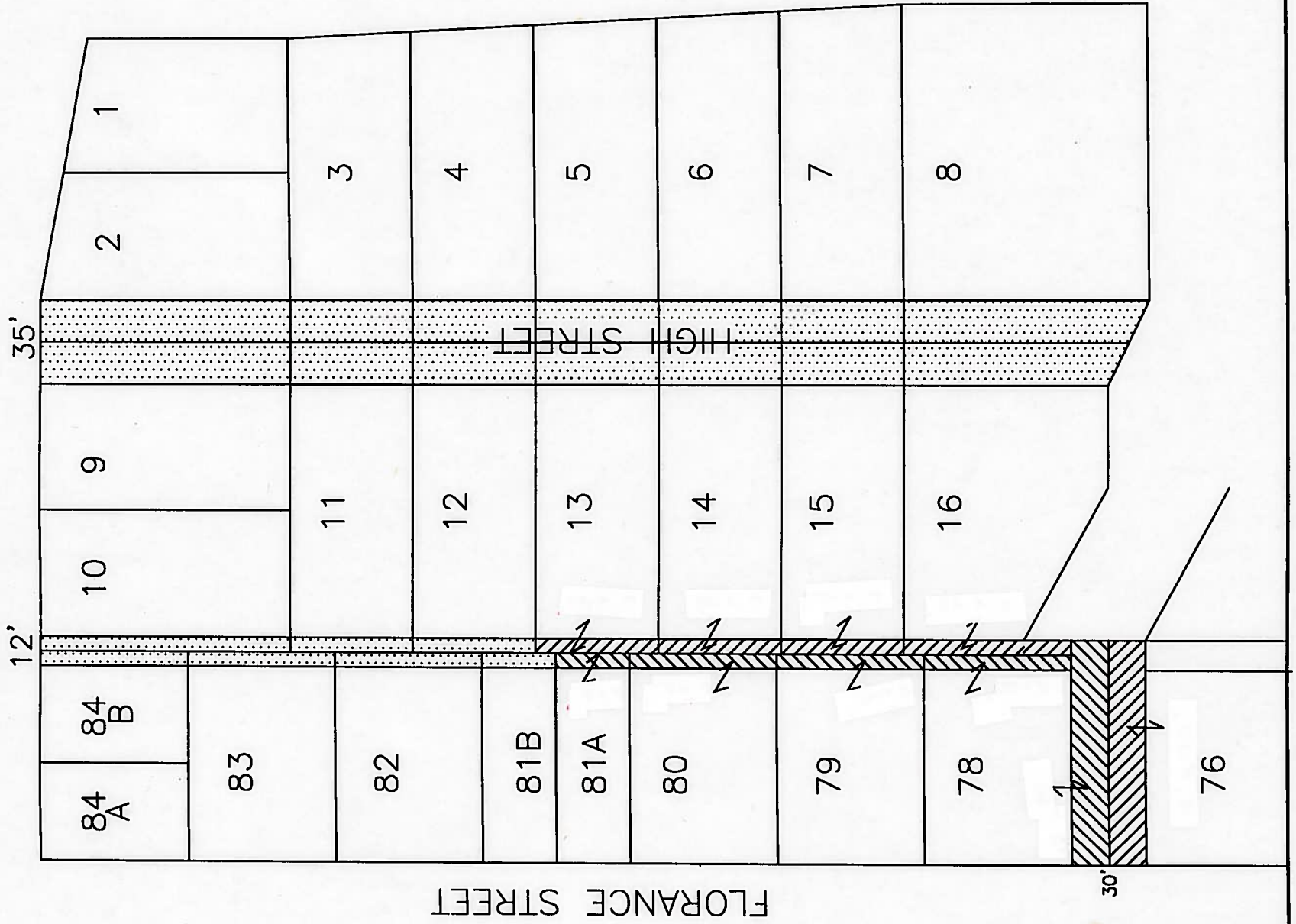
Adopted the 31 day of March, 2004

Doreen Pampuk
Clerk, Board of County Commissioners.

Belmont County, Ohio

IMP NO. 1081

VACATION OF A PORTION OF A 12' AND 30' ALLEY
DINSMORES ADDITION TO LAFFERTY
CABINET B SLIDE 115
UNION TWP SEC 6 T-8 R-5



SCALE: 1" = 60'

APPROVED BY:

CO. ENGINEER *Paul J. Bennett, P.E., P.S.*

DATE 3-31-04

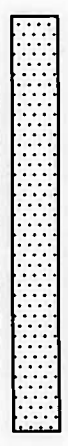
CO. COMMISSIONER *Ryan E. O'Connell*

CO. COMMISSIONER *Charles R. Lohdy*


CO. COMMISSIONER _____

DATE 3-31-04

SEE DEED VOL. 797 PG. 704

PRIOR VACATION 

IMP#1075 ENG. RD REC 16
VOL.788 PG.321

VACATION AREA 

NOTE: LOTS 13-16 PART OF DINSMORE'S THIRD
CAB D SL 175
LOTS 81A-78 PART OF DINSMORE'S ADD'N
CAB B SL 115

1000-1000000

1000-1000000
1000-1000000
1000-1000000

1000-1000000

1000-1000000

1000-1000000

1000-1000000

1000-1000000

1000-1000000

1000-1000000

1000-1000000

