

Imp # 1084

PUBLIC ROAD PETITION

Belmont Co, Ohio, June 14, 2004, 79

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 portion of Williams Dr T-1528 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

\* Revised desc.

0.1698 Acre Parcel \*

Situated in the State of Ohio, County of Belmont and the Township of Union. Being part of Section 14, Township 8, Range 5 and being a portion of Williams Drive as shown on the Plat of W. W. Williams Industrial Park as recorded in Cabinet D, Slide 69 and Cabinet D, Slide 80 of the Belmont County Record of Plats.

Beginning at a 5/8 inch diameter iron pin (set), formerly a 3/4 inch diameter iron pin (found) at the Southeast corner of Lot 1 in said Plat and at the southwest corner of a 1.1439 acre tract recorded in Volume 777, Page 594 of the Belmont County Record of Deeds.

Thence from said place of beginning and following the north line of Williams Drive and following the south line of said 1.1439 acre tract, North 69 degrees 28 minutes 41 seconds East 200.00 feet to a 5/8 inch diameter iron pin (set) at the southeast corner of said 1.1439 acre tract on the west right-of-way line of State Route 149,

thence creating new north lines for Williams Drive the following three (3) bearings and distances, South 27 degrees 03 minutes 22 seconds West 52.78 feet to a 5/8 inch diameter iron pin (set),

thence South 69 degrees 28 minutes 41 seconds West 161.04 feet to a 5/8 inch diameter iron pin (set),

thence South 69 degrees 28 minutes 41 seconds West 54.36 feet to a 5/8 inch diameter iron pin (set) on the southerly line of the aforementioned Lot 1,

thence following the boundary of Lot 1, North 36 degrees 15 minutes 23 seconds East 64.98 feet to the place of beginning.

Containing 0.1698 acres.

Dated this day of, A. D. 19

Table with 2 columns: PETITIONERS' NAMES and TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWNS REAL ESTATE. Contains handwritten names and addresses of petitioners.

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 Williams

Dr. T-1528 - Union 14-8-5

Public Road.

Petitioned for by George Balloq

and others.

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

on the 16 day of June, 2004, at the office of the commissioners

with the following members present:

Mr. Olexo

Mr. Thomas

Mr. Probst

Mr. Olexo 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 a portion of Williams Dr., T-1528 a Public Road as described therein; therefore, be it

RESOLVED, That the 14 day of July, 2004, at 1:00 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 11 day of Aug, 2004, at 10:00 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. Thomas seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Olexo, Yes

Mr. Thomas, Yes

Mr. Probst, Absent

Adopted the 16 day of June, 2004



RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT  
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

vacation of a portion of Williams  
Dr (T-1528) Union 14-8-5  
Public Road

Office of County Commissioners,  
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session  
on the 14 day of July, 19, at the office of Commissioners  
with the following members present:

- Mr. Probst
- Mr. Thomas
- Mr. Olexo

Mr. Probst moved the adoption of the following Resolution:

WHEREAS, On the 14 day of July, 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 11  
day of August, 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. Olexo Yes

Adopted the 14 day of July, 2004

Darlene Pampak

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Belmont County, Ohio

Vacation of a portion of Williams

Dr. (T-1528) Union 14-B-5

Public Road

Aug 11, 2004

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

The undersigned in obedience to your order dated July 14, 2004, proceeded on the 15 day of July 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 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 plat #1 "

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:

" See revised plat #2 "

**IMPROVEMENT NUMBER 1084  
REVISED PLAT NUMBER 2  
VACATION OF A PORTION OF TOWNSHIP ROAD 1528 (WILLIAMS DRIVE)**

BEING PART OF W. W. WILLIAMS INDUSTRIAL PARK AS RECORDED IN CABINET D, SLIDE 69,  
AND THE DEDICATION OF WILLIAMS DRIVE AS RECORDED IN CABINET D, SLIDE 80,  
PART OF SOUTHWEST QUARTER, SECTION 14, TOWNSHIP 8, RANGE 5  
SEVEN RANGES

UNION TOWNSHIP, BELMONT COUNTY, OHIO  
FRED BENNETT-COUNTY ENGINEER

0.1698 OF AN ACRE - VACATED TOWNSHIP ROAD #1528

*Fred Bennett, P.E. P.S.*

COUNTY ENGINEER

*Raymond E. O'Leary*

COUNTY COMMISSIONER

*Mark A. Thomas*

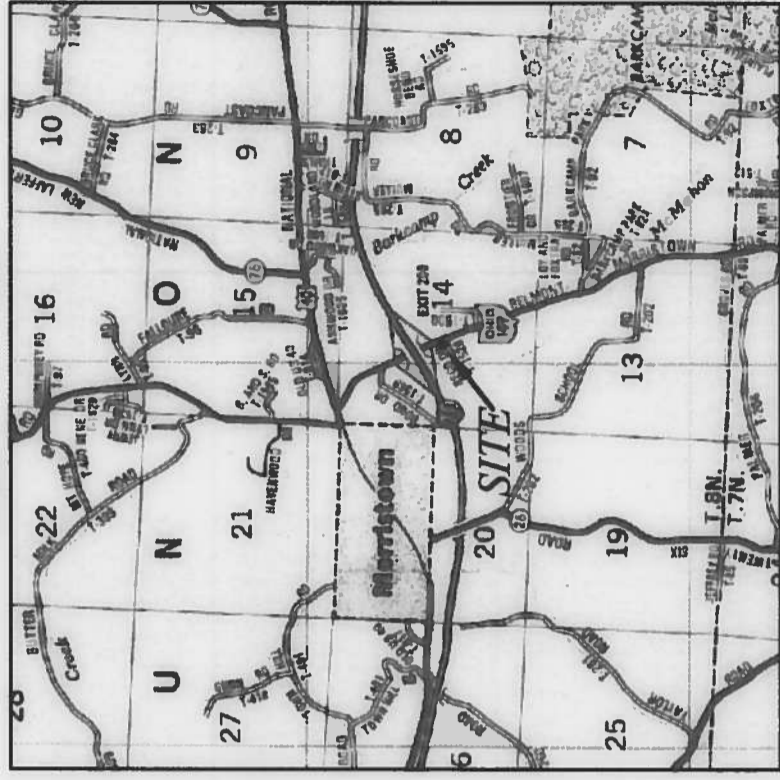
COUNTY COMMISSIONER

\_\_\_\_\_

COUNTY COMMISSIONER

THIS 21 DAY OF Sept, 2004.

LOCATION MAP  
SCALE: 1" = 1 MILE





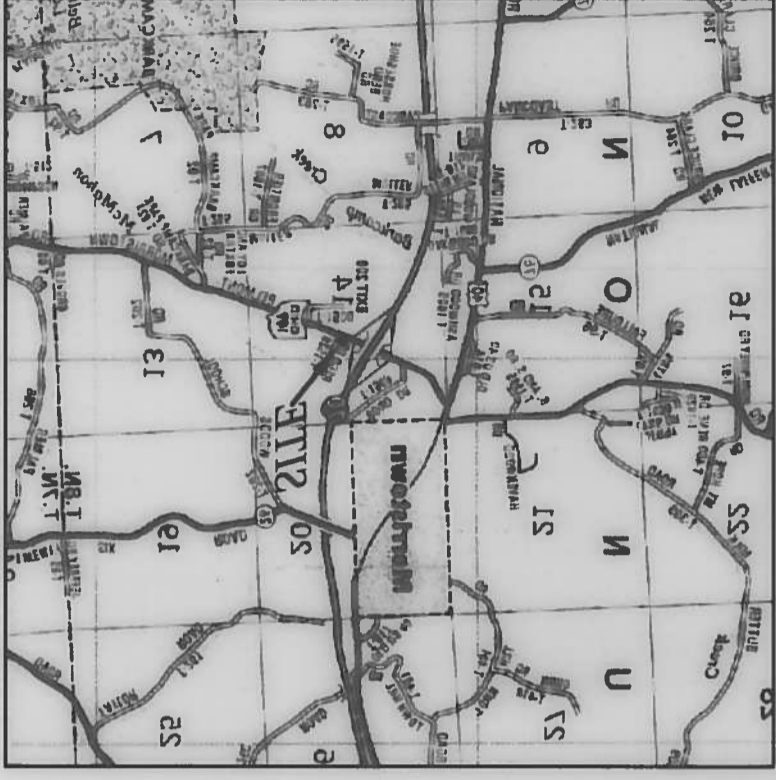
THIS 15 DAY OF 2004, 3004.

COMMITTEE COMMISSIONER

COMMITTEE COMMISSIONER

COMMITTEE COMMISSIONER

COMMITTEE ENGINEER



SCALE: 1" = 1 MILE  
LOCATION MAP

0.1258 OF AN ACRES - ASCALED TOWNSHIP ROAD #1258

BYED BEINTELL-COMMITY ENGINEER  
UNION TOWNSHIP, BERGHOIT COUNTY, OHIO  
SEVEN ACRES

BYAT OF SOUTHWEST QUARTER SECTION 14, TOWNSHIP 8, RANGE 2

AND THE DEDICATION OF MILLIAMS DRIVE AS RECORDED IN CUBIET D' GUIDE 80'

BEING BYAT OF M. W. MILLIAMS INDUSTRIAL PARK AS RECORDED IN CUBIET D' GUIDE 80'

ASCALION OF A PORTION OF TOWNSHIP ROAD 1258 (MILLIAMS DRIVE)

BEAIZED BYAL NUMBER 5

IMPROVEMENTS NUMBER 1084

STATE OF OHIO  
CASE #20853

10' POWER EASEMENT

50' BUILDING SETBACK LINE

S 20°31'19" E 268.34'  
10' POWER EASEMENT

LOT 1  
W. W. WILLIAMS INDUSTRIAL PARK  
CABINET D, SLIDE 69

MADDOG AND IRISH LTD  
VOLUME 722, PAGE 142  
3.394 ACRES TRACT

GEORGE T. & DELIA D. BALLOG  
V. 777 P. 594  
1.1439 ACRE TRACT

35' BUILDING SETBACK LINE  
0.1476 ACRE  
UTILITY EASEMENT

5/8 INCH IRON PIN (SET)  
FORMERLY 3/4 INCH IRON PIN (FD)

BUILDING SETBACK LINE

40' BUILDING SETBACK LINE

5/8 INCH IRON PIN (SET)  
FORMERLY 1/2 INCH IRON PIN (SET)

15' UTILITY EASEMENT  
N 69°28'41" E 184.99'

50.00'

WILLIAMS DRIVE (50') (T. R. 1528)

N 20°31'19" W 200.00'

EDGE EXISTING PAVEMENT  
S. R. 149 R/W LINE

S. R. 149

S 27°03'22" W 52.78'

60.00'

60.00'

60.00'

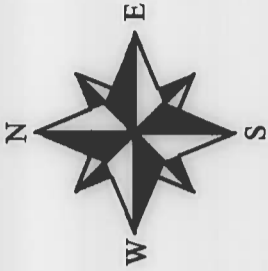
60.00'

35.60'

N 36°15'23" E 18.26'

S 69°28'14" W 34.36'

18.26'



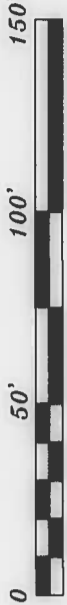
**BASIS OF BEARINGS**

BEARINGS ON THIS MAP ARE BASED ON THE BEARING GIVEN FOR THE MONUMENTED EAST LINE OF LOT 1 IN THE PLAT OF W. W. WILLIAMS INDUSTRIAL PARK AS RECORDED IN CABINET D, SLIDE 69, OF THE BELMONT COUNTY RECORD OF PLATS.

NOTE: THE 10 FOOT POWER EASEMENT, 15 FOOT UTILITY EASEMENT, AND THE SETBACK LINE SHOWN ON THE ORIGINAL PLAT HAVE BEEN EXTENDED THROUGH THE VACATED AREA AND WILL REMAIN AS EASEMENTS AND ENCUMBRANCES ON THE VACATED AREA.

**LEGEND**

- 1/2" DIAMETER IRON PIN FOUND
- ⊙ 5/8" DIAMETER IRON PIN SET (CAPPED HAMILTON AND ASSOCIATES)



SCALE: 1" = 50'



AREA TO BE VACATED 0.1698 ACRE

**IMPROVEMENT NUMBER 1084  
REVISED PLAT NUMBER 2**

**PORTION OF TOWNSHIP ROAD 1528  
(WILLIAMS DRIVE) TO BE VACATED**  
LOCATED IN SECTION 14, T.8, R.5, UNION TOWNSHIP,  
BELMONT COUNTY, OHIO

342 High St., Box 471  
Flushing, Ohio 43977  
Ph: (740) 968-4947  
Fax: (740) 968-4225  
e-mail: hamilton@1st.net  
www.hamiltonandassoc.com

DRAWN BY HDK

DATE: 6/07/04 REV: 8/12/04

COMM. NO. 891-1

**CERTIFICATE OF SURVEYOR**

I HEREBY CERTIFY THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ALL MONUMENTS SHOWN ARE SET OR FOUND AS SHOWN

*Jack A. Hamilton*  
JACK A. HAMILTON  
REGISTERED SURVEYOR #6524



Recorded in Vol. 801 Pg. 996

Record in Vol. 101. 801. 18



REGISTERED SURVEYOR #8234  
JACK A. HAMILTON  
OK FOUND 42 ZHONKI  
KONOMETEZH AND BETIEE. VIND VIT MONUMENTS ZHONKI VBE ZEL  
ZUMBEY AND IS LBEU AND CORRECT TO THE BEST OF MA  
I NEBEVA SEKLETA. INVI THIS MAP IS BASED ON VA VSLUVT FIELO  
SEKTSICATE OF ZUMBELOV

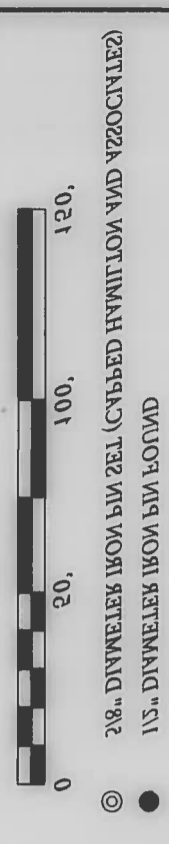
ДВУМН ВА НДК ДУЛЕ: 603104 БЕА: В13004 СОММ: ИО: 801-1

М.М.М. Hamilton Associates, Inc.  
e-mail: jhamilton@jhamilton.com  
Тел: (410) 808-4332  
Факс: (410) 808-4043  
Engineering Office 43011  
345 High St., Box 431

ВЕГМОУ СОУЛЛА' ОННО  
ГОУАЛЕД ИВ СЕКЦИОН 14' 1' 8" В' 2' ЛИОИ ТОМУИШНЬ  
(МІТТІВІВЗ ДВІЛЕ) ТО ВЕ АУСАЛЕД  
ПОВЛОН ОВ ТОМУИШНЬ РОУД 1258

### ВЕЛІСЕД БГАТ ИОМВЕК 5 ИМЬКОЛЕМЕНТ ИОМВЕК 1084

АУСА ТО ВЕ АУСАЛЕД 0'1088 АСВЕ



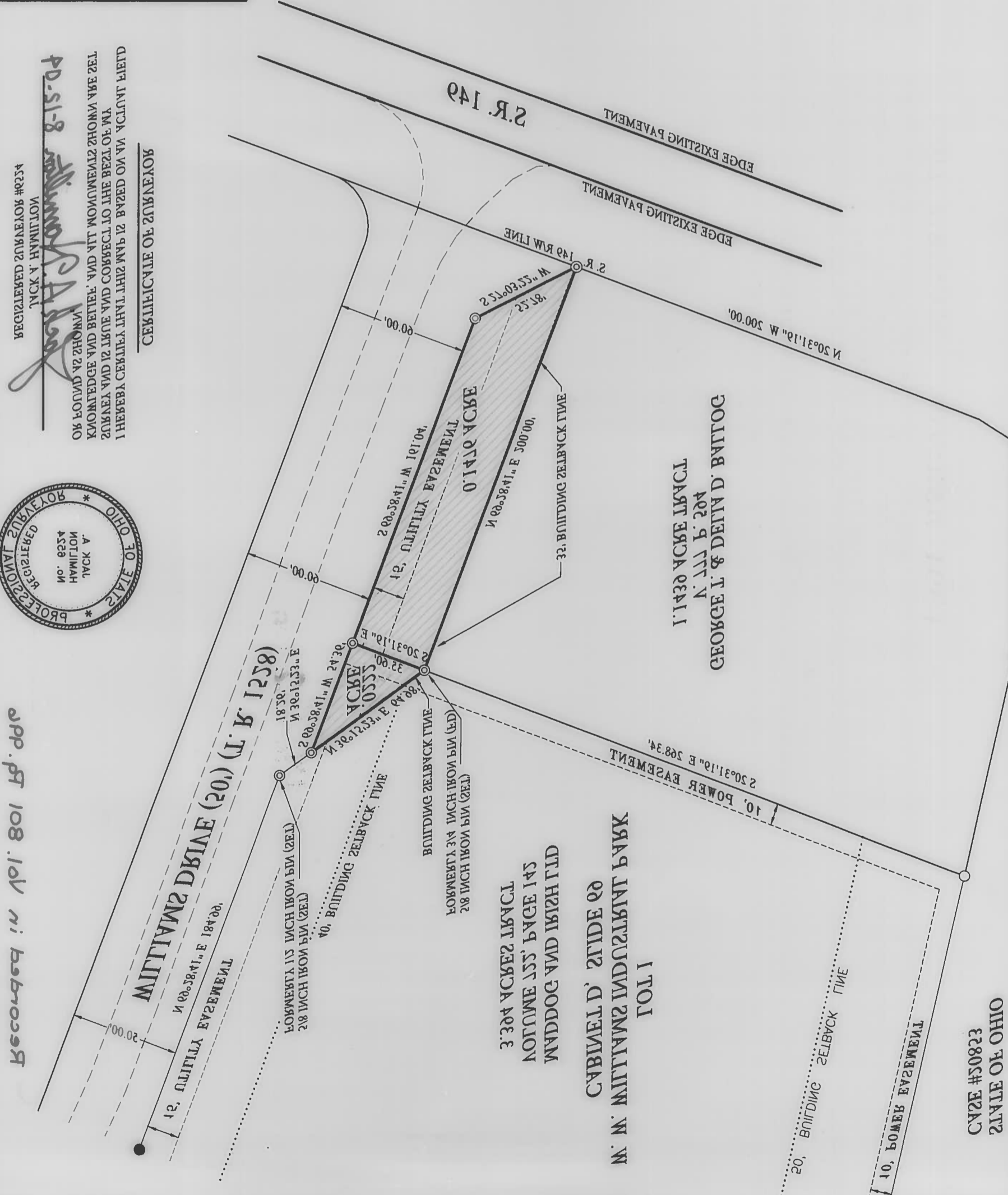
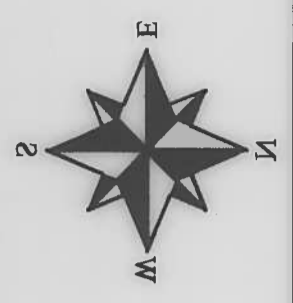
◎ 28" DIRMETER FROM B.M. ZEL (СЫБЬЕД НАМІТЛОИ АИД АЗСОСІВІЕ2)  
● 12" DIRMETER FROM B.M. РОУИД

**LEGEND**

○ ON THE ASCALED АУСА  
○ МІТТ ВЕУТИ 42 ЕУЗЕМЕЛІЗ АИД ЕАСОМВЕКІСЕ2  
● БГАТ НАВЕ БЕЕА ЕАЛЕДЕД ТНРОУГН ТЕ АУСАЛЕД АВЕВ АИД  
ЕУЗЕМЕЛ' АИД ТЕ ЗЕЛВАСК ГІВЕ ЗНОМА ОИ ТЕ ОБІСІВІТ  
МОЛЕ: ТЕ 10 РОУЛ РОМЕР ЕУЗЕМЕЛ' 12 РОУЛ ІМІТЛА

ВЕГМОУ СОУЛЛА БЕСОБД ОВ БГАІІЗ  
42 БЕСОБДЕД ИВ СЫВЕЛ' D' 2ГІДЕ 08' ОВ ТЕ  
ИВ ТЕ БГАТ ОВ М. М. МІТТІВІВЗ ИИДІСІВІТ Б' АІК  
ГІВЕИ РОБ ТЕ МОУМЕЛЕД ЕУАТ ГІВЕ ОВ ГОТ 1  
ВЕУІВІС2 ОИ ТЕІІЗ МАВ АВЕ ВІЗЕД ОИ ТЕ ВЕУІВІС

### ВІЗІС ОВ ВЕУІВІС2



СУЗЕ #50823  
СТАТЕ ОВ ОННО



RESOLUTION — GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE

Vacation of a portion of Williams Dr. (T-1528) Union 14-8-5 Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 18 day of August, 2004, at the office of the commissioners with the following members present:

Mr. Thomas

Mr. Olexo

Mr. Olexo 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 60 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;

" See Revised Plat "

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

Mr. Olexo Yes

Mr. Thomas Yes

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

Adopted the 18 day of August, 2004

Dorcas Pampak 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 a portion of Williams  
Dr. (T-1528) Union 14-8-5  
Public Road

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

in regular session on the 1 day of September, 2004, 1<sup>st</sup>

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

- Mr. Oeyo
- Mr. Probst
- Mr. Thomas

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 Aug 18, 2004, 1<sup>st</sup>

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

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

resulted as follows:

- Mr. Oeyo, Yes
- Mr. Probst, Yes
- Mr. Thomas, Yes

Adopted the 1 day of Sept., 2004

Darlene Pemppek  
Clerk, Board of County Commissioners.

Belmont County, Ohio