

PUBLIC ROAD PETITION

Belmont County, Ohio, Nov. 1st, 2006

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... Vacating ... of portions of Third Alley, North & South Street, & First Alley ... 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

A portion of North Street in the subdivision of Kinsman Cabinet B Slide 180 located between lots 48 and 49 in said subdivision being 30ft wide and 100ft long.

A portion of South Street in the subdivision of Kinsman Cabinet B Slide 180 located between lots 44 and 45 in said subdivision being 30ft wide and 100ft long.

A portion of First Alley in the subdivision of Kinsman Cabinet B Slide 180 located between lot 43 in said subdivision and the easterly line of Section 8-8-4 of Wheeling Township being 15ft wide and 100ft long.

A portion of Third Alley in the subdivision of Kinsman Cabinet B Slide 180 located north of First Alley, lots 43, 44, South Street, 45, 46, 47, 48 and North Street and in the northerly line of said subdivision being 15ft wide and 438ft long.

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.

1. "locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing the direction of" ... 2. Insert "a part of," if so. ... 3. Strike out the word "not" if the proposed improvement is on the State Highway System. ... 4. Have set forth the general route and termini of the road, or part thereof, to be located, established, or vacated, or the general manner in which such road is to be altered, widened, straightened, or direction thereof changed.

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,

Vacation of a portion of third alley, North St. South Street, and first alley in Kinsman wlg 8-8-4 Public Road.

Belmont County, Ohio

Petitioned for by Martin Mozden, and others.

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

on the 8th day of November, 2006, 19 at the office of the commissioners

with the following members present:

Mr. Thomas

Mr. Probst

Mr. Longshaw

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 portions of streets in the Kinsman Subdivision in (wheeling 8-8-4) a Public Road as described therein; therefore, be it

RESOLVED, That the 29th day of November 2006, 19 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 of vacation and go over the line of said proposed improvement; and be it further

RESOLVED, That the 6th day of December 2006, 19 at 11:15 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. Probst seconded the Resolution and the roll being called upon its adoption, the vote

resulted as follows:

Mr. Thomas, Yes

Mr. Probst, Yes

Mr. Longshaw, Yes

Adopted the 8th day of November, 2006, 19

RESOLUTION — UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE

Vacation of a portion of Third Alley, North St,
South St., and First Alley in Kinsman Whedding (8-8-4)
Public Road

Office of County Commissioners,
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in regular session
on the 29th day of November 2006, 19—, at the office of the commissioners

with the following members present:

- Mr. Probst
- Mr. Thomas
- Mr. Longshaw

Mr. Thomas moved the adoption of the following Resolution:

WHEREAS, On the 29th day of November 2006, 19—, 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 6th day of December 2006, 19—, 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. Longshaw seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows:

- Mr. Thomas
- Mr. Longshaw
- Mr. Probst

Adopted the 9th day of November 2006, 19—

Jane Long

REPORT OF COUNTY ENGINEER

IN THE MATTER OF THE

County Engineer's Office,

Vacation of a portion of Third Alley, North St.
South St., & First Alley Wheeling (B-B-4)
Public Road

Belmont County, Ohio

November 30th, 2006

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

The undersigned in obedience to your order dated November 29th 2006, proceeded on the 30th day of November 2006 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 a portion of third Alley, North St., South St., First Alley Public Road

Office of County Commissioners, Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in session on the 6th day of December 2006, at the office of 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 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 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 6th day of December, 2006, 19

Jane Long Aut. 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,

Vacation of a Portion of Third Alley, ^{North} First St.
South St. and First Alley in Kingsman Wlg 8-8-4
Public Road

Belmont County, Ohio

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

in regular session on the 20th day of December, 2006, 19

at the office of Commissioners with the following members present:

- Mr. Probst
- Mr. Thomas

Mr. Probst 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 December 6th 2006

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

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. _____, _____

Adopted the 20th day of December 2006, 19

Jane Long
Asst Clerk, Board of County Commissioners.

IMP #1097

VACATION OF A 30 X 100 FOOT PORTION OF NORTH STREET
VACATION OF A 30 X 100 FOOT PORTION OF SOUTH STREET
VACATION OF A 15 X 100 FOOT PORTION OF FIRST ALLEY
VACATION OF A 15 X 438 FOOT PORTION OF THIRD ALLEY

KINSMAN CAB B SLIDE 180
WHEELING SEC 11 T-8 R-6
BELMONT COUNTY OHIO

FRED F BENNETT P.E. P.S. BELMONT COUNTY ENGINEER

APPROVED BY:

COUNTY ENGINEER Fred F. Bennett, P.E., P.S.

COUNTY COMMISSIONER Paul R. Smith

COUNTY COMMISSIONER Mal C. Thomas

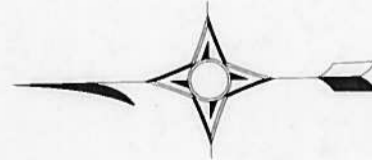
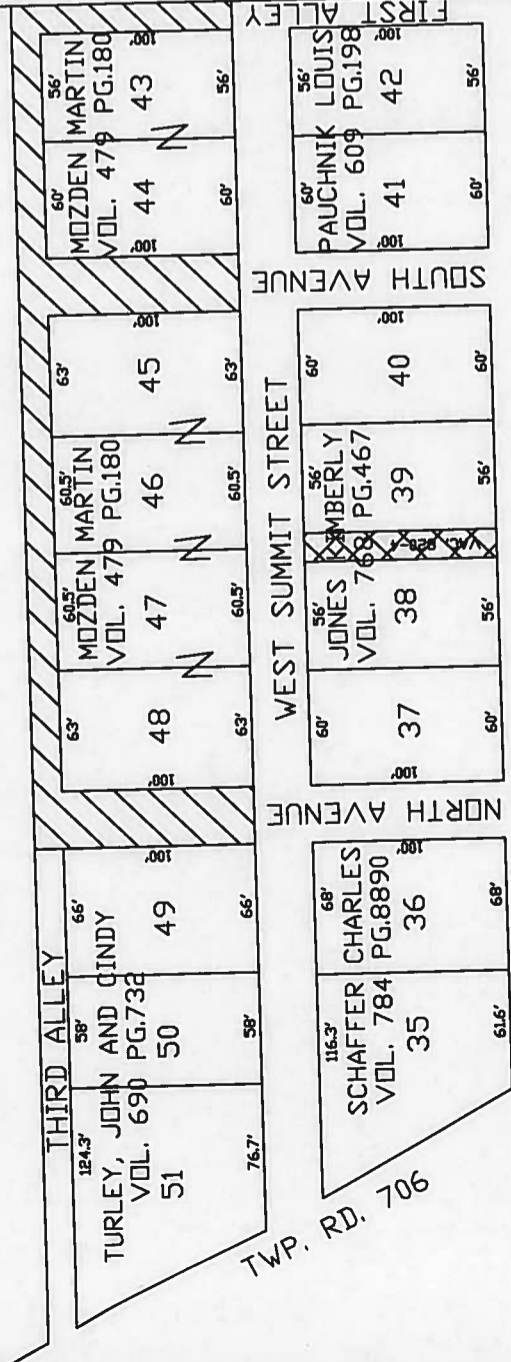
COUNTY COMMISSIONER _____

DATE: Dec 6, 2006

 AREA OF VACATION

 AREA OF PREVIOUS VACATION

MOZDEN LEWEY & MARTIN
VOL. 479 PG.180



SCALE: 1"=100'

RECORDED IN VOL. 91 PG. 962
BELMONT COUNTY RECORDER

1956

1957

1958

1959

1960

1961

1962

1963

1964

1965

1966

1967

1968

1969

1970

1971

1972

1973

1974

1975

1976

1977

1978

1979

1980

1981

1982

1983

1984

1985

1986

1987

1988

1989

1990

1991

1992

1993

1994

1995

1996

1997

1998

1999

2000

2001

2002

2003

2004

2005

2006

2007

2008

2009

2010

2011

2012

2013

2014

2015

2016

2017

2018

2019

2020

2021

2022

2023

2024

2025

2026

2027

2028

2029

2030

2031

2032

2033

2034

2035

2036

2037

2038

2039

2040

2041

2042

2043

2044

2045

2046

2047

2048

2049

2050

2051

2052

2053

2054

2055