

PUBLIC ROAD PETITION

....., Ohio,....., 20.....

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,

re the

PUBLIC ROAD PETITION Rev. Code Sec. 5553.04

Belmont County, Ohio

August 16, 2013

Imp# 1118

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, represent that the public convenience and welfare require the vacation of portions of two cul de-sacs within Pultney Township Road 1638 (Ohio Riverview Road) in Ohio Riverview Estates located in Pultney Township Section 28, T-2, R-2 and recorded in Cabinet F Slide 351 Belmont County Recorder's Office.

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:

Description of 0.310 Acre Vacation (north cul-de-sac)

Situated in the State of Ohio, County of Belmont, Township of Pultney, being in the south half of Section 28, Range 2 West, Township 2 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:

Commencing for reference at an iron pin found capped "Biedenbach 7881" at the southwest corner of Lot No. 6 of "Ohio Riverview Estates" as recorded in Plat Cabinet E, Slide 351 of the Belmont County Recorder's Office;

thence, with the north line of Ohio Riverview Road and being the south line of Lot No. 6, the following two courses:

- 1. with a curve to the right, having a radius of 3,721.12 feet, an arc length of 39.39 feet, a chord bearing of South 78°27'51" East a chord distance of 39.39 feet to an iron pin found capped "Biedenbach 7881";

thence, continuing with a curve to the left, having a radius of 40.00 feet, an arc length of 80.65 feet, a chord bearing of North 66°35'12" West a chord distance of 67.67 feet to an iron pin set;

thence, with a curve to the right, having a radius of 25.00 feet, an arc length of 20.15 feet, a chord bearing of South 78°44'40" West a chord distance of 19.61 feet to an iron pin set, passing through an iron pin set at an arc distance of plus 14.16 feet;

thence North 78°09'44" West a distance of 47.96 feet to the Point of Beginning;

containing 0.310 acre, more or less, of vacation.

Description of 0.310 Acre Vacation (south cul-de-sac)

Situated in the State of Ohio, County of Belmont, Township of Pultney, being in the south half of Section 28, Range 2 West, Township 2 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:

Commencing for reference at an iron pin found capped "Biedenbach 7881" at the southwest corner of Lot No. 15 of "Ohio Riverview Estates" as recorded in Plat Cabinet E, Slide 351 of the Belmont County Recorder's Office;

thence, with the north line of Ohio Riverview Road and being the south line of Lot No. 15, South 44°48'24" East a distance of 124.13 feet to a point, being THE TRUE POINT OF BEGINNING for this vacation description;

thence, from said Point of Beginning, with a curve to the left, having a radius of 25.00 feet, an arc length of 28.20 feet, a chord bearing of South 77°07'07" East a chord distance of 26.73 feet to a point;

thence, with a curve to the right, having a radius of 80.00 feet, an arc length of 127.32 feet, a chord bearing of South 63°50'16" East a chord distance of 114.30 to a point;

thence, continuing with a curve to the right, having a radius of 80.00 feet, an arc length of 202.60 feet, a chord bearing of South 54°18'15" East a chord distance of 152.64 to a point;

- 2. thence South 78°09'44" East a distance of 63.73 feet to a point, being THE TRUE POINT OF BEGINNING for this vacation description;

remises, thence, from said Point of Beginning, with a curve to the left, having a radius of 25.00 feet, an arc length of 28.20 feet, a chord bearing of North 69°31'35" East a chord distance of 26.73 feet to a point;

thence, with a curve to the right, having a radius of 80.00 feet, an arc length of 67.26 feet, a chord bearing of North 61°18'04" East a chord distance of 65.30 to a point;

thence, continuing with a curve to the right, having a radius of 80.00 feet, an arc length of 119.78 feet, a chord bearing of South 51°43'05" East a chord distance of 108.90 to a point;

thence, continuing with a curve to the right, having a radius of 80.00 feet, an arc length of 87.69 feet, a chord bearing of South 22°34'39" West a chord distance of 83.37 to a point;

thence, continuing with a curve to the right, having a radius of 80.00 feet, an arc length of 91.75 feet, a chord bearing of South 86°50'05" West a chord distance of 86.80 to a point;

thence, continuing with a curve to the right, having a radius of 80.00 feet, an arc length of 65.30 feet, a chord bearing of North 36°55'27" West a chord distance of 63.51 to a point;

thence, with a curve to the left, having a radius of 25.00 feet, an arc length of 28.20 feet, a chord bearing of North 45°51'03" West a chord distance of 26.73 to a point;

thence South 78°09'44" East a distance of 47.96 feet to an iron pin set;

thence, with a curve to the right, having a radius of 25.00 feet, an arc length of 20.15 feet, a chord bearing of South 55°04'08" East a chord distance of 19.61 to an iron pin set;

thence, with a curve to the left, having a radius of 40.00 feet, an arc length of 30.98 feet, a chord bearing of South 54°09'48" East a chord distance of 30.21 feet to an iron pin set;

thence, with a curve to the left, having a radius of 40.00 feet, an arc length of 34.68 feet, a chord bearing of North 78°48'50" East a chord distance of 33.60 feet to an iron pin set;

thence, continuing with a curve to the left, having a radius of 40.00 feet, an arc length of 43.84 feet, a chord bearing of North 22°34'39" East a chord distance of 41.68 feet to an iron pin set;

..... thence South 44°48'24" East a distance of 47.96 feet to an iron pin set;

thence, with a curve to the right, having a radius of 25.00 feet, an arc length of 20.15 feet, a chord bearing of South 21°42'47" East a chord distance of 19.61 to an iron pin set;

thence, with a curve to the left, having a radius of 40.00 feet, an arc length of 38.07 feet, a chord bearing of South 25°52'56" East a chord distance of 36.65 feet to an iron pin set;

thence, continuing with a curve to the left, having a radius of 40.00 feet, an arc length of 101.30 feet, a chord bearing of North 54°18'15" East a chord distance of 76.32 feet to an iron pin set;

thence, continuing with a curve to the left, having a radius of 40.00 feet, an arc length of 50.79 feet, a chord bearing of North 54°37'12" West a chord distance of 47.44 feet to an iron pin set;

thence, with a curve to the right, having a radius of 25.00 feet, an arc length of 20.15 feet, a chord bearing of North 67°54'00" West a chord distance of 19.61 feet to an iron pin set;

thence North 44°48'24" West a distance of 47.96 feet to the Point of Beginning;

containing 0.310 acre, more or less, of vacation.

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

Public Road.

Petition

IN THE MATTER OF THE VACATION OF PORTIONS OF TWO CUL-DE-SACS WITHIN PULTNEY TOWNSHIP ROAD 1638 (OHIO RIVERVIEW ROAD) SEC. 28, T-2, R-2/RD IMP 1118

Office of County Commissioners Belmont County, Ohio

Th

session

Journal Entry, Order Fixing Time and Place of View and of Final Hearing and Notice Thereof on Public Road Petition Rev. Code, Sec. 5553.05 RD. IMP. 1118

on the with the

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 21st day of August, 2013 at the office of the Commissioners with the following members present:

- Mr. Probst Mr. Coffland

Mr. Coffland moved the adoption of the following:

RESOLUTION

Mr.

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 two cul-de-sacs within Pultney Township Road 1638 (Ohio Riverview Road) in Ohio Riverview Estates located in Pultney Township, Section 28-T-2, R-2.

solution: has been

presente

RESOLVED, That the 11th day of September, 2013 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 and go over the line of said proposed improvement; and be it further

RE

RESOLVED, That the 18th day of September, 2013, 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

date

when w and go

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.

RI

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

date for

a final h

Table with 2 columns: Name, Vote. Mr. Coffland Yes, Mr. Probst Yes, Mrs. Favede Absent

RE

Adopted August 21, 2013

and

hearing

Jayne Long Clerk, Belmont County, Ohio

a newsp

- 1. "Locating," "establishing," "altering," "straightening," "vacating," or "changing the direction of." 2. "Locating," "establishing," "altering," "straighten," "vacate," or "change the direction of" 3. Insert "a part of," if so.

posed

improve

Mr.

the vote

resulted

Mr.

RESOLUTION – UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER

IN THE MATTER OF THE VACATION OF
PORTIONS OF TWO CUL-DE-SACS WITHIN
PULTNEY TWP. RD. 1638 (OHIO RIVERVIEW RD.)
SEC. 28, T-2, R-2/ RD IMP 1118

Office of County Commissioners
Belmont County, Ohio

Journal Entry--Order Upon view of Proposed Improvement
ORDER TO COUNTY ENGINEER
Rev. Code. Sec. 5553.06

The

Petitioned for by freeholders and others

on the ...
with the

The Board of County Commissioners of Belmont County, Ohio met in regular session on the 11th day of September, 2013, at the office of the Commissioners with the following members present:

Mrs. Favede
Mr. Coffland

Mrs. Favede moved the adoption of the following:

RESOLUTION

Mr.

W
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thereto; t

WHEREAS, On the 11th day of September, 2013, 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

RE
survey at
lines ther

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.

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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.

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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

RESO
day of ...
improven
said plat

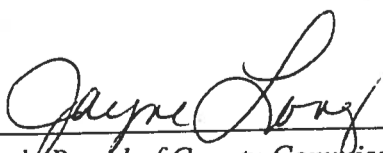
RESOLVED, That the said County Engineer be and he is hereby directed to make a report in writing to this Board, on or before the 18th day of September, 2013 the date fixed for the final hearing, setting forth the opinion of said County Engineer either for or against said proposed improvement, and the 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 case is continued unto said date.

Mr. ...
resulted a

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

Mrs. Favede Yes
Mr. Coffland Yes
Mr. Probst Absent

Adopted September 11, 2013


Clerk, Board of County Commissioners
Belmont County, Ohio

1. "Locating," "establishing," "altering," "widening," "straightening," "vacating," or "changing direction of."
2. Strike out the clause from "and feet," if a road is not to be located or established

Adopted t

REPORT OF COUNTY ENGINEER

RECEIVED
SEP 16 2013

REPORT OF COUNTY ENGINEER
REV. CODE, SEC. 5553.06

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Rd. Imp. 1118
County Engineer's Office
Belmont County, Ohio
9-18, 2013

Vacation of portions
of 2 cul-de-sacs within
Plat T-1638 (Ohio Riverview Rd)
Plat Sec 28, T-2, R-3

.....
d, and

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

The undersigned, in obedience to your order, dated 9-11, 2013,
proceeded on the 9-18, 2013, to make an accurate survey and plat of the
Public Road proposed to be improved and respectfully submits the following report:

this

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 believe 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 apart hereof.~~

An accurate and detailed description of the proposed improvement describing therein
the center line and right of way lines follow:

" see attached plat "

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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:

Paul F. Bennett
County Engineer of Belmont County, Ohio

VACATION PLAT OF A PORTION OF OHIO RIVERVIEW ROAD T.R. 1638

ROAD IMPROVEMENT RECORD NO. 1118

COUNTY ENGINEER

Approved for record *Paul A. Bennett, P.E., P.S.*
Belmont County Engineer
Date 9-18-2013.

Situated in the State of Ohio, County of Belmont, Township of Pultney, being in the south half of Section 28, Range 2 West, Township 2 North of "THE OLD SEVEN RANGES SURVEY".

PRIOR CABINET E, SLIDE 351



LEGEND

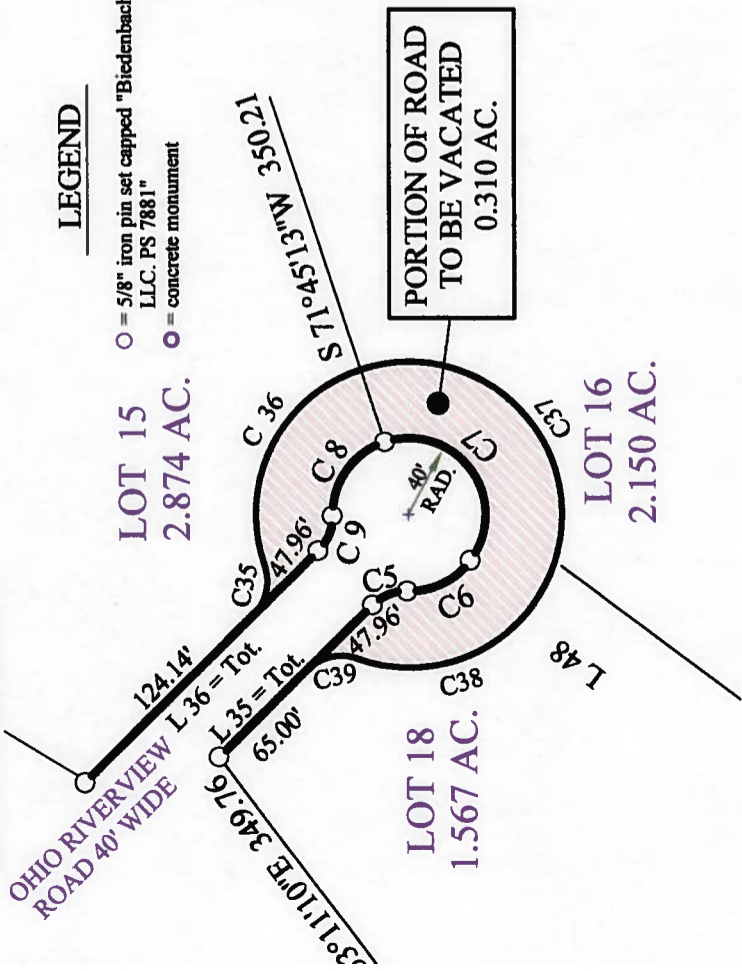
LOT 15 2.874 AC.
LOT 16 2.150 AC.
LOT 18 1.567 AC.

LOT 6 1.541 AC.
LOT 7 2.534 AC.
LOT 10 1.350 AC.

LOT 9 2.084 AC.
LOT 8 3.332 AC.

PORTION OF ROAD TO BE VACATED 0.310 AC.

PORTION OF ROAD TO BE VACATED 0.310 AC.



SCALE: 1" = 100'



Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
46°11'13"	25.00	20.15	19.61	19.61	S 21°42'47"E
54°31'32"	40.00	38.07	36.65	36.65	S 25°52'56"E
145°06'04"	40.00	101.30	127.26	76.32	N 54°18'15"E
72°44'50"	40.00	50.79	29.46	47.44	N 54°37'12"W
46°11'13"	25.00	20.15	10.66	19.61	N 67°54'00"W
0°52'18"	3681.12	56.00	28.00	56.00	S 78°35'49"E
46°11'13"	25.00	20.15	10.66	19.61	S 55°04'08"E
44°22'35"	40.00	30.98	16.31	30.21	N 78°48'50"E
49°40'09"	40.00	34.68	18.51	33.60	S 54°09'48"E
62°48'13"	40.00	43.84	24.42	41.68	N 22°34'39"E
13°44'22"	25.00	5.99	3.01	67.67	N 66°35'12"W
32°26'51"	25.00	14.16	7.27	13.97	N 85°01'55"W
0°36'23"	3721.12	39.39	19.69	39.39	S 71°52'29"W
64°37'23"	25.00	28.20	15.81	26.73	N 78°27'51"W
48°10'23"	80.00	76.26	35.76	65.30	N 69°13'35"E
85°47'15"	80.00	119.78	74.32	108.90	N 61°18'04"E
62°48'13"	80.00	87.69	48.84	83.37	S 51°43'05"E
65°42'41"	80.00	91.75	51.67	86.80	S 22°34'39"W
46°46'13"	80.00	63.51	34.59	63.51	S 86°50'05"W
64°37'23"	25.00	28.20	15.81	26.73	N 36°55'27"W
91°11'00"	80.00	127.32	81.67	114.30	N 45°51'03"W
145°06'04"	80.00	202.60	254.51	152.64	S 77°07'07"E
72°57'42"	80.00	101.87	59.16	95.13	S 63°50'16"E
64°37'23"	25.00	28.20	15.81	26.73	S 54°18'15"W
					N 16°39'52"W
					N 12°29'40"W

Line	Bearing	Distance
35	S 44°48'24"E	112.96
36	N 44°48'24"W	172.10
40	S 82°48'24"E	162.04
41	S 78°09'44"E	111.69
42	N 78°09'44"W	111.69

Acres of Vacation to Lots:	
Lot # 6	- 0.037 ac.
Lot # 7	- 0.098 ac.
Lot # 8	- 0.060 ac.
Lot # 9	- 0.054 ac.
Lot # 10	- 0.061 ac.
Total	- 0.310 ac.

I, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT IT WAS PREPARED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES.

DATE Aug 13, 2013
Gregory A. Biedenbach
GREGORY A. BIENBACH OHIO REGISTERED SURVEYOR NO. 7881.

COUNTY COMMISSIONERS
Approved for record *Paul A. Bennett*
Belmont County Commissioner
Gregory A. Biedenbach
Belmont County Commissioner
Belmont County Commissioner
Date 9-18-2013.

BIEDENBACH SURVEYING, LLC.
114 ADAMS AVENUE
WOODSFIELD, OHIO 43793
740.472.1262 OFFICE
740.472.5298 FAX

SURVEY PLAT FILE: GB-573 RP#4

RESOLUTION – GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATTER OF THE VACATION OF PORTIONS OF TWO CUL-DE-SACS WITHIN PULTNEY TWP. RD. 1638 (OHIO RIVERVIEW RD.) SEC. 28, T-2, R-2/RD IMP 1118

Office of County Commissioners Belmont County, Ohio

..... session

on the with

RESOLUTION-GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC. Rd. Imp. #1118

The Board of County Commissioners of Belmont County, Ohio, met in regular session on the 18th day of September, 2013 in the office of the Commissioners with the following members present:

- Mr. Coffland Mr. Probst Mrs. Favede

by the County of the said interested persons;

Engi prove and

Mrs. Favede moved the adoption of the following Resolution:

ter; therefore,

be it

WHEREAS, This day this matter came on to be heard on the report, survey, plat, and detailed and accurate descriptions 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

It be it further part thereof as ent. On failureday of or ordered that a pertinent del of such land;

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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

part thereof vement, and s not of suffi-pay

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RESOLVED, That said Board of County Commissioners do find said improvement will serve the public convenience and welfare; and be it further

....., 20..... a part hereof he amount of

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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.

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RESOLVED, That the County Engineer be and he is hereby directed to cause and record the proceeding, 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

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

he route and ion of such

Table with 2 columns: Name, Vote. Mr. Probst Absent, Mr. Coffland Yes, Mrs. Favede Yes

Adopted the 18th day of September, 2013

and

and

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Signature of Clerk, Board of County Commissioners, Belmont County, Ohio

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tion, the vote

RESOLUTION- ORDER TO _____ ROAD
Sec. 5563.01 R.C. (Open or Close)

**IN THE MATTER OF THE VACATION OF
PORTIONS OF TWO CUL-DE-SACS WITHIN
PULTNEY TWP. RD. 1638 (OHIO RIVERVIEW RD.)
SEC. 28, T-2, R-2/RD IMP 1118**
A Public Road

Office of County Commissioners
Belmont County, Ohio

Petitioned for by.

The Board of County Commissioners of Belmont County, Ohio, met in Regular session on the 2nd day of October, 2013, at the office of the Commissioners with the following members present:

- Mrs. Favede
- Mr. Coffland
- Mr. Probst

The Board c

in.....
(Regular or
at the office of.....

RESOLUTION - ORDER TO CLOSE ROAD
Sec. 5553.10 R.C

Mrs. Favede 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 roads be ¹vacated, as ordered heretofore, made on journal of the date of September 18, 2013, and a copy of this resolution be forwarded to the Pultney Township Trustees.

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

Mrs. Favede _____, Yes
Mr. Coffland _____, Yes
Mr. Probst _____, Yes

Adopted the 2nd day of October, 2013


Clerk, Board of County Commissioners
Belmont County, Ohio

1. "locating," "establishing," "altering," "widening," "straightening," "vacating" or "changing the direction of."

Mr.
resulted as follows.

Adopted the.....