

PUBLIC ROAD PETITION

Belmont, Ohio Monday, October 30th, 2017

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 Twp-87 (Mayhugh Rd.)
 a Public Road on the line hereinafter described, and make application to you institute and order proper proceedings in the
 permises, for Vacation
 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

Starting at the intersection of T-87 and T-74 (Williamson Rd.) heading in a southeastern direction through the following parcels: (46-00233.000, 46-00201.000, and 46-00198.000) for the approximate distance of 1.097 miles. Ending at the intersection of T-87 and T-81 (Mayhugh Hill Rd.)

Dated this 30th day of October A. D. 2017

PETITIONERS' NAMES		TAXING DISTRICT OF COUNTY IN WHICH PETITIONER OWN REAL ESTATE	
1	Christa Smith	58165 Hunter Rd. OH 43719	Bethesda
2	Eli S. Hershberger	58858 Hunter Rd. OH 43719	Bethesda
3	Emma J. Hershberger	58858 Hunter Rd. OH 43719	Bethesda
4	Deborah Grimes	58755 Hunter Rd. OH 43719	Bethesda
5	Chris Townson	58220 Twp Rd. 70 Bethesda OH 43719	
6	Michael D. Lallathin	54633 Belmont Ridge Rd. Beallsville OH 43716	
7	Cecil H. Kinney	55061 Kinney Rd. Beallsville OH 43716	
8	Eddie P. Boston	54641 Belmont Ridge Rd. Beallsville OH 43716	
9	Scott Kernen	41235 N. Park Dr. Beallsville OH 43716	
10	Charles J. Baker Jr.	55081 County Rd. 42 Beallsville OH 43716	
11	David Jenewain	58150 Hunter Rd. Bethesda OH 43719	
12	Robert L. Putsock	43521 Mayhugh Hill Rd. Beallsville OH 43716	
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RESOLUTION—FIXING TIME AND PLACE OF VIEW AND OF FINAL HEARING AND NOTICE THEREOF ON PUBLIC ROAD PETITION

IN THE MATER OF THE

Vacation of Twp. 87

Wayne Twp. Sec 09 & 03, T-6 R-5

Public Road

Petition for by **Freeholders**

and others

Office of County Commissioners

Belmont County, Ohio

The Board of Commissioner of BELMONT County, Ohio met

in Regular session on the 29th day of Nov-17

at the office of Commissioners with the following members present :

Mr. Thomas

Mr. Dutton

Mr. Meyer

Mr **Thomas** moved the adoption of the following Resolution:

WHEREAS, A Petition signed by atleast twelve free holders of the County residing in the vicinity of the proposed improvement has been presented to this Board of County Commissioner requested said Board to Vacation of Twp-87 Mayhugh Rd. a Public Road as described therein; thereof, be it

RESOLVED, That the 29th day of November 2017 at 1:00PM o' clock be fixed as the date when we will view the proposed improvement, on which we will meet at

and go over the line of said proposed improvement; and be it further

RESOLVED , That the 6th day of December 2017 at o'clock 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 Directed is hereby directed to give notice of the time and place for both such view and hearing by publication once a week for two week consecutive weeks in the Times Leader a newspaper publish and having general circulation in the County, which said notice shall also state briefly the character of said proposed improvement.

Mr. Dutton sencond the resolution and the roll being called upon its adoption the vote result as follows:

Mr. Thomas YES

Mr. Dutton YES

Mr. Meyer YES

Adopted the 8th day of November 2017

Jayne Long

Clerk, Board of County Commissioners,
Belmont County, Ohio

**RESOLUTION— UPON VIEW OF PROPOSED IMPROVEMENT
ORDER TO COUNTY ENGINEER**

IN THE MATER OF THE
Vacation of Twp. 87
Wayne Twp. Sec 09 & 03, T-6 R-5
Public Road



Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in _____ Regular _____ session
ont the 29th day of Nov-17 at the office of _____
Commissioners

_____ **Mr. Thomas** _____
_____ **Mr. Dutton** _____
_____ **Mr. Meyer** _____

Mr. _____ **Thomas** _____ moved the adoption of the following Resolution:

WHEREAS, on the 29th day of Nov-17 the time heretofore fixed for view of the proposed improvement, we, the Board of Country Commisisoner 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 thereof; 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 detail describtion of the proposed improvement describing the center line and right of way liners thereof.

Said County Engineer shall also furnish an accurate and detailed description of each tract of land which he belives will be nessary to be taken in the event the proposed improvemnet 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 dis cernible to property owners and other interested person; 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 Dec-17, the date fixed for the final hearing, setting forth his opinion either for or against said proposal improvement, and the width to which said improvement shall be opened, which shall not be less than thirty feet; said report shall be acompanied by said plat and detailed and accurate descriptions, and filed with the County Commissioners, and this cause is continued untill said date

Mr. _____ Dutton _____ sencond the resolution and the roll being called upon its adoption the vote result as follows:

Mrs. _____ **Thomas** _____ YES

Mr. _____ **Dutton** _____ YES

Mr. _____ **Meyer** _____ YES

Adopted the 29th day of _____ 17-Nov _____

Jayne Long

Clerk, Board of County Commissioners,
Belmont County, Ohio

**REPORT OF COUNTY ENGINEER
ORDER TO COUNTY ENGINEER**

IN THE MATER OF THE
Vacation of Twp. 87
Wayne Twp. Sec 09 & 03, T-6 R-5
Public Road



County Engineer's Office
Belmont County, Ohio

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

The undersigned in tobedience to your order dated December 1, 2017 proceeded on the
day of December 6, 2017 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 Not 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 undersinged
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 judgement should be made
in the event the proposed improvement be granted, to-wit:

The recommendation is to deny since the Wayne Township Trustees are opposed to the Closure of the road and it is still in
public use.

Terry Lively
County Engineer of Belmont County

T-74 WILLIAMSON RD.

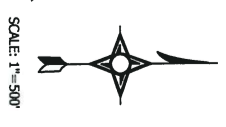
T-87 MAYHUGH RD

American Energy Corporation
OR. 705 PG. 566





T-88 MAYHUGH HILL RD

PERKINS FARM LLC
OR. 645 PG. 547

IMP #1161
VACATION OF T-87 MAYHUGH RD.
WAYNE TOWNSHIP SEC 09 & 03 T-6 R-5
BELMONT COUNTY OHIO
TERRY D. LIVELY: BELMONT COUNTY ENGINEER



APPROVED BY:

CO. ENGINEER 
CO. COMMISSIONER 
CO. COMMISSIONER 
CO. COMMISSIONER 
DATE: 12-14-2018

 PROPOSED VACATE



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RESOLUTION GRANTING PROPOSED IMPROVEMENT ORDERING RECORD, ETC.

IN THE MATER OF THE
Vacation of Twp. 87
Wayne Twp. Sec 09 & 03, T-6 R-5
Public Road



Office of County Commissioners
Belmont County, Ohio

The Board of County Commissioners of Belmont County, Ohio, met in _____ Regular _____ session
ont the 14th day of Decmeber 2017 at the office of _____
commissioners

Mr. Thomas

Mr. Dutton

Mr. Meyer

Mr Thomas moved the adoption of the following Resolution:
WHEREAS, This day this matter come on to be heard on the report,survey,plat and detailed and accurate description as filed by the County Engineers, 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 offering either for or against going forward with the proposed improvement by interested person and
WHEREAS, Said Board has considered said report and all the testimony offered, and all the fact 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. That said improvement as set forth and defined in said report,survey, plat and detailed and accurate description as filed by the

County Engineer be and the same is hereby granted and said road is hereby ordered Vacated

and be it further

RESOLVED, That the County Engineer ba 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

Mr. Dutton seconded the Resolution and the roll beging called upon its adoption the vote results are as follows

Mrs.	Thomas	YES
Mr.	Dutton	YES
Mr.	Meyer	YES

Adopted the 14th day of Dec-17

Jayne Long

Clerk, Board of County Commissioners,
Belmont County, Ohio

RESOLUTION — ORDER TO CLOSE ROAD

Sec. 5563.01 R.C.

IN THE MATER OF THE
Vacation of Twp. 87
Wayne Twp. Sec 09 & 03, T-6 R-5
Public Road



Office of County Commissioners
Belmont County, Ohio

The Board of Commissioner of BELMONT County, Ohio met
in Regular session on the 28th day of Dec-17
at the office of the Commissioners with the following members present :

- Mr. Thomas
- Mr. Dutton
- Mr. Meyer

Mr **Thomas** 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 order 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 14 2017
and a copy of this resolution be forward to the Wayne Township Trustees

Mr Meyer sencond the resolution and the roll being called upon its adoption the vote result as follows:

Mrs.	<u>Thomas</u>	YES
Mr.	<u>Dutton</u>	YES
Mr.	<u>Meyer</u>	YES

Adopted the 28th day of December 2017

Jayne Long
Clerk, Board of County Commissioners,
Belmont County, Ohio