

DOCKET NO. #7

YEAR

NUMBER

ACTION

86-8-ROAD

BRADFORD TOWNSHIP

VERSUS

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: Vacating a Portion of :
 Township Route No. 612 : Road Docket No.
 and taking, opening and :
 laying out a section of : *86-8-Road.*
 Township Route No. 612 :

REPORT OF THE BOARD OF SUPERVISORS OF BRADFORD
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA

TO THE HONORABLE COURT:

The Board of Supervisors of Bradford Township, Clearfield County, Pennsylvania, respectfully represents as follows:

1. That they are the duly elected Supervisors of Bradford Township, Clearfield County, Pennsylvania.

2. That the portion of the roadway to be vacated is as follows:

(a) Section of T-612 extending from the existing roadway at the line of Marion Brick Corp. and Franklin E. Varner et ux. and extending through land of Marion Brick Corp. a distance of approximately 1750 feet to a point on the existing T-612 on the southern boundary of Marion Brick property having Assessment Map No. 106-N9-46 shall be vacated.

(b) That attached hereto and made a part hereof and marked "Exhibit A" is a draft from the County Assessment Map with the area being vacated marked in green.

3. That the roadway taken, laid out and opened is as follows:

(a) A section of roadway to be designated as part of T-612 shall be opened and taken beginning at a point on existing T-612 at the boundary of Marion Brick Corp. and Franklin E. Varner et ux. and proceeding along line in a southerly direction to the corner of tracts owned by Marion Brick Corp. and Franklin E. Varner et ux.; thence in an easterly direction along line of Marion Brick Corp. being that property's southern boundary and the Bradford Township line for a total distance of approximately 2090 feet to a point on the existing T-612. Said roadway and right-of-way to be a width of 33 feet along its entire course.

(b) That attached hereto and made a part hereof and marked "Exhibit A" is a draft from the County Assessment Map with the area having been taken, laid out and opened being marked in red.

4. That in the judgment of the Board of Supervisors, it is a benefit to the Township to relocate this portion of Township Route 612 at this time as the existing roadway has been mined and removed under Agreement with Bradford Coal Inc. and the relocation and reconstruction of said roadway will be performed under that Agreement at no additional costs to the taxpayers while accomplishing improvements to the grade and conditions of the roadway.

5. That the only abutting property owner is Marion Brick Corp. who was personally served with a copy of a Notice of the proposed enactment of the Ordinance affecting said roadway on October 24th, 1986. A copy of said Notice is attached hereto and made part of this Report designated as "Exhibit B".

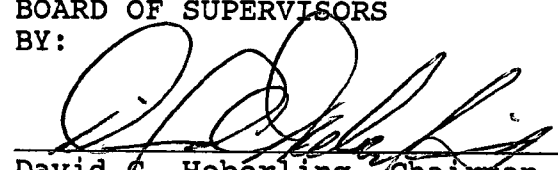
6. That pursuant to said Notice and following advertisement, as required by law, the Board of Supervisors of Bradford Township did enact an Ordinance No. 86-1, a copy of which is attached hereto as "Exhibit C" on November 3rd, 1986.

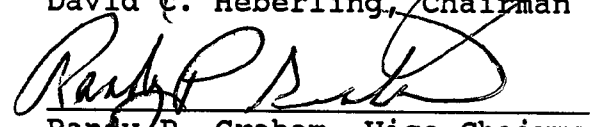
7. That prior to the enactment of said Ordinance, a meeting was held at the Township Building, Bradford Township, on November 3rd, 1986, at 7:00 o'clock P.M. at which no objections to the proposed vacating and taking of said roadways were raised.

RESPECTFULLY SUBMITTED,


BRADFORD TOWNSHIP
CLEARFIELD COUNTY,
PENNSYLVANIA


BOARD OF SUPERVISORS
BY:

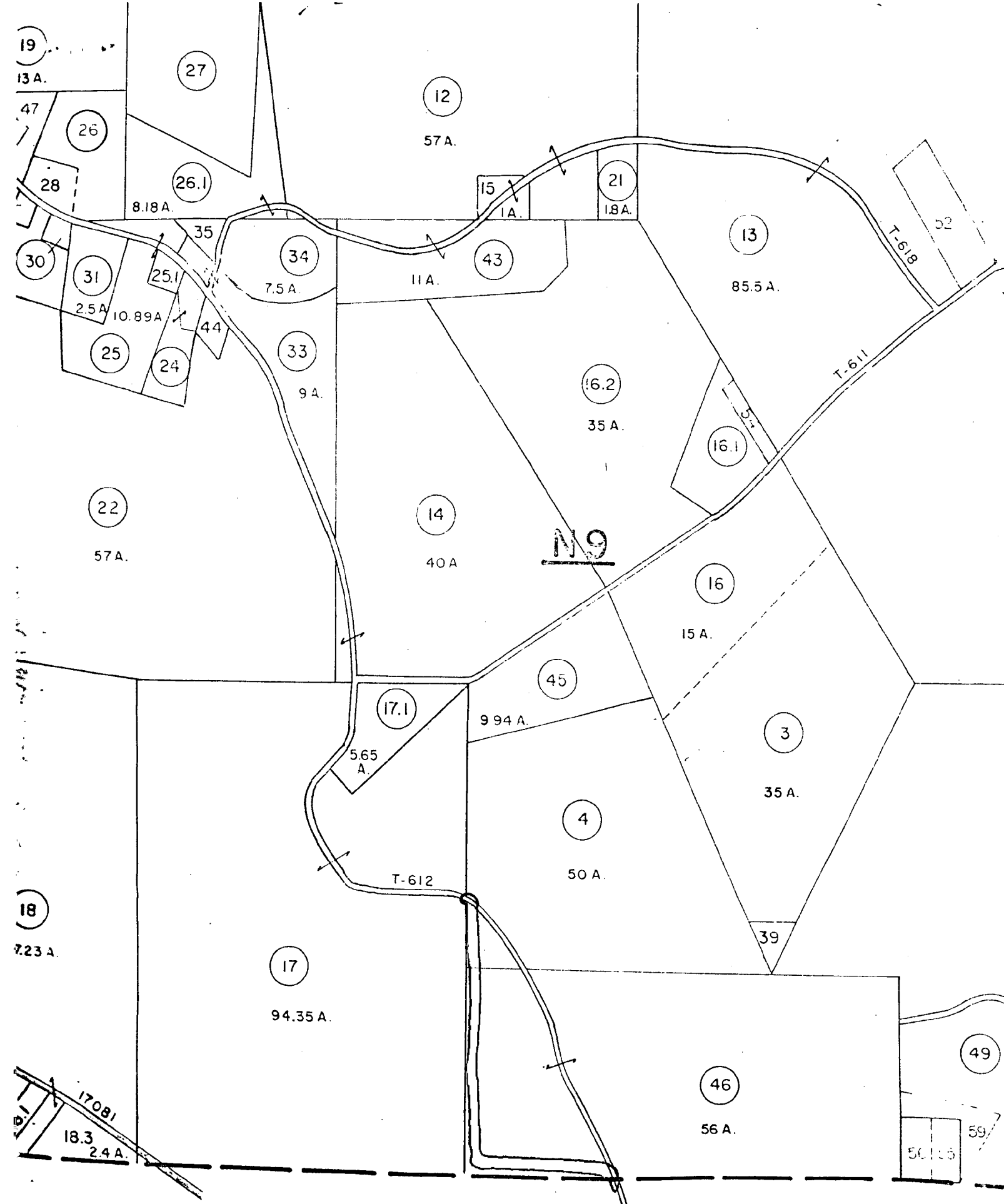

David C. Heberling, Chairman


Randy P. Graham, Vice Chairman

ATTEST:


Margaret L. Doran
Secretary


Howard L. English, Member



"EXHIBIT A"

TOWNSHIP

NOTICE

Notice of proposed vacating of 1750 feet of T-612 and the opening and, laying out and taking of 2090 feet to be designated T-612.

TO: MARION BRICK CORPORATION, c/o Ken Reynolds, Glen-Gery Corp., Box 338, Bigler, Pennsylvania 16825.

NOTICE is hereby given that the Supervisors of Bradford Township will meet at the regular place of meeting in the Township on the third day of November, 1986 at 7:00 o'clock P.M., at which time action will be taken upon the vacating, taking, laying out and opening of a roadway as follows:

(a) Section of T-612 extending from the existing roadway at the line of Marion Brick Corp. and Franklin E. Varner et ux and extending land through land of Marion Brick Corp. a distance of approximately 1750 feet to a point on the existing T-612 on the southern boundary of Marion Brick property having Assessment Map No. 106-N9-46 shall be vacated.

(b) A section of roadway to be designated as part of T-612 shall be opened and taken beginning at a point on existing T-612 at the boundary of Marion Brick Corp. and Franklin E. Varner et ux. and proceeding along said line in a southerly direction to the corner of tracts owned by Marion Brick Corp. and Franklin E. Varner et ux.; thence in an easterly direction along line of Marion Brick Corp. being that property's southern boundary and the Bradford Township line for a total distance of approximately 2090 feet to a point on the existing T-612. Said roadway and right-of-way to be a width of 33 feet along its entire course.

YOU are hereby notified that you may appear at that time and place and present your position on the proposed action.

THIS notice is being given this 24th day of October, 1986.

Margaret L. Doran
Secretary

BRADFORD TOWNSHIP

Clearfield County, Pennsylvania

ORDINANCE NO. 86-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF BRADFORD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, VACATING APPROXIMATELY 1,750 FEET OF TOWNSHIP ROUTE NO. 612 AND TAKING, LAYING OUT AND OPENING A ROADWAY OF APPROXIMATELY 2,090 FEET WHICH SHALL BE KNOWN AS TOWNSHIP ROUTE NO. 612.

The Board of Supervisors of Bradford Township, Clearfield County, Pennsylvania, enacts and ordains as follows:

SECTION I

DECLARATION OF PURPOSE

Section 1.01: WHEREAS, Section 11101 of the Second Class Township Code, (53 P.S. 66101) permits township supervisors to enact, ordain, survey, lay out, open, widen, straighten, vacate and relay all roads within the township; and,

Section 1.02: WHEREAS, a portion of Township Route 612 located on land of Marion Brick Corp. has been mined, removed and is to be reconstructed under an Agreement between Bradford Township and Bradford Coal Company, Inc.; and,

Section 1.03: WHEREAS, the relocation of Township Route 612 in this area would serve to improve the general road conditions and the grade of said road to the benefit of the Township; and,

Section 1.04: WHEREAS, such relocation of Township Route 612 is, in the judgment of this Board of Supervisors, a benefit to the taxpayers as it secures an improvement of the road location and condition without expense to the taxpayers.

SECTION II

VACATION AND OPENING

Section 2.01: The Section of Township Route No. 612 extending from the existing roadway at the line of Marion Brick Corp. and Franklin E. Varner et ux. and extending through land of Marion Brick Corp. a distance of approximately 1750 feet to a point on the existing T-612 on the southern boundary of Marion Brick property having Assessment Map No. 106-N9-46 is hereby vacated.

Section 2.02: That the Township does hereby take, lay out and open a section of roadway to be known as part of Township Route 612 beginning at a point on existing T-612 at the boundary of Marion Brick Corp. and Franklin E. Varner et ux. and proceeding in a southerly direction to the corner of tracts owned by Marion Brick Corp. and Franklin E. Varner et ux.; thence in an easterly direction along line of Marion Brick Corp. being that property's southern boundary and the Bradford Township line for a total distance of approximately 2090 feet to a point on the existing T-612. Said roadway and right-of-way to be a width of 33 feet along its entire course.

SECTION III

EFFECTIVE DATE

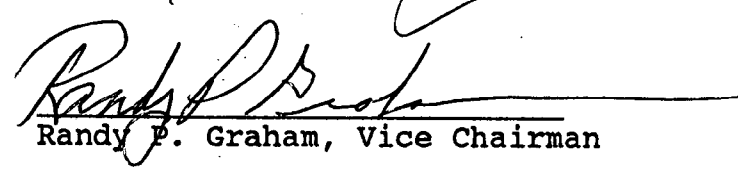
Section 3.01: This Ordinance shall become effective five (5) days after the date of enactment.

DULY ENACTED, this 3rd day of November, 1986, by the Board of Supervisors of Bradford Township, Clearfield County, Pennsylvania, following hearing and Notice as required by Section 1102(a) of the Second Class Township Code [53 P.S. § 66102(a)], in a lawful session duly assembled.

BRADFORD TOWNSHIP
CLEARFIELD COUNTY,
PENNSYLVANIA

BOARD OF SUPERVISORS
BY:


David C. Heberling, Chairman


Randy P. Graham, Vice Chairman

ATTEST:

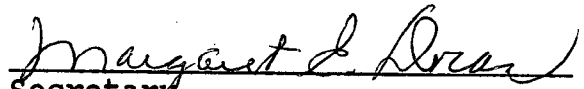

Secretary


Howard L. English, Member

CERTIFICATE

I, the undersigned, Secretary of Bradford Township, Clearfield County, Pennsylvania, certify that the foregoing is a true and correct copy of the Ordinance of the Board of Supervisors of the Township which was duly enacted by affirmative vote of a majority of all members of the Board of Supervisors of the Township at a meeting duly held on the 3rd of November, 1986; that said Ordinance has been duly recorded in the Ordinance Book of the Township; that said Ordinance has been duly published, required by law; and that said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 3rd day of November, 1986.


Secretary

(SEAL)

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
Road Docket No. 86-8-Road

IN RE: Vacating a Portion
of Township Route No. 612 and
taking, opening and laying out
a section of Township Route
No. 612

REPORT OF THE BOARD OF
SUPERVISORS OF BRADFORD
TOWNSHIP, CLEARFIELD COUNTY
PENNSYLVANIA

FILED

NOV 10 1986
10:24 AM
RAY WITHEROW
Prothonotary

4/20⁰⁰
Atty

No Copy

BELL, SILBERBLATT & SWOOP
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830