

DOCKET No. 8

No. 91-4-ROAD

BRADFORD TOWNSHIP

IN RE:

Taking, opening and laying out .
a section of road to be known
as the Shirey Spur

Versus

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: Taking, opening and :
laying out a section : Road Docket No. 91-4 ROAD DOCKET
of road to be known :
as the Shirey Spur :

114
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 roadway taken, laid out and opened is as follows:

(a) A section of roadway to be designated as the Shirey Spur shall be opened and taken beginning at a 1 inch iron pipe found at the southwest corner of Sharon C. Kephart and Mary Louise Kephart, also being the northwest corner of Judith Peters Fackler et al. and on the easterly 80 foot right-of-way line of Pennsylvania State Route 970; thence along the easterly right-of-way line of

FILED

SEP 17 1991

ALLEN D. BIETZ ADB
Prothonotary

2 COPIES CERT

I hereby certify this to be a true and attested copy of the original statement filed in this case.

SEP 17 1991

Attest:

Allen D. Bietz
Prothonotary

Pennsylvania State Route 970 by an arc of a circle 1162.21 feet in radius and an arc distance of 287.01 feet, the cord of said arc being North 6 degrees 51 minutes 52 seconds West (N 6° 51' 52" W) 286.28 feet to a 3/4 inch rebar set; thence through lands of Myrtle K. Shirey for the following new lines: North 0 degrees 16 minutes 01 seconds West (N 0° 16' 01" W) 133.01 feet to a 3/4 inch rebar set; North 5 degrees 21 minutes 48 seconds West (N 5° 21' 48" W) 104.39 feet to a 3/4 inch rebar set; North 30 degrees 58 minutes 42 seconds West (N 30° 58' 42" W) 49.90 feet to a 3/4 inch rebar set; North 48 degrees 22 minutes 48 seconds West (N 48° 22' 48" W) 134.55 feet to a 3/4 inch rebar set on the easterly line of Pennsylvania State Route 970; thence along the easterly line of Pennsylvania State Route 970 North 21 degrees 58 minutes 46 seconds West (N 21° 58' 46" W) 74.22 feet to a 3/4 inch rebar set; thence through the lands of Myrtle K. Shirey for the

following new lines: South 48 degrees 22 minutes 48 seconds East (S 48° 22' 48" E) 201.03 feet to a 3/4 inch rebar set; thence South 30 degrees 58 minutes 42 seconds East (S 30° 58' 42" E) 70.43 feet to a spike set by a 3/4 inch iron pipe found bent at the northwest corner of Charles Melvin Renwick and Carole Ann Renwick; thence along Charles Melvin Renwick and Carole Ann Renwick South 5 degrees 21 minutes 48 seconds East (S 5° 21' 48" E) 109.87 feet to a 3/4 inch rebar set; thence along a 20 feet access road, William J. Howe and Roberta A. Howe and Sharon C. Kephart and Mary Louise Kephart South 0 degrees 15 minutes 08 seconds East (S 0° 15' 08" E) 418.86 feet to a 1 inch iron pipe found and place of beginning. Containing 0.422 acres as shown on map prepared by Curry and Associates dated March 12, 1991.

(b) That attached hereto and made a part hereof and marked "Exhibit A" is a map prepared by Curry and Associates dated March 12, 1991 with the area having been taken, laid out and opened being marked in red.

3. That in the judgment of the Board of Supervisors, it is a benefit to the Township to take, lay out and open said roadway to provide access to the adjoining properties other than Pennsylvania State Route 970 which promotes safe access to the properties and limits the number of roadways opening directly on State Route 970.

4. That the abutting property owners are Myrtle K. Shirey, Charles Melvin Renwick and Carole Ann Renwick, William J. Howe and Roberta A. Howe and Sharon C. Kephart and Mary Louise Kephart who were personally served with a copy of a Notice of the proposed enactment of the Ordinance affecting said roadway on Aug. 30th + 31st, 1991. A copy of said Notice is attached hereto and made part of this Report designated as "Exhibit B".

5. That pursuant to said Notice and following advertisement, as required by law, the Board of Supervisors of Bradford Township did enact an Ordinance No. 36A, a copy of which is attached hereto as "Exhibit C" on September 11, 1991.

6. That prior to the enactment of said Ordinance, a meeting was held at the Township Building, Bradford Township, on September 11, 1991, at 4:30 o'clock P.M. at which no objections to the proposed taking of said roadway were raised.

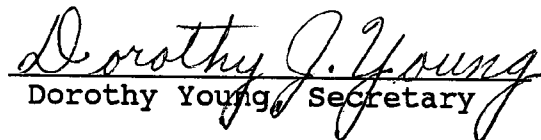
RESPECTFULLY SUBMITTED,

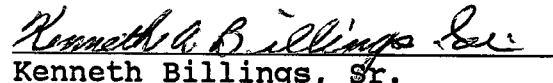
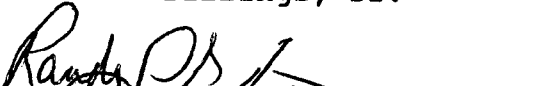
BRADFORD TOWNSHIP
CLEARFIELD COUNTY,
PENNSYLVANIA

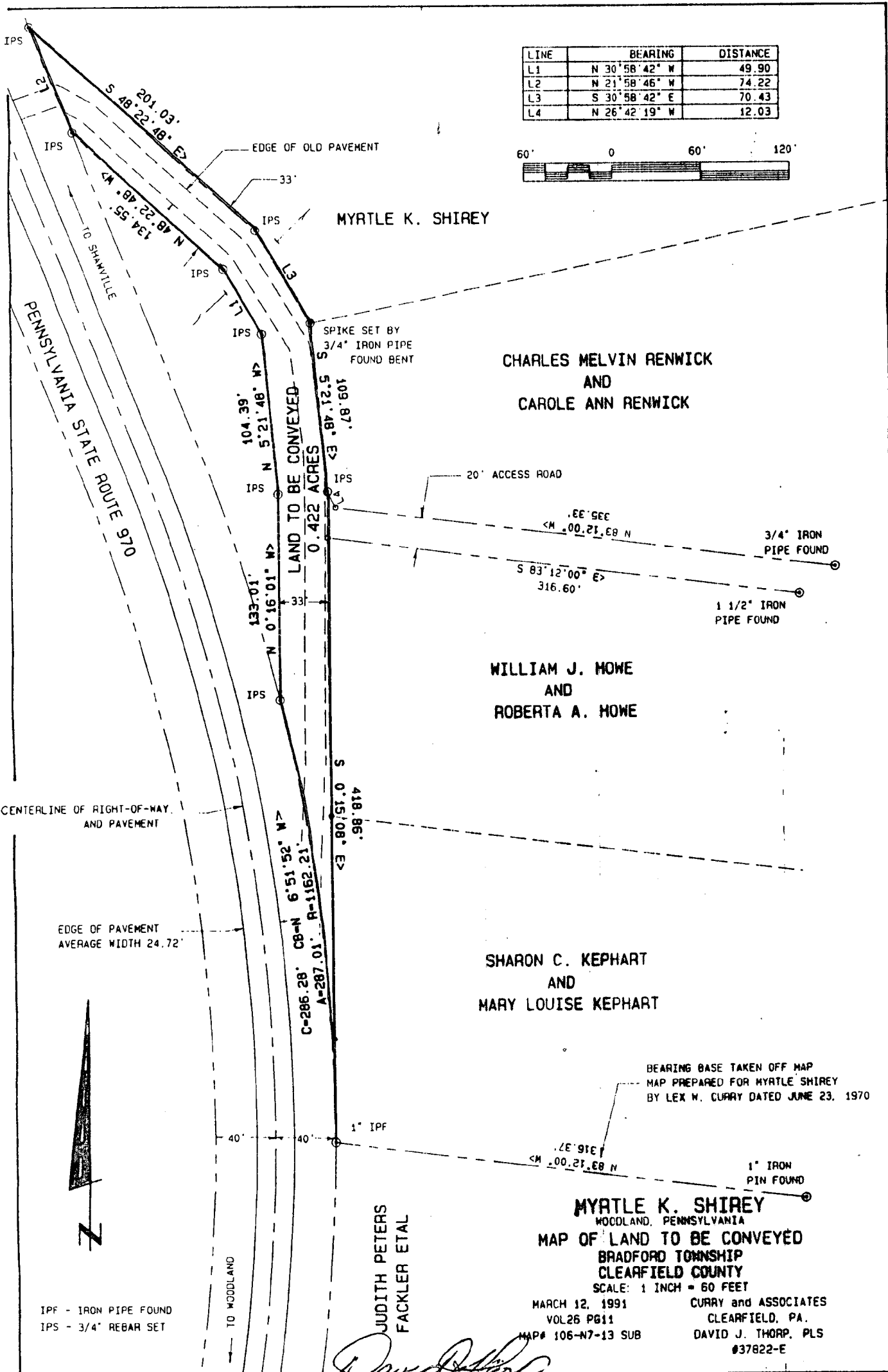
BOARD OF SUPERVISORS
BY:


Seth Cowder

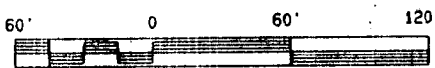
ATTEST:


Dorothy Young, Secretary


Kenneth Billings, Sr.

Randy P. Graham, Member



LINE	BEARING	DISTANCE
L1	N 30° 58' 42" W	49.90
L2	N 21° 58' 46" W	74.22
L3	S 30° 58' 42" E	70.43
L4	N 26° 42' 19" W	12.03



CHARLES MELVIN RENWICK
AND
CAROLE ANN RENWICK

WILLIAM J. HOWE
AND
ROBERTA A. HOWE

SHARON C. KEPHART
AND
MARY LOUISE KEPHART

MYRTLE K. SHIREY
WOODLAND, PENNSYLVANIA
MAP OF LAND TO BE CONVEYED
BRADFORD TOWNSHIP
CLEARFIELD COUNTY
SCALE: 1 INCH = 60 FEET

MARCH 12, 1991
VOL26 PG11
MAP# 106-N7-13 SUB
CURRY and ASSOCIATES
CLEARFIELD, PA.
DAVID J. THORP, PLS
#37822-E

"Exhibit A"

NOTICE

Notice of proposed opening and laying out and taking of a roadway to be designated as the Shirey Spur

TO: MYRTLE K. SHIREY, R. D. #1, Woodland, Pennsylvania 16881.

CHARLES MELVIN RENWICK and CAROLE ANN RENWICK, R. D. #1, Woodland, Pennsylvania 16881.

WILLIAM J. HOWE and ROBERTA A. HOWE, R. D. #1, Woodland, Pennsylvania 16881.

SHARON C. KEPHART and MARY LOUISE KEPHART, R. D. #1, Woodland, Pennsylvania 16881.

NOTICE is hereby given that the Supervisors of Bradford Township will meet at the Township Building on the 11th day of September, 1991 at 4:30 o'clock P.M., at which time, a hearing will be held upon the taking, laying out and opening of a roadway as follows:

(a) A section of roadway to be designated as the Shirey Spur shall be opened and taken Beginning at a 1 inch iron pipe found at the southwest corner of Sharon C. Kephart and Mary Louise Kephart, also being the northwest corner of Judith Peters Fackler et al. and on the easterly 80 foot right-of-way line of Pennsylvania State Route 970; thence along

the easterly right-of-way line of Pennsylvania State Route 970 by an arc of a circle 1162.21 feet in radius and an arc distance of 287.01 feet, the cord of said arc being North 6 degrees 51 minutes 52 seconds West (N 6° 51' 52" W) 286.28 feet to a 3/4 inch rebar set; thence through lands of Myrtle K. Shirey for the following new lines: North 0 degrees 16 minutes 01 seconds West (N 0° 16' 01" W) 133.01 feet to a 3/4 inch rebar set; North 5 degrees 21 minutes 48 seconds West (N 5° 21' 48" W) 104.39 feet to a 3/4 inch rebar set; North 30 degrees 58 minutes 42 seconds West (N 30° 58' 42" W) 49.90 feet to a 3/4 inch rebar set; North 48 degrees 22 minutes 48 seconds West (N 48° 22' 48" W) 134.55 feet to a 3/4 inch rebar set on the easterly line of Pennsylvania State Route 970; thence along the easterly line of Pennsylvania State Route 970 North 21 degrees 58 minutes 46 seconds West (N 21° 58' 46" W) 74.22 feet to a 3/4 inch rebar set; thence

through the lands of Myrtle K. Shirey for the following new lines: South 48 degrees 22 minutes 48 seconds East (S 48° 22' 48" E) 201.03 feet to a 3/4 inch rebar set; thence South 30 degrees 58 minutes 42 seconds East (S 30° 58' 42" E) 70.43 feet to a spike set by a 3/4 inch iron pipe found bent at the northwest corner of Charles Melvin Renwick and Carole Ann Renwick; thence along Charles Melvin Renwick and Carole Ann Renwick South 5 degrees 21 minutes 48 seconds East (S 5° 21' 48" E) 109.87 feet to a 3/4 inch rebar set; thence along a 20 feet access road, William J. Howe and Roberta A. Howe and Sharon C. Kephart and Mary Louise Kephart South 0 degrees 15 minutes 08 seconds East (S 0° 15' 08" E) 418.86 feet to a 1 inch iron pipe found and place of beginning. Containing 0.422 acres as shown on map prepared by Curry and Associates dated March 12, 1991.

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 ~~30th~~ 31st day of August, 1991.

A handwritten signature in cursive script, appearing to read "J. St. O. Bowler", is written over a horizontal line.

BRADFORD TOWNSHIP

Clearfield County, Pennsylvania

ORDINANCE NO. 36A

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF BRADFORD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, TAKING, LAYING OUT AND OPENING A ROADWAY WHICH SHALL BE KNOWN AS THE SHIREY SPUR.

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

SECTION I

DECLARATION OF PURPOSE

Section 1.01: WHEREAS, 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 with the township; and

Section 1.02: WHEREAS, certain of the property owners adjoining the roadway to be taken have petitioned the Township to open and take said roadway; and,

Section 1.03: WHEREAS, Myrtle K. Shirey has conveyed to the Township by deed dated April 1, 1991 and intended to be recorded the ground upon which said roadway is to be located; and,

Section 1.04: WHEREAS, in the judgment of the Board of Supervisors, it is a benefit to the Township to take, lay out and open said roadway to provide access to the adjoining properties other than Pennsylvania State Route 970 which promotes safe access to the properties and limits the number of roadways opening directly on State Route 970.

SECTION II

OPENING

Section 2.01: That the Township does hereby take, lay out and open a section of roadway to be designated as the Shirey Spur beginning at a 1 inch iron pipe found at the southwest corner of Sharon C. Kephart and Mary Louise Kephart, also being the northwest corner of Judith Peters Fackler et al. and on the easterly 80 foot right-of-way line of Pennsylvania State Route 970; thence along the easterly right-of-way line of Pennsylvania State Route 970 by an arc of a circle 1162.21 feet in radius and an arc distance of 287.01, feet the cord of said arc being North 6 degrees 51 minutes 52 seconds West (N 6° 51')

52" W) 286.28 feet to a 3/4 inch rebar set; thence through lands of Myrtle K. Shirey for the following new lines: North 0 degrees 16 minutes 01 seconds West (N 0° 16' 01" W) 133.01 feet to a 3/4 inch rebar set; North 5 degrees 21 minutes 48 seconds West (N 5° 21' 48" W) 104.39 feet to a 3/4 inch rebar set; North 30 degrees 58 minutes 42 seconds West (N 30° 58' 42" W) 49.90 feet to a 3/4 inch rebar set; North 48 degrees 22 minutes 48 seconds West (N 48° 22' 48" W) 134.55 feet to a 3/4 inch rebar set on the easterly line of Pennsylvania State Route 970; thence along the easterly line of Pennsylvania State Route 970 North 21 degrees 58 minutes 46 seconds West (N 21° 58' 46" W) 74.22 feet to a 3/4 inch rebar set; thence through the lands of Myrtle K. Shirey for the following new lines: South 48 degrees 22 minutes 48 seconds East (S 48° 22' 48" E) 201.03 feet to a 3/4 inch rebar set; thence South 30 degrees 58 minutes 42 seconds East (S 30° 58' 42" E) 70.43 feet to a spike set by a 3/4 inch iron pipe found bent at the northwest corner of Charles Melvin Renwick and Carole Ann Renwick; thence along Charles Melvin Renwick and Carole Ann Renwick South 5 degrees 21 minutes 48 seconds East (S 5° 21' 48" E) 109.87 feet to a 3/4 inch rebar set; thence along a 20 feet access road, William J. Howe and Roberta A. Howe and Sharon C. Kephart and Mary Louise Kephart South 0 degrees 15 minutes 08 seconds East (S 0° 15' 08" E) 418.86 feet to a 1 inch iron pipe found and place of beginning. Containing 0.422 acres as shown on map prepared by Curry and Associates dated March 12, 1991.

SECTION III

EFFECTIVE DATE

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

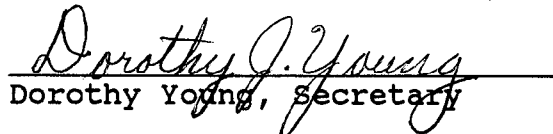
DULY ENACTED, the 11th day of September, 1991, by the Board of Supervisors of Bradford Township, Clearfield County, Pennsylvania, following hearing and Notice as required by the Second Class Township Code [53 P.S. § 66102(a)], in a lawful session duly assembled.


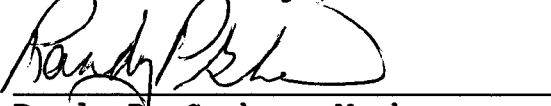
BRADFORD TOWNSHIP
CLEARFIELD COUNTY,
PENNSYLVANIA

BOARD OF SUPERVISORS
BY:


Seth Cowder

ATTEST:



Dorothy Young, Secretary


Kenneth Billings, Sr.

Randy P. Graham, 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 11th day of September, 1991; 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, the 11th day of September, 1991.


Secretary

(Seal)