

No. 8 May SS Term, 1913

Ray out Road

Public) in

VERSUS

Sandy Pwp

R.D. #5 - Page 210

Part Twp. Rd. 17389

8 May 55. 1913

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~a public~~

Road leading from ~~the store of Timlin & Kelley on the public road~~
~~leading from DuBois to Luthersburg~~

in ~~Sandy~~ Township to ~~the property of Rachael Overdorf~~
~~located at another point of same road~~

in ~~Sandy~~ Township, in the county aforesaid, will
meet at the ~~store~~ ~~house~~ of ~~Timlin & Kelley~~,
in ~~Sandy~~ Township, on ~~Friday~~,
the ~~26th~~ day of ~~April~~ A. D. 191~~3~~, at ~~2:30~~
o'clock ~~A~~ M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

~~H. B. Woodward~~

~~H. S. McMinn~~

~~E. H. Harmon~~

VIEWERS

~~April 25~~, 191~~3~~.

Now, this *16th* day of April, A. D. 1913, service of
within notice is hereby accepted for the Commissioners of Clearfield
County.

.....*L. C. Norris* Clerk.....

Now this *16th* day of April, A. D. 1913, service of
within notice is hereby accepted for the supervisors of Sandy
Township.

.....*George Beer*.....
George Brown

Now, this *14th* day of April, A. D. 1913, service of
within notice is hereby accepted for Petitioners.

.....*J. H. Pifer*.....
Per Beer

Now, this day of April, A. D. 1913, service of
within notice is hereby accepted for the following property owners

.....
.....
.....

8 May 55. 1913

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.
TO THE HON. ALLISON O. SMITH, PRESIDENT JUDGE OF SAID COURT.

The petition of the undersigned citizens of the Township of Sandy in the said County respectfully sheweth:-

That your petitioners labor under great inconveniences for the want of a Public Road or highway to lead from the store of Timlin & Kelley on the Public Road leading from DuBois to Lutthersburg, to the ^{Property} ~~store~~ of Rachael Overdorf located at another point on the same Road, all the proposed Public Road being within the Township of Sandy.

Your petitioners therefore pray the Court to appoint proper persons to view and lay out the same according to law, and they will ever pray etc.

CERTIFICATE.

I certify that the foregoing petition for the appointment of Road Viewers, is lawful and conforms to the purpose of the Petitioners, and that the same is regular and in due form.

Atty. for Petitioners.

PETITIONERS.

NAME.	OCCUPATION.	RESIDENCE.
J. H. Piper	mfg	DuBois Pa
W. E. Kelly	Clerk	" "
E. W. Kelly	Merchant	" "
Lee Horn	Clerk	" "
M. V. Zile		" "
A. E. Case	Laborer	" "
H. A. Conville	Blacksmith	" "
Donald M. Cringlet	Clerk	" "
S. E. Lushard		" "
L. L. Moody	Salesman	" "
Raymond J. Perkins	Farmer	" "

F. J. Peters Merchant Dubois Td.

W. J. Marsh Dubois Pa

B. L. Hayes Blacksmith Dubois

Louis H. H. Dubois Pa

Joseph Vitelli

A. J. Beal

" "

William S. Grant

W. H. Overdorf

" "

S. E. Brown

A. S. Mercer

Mrs. Lizzie Fortner

Frank Gasinski

Stacy Masuac

Walter Lenger

Abe Kissler

BOND.

KNOW ALL MEN BY THESE PRESENTS, THAT

Fr. M. Fumbr, W. O. Hennrich
Edw. Kelly, Fr. J. Peters and A. J. Bal

all of the Township of Sandy, County of Clearfield, and State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of One Hundred Dollars lawful money of the United States, to be paid unto the said Commonwealth or its certain Attorney, we do bind ourselves, our heirs, administrators, and executors, firmly by these presents. Sealed with our seals and dated the first day of April, 1913.

Now the condition of this obligation is such that if the expenses of Record attending the view of a certain proposed Public Road in Sandy Township, for which we are petitioners, and known to the Record as No. May Sessions, ¹⁹¹³ in the Court of Quarter Sessions for Clearfield County, should be imposed upon the petitioners by the Judge of the said Court, then in such case we or any of us shall at once pay into to office of the Prothonotary of the said County the amount of such costs, this obligation to become void, otherwise to be and remain in full force and virtue.

Signed, Sealed, and Delivered
in presence of

J. H. Fisher (SEAL)
J. M. Simlin (SEAL)
W. C. Canwick (SEAL)
E. M. Kelly (SEAL)
Z. J. P. (SEAL)
R. J. Bred (SEAL)
(SEAL)
(SEAL)
(SEAL)

IN RE PETITION OF CITIZENS OF SANDY TOWNSHIP FOR THE APPOINTMENT
OF ROAD VIEWERS.

To J. S. Richards, W. C. Langsford and H. L. Bowman, Commissioners of Clearfield County;

E. G. Boone

And now, April 7, 1913, notice received and service is accepted for the Commissioners of Clearfield County.

L. B. Morris

To H. A. Troutman, George Beers and George Brown, Supervisors of the Road District of Sandy Township;

Edw. B. Cook

And now, April , 1913, notice received and service is accepted.

H. C. Proutman

George Beer

Supervisors.

No 8 May 28 1913.

NOTATION OF DEEDS
OF VILLAGES TO WHICH THE DEEDS
OWN PUBLIC ROAD IN BILLY 1913.

NO. 8 DEEDS, 1913.

And now, April 7,
1913, the acting Public
Roads and Commissions
and H. B. Woodward
and H. MacMuir and
Ed Harmon

are appointed herein
to deliver and make
as per at. Rep. Res.
April 11, 1913. By the Court
John H. A. Moore

JOHN H. A. MOORE
CLERK.

APR 10 1913
E. B. ROOSE
NOTARY AT LAW AND
PUBLIC
DUBOIS, PA.

No 8 May 26 1913.

AMERICAN CREDIT ASSOCIATION
OF VIRGINIA TO VICTIM AND BROTHER
OUT DOUBTS THAT IN BILLY BROS.

CO. 8 THE SESSION, 1913.

and now, April 7
1913, the acting President
and was considered
and H. B. Woodward
H. L. MacMunn and
Ed Harmon

are appointed several
to deliver and make
report at. Rep. Rev.
April 1913. By the Court
H. L. MacMunn O. Smith
Ed Harmon

APR 10 1913
JOHN H. M. O'CONNOR
CLERK

ED BOOSE
ATTORNEY AT LAW AND
NOTARY PUBLIC
DUBOIS, PA.

No 8 May 1913.

PETITION FOR THE APPOINTMENT
OF VIEWERS TO VIEW AND LAY OUT
PUBLIC ROAD IN SANDY TWP.

NO. 8 MAY SESSIONS, 1913.

And now, April 7,
1913, the within Petition
and was considered
and H. B. Woodward
and H. MacMinn and
Ed Harmon

are appointed viewers
to view and make
report at Sept. term
Sept. 1913. By the Court.

WILLIAM C. SMITH

APR 10 1913
JOHN H. MOORE
CLERK.

E. BOOSE
NOTARY AT LAW AND
NOTARY PUBLIC
DUBOIS, PA.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the
County of Clearfield, held at Clearfield, Pa., in and
for said County, on the 7th day of
April in the year of our Lord
one thousand nine hundred 13,

Judge of the same Court: Upon the petition of
sundry inhabitants of the Township of
Sandy

in said County, setting forth that the petitioners
labor under great inconveniences for the want of a Public Road or
Highway to lead from the store of Timlin & Kelley on the Public Road
leading from DuBois to Luthersburg, to the property of Rachael
Overdorf, located at another point of same road, all the proposed
Public Road being with in the Township of Sandy.

and therefore, praying the Court to appoint proper persons to view and
lay out the road between the points mentioned, whereupon the Court upon
due consideration had of the premises, do order and appoint from and
among the County Board of Viewers H.B. Woodward, H.S. Mac Minn and
E.H. Harman,

who have been duly appointed by the Court and filed their oaths of office and
are duly qualified to perform the duties of their appointment with impari-
ality and according to the best of their judgment, are to view the ground
proposed for the said road, and if they view the same, and a majority of
the actual viewers agree that there is occasion for such road, they shall
proceed to lay out the same, as agreeable to the desire of the petitioner as
may be, having respect to the best ground for a road and the shortest dis-
tance, in such a manner as to do the least injury to private property; and
shall make report thereof, stating particularly whether they judge the same
necessary for a public or private road, together with a plot or draft thereof,
and the courses and distances and references to the improvements through
which the same may pass; (and wherever practicable, the viewers shall lay
out the said road at an elevation not exceeding five degrees, except at the
crossing of ravines and streams, when by moderate filling and bridging the
declination of the road may be preserved within that limit,) to the next Court
of Quarter Sessions, to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public
road, they shall obtain from the persons through whose lands the said road
shall pass, releases from any damages that may arise to them on opening
the same; but if the owner or owners of such land refuse to release their
claim to damages, the said viewers shall assess the same, taking into view
the advantages as well as disadvantages arising from said location, and
make report of such assessments; which report they shall in like manner
transmit to the next Court of Quarter Sessions, with the draft or plot
aforesaid. In which said reports they shall state that they have been
sworn or affirmed according to law, and that due and legal notice was
given of the time when, and place where, they should meet, to view and
lay out said road, and the time and place of hearing

By order of the Court.

John H. Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Sandy and that five notices thereof were posted along the route of the proposed road, that the said view would be held on the 25th day of April, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the day of , 191 , at o'clock M.. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view the supervisors of Sandy Township and various of the petitioners,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the day of A. D. 191 , when the following appearances were noted: That several witnesses were examined at the time of said view as to the necessity for said road and the amount of damage sustained by Joshua Hoover by reason of the location of the same through his property

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is occasion for a road as desired by the petitioner, and that the same is necessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to-wit: Beginning at a point in the centre of South Brady Street, a public road leading from Du Bois to Luthersburg, at the store of Timlin & Kelly, thence South seventy degrees fifty seven minutes east (S. 70° 57' E.) along the centre line of Extension Avenue (twenty seven and eighttenths feet in width), two hundred and forty feet (240'), to the centre line of Pentz Run Avenue, (forty feet in width), thence along said Pentz Run Avenue South one degree seventeen minutes West (S. 1° 17' W.) three hundred twenty five feet (325'), more or less, to the line of lands of F. J. Peters, thence continuing across said Peters lands one hundred and one foot (101'), to the line of lands of Joshua Hoover thence continuing across said Hoovers land, seventy one feet (71') and to ^{the} centre of Second Street, (fifty feet in width), Thence North eighty nine degrees forty eight minutes West (N. 89° 48' W.) along said Second Street, three hundred fifty five feet (355') to the centre of the Public road leading from Du Bois to Luthersburg at the property of Racheb Overdorf, a total distance of length of the road of Eleven hundred seventeen feet (1117').

The proposed public road has already been laid out in part and dedicated as a street by the parties who opened that particular section of land and laid the same out for building purposes. It has never been laid out or opened across the land of Joshua Hoover.

We recommend to the Court that a public road be laid out of a width of 27.8 feet along Extension Avenue from South Brady Street to Pentz

Run Avenue. That the width be increased to 40 feet from the point of intersection with Pentz Run Avenue along said Pentz Run Avenue through the property of Joshua Hoover to Second Street and of a width of 50 feet along said Second Street to the junction with South Brady Street.

All of which recommendation is in accordance with the draft
hereunto attached and specifically made a part of this report.

and that a plan or draft of said road showing courses and distances and the properties affected is
hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees,
excepting

when it was not practicable to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land
over which the said road passes releases in writing of all claims to damages that may arise from
opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be en-
titled by the reason of the location and opening of the said road, we, the undersigned viewers, after
having considered the advantages to be derived to them, do assess them damages and make report
thereof as follows: Joshua Hoover-----\$100.00

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 20th day of May
A. D. 1913.

Lugh Woodward SEAL
Wm. H. Mimm SEAL
E. H. Harman SEAL

No. 8 May Sessions, 1913

ORDER

To view a
road for Public use in the
township of Sandy
Clearfield County

Sept Session, 1913,
read and confirmed Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide. *By the Court*
Allison O. Smith

December Session 1913
Confirmed absolutely
By the Court
Allison O. Smith

Filed 19
Fees \$1.25 paid by
MAY 22 1913
JOHN H. MOORE,
CLERK.

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Reviewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

DAYS.	MILES/AM'T.
<i>W.B. Woodward</i> 2	10000
<i>E. H. MacFarlane</i> 1	\$500
<i>E. H. MacFarlane</i> 1	500

RELEASE OF DAMAGES.

Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

_____ at and before the enrolling and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said _____

all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this _____ day of _____
A. D. 191 _____



Supervisors of Sandy Township.

CLEARFIELD COUNTY

W. H. NUPP, Secretary.

DuBois, Pa., April 25 1914

Mr. J. H. Moore
Clearfield Pa.

Dear Sir:-

The road through the land of
Joshua Hoover is completed and is
used by the public.

Yours Truly

W. H. Nupp Secy.
DuBois Pa.

8 May 22 1913

FILED
APR 27 1914
JOHN L. NICORRE
CLERK