

No. 6 Dept ~~of Engineering~~

To Vacate & supply portion
of Schuarr's Mill Road

VERSUS

Passenger Karshaus
Village Karshaus Pwy

P. I. #5 - Page 219

too short

Singleton Bell

TO THE HONORABLE ~~ALFRED~~ O. SMITH, JUDGE OF THE COURT OF
QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA:

The Petition of the undersigned inhabitants of the unincorporated village of Karthaus and ^{citizens} of the township of Karthaus, in the county aforesaid, respectfully represents:

That Schnarr's Mill ~~Public~~ Road was long since laid out and used as a public highway, passing through said township of Karthaus and village of Karthaus, and that that portion of said Schnarr's Mill public road from the line of Market street in said village in a northerly direction to the line where Maple street crosses said Schnarr's Mill road, a distance of about three hundred and sixty (360) feet, has become useless as a public highway to the public and to those having lands adjoining thereon, and that by reason of the adoption of a village plot of streets and highways of the village of Karthaus, and the opening of Market street and Maple street in said village, that portion of the Schnarr's Mill road herein designated, between Market street and Maple street, has become useless and unnecessary for public use, its place being supplied by the opening of Market street and Maple street as hereinbefore stated; and Your Petitioners desire to have that portion of the Schnarr's Mill road between the points herein designated, vacated, and its place supplied by Market street and Maple street. Your Petitioners therefore pray the Court to appoint viewers qualified according to law, to view the portion of said Schnarr's Mill ~~Public~~ Road proposed to be vacated, and to view the portion of said streets proposed to supply the place of the portion of said road proposed to be

John

vacated, and report to the Court for such action as may be provided according to law and under Order of the Court.

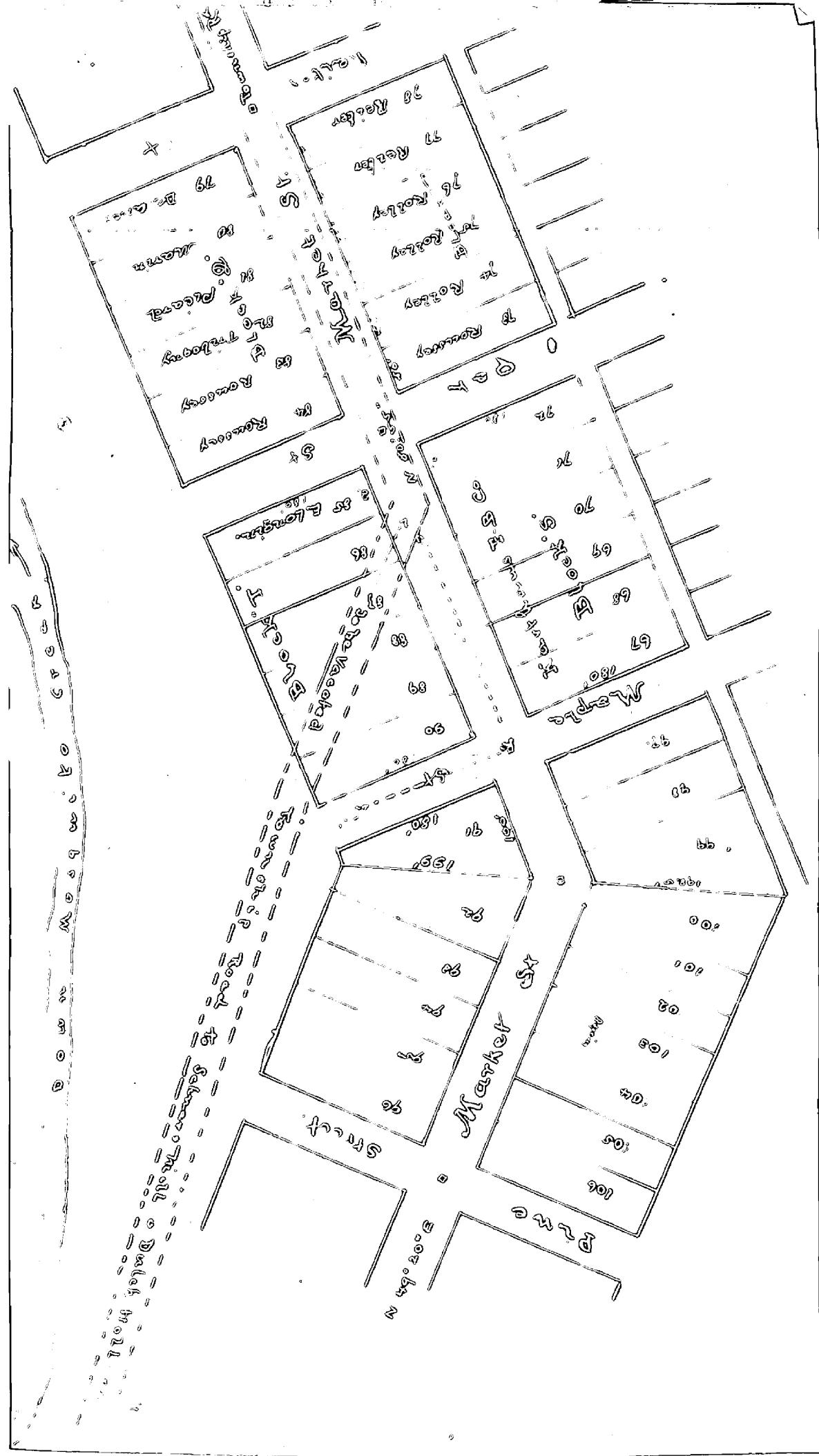
And Your Petitioners will ever pray, etc.

Names	Names
<u>David Hesky</u>	<u>Leon Williams</u>
<u>A.B. Maines</u>	<u>J.S. J. legal</u>
<u>Wised. Barnat</u>	<u>A.S. Ranch</u>
<u>David Miller</u>	<u>Victor Vermeulen</u>
<u>W. Folmar</u>	<u>G.V. Brantner</u>
<u>L. P. Miller</u>	<u>Asa Loring</u>
<u>J.W. Reece</u>	<u>J. de Vallmont</u>
<u>Almon Williams</u>	
<u>G.S. Cooley</u>	
<u>W.L. Maines</u>	
<u>P.W. Rolley</u>	
<u>Victor, Remond</u>	
<u>Reuben. Holt</u>	
<u>W.B. Fair</u>	
<u>F. Reiter</u>	
<u>H.R. Weeks</u>	

Singleton Bell
TO THE HONORABLE ALLISON O. SMITH, JUDGE OF THE COURT OF
QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA:

We, the undersigned Supervisors of the township of Karthaus, duly elected and qualified, and we, the owners of land and lots of land affected by the proposed vacation of that part of the Schnarr's Mill Road between Market street and Maple street in said village of Karthaus, and to supply its place by Market street and Maple street between the points designated, do hereby accept notice of the proposed change of road and hereby release all damages or claim for damages that may accrue to us, or to which we may be in any way entitled by reason of the vacation of that part of said road between Market street and Maple street in said village, and in like manner release all claims for damages we may have or might have by reason of the vacation of that portion of said road between the points designated, and supplying the place thereof by Market street and Maple street in said village.

<u>Clement W. Smith</u> <small>Land Commissioner</small>	<u>John S. Bell</u>
<u>Eugene Longin</u>	<u>J. P. McBrown</u>
<u>Edward Roussey</u>	<u>W. M. F. Johnson</u>
<u>D. Ross Hume</u> Gen. Mgr. <u>General Refractories Co.</u>	
<u>H. H. McGovern</u>	



IN THE COURT OF QUARTER SESSIONS.

No. Sept. 55, 1914.

Petition to vacate and supply
portion of Schnarr's Mill public
Road passing through Karthaus
Village in Karthaus Township.

Now 18 May 1914, this
Petition presented and on
behalf of A. G. Chamber, Ed.
Bellotta & Harry Rose are
affirmed herein, to make
the aforesaid road and
path repair to Sept. 1st. Subse-
quently, By the Court
Approved and
Signed this day

John L. Hilding.

†

stop
— *start*

Clfd. Co. Karthaus Twp.
Conf. April. 1914.
33 ft. -- 16 ft.,

Beginning at a point in the center of
the public road known as the "Schwarr's
Mill Road at the end of the street
known as Maple St., in the village of
Karthaus, -- to the center of what is
known as Market St., in the plain of
said village -- along Market St. to
where said Street intersects with said
Schwarr Mill Road in the center of the
public road.

That Schnarrs Mill Public Road was long since laid out and used as a public highway, passing through said township of Karthaus and village of Karthaus, and that that portion of said Schnarrs Mill public road from the line of Market Street in said village in a Northerly direction to the line where Maple street crosses said Schnarr's Mill road a distance of about three hundred and sixty feet, has become useless as a public highway to the public and to those having lands adjoining thereon, and that by reason of the adoption of a village plot of streets and highways of the village of Karthaus, and the opening of Market Street and Maple street in said village, that portion of the Schnarrs Mill road herein designated, between Market street and Maple street, has become useless and unnecessary for public use, its place being supplied by the opening of Market Street and Maple Street. Your petitioner therefore pray the Court to appoint viewers qualified according to law, to view the portion of said Schnarr's Mill Public Road proposed to be vacated, and to view the portion of said streets road proposed to supply the place of the portion of said proposed to be vacated and report to the Court for such action as may be provided according to law and under the Order of Court.

DRRAFT OF ROAD IN VILLAG
OF KARTARAS CRAFTSMAN CO/PA
VILLAG TUNA 18-1914

AG. KIRFNER
H.A. REESE
E.D. BIDDLE
VILLAGERS

STREETS
N. B. 250
LOT NO. 90

MARKET STREET
ENDING

MAP

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

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road in Karthause Township in said County from a point where the public road known as the Schnarrs Mill road intersects with the street known as Market street in the village of Karthause to a point where the street in said village of Karthause known as Maple street intersects with the said public road known as Schnarrs mill road: and vacate that part of said public road known as the Schnarrs mill road, supplied by the said proposed new road between the points herein designated. Will meet at the Hotel known as the Potter House in the village of Karthause in the Township and County aforesaid on Thursday June 18th 1914 at 1, o'clock P, M, to discharge the duties of their appointment, when and where you may attend if you see proper.

A. J. Kramer
H. A. Reese
E. W. Billotte

VIEWERS.

Now June 6 1914 service of this notice accepted

COUNTY COMMISSIONS OF CLEARFIELD COUNTY.

L. C. Morris
Clerk.

TO; John, Miller, Fred, Bamot, and William, Zimmerman,
Supervisors of Karthause Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road in the Village of Karthause in Karthause Township in the County aforesaid, from a point where the public road/known as the Schnarrs mill road intersects with the street known as Market street in the said Village of Karthause, to a point where the street in the said Village of Karthause known as Maple street intersects with the said public road known as the Schnarrs mill road; and vacate that part of the said public road known as Schnarrs mill road, supplied by the said proposed new road between the points herein designated in the Village of Karthause in the Township and County aforesaid.

Will meet at the Hotel known as the Potter House in the Village of Karthause in the Township and County aforesaid on Thursday June 18th 1914 at 1, oclock P M to discharge the duties of their appointment, at which time and place you may attend if you see proper

A G Kramer
H A Reese
E D Billott

VIEWERS

Now June 6 1914 served this notice on John, Miller, Fred, Bamot and William Zimmerman the Supervisors of Karthause Township personally by handing each of them a copy of same.

J. S. Beale

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 18 day of May in the year of our Lord one thousand nine hundred fourteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Karthaus in said County, setting forth that

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 A.G. Kramer, E.D. Billotte and Harry Reese

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 impartiality 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 distance, 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 Karthaus, and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 18th day of June, A. D. 1914, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, ~~Pay on the xxxxxxxx day of xxxxxxxxx 191~~ at ~~o'clock in the~~ 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 C W Smith and William Zimmerman and Fred Barmot two of the Supervisors of the township

parties in interest. ~~THE HEARING WAS HELD IN THE ARBITRATION ROOM, IN THE COURT HOUSE, ON THE 18TH DAY OF JUNE, 1914, AND THE PUBLIC HEARING WAS HELD~~

There being no objection to the road the public hearing was dispensed with

After the view ~~on the 18th~~ above mentioned, the ~~viewers~~ do agree that there is an occasion for a road as desired by the petitioners 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 petitioners and do return for public use the following described road, to-wit: Beginning at a point in the centre of the public road known as the Schnarrs mill road at the end of the street known as Maple Street in the village of Karthaus. Thence running north along Maple Street 80 degrees 25 minutes, west two hundred and fifty four (254) feet to the centre of what is known as Market Street in the plan of said village. Thence south 81 degrees, 35 minutes; west two hundred and ten (210) feet along Market Street to where said street intersects with the said Schnarrs mill road in the centre of said road.

And we further report, that we have viewed and do vacate that part of said public road known as the Schnarrs mill road, from where said road intersects with Maple Street to where the same intersects with Market Street in the said village of Karthaus: Which by reason of the laying out of the first mentioned road, will become useless and of no account.

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~~

~~where it was impracticable to preserve it within that district~~

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

That all parties in any way effected by the change proposed to be made in said road have by paper attached to the petition released all claims for damages

the following persons having refused to release the damages to which they respectfully may be entitled 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:

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

WITNESS our hands and seals this 27th day of August

A. D. 1914.

A. G. Kramer 
W. A. Reese 
E. D. Billotte 

No. 6 Sept. Sessions, 1914

ORDER

To view to build Duffy, a road for public use in the township of Clearfield, Clearfield County

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.

Viewers 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 A.M.T.
K. G. <u>Prosser</u>	2	6.4 13.20
H. A. <u>Reed</u>	2	3.7 12.70
E. K. <u>Billotte</u>	1	3.0 6.50

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 ensealing 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. 1914.

19
Fees \$1.25 paid by A. D. H. D.

Filed

AUG 4 1914

