

No. 150 ccm, 1910

Petition to Vacate and
Supply parts of
public roads in
VERSUS

Lawrence Twp.

R.D. #5 - Page: 317
0

Leary Ave. not used in Boro

ac 7

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 13 day of
December in the year of our Lord
one thousand nine hundred fifteen

Judge of the same Court: Upon the petition of
sundry inhabitants of the Township of
Lawrence
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, Esq., Harry Reese
and A. L. Edwards

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 or 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 location~~ was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th, day of January ----- A. D 1916, ~~and the same was held in the Court House at Clearfield on the 11th day of January 1916 at 10 o'clock A. M. and the following persons were present at the view: John M. Urey, Attorney for the petitioners, Lanz Snyder, one of the owners of the property through whose land said road is located and Ed Cowen, one of the Supervisors of Lawrence Township.~~ 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 John M Urey Attorney for the petitioners, Lanz Snyder one of the owners of the property through whose land said road is located and Ed Cowen one of the Supervisors of Lawrence Township parties in interest. ~~and the same was held in the Court House at Clearfield on the 11th day of January 1916 at 10 o'clock A. M. and the following persons were present at the view: John M. Urey, Attorney for the petitioners, Lanz Snyder, one of the owners of the property through whose land said road is located and Ed Cowen, one of the Supervisors of Lawrence Township.~~

There being no question raised as to the necessity of said road laid out or objection filed as to the location of said road or the vacating of said roads herein recommended to be vacated or demand on the viewers for a hearing the public hearing was dispensed with and 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 public road leading from the end of Leavy Avenue to Litz's

Bridge seven hundred and fifty eight and four tenth (758.4) feet from dividing line between the Borough of Clearfield and Lawrence Township in said Township; Thence running south fifty one degrees and thirty seconds; east three hundred and twenty seven and five tenth (327.5) feet to the centre of the brick road leading from the end of Ogden Avenue to Litz's bridge in Lawrence Township at a point near where the present Township road hereby vacated, leading from the Brick road known as Ogden Avenue to the Township road hereby vacated known as Leavy Avenue connects with the said brick or State road.

The viewers further report that that portion of the Township road leading from the borough line at the end of Leavy Avenue to Litz's Bridge from a point in front of the McEnally farm House, thence north twenty four (24) degrees, west one hundred and fifteen (115) feet, thence north thirty (30) degrees west two hundred and thirty (230) feet thence north eleven (11) degrees thirty (30) minutes, east two hundred and thirty four (234) feet, thence north twenty eight (28) degrees, east one hundred and forty five (145) feet, thence north ten (10) degrees forty (40) minutes east two hundred and forty seven (247) feet to a point seven hundred and fifty eight and four tenth (758.4) feet from the borough line; also that township road beginning at a point in the

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 vacate a public road leadinf from a point in Leavy's Avenue 758.4 feet from the Borough line, to a point in the public road, leading from Clearfield to Litz's bridge in front of the McEnally farm house, where the brick road leading to Clearfield connects with said road.

And also vacate that portion of Ogden Avenue, from a point where said Avenue leaves the brick road, leading from Clearfield to a point where said Ogden Avenue connects with the public road leading from Clearfield to Litz's Bridge in Lawrence Township

And to view and lay out a public road to supply the said roads vacated, from a point on Levy's Avenue, a distance of 758.4 feet from the Borough line, to a point in front of the McEnally farm house, where the brick road, leading from Clearfield meets the Township road known as Levy Avenue, leading from Clearfield to Litz's Bridge in Lawrence Township in the County afore-said, will meet at the house known as the McEnally farm house in Lawrence Township on *Tuesday* the *17th* day of January A. D. 1916 at one (1) oclock P. M. to make said views and discharge the duties of their appointment at which time and place you may attend if you see proper.

A. G. Kramer

H. A. Reese

A. L. Edwards

VIEWERS.

Now Dec. *27* 1915 service of this notice accepted for the
County Commissioners of Clearfield County Pa.

L. C. Morris

Clerk.

TO:- J. S. Aughenbaugh, Elmer, Graham and Ed. Cowan
Supervisors of Lawrence Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers
appointed by the Court of Quarter Session of Clearfield County Pa
to view and vacate a public road leading from a point in Levy's
Avenue 758.4 feet from the Borough line, to a point in the public
road leading from Clearfield to Litz's Bridge in front of the
McEnally farm house, where the brick road leading to Clearfield
connects with said road.

And also vacate that portion of Ogden Avenue, from a
point where said Avenue leaves the brick road, leading from Clear-
field to a point where said Ogden Avenue connects with the public
road leading from Clearfield to Litz's Bridge in Lawrence Township

AND to view and lay out a public road to supply the
said roads vacated, from a point on Leavy Avenue a distance of 758
.4 feet from the Borough line, to a point in front of the McEnally
farm house, where the brick road, leading from Clearfield meets
the Township road known as Leavy Avenue, leading from Clearfield
to Litz's Bridge in Lawrence Township in the County aforesaid

will meet at the house known as the McEnally farm house in Lawren-
ce Township on *Tuesday the 11th* of January A. D. 1916 at one (1)
oclock P. M. to make said views and discharge the duties of their
appointment at which time and place you may attend if you see pr-
oper.

A. G. Kramer

H. A. Reese

A. L. Edwards

Viewers.

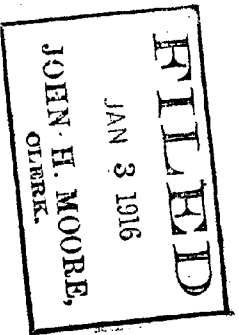
January
Nov *December 1st* A. D. 1915 served this notice on J. S.
Aughenbaugh, Elmer Graham and Ed. Cowan the Supervisors of Law-
rence Township personally by handing each of them a copy of same.

J. W. Moore Const

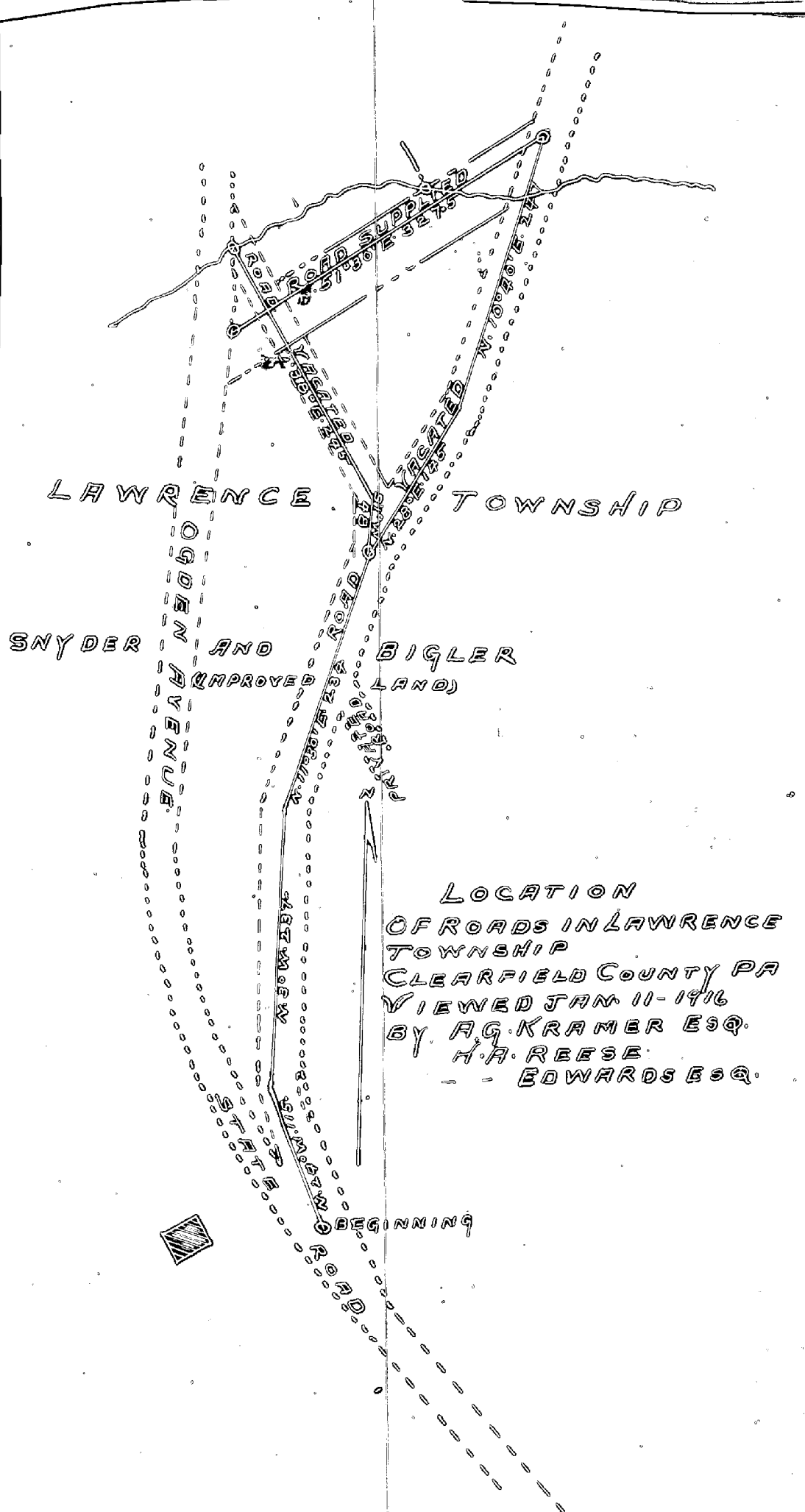
Post 2. 12/10

No. 1. July 28. 1916.
Leave petition to
vacate and nullify
parts of public
roads in Lawrence
township.

Notice to appear
therein.



Aug.



brick or State road leading from Ogden avenue to Litz's bridge at a point at or near where the road herein laid out ends in said brick or State road, thence running south thirty eight (38) degrees, east two hundred and forty five (245) feet to the road above described and recommended to be vacated leading Leavy Avenue at the Borough line to Litz's bridge which said township roads having by the laying out of said road in the opinion of the viewers become useless, inconvenient and burdensome to the taxpayers of the township and therefore recommend that the same be vacated.

A plot or draft of the road laid out as also of the roads vacated is hereto attached and made part of our 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, ~~exceeding~~

~~whereas it was not practicable to procure releases from all the owners of the land~~

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 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 by the opening of the said road, and make report thereon as follows~~

do not assess any damages for the reason that in the opinion of the viewers the benefit the owners of the property through which the road passes by the laying out and vacating of said roads will equal the damages they suffer therefrom, they therefore assess no damages. and for the further reason that no damages are claimed.

~~and we have obtained releases from all the owners of the land~~

WITNESS our hands and seals this 28th day of January

A. D. 1916.

A. G. Kramer
H. A. Reese
A. L. Edwards



No. 1 Feb. Sessions, 1916

ORDER

To view vacate & lay out a road for public use in the township of Lawrence, Clearfield County

Feb. Session, 1916, read and confirmed W. Si. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
Singular & Co.
May SS 1916, Confirmed
Absolutely By the Court
Singular & Co.
W.

Filed 19
Fees \$1.25 paid by Wray

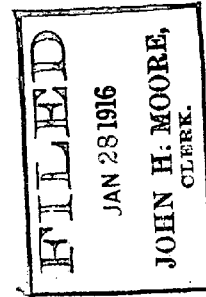
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
A. G. Kramer	2	2	\$10.00
H. A. Rees	2	50	12.50
A. L. Edwards	1	46	7.30



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 enseatling 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_____.



Clfd. Co., Lawrence Twp.
Conf. Absol. May 1916.
33 ft.-- 16 ft.

Stop
+
Stop

Beginning in the public road leading
from end of Leavy Ave. to the Litz
Bridge 758.4 ft., from the dividing
line between the Boro of Clearfield
and Lawrence Twp. in the said Twp. -
to the center of the brick road lead-
ing from the end of Ogden Ave., to
Litz Bridge at a point near where the
present Twp. hereby revealed - leading
from the brick road known as Ogden Ave.
to the Twp. road hereby revealed, known
as Leavy Ave. connects with the said
Streets or state road.

~~from Clearfield to Ogden Avenue~~, beginning at a point on said Leavy Avenue 758.4 feet from the point where Leavy Avenue crosses the line between Clearfield Borough and Lawrence Township, and ending at a point in front of the "McNally Farm House" in said Township, where said road meets the brick road leading from Clearfield; and also that portion of Ogden Avenue in said township, beginning at the point where Ogden Avenue leaves the brick road leading from Clearfield, and ending at a point where said Ogden Avenue meets the public road leading from Clearfield to Litz's Bridge, have become use- less, inconvenient and burdensome.

Your petitioners therefore pray the Court to inquire of and vacate said roads, and for that purpose to appoint three persons qualified according to law, to view said roads and inquire of the premises, and if they see proper, to supply said roads with a public road beginning at a point on Leavy Avenue aforesaid, a distance of 758.4 feet from the point where Leavy Avenue crosses the line between Clearfield Borough and Lawrence Township, and to extend to a point in front of the McNally Farm House " in said township. The said point being where the brick road leading from Clearfield meets the township road known as Leavy Avenue leading from Clearfield to Litz Bridge, and make return of their proceedings at the next term of this court.

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

The petition of the undersigned, inhabitants and road
supervisors of the Township of Lawrence in the county aforesaid,
respectfully represents:

That that portion of the public road known as Leavy
Avenue, leading from Clearfield to Litz's Bridge, beginning at a
point on said Leavy Avenue 758.4 feet from the point where Leavy
Avenue crosses the line between Clearfield Borough and Lawrence
Township, and ending at a point in front of the "McEnally Farm
House" in said township, where the said road meets the brick road
leading from Clearfield; and also that portion of Ogden Avenue
in said township, beginning at the point where Ogden Avenue leaves
the brick road leading from Clearfield, and ending at a point
where said Ogden Avenue meets the public road leading from
Clearfield to Litz's Bridge, have become useless, inconvenient
and burdensome.

Your petitioners therefore pray the Court to inquire of
and vacate said roads, and for that purpose to appoint three
persons qualified according to law, to view said roads and inquire
of the premises, and if they see proper, to supply said roads with
a public road beginning at a point on Leavy Avenue aforesaid, a
distance of 758.4 feet from the point where Leavy Avenue crosses
the line between Clearfield Borough and Lawrence Township, and to
extend to a point in front of the "McEnally Farm House" in said
township. The said point being where the brick road leading from
Clearfield meets the township road known as Leavy Avenue leading

from Clearfield to Litz's Bridge, and make return of their proceedings at the next term of this Court.

A. C. Hargis
W. P. Harris
Isaac O. Hucison
J. H. Ogden
J. T. Murphy
J. S. Beahan
Gordon E. Klinger
James Mitchell
M. J. Mapis
Jas. S. Jackson
Alvin G. G.
M. J. Owens
Ed. Cowan Supervisor
J. R. Owens
John Schryver
Wm. Owens
Austin Kenney
J. S. A. Rigley
S. C. Reed
J. E. Green
H. B. Gansberry
Ed. Lippard

Wayne Peoples
A. C. Reed
C. K. Thompson
J. S. Laughenbaugh Supervisor
Elmer Graham Supervisor
J. L. Snyder

In the Court of Quarter Sessions of Clearfield County, Pa.

In re-petition to vacate and supply
parts of public roads in Lawrence
Township.

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

You are hereby notified that at 10 o'clock, A.M. on Monday December 13, 1915, a petition will be presented to the Court of Quarter Sessions of Clearfield County to vacate that portion of the public road known as Leavy Avenue, leading from Clearfield to Litz's Bridge, beginning at a point on said Leavy Avenue 758.4 feet from the point where Leavy Avenue crosses the line between Clearfield Borough and Lawrence Township, and ending at a point in front of the McEnally Farm House in said township, where the said road meets the brick road leading from Clearfield; and also that portion of Ogden Avenue in said township, beginning at the point where Ogden Avenue leaves the brick road leading from Clearfield, and ending at a point where said Ogden Avenue meets the public road leading from Clearfield to Litz's Bridge; and to supply said roads with a public road beginning at a point on Leavy Avenue aforesaid, a distance of 758.4 feet from the point where Leavy Avenue crosses the line between Clearfield Borough and Lawrence Township, and to extend to a point in front of the McEnally Farm House in said township, the said point being where the brick road leading from Clearfield meets the township road known as Leavy Avenue leading from Clearfield to Litz's Bridge.

John M. Urey
Attorney for Petitioners.

Now December 8, 1915, I accept service and waive personal service of the above notice for ~~that~~ W. C. Langsford, J. S. Richards and H. L. Bowman, County Commissioners.

H. C. Morris
Clerk

No. Feb'y. SS. 1916.

and supply,
in re-petition to vacate part
of public roads in Lawrence
Township.

Notice To County Comrds-
stoners.

State of Pennsylvania,
County of Clearfield. SS.

T. L. Snyder, one of the above named petitioners, being duly sworn according to law deposes and says, that the facts set forth in the above petition are true and correct to the best of his knowledge and belief.

T. L. Snyder

Sworn and subscribed before me
this 8th. day of December, A. D.

1915.

Frank Wiley

Now Dec. 8, 1915, we accept service
of notice of the presentation of the within
petition to the Court on Dec. 13, 1915.

Wm. H. H. H.
attorney for law. H.

No. Feb'y. Sessions 1916.

Petition to Vacate and Supply
Parts of Public Roads in Lawrence
Township.

Now Dec. 13, 1915 Petition
considered and A. S. Thomas
Esq. Henry Jones and A. S.
Bellevue by an affidavit
shown to be true and signed
as required by law.

Public Clerk
Hingham Dec 13
1915

Urey.