

DOCKET No. 5 Road

Number	Term	Year
4	Sept. SS	1920

Petition of Supervisors of Cooper

Township for vacation of Road in

Cooper Township.

Versus

X

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the **21st** day of **June** in the year of our Lord, one thousand nine hundred and **twenty**

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~xxxxx~~ **supervisors** ~~inhabitants~~ of the Township of **Cooper**, in the County aforesaid setting forth that
a certain public road in said Twp of Cooper leading from a point at or
near the Janney place and extending to a point at or near the George Hart
farm, has become useless and expensive and burdensome upon the Township
to maintain. That there are no persons living upon said public road and
said road has no outlet whatever.

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers **A. G. Kramer, Esq. E. D. Billotte**
and J. W. Spangle who have been duly appointed by the said Court on the

County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.

Geo W. Palston

Clerk.

RETURN OF VIEWERS.

TO THE HONORABLE THE JUDGE OF QUARTER SESSIONS OF THE PEACE, IN AND FOR THE
COUNTY OF CLEARFIELD, PA.

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 the 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 _____, and that _____ notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

Fifth day of **April** _____, A. D. **1923**, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

Pa., on the **sixth** day of **April** ----- A. D., **1923**, at **nine** o'clock **A. M.**, and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view **Harry H Berg and Lawrence F Flood two of the Supervisors of Cooper Township;** -----

parties interested, either in favor of ~~vacating~~ vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the **sixth** day of **April** _____, A. D. **1923**, when the parties interested in the said road were in attendance: **Harry H Berg one of the Supervisors of Cooper Township with his Attorney H B Hartswick Esq of Miller & Hartswick Attorneys for the Supervisors of Cooper Township Clearfield County Pa.** -----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has _____, become useless, inconvenient and burdensome **to the taxpayers of the township and therefore recommend that the same be vacated as follows;** -----
Beginning at a point on the property formerly owned and occupied by George Hart, now owned by Lewis Finish, near what is known as the Jake Pullmer run where was formerly located the residence of the said George Hart, now removed. Thence running East eighty five (85) degrees on the property line between the following adjoining properties to wit: East on the line between the properties of the heirs of the A W Raymond Estate. on the south and Lewis Finish on the north one thousand (1000) feet to the property line of the Westburg heirs: Thence East on the dividing property line between the Westburg heirs on the south and Lewis Finish on the north nine hundred (900) feet to the property line of Francis Jennis heirs on the south and Lewis Finish on the north East eleven hundred and fifty five (1155) feet to the public road leading from Clearfield or Gras Flat in Cooper township Clearfield County Pa to Bellefonte in Centre County Penna; Being three thousand and fifty five (3055) feet in length: -----

TO: T, R, WEIMER, JESSIE. E. DALE AND M. L, FARRELL.
COUNTY, COMMISSIONERS OF CLEARFIELD COUNTY; PA:

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania, to view and vacate a public road, leading from a point at or near the Jenney place in Cooper Township, to a point at or near the farm of George Hart, in Cooper Township in the County aforesaid, will meet at the end of the said road to be vacated at or near the farm of George Hart in Cooper Township on Thursday the fifth day of April A. D. 1923 at nine (9) o'clock A. M. to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers before the filing of their report in Court, in order to give all parties interested; either in favor of or against the vacation of the said road, a chance to be heard by the viewers before the filing of their report in Court; will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the sixth (6) day of April A. D. 1923 at nine (9) o'clock A. M. when and where all parties interested in ^{said} road to be vacated may attend and be heard.

R. G. Kramer
E. H. Spangle
J. W. Spangle
VIEWERS.

Now March the 26 1923 service accepted for the County Commissions of Clearfield County Pa, of the above notice..

L. C. Morris
Clerk.

TO; LEWIS, LINBERG, HARRY, H, BERG, AND LAWRENCE, F. FLOOD
SUPERVISORS OF COOPER TOWNSHIP CLEARFIELD COUNTY PA.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate a public road, leading from a point at or near the Jenney place in Cooper Township to a point at or near the farm of George Hart in Cooper Township in the County aforesaid, will meet at the end of the said road to be vacated at or near the farm of George Hart in Cooper Township on Thursday the Fifth (5th) day of April A. D. 1923 at nine (9) o'clock A. M. to attend to the duty assigned them of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested; either in favor of or against the vacation of the said road a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the sixth day of April A. D. 1923 at nine (9) o'clock A. M. at which time and place all parties interested in said road to be vacated may attend and be heard.

A. G. Kramer
E. W. Billotte
J. W. Spangle
VIEWERS.

Sub it here
Now March 28- 1923 served this notice on Lewis Linberg, Harry, H. Berg, and Lawrence F Flood the Supervisors of Cooper Township personally by handing to each of them a true and correct copy of same

Jas A. Pearce, Sec

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacating of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

The viewers further report that in their judgment none of the abutting property owners are in any way injured or damaged they therefore assess no damages.

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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

7th

day of April, A. D. 1923

..... *A. G. Kramer* [SEAL.]

..... *Ed. Billoette* [SEAL.]

..... *James W. Spangle* [SEAL.]

Viewers.

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. Krause	4	55	32.70
E. D. Billore	4	83	34.15
J. W. Spang	3	115	28.25

E

No. 4 Sept Term 1920

ORDER TO VACATE

To view and vacate road sit
in the Township of Cooper
Clearfield County.

Now May Sessions 1921
read and confirmed Ni. Si.

By the Court
Seph. Sessions 1921
confirmed absolute.

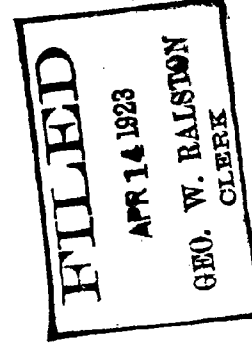
By the Court
N. J. White
N. J. 29: 1921
Specially

Filed 19

Atty.

Fees \$1.25 paid by

Miller & Hartswick, /



Formerly Geo. Heart
Now Lewis Finish

Lewis Finish

South 8 1/2 degrees East 3055 feet
1000 ft. A. W. Leonard, Heirs.

Westburg, Heirs.

Francis Jennie, Heirs.

Draft showing the location of a
public R.R. in Cooper twp. C. Fairview
viewed for vacation Apr. 5th. 1923.

A. C. Krumer.
C. D. Hill.
same as above } viewers.

Scale 3/32" = 30'

North
Road to Bellefont
Cld.

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE COURT OF
QUARTER SESSIONS OF CLEARFIELD COUNTY:

The petition of the undersigned supervisors of Cooper
Township respectfully represent;

That a certain public road in said township of Cooper
leading from a point at or near the Janney place and extending
to a point at or near the George Hart farm, has become useless
and expensive and burdensome upon the Township to maintain. That
there are no persons living upon said public road and said road
has no outlet whatever.

They, therefore, pray the court that viewers may be
appointed to vacate the said public road,

And they will ever pray etc.

Fred Edmunds

Levin Linder

H. H. Berg
Supervisors of Cooper Township.

Clearfield County, SS

W. D. Holt, Secretary of the Board of Supervisors of
Cooper Township, being duly sworn, according to law says that the
facts set forth in the foregoing petition are true as he verily
believes.

Sworn and subscribed this 14th day of June 1920, before me.

W. D. Holt

W. D. Dukeman

Notary Public

KNOW ALL MEN BY THESE PRESENTS, that we, _____
and _____ and _____
Supervisors of Cooper Township, are held and firmly bound unto the
County of Clearfield, its successors or assigns, to which payment
well and truly to be made, we do bind ourselves, our and each of
our heirs, firmly by these presents. Sealed with our seals and
dated the _____ day of June 1920;

WHEREAS, the Supervisors of Cooper Township, have filed
a petition with the Court of Quarter Sessions of Clearfield County,
asking for the appointment of viewers to view and vacate a certain
public road in Cooper Township leading from a point at or near the
Janney place and extending to a point at or near the George Hart
farm in Cooper Township.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if the
above bounden shall save and keep harmless the County of Clear-
field from any and all costs and expenses relative to said vaca-
tion of said road, in the event that said vacation is not allowed
or granted by the said court, then this obligation to be void, or
else to be and remain in full force and virtue.

Thos Edwards (SEAL)

Levin Linbers (SEAL)

H. H. Berg (SEAL)

to February Session
 of the Board of the
 Road and is
 scheduled 1923
 Municipal
 Engineer and
 Surveyor

File 13,1922, no ac-
 cording has taken
 the return, and
 having stated in
 the return of the
 E. D. Bell, by,
 J. M. Thayer
 of the return
 as a number
 of the present
 of the County
 Engineer and
 Surveyor

no 4 Sept. 21 1920

Petition of Supervisors
 of Cooper Township for
 vacation of Road in
 Cooper Township.

On May 21, 1920 within
 petition presented and
 A. C. Edwards, E. D.
 Bell, J. M. Thayer
 are appointed to hear
 them.

By the Court
 J. M. Thayer
 J. P.

FILED
 M. E. & HARTSWICK
 ATTORNEYS AT LAW
 CHESTERFIELD, PA.

APR 21 1923 OFFICE SUPER. CO., BALTO. MD

2-75-124 City