

No. 6 May ss 1920

Petition for Public Road

Sandy Twp.

Versus

P. d. #5 - Page 45

Part
Twp. Rd. 17772

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 four notices thereof were posted along the route of the proposed road, that the said view would be held on the 26th day of April, A. D. 1920, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 28th day of April, 1920, at 9 o'clock A. M. That all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view W.C.Pentz, Esq. Atty for the petitioners, W.H.Nupp and W.S.Hand Supervisors of Sandy Twp. Thos Oberndorfer and D.F.Mahen citizens and party

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 28th day of April A. D. 1920, when the following appearances were noted: No persons appeared

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no 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 North line of Ohio Avenue, which point is Westerly sixteen and one half (16.5) feet from the common corner of lots No's. 79 and 80 of Loeb's Addition, and Ohio Avenue; thence North 6°45' East, one hundred eighteen and one-half (118.5) feet to a post; thence North 18°45' East Six Hundred and Ten (610) feet to a post at public road or Loeb Avenue.

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 12th day of April in the year of our Lord one thousand nine hundred and twenty.

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

in said County, setting forth that they have made great inconvenience for want of a public road at a point known as Ohio Ave. at a point opposite Tip St. and about in the vicinity, there being lots number twenty-nine (79) and eighty (80.) of Lobb's Addition in said Township of Sandy; the same extending to a point near Lobb Ave. at which a public road leading from Foster Ave. at a point where lot number thirty-one intersects (31) the same, may be laid out, and which said point is about two hundred and twenty feet south of Tip St. Ave. in said Township of Sandy. Your petitioner therefore prays to the Honorable Court to appoint viewers to view and lay out said road, which will ever pray, etc.

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 Frank Pitts, Geo. Weber and

J. F. Fry.

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.

 Leo H. Ralston, Clerk.

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 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: Loeb Bros & E. C. Davis lot No. 80 \$150.00. Steve Dorak lot No. 81, \$125.00. Lot No. 82, \$1.00. David Mahan, lot No. 44 \$150.00.
Reliance Glass Co., \$1.00. Alex and Agnes Johnston lots 41 & 42 \$175.00
Mike Olejar lot No. 4 \$100.00. Jos Olejar, lot No. 3 \$50.00.

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

WITNESS our hands and seals this 30th day of April
A. D. 1920.

Frank Sutton 
George K. Weber 
J. E. Fay 

12
P. 2, p. 1, A. 17

No. 19 Sessions, 19

ORDER

To view a road for use in the township of 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.
Mark Bell	3	58 25 1/2
Geo. St. Geers	2	70 16 30
E. Guy	3	58 25 40

Session, 19
read and confirmed Ni. 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.

Now Fifth 8th 19th 20, it is ordered that this be filed in the argument book and noted when to be given to County Comr. for opening and delivering the damages accounted.

Myth Court
Anglewood Bell M.

Session, 19
Filed
Fees \$1.25 paid by _____
Judge Court after

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 sealing 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. 1911.



To the Clerk of Quarter Sessions Court of Clearfield County, Penna.

I, John W. Marshall hereby certify that
the road viewed and laid out in Sandy Township passing through
the Loeb Bros. lots has been opened and is used by the
traveling public.

John W. Marshall

To the Clerk of Quarter Sessions Court of Clearfield County, Pa.

You are hereby authorized and empowered to pay to Loeb Brothers of DuBois, Pa., all my right, title, interest and claim whatsoever, in and to damages awarded the said Loeb Brothers, and the undersigned, E. C. DAVIS, for road viewed and laid out in Sandy Township passing through Loeb Brothers Addition as per Road Docket, No. 5, Page 450, and this shall be your authority for so doing.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this Tenth day of June 1921.

E C Davis (SEAL)

LOEB BROS.,
REAL ESTATE,
BOUGHT, SOLD AND EXCHANGED

HIGH-CLASS INVESTMENTS
HOUSES AND LOTS
ON SMALL MONTHLY PAYMENTS

DUBOIS, PA., June 11, 1921.

Geo. W. Ralston, Esq.,
Clearfield
Penna.

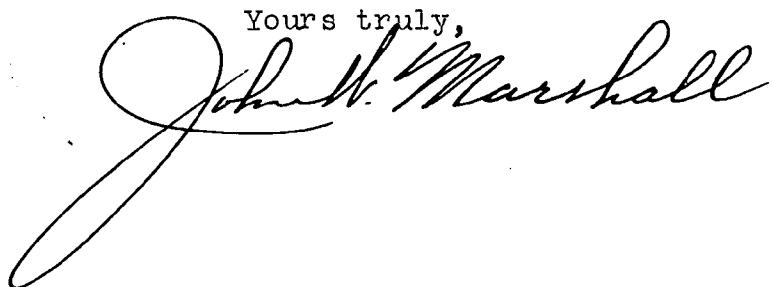
Dear Sir:-

Replying to yours of May 14th. I am
assuggested by you enclosing herewith paper cer-
tifying to the road in question having been
opened and used by the travelling public.

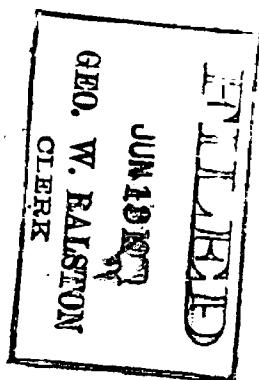
Am also enclosing order from E. C. Davis
in which he authorizes the payment of the damages
awarded to Loeb Brothers.

Will appreciate if you will cause check
for the amount of the above award (\$150.00) to be
sent to Loeb Bros. DuBois, Pa., and oblige,

Yours truly,



#6 May 28 1921



PUBLIC ROAD IN SANDY
OWNSHIP, CLEARFIELD CO., PA.
VIEWED APRIL 26-1920
FRANCIS MULTRON, GEO. K. MCGEE & J. E. FRYE
VIEWERS

To The COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Penna, to view a Public Road leading from a point on Ohio Avenue, at a point opposite Tip Street and about the dividing line between lots 79 and 80 of Loeb's addition in Sandy Township to a point where Loeb Avenue intersects an Alley on Loeb Avenue and which point is about 216 feet South of Tozier Avenue in Sandy Township, in the County aforesaid, will meet at the Overall Factory in Sandy Township, on Monday the 26th day of April 1920 at 10 O'clock A.M., to attend to the duty assigned them, of which time and place all parties interested will take notice.

And that the Public hearing required to be held, will be held at the Court House in Clearfield, Pa., on Wednesday the 28th day of April 1920 at 9 o'clock A.M., at which time and place all interested parties may attend and be heard if they so desire.

Mark Shull
George Weber
J E Fry

Viewers

DuBois Pa. April 14th 1920

Now April 15 1920 service if this notice is accepted for the County Commissioners

L. C. Morris
Clerk

TO THE SUPERVISORS OF SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road leading from a point on Ohio Avenue at a point opposite Tip Street and about the dividing line between lots 79 and 80 of Loeb's addition in Sandy Township to a point where Loeb Avenue intersects a public road leading from Tozier Avenue at a point where lot 31 intersects an Alley on said Loeb Avenue and which point is about 216 feet South of Tozier Avenue in Sandy Township, in the County aforesaid, will meet at the Overall Factory, in Sandy Township, on Monday the 26th day of April 1920 at 10 o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

And that the Public Hearing required by law to be held will be held at the Court House in Clearfield Pa., on Wednesday the 28th day of April 1920 at 9 o'clock A.M., at which time and place all interested persons may attend if they so desire.

Frank Bellin
George Loeb
J E Foy
Viewers.

DuBois, Pa. April 14th 1920

Now, April 15th 1920 service if this notice accepted for the
Supervisors of Sandy Township.

Ernest B. Rose

IN RE NO. 6, MAY SESSIONS, 1920.) PETITION FOR PUBLIC ROAD
)
) IN SANDY TOWNSHIP.

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

The County Commissioners of Clearfield County,
Pennsylvania, having been notified that on May 30, 1920,
a report of the viewers was filed awarding damages to
the property owners along said road as follows:

Loeb Bros.	\$150.00
Steve Dorak	125.00
Steve Dorak	1.00
Davis Mahan	150.00
Reliance Glass Co.	1.00
Alex & Agnes Johnston	175.00
Mike Olejar	100.00
Jos. Olejar	50.00
	<hr/>
	\$752.00

The above damages appearing to be excessive,
and said County Commissioners through their Attorney,
A. H. Woodward filed exceptions thereto, and on Jan-
uary 20, 1921, Attorney W. C. Pentz, representing the
petitioners, appeared before the Board of County Com-
missioners and presented claim of the several land
owners for the amount of damages set forth in the pro-
ceedings, whereupon, by resolution adopted on that date,
the County Commissioners decided to withdraw their ex-
ceptions upon consideration of a deduction in a sum not
less than \$250.00 from the amount set forth in the award.

AND NOW, February 14, 1921, the County Com-
missioners being assembled in executive session, where-
upon, the following resolution was read and adopted by
unanimous vote:

WHEREAS, W. C. Pentz, Attorney, representing the different persons and owners of the lands subject to the award of damages as set forth by the viewers in the proceedings for road in Sandy Township, No. 6, May Sessions, 1920, as set forth above, on behalf of said persons land owners having paid into the County Treasury the sum of \$250.00, as agreed upon by resolution of January 20, 1921, with the understanding that the County Commissioners would withdraw exceptions to the proceedings, therefore be it,

RESOLVED, That the exceptions filed by the County Commissioners to the award in the proceedings No. 6, May Sessions, 1920, be and are hereby withdrawn, and the Clerk is instructed to approve orders drawn on the Treasurer of Clearfield County for the amount fixed by the viewers.

CLEARFIELD COUNTY COMMISSIONERS:

P. R. Neiner

J. Edale

Attest:

L. C. Morris.
Clerk.

M. J. Farrell

W. C. HENRICKSEN, M. D., BOSTON, MASS.

CHURCHILL COUNTY CORPORATION:

Ms. 6 May 1920

TO THE COMMISSIONERS OF CLEARFIELD COUNTY:

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County on Monday, the 12th day of April, 1920 at nine o'clock in the forenoon, for the appointment of viewers to view and lay out a public road in Sandy Township to begin at a point on Ohio Avenue opposite Tip Street and thence to extend to a point where Loeb Avenue intersects a public road leading from Tozier Avenue, opposite lot Number 31, when and where, you can be present, if you so desire.

Perry & Perry
Attorneys for Applicants

NOW, April 8, 1919, service accepted of the foregoing notice for the County Commissioners of Clearfield County.

L. C. Morris Clerk.

TO THE SUPERVISORS OF SANDY TOWNSHIP:

You are hereby notified
that a petition will be presented to the Court of Quarter
Sessions of Clearfield County on Monday, the 12th day of April,
1920 at nine o'clock in the forenoon, for the appointment of
viewers to view and lay out a public road in Sandy Township to
begin at a point on Ohio Avenue opposite Tip Street and thence
to extend to a point where Loeb Avenue intersects a public road
leading from Tozier Avenue, opposite lot Number 31, when and
where, you can be present, if you so desire.

John D. Dyer
Attorneys for Applicants

Now April 7th - 1920 service of
this notice is being accepted for
the supervisors of Sandy Township by

E. G. Boose
atty for Supervisor of
Sandy Township

TO THE HONORABLE, THE JUDGE OF QUARTER SESSIONS OF THE COUNTY OF CLEARFIELD:

The petition of the undersigned respectfully represent that they are citizens and inhabitants of the Township of Sandy, in the County of Clearfield, State of Pennsylvania.

That they labor under great inconvenience for want of a public road to begin in a public road at a point known as Ohio Avenue at a point opposite Tip Street and about on the dividing line between lots number seventy-nine (79) and eighty (80) of Loeb's Addition in said Township of Sandy; thence to extend to a point where Loeb Avenue intersects a public road leading from Tozier Avenue at a point where lot number thirty-one (31) intersects an alley on said Loeb Avenue and which said point is about Two Hundred Sixteen (216) feet South of Tozier Avenue in said Township of Sandy.

Your petitioner, therefore, prays your Honorable Court to appoint viewers to view and lay out said road and they will ever pray, etc.

FREELAND OVERALL MFG. CO.

J. S. Lind

W. A. Salada
H. E. Radaker
W. G. Hand
Wm. S. Frank
Wm. Tuttles
John L. Lerner
Reliable Window Glass Mfg. Co.
son of J. Nicolas
John Reed

Thos. O. Oberender

J. H. Libby
Day & Son
J. M. Timlin
L. E. Horn
A. J. Bial
J. H. Whitmore
G. Zilleay
L. J. Peters

L. W. Smiley
L. E. Pifer
Charles Wilson
Geo. Dardine

Mo. May 3, 1920

Mr. Justice Board
in County Courthouse,

Blue Island Road

12 a.m. 1920 petition

presented and now
and transferred from
Hudson - Groffman and

Co. - are
affidavits addressed
to review the nover
and report to new
time of action see
leg. By Mr. Clegg

EDWARD J. KELLY
ATTORNEY AT LAW
APR 12 1920
DUBOIS, PA.

610. W. P. FESTONE
BALTIMORE OFFICE: BIRMINGHAM, ALA.
PROTESTANT