

ROAD

DOCKET No. 5

Number Term Year

3

May SS

1921

Petition for public road in

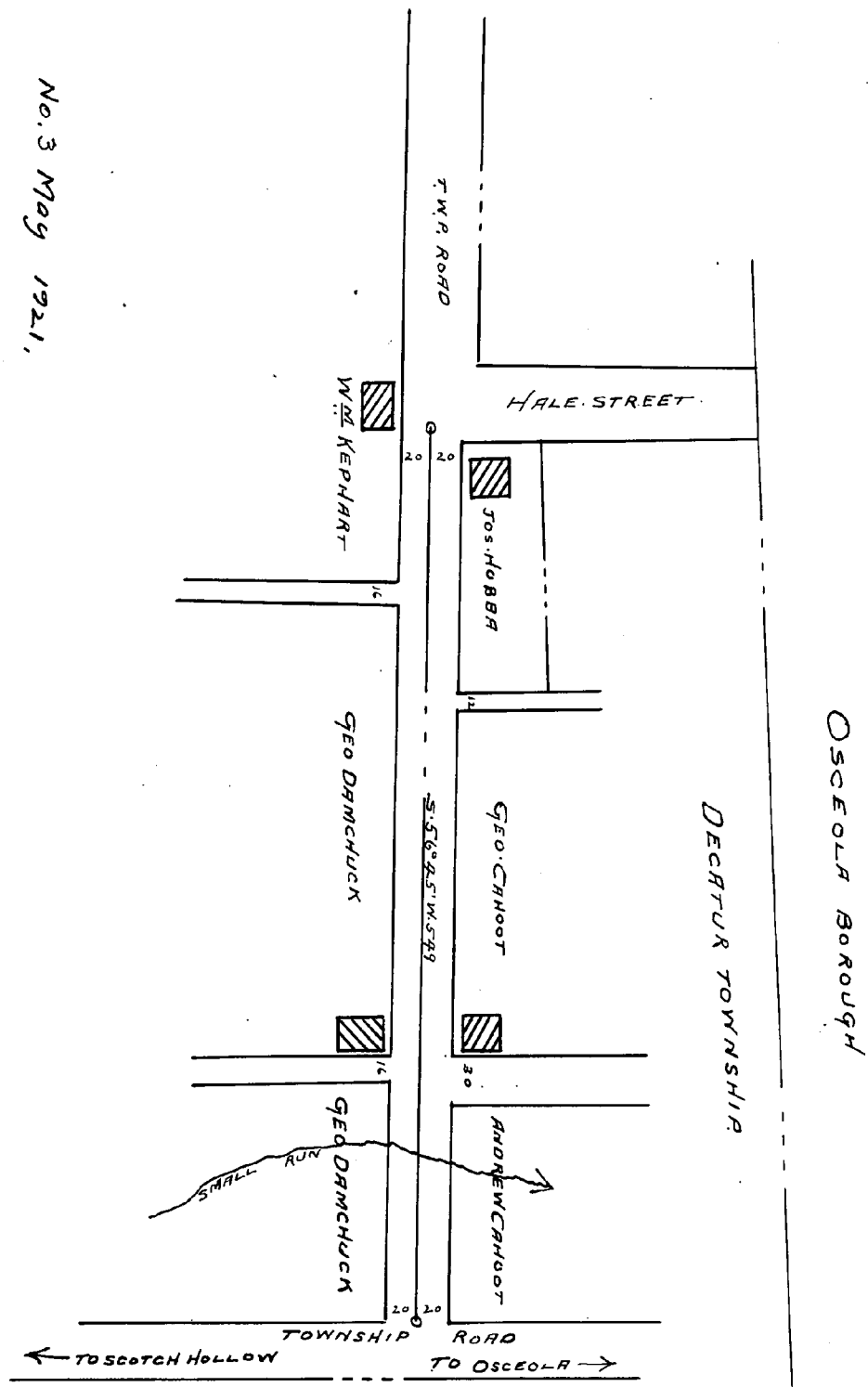
DECATUR TOWNSHIP

Versus

R.S. #5 - Page 460

Part Twp. Rd. 1766 2

No. 3 May 1921.



ROAD IN DECATUR TOWNSHIP
CLEARFIELD COUNTY PA.
VIEWED AND LAID OUT
APRIL 12TH - 1921
BY A.G. KRAMER ESQ
H.A. REESE
JAS. SPANGLE

TO, T R WEIMER; JESSE, E, DALE, AND M, L. FARRELL COUN-
TH 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 leading from a point in a
public road at or near the residence of William Kephart;
in Decatur Township to a point in a public road at or near the
residence of George Demchak, in Decatur Township in the County
aforesaid, will meet at the house of William Kephart in Decatur
Township on Tuesday the 12th day of April A. D. 1921 at nine th-
irty (9.30) 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 will be held by the viewers in
order to give all parties interested; either for or against said
road a chance to be heard by the viewers before the filing of the-
ir in Court, ^{cause} will be held in the Arbitration Room in the Court
House in Clearfield Pa on Wednesday the 13th day of April A. D.
1921 at ten thirty (10.30 o'clock A. M. when and where all parties
interested; either in favor of; or against said road may appear
and be heard.

A. G. Kramer

H. A. Keese

J. W. Spangle
VIEWERS.

^{April}
Now ~~March~~ 2 1921 service accepted for the County Commissioners
of Clearfield County Penna.

L. C. Morris
Clerk.

To H. M. Hughes, George, Test, and Jacob Baughman.

Supervisors of Decatur, Township Clearfield County Penna.

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 leading from a point in a public road at or near the residence of William Kephart; in Decatur Township; to a point in a public road at or near the residence of George Demchak, in Decatur Township, in the County aforesaid, will meet at the house of William Kephart in Decatur Township on Tuesday the 12th day of April A. D. 1921 at nine thirty (9.30) 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 will be held by the viewers in order to give all parties interested; either for or against 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 Wednesday the 13th day of April A. D. 1921, at ten thirty (10.30) o'clock A. M. when and where all parties interested; either in favor of or against said road may appear and be heard.

A. G. Kramer

H. A. Reese

J. W. Spangle

VIEWSERS.

Now March 1921 served this notice on H, M, Hughes, George Test and Jacob Baughman the supervisors of Decatur Township personally by handing each of them a true and correct copy of the same.

George Demchak

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 8th day of
March in the year of our Lord
one thousand nine hundred twenty-one.

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

in said County, setting forth that

they labor under great inconvenience for want of a public road
to lead from a public road at or near William Kephart in said
township to another public road at or near the residence of
George Demchak.

They respectfully pray that a view may be granted upon the
said road and that the same may be laid out and constructed as a
public road in Decatur Township.

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.,

J.W. Spangle, 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 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.

Geo W Ralston, 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

Decatur ----- and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 12th day of April -----, A. D. 1921, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 13th day of April -----, 1921, at 10.30 o'clock A. 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 H. M. Hughes, and George Test two of the Supervisors of Decatur Township and Andrew Cahoot, George Cahoot, Joseph Hobbs, William Kephart and George Demchak parties interested in said road. -----

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 13th day of April, A. D. 1921, when the following appearances were noted: as there was no objection there were no appearance at the hearing. -----

After the view and hearing above mentioned, the undersigned, ~~viewers~~ viewers, do agree that there is an 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 the intersection of the Township road and Hale Street; leading to the Borough of Osceola near the residence of William Kephart in Decatur Township.

Thence running south fifty six (56) degrees, forty five (45) minutes; west five hundred and forty nine (549) feet between the following properties, to wit: William Kephart, George Demchak, on the one side, and Joseph Cahoot, Andrew Cahoot and Jos Hobbs, to the public road, leading from Osceola to Scotch Hollow in Decatur Township over a street or lane dedicated to the use of the aforesaid property owners along said lane or street forming public outlet. -----

[illegible]

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:

WITNESS our hands and seals this 13th day of April

A. G. Kramer
James W. Spangle
H. P. Reese

No. 3 May Sessions, 1921

ORDER

To view _____
road for public use in the
township of Decatur
Clearfield County

May Session, 1921,
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.

Myth Conch

Sealed by [Signature]
APR 19 1921
Supt. W. T. [Signature]
Confirmed [Signature]

Filed

Fees \$1.25 paid by A. H. Wood Ward

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	AM'T.
<i>A. G. Bremer</i>	3	4.2470	
<i>H. A. Regal</i>	3	7.62630	
<i>Geo. W. Sprague</i>	2	9.01910	

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 ensembling 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 _____



IN THE COURT OF QUARTER SESSIONS)
OF CLEARFIELD COUNTY, PA.

No.

Feb'y. Sessions 1921

TO THE HONORABLE THE PRESIDENT JUDGE OF THE SAID COURT:-

The petition
of the undersigned citizens and inhabitants of the township of
Decatur in said county, respectfully represents:-

That they
labor under great inconvenience for want of a public road to lead
from a public road at or near William Kephart in said township to
another public road at or near the residence of George Demchak.

They respectfully pray that a view may be granted upon the
said road and that the same may be laid out and constructed as a
public road in Decatur Township.

And they will ever pray, &c.

George Demchak Charles Stewart
Joseph Desso. Jove Grimaldi
Andrew Kolesar Alfred Webster
George Scivanka Fred Warrander
Andrew J. Tihac Michael Smith
Adam Earnest Fric Bowles
George B. Reams A. W. Britton
Elias Wall Joe Warrander
Fred H. Meyer Michael Reffco
Loring Fulton Olie Britton
Jakob Mital Mrs Sara Conduet
R. J. Mattern John M. Caba
Harry S. Mattern M. J. Buckney

DATE of birth of child

()

P. W. Shuman
William Burton

R. H. Shumard
William Burton

[illegible]

1. The first of these is the fact that the
2. Government has not been able to secure the
3. necessary funds to carry out its policy.
4. The second is the fact that the Government
5. has not been able to secure the necessary
6. funds to carry out its policy.

A. J. Hogher

J. H. Minneman

Philip Gers.

W. H. Baughman

Oscar Baughman

Oronok Patten

Richard Webster

Joseph C. Holben

Ralph M. Sefhart

andry. Kohut

William J. Sefhart

George Kohut -

Mike Mullany

Oronok Patten Fire Ins. Co.
Cincinnati, Ohio

H. M. Hughes Pres Board Supervisors

Jacob Baughman Sec "

G. S. Lett

Now March 2: 1921, R. G. Kruver, Esq. of New York
and Harry Pearson of Portland Oregon to
make report to May 14 1921.

Petition for public road in
Jaccatur Twp., to lead from
a public road at or near William
Kephart to another public road
at or near the residence of
George Demchuk in said
Township.

DECLARATION

FILED
MAR 2 1921
GEO. W. BALSTON
LAW OFFICES
A. H. WOODWARD
CLEARFIELD, PA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE

KNOW ALL MEN BY THESE PRESENTS that we GEROGE DEMCHAK and

are bound unto the Commonwealth of Pennsylvania in the sum of one hundred (\$100.00) dollars to be collected of our goods and chattels, lands and tenements; to the payment of which we do jointly and severally bind ourselves, our heirs, executors and administrators and every of them firmly by these presents.

Sealed with our seals and dated the second day of March A. D. 1921.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT WHEREAS the said George Demchak and other citizens of the township of Decatur, in the County of Clearfield have presented their petition to the Court of Quarter Sessions of Clearfield County praying for the granting and laying out of a public road in said township to lead from the public road at or near William Kepharts in said township to another public road at or near the residence of George Demchak.

Now if the above bounden shall well and truly pay or cause to be paid any such sum of money as the petitioners for said road may become liable to pay in accordance with law, then this obligation to be void, or otherwise to be and remain in full force and virtue.

Sealed and delivered in presence
of

.....
.....

William J. Kephart (SEAL)
George Demchak (SEAL)
Joseph Hobbs Sr. (SEAL)

IN RE: PUBLIC ROAD IN
DECATUR TWP.

HQ N.D.

March 7, 1921
Bond approved
By the Court
Stephen Bell

FILED

MAR 7 1921

REC. W. RALSTON
CLERK WOODWARD
CLEARFIELD, PA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE