

DOCKET No. 5

Number	Term	Year
6	Sept	1922

Petition to vacate portions of two
public roads in Greenwood Twp. and
supply same with one road

Versus

All proceedings void
because a road was not
opened within five years
of confirmation
absolute

KNOW ALL MEN BY THESE PRESENTS, That we, Frank
Mike J. S. Hickey and George
Hess, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of Fifty (\$50.00) Dollars, lawful money, for the payment of which sum, well and truly to be made, we do bind ourselves, our and each of our heirs, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our seals and dated this 15 day of May, A.D. One Thousand Nine Hundred and Twenty-two.

WHEREAS, a petition has been presented to the Court of Quarter Sessions of Clearfield County to vacate two public roads in Greenwood Township, Clearfield County, Pennsylvania, beginning at a point near the New York Central Railroad Station, across the river from the village of Bells Landing, Pa., and ending at a point on public road known as the Ridge road, leading from Kerrmoor to Marron, praying for a view.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH. that if the said petitioners shall well and truly take care of and pay all costs incurred in the presenting and carrying out of said petition, in the event that the same is abandoned or is reported adversely, this obligation to be null and void, otherwise to be in full force and effect.

Frank Mike (SEAL)

J. S. Hickey (SEAL)

George Hess (SEAL)

No. 6 Rept Ser. 1922

Bond in Greenwood
Twp. Road 1 west-

1	ED
MAY 16 1922	
geo. W. RALSTON CLERK	

GR Dyer

Sept. session 1922 - Docket #6
Page 521 - Road docket #5

8/30/22 - Report of views filed
Sept 32, 1922 - Confirmed in 21
8/22, 1922 - " absolute

New road - Beginning at N.Y.C.P.R.R.

5 54° E - 100'	{	5 43° 30' E - 100'
5 61° 30' E - 100'		5 24° 30' E - 100'
5 53° 30' E - 100'		5 15° E - 100'
5 64° 45' E - 100'		5 18° E - 100'
5 46° E - 200'		5 21° 30' E - 100'
5 55° E - 150'		5 36° E - 100'
5 22° E - 60'		5 25° E - 100'
5 13° 15' E - 90'		5 3° 30' E - 100'
5 10° E - 100'		5 9° W - 100'
5 19° E - 200'		5 24° 30' W - 100'
5 23° 19' E - 100'		5 10 W - 200'
5 38° 30' E - 100'		5 20 30 (P) - 100'
5 28° 30' E - 100'		5 15° E - 1044' to Ridge Road
5 31° E - 100'		<u>Opening order issued 2/20/24</u>
5 20° E - 100'		
5 9° 15' E - 100'	Road never built by supervisor	
5 19° E - 100'	for 5 years - This order of court	
5 27° 30' E - 100'	lapsed and all proceedings void	
5 38° 30' E - 100'		

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

The petition of the undersigned inhabitants of the Township of Greenwood, in the County aforesaid, respectfully represents:

That they labor under great inconvenience for want of a public road to begin at a point on the public road at New York Central Railroad Station, on the opposite side of the Susquehanna River, from the town of Bells Landing, and to end at a point in said Township, in the public road, known as the Ridge road, leading from Kerrmoor to Marron, at or near the Flat Grove School House.

The petitioners therefore, pray the Court to appoint three persons qualified according to law, to view the ground proposed for such road and if they see occasion to lay out the same, to inquire of and vacate those portions of two public roads, now opened from the New York Central Railroad Station, above mentioned, to points on the aforesaid public road leading from Kerrmoor to one thereof leading at first from David Garrett the other about $\frac{1}{4}$ of mile south west of house of C. P. Bent Marron, which said last mentioned roads, will by reason of the laying out of the proposed road become useless, as the proposed new road will accomplish the same purpose as the two old roads and have a much more convenient grade; and make report of their proceedings to the next Court.

Lawrence Kess

J. L. Wilkey

Frank Kile

J. H. Redden

Amelia Hock

Robert Young

Samuel Young

P. W. Wiley

W. Wiley

Henry Barrett

Asa Bassett

D W. Barrett

James Redden

Sam. E. Redden

G. H. Hock

J. Frank Wiley

Allen G. Sturtever

Ed Barrett

to J. Hechtler
J. J. Sullivan
Parry Sullivan
Carl Wagner
Martin Pasnac
Frank Pasnac
Perry Straw
J. F. Mitchell
Arthur Bell
Elmer Hoover

Bearfield County, S.S.

Before me a
personally appeared Frank
Drehl, who being duly sworn, says: that the
facts set forth in the foregoing petition are
true & correct to the best of his knowledge &
belief -

Drehl subscribed before
me, this 26 day of April

F.B. - Frank Drehl

1922

Geo. W. Rabstock
Notary Public

green
(over)

Be the undersigned ~~Supervisors~~ of Greenwood
Township, hereby accept service of notice of
presentation of this petition to the Court on
day of May 1922 at O'clock m-

J. L. Nickay

George H. Hedd

Frank Riddle

And May 2" 1922

Service accepted for
County Commissioners

Per. X, C. Morris
Clerk

Supervisors of
Greenwood Twp.
Apr. 27th 1922

No. 6 Sept 1st. 1922.

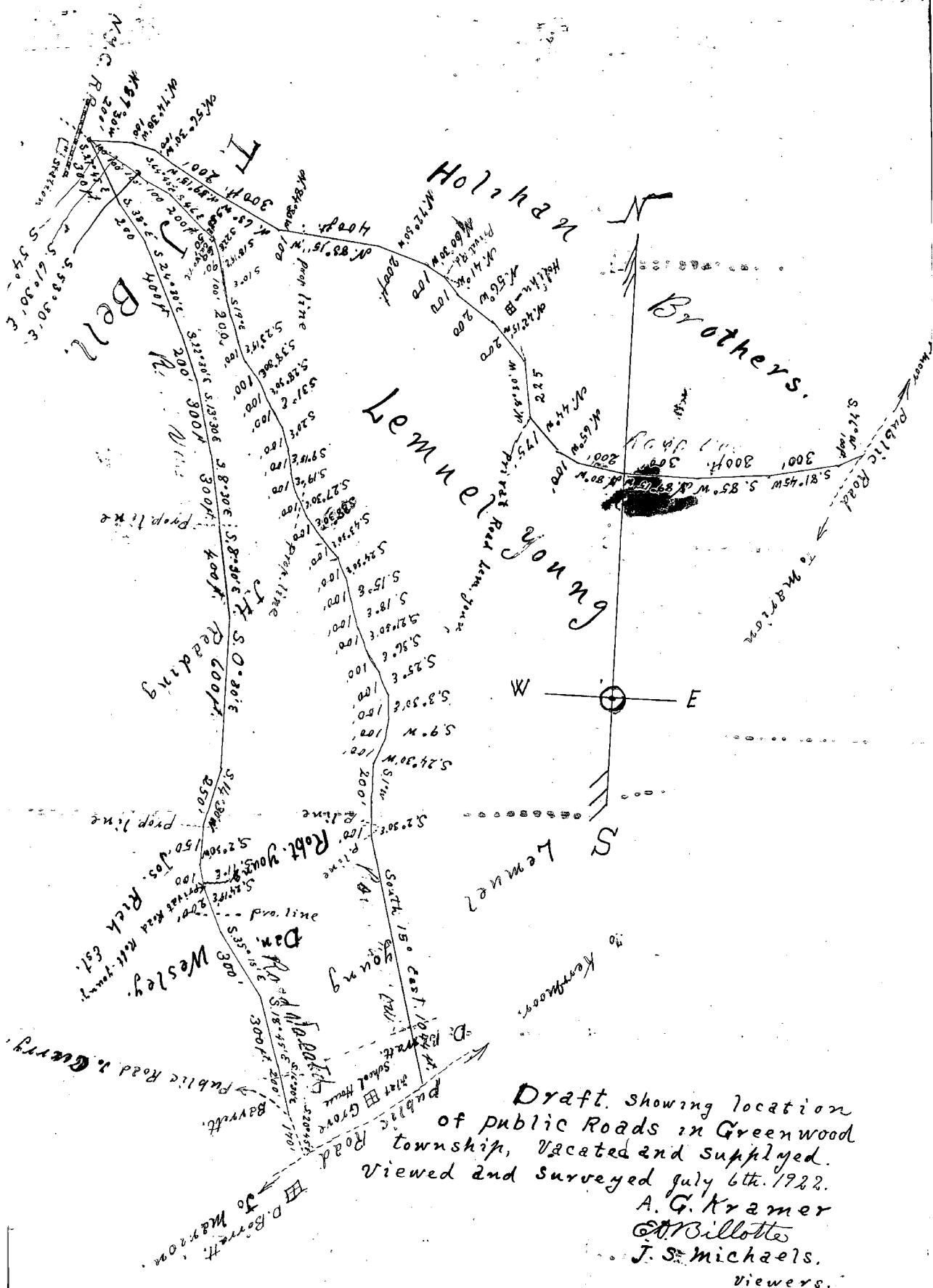
Petition to vacate
portion of two
public roads in Green-
wood Twp. and
supply same with
stone road

16/1
Simpson & Co.
and a man with property, but
which are especially known as formerly to the county
now may 1122. At Kinnard, E. B. Ralston & sons.

1922

Bird

mentioned roads, will by reason of the laying out of the proposed road become useless, as the proposed new road will accomplish the same purpose as the two old roads and have a much more convenient grade.



Draft showing location
of public Roads in Greenwood
township, Vacated and supplied.
Viewed and Surveyed July 6th. 1922.

A. G. Kramer
G. Billotte
J. S. Michaels,
viewers

Scale 10" to $1/32"$

NO. 6 Sept, 1922.

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 3rd day of May in the year of our Lord one thousand nine hundred twenty-two

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Greenwood in said County, setting forth that that labor under great inconvenience for want of a public road to begin at a point on the public road to begin at a point on the public road at N. Y. C. RR. Station, on the opposite side of the Susquehanna River, from the town of Balls Landing, and to end at a point in said Twp. in the public road known as the Ridge Road, leading from Kerrmoor to Marron, to view the ground proposed for such road & if they see occasion to lay out the same, to inquire of and vacate those portions of two roads, now opened from the N.Y.C.RR Station, above mentioned to points on the on the aforesaid public road leading from Kerrmoor to Marron, which said last 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.

E. D. Billotte, Esq. J. S. Michaels

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 judgement, 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.

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, be 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 Greenwood and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 6th day of July 1922 A. D. 1922, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 7th day of July 1922, at (9) o'clock A. M. That that said viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. L. Dickey, George W Hess Frank Deihl the Supervisors of Greenwood Township and W. S. Hornbaker assistant State Enginer besides the viewers

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 7th day of July 1922, when the following appearances were noted: Frank Deihl one of the Supervisors of Greenwood with their Attorney George R Bigler Esq

After the view and hearing above mentioned, the undersigned, the undersigned 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 in the public road leading from Bells Landing to Bower at the New York Central Railroad Station in Greenwood Township Clearfield County Penna on land of T J Bell; thence running over land of T J Bell the following courses and distances, to wit; South fifty four 54 degrees East one hundred (100) feet; thence south sixty one 61 degrees thirty (30) minutes; East one hundred (100) feet; thence south fifty three (53, degrees thirty minutes (30) East one hundred (100) feet; thence south sixty four (64) degrees, forty five minutes (45), East one hundred (100) feet; thence south forty six (46) degrees, East two hundred (200) feet; thence south fifty five (55) degrees, East fifty (50) feet to a culvert; thence south twenty two (22) degrees, East sixty feet (60); thence south thirteen (13) degrees, fifteen (15) minutes East ninety (90) feet; thence south ten (10) degrees East one hundred (100) feet; thence south nineteen (19) degrees, East two hundred (200) feet; thence south twenty three (23) degrees, nineteen (19) minutes. East one hundred (100) feet; thence south thirty eight (38) degrees, thirty (30) minutes, East one hundred (100) feet; thence south twenty eight (28) degrees, thirty (30) minutes, East one hundred (100) feet; thence south thirty one (31) degrees, East one hundred (100) feet; thence south twenty (20) degrees, East one hundred (100) feet; thence south nine (9) degrees, fifteen (15) minutes, East one hundred (100) feet; thence south nineteen (19) degrees East, one hundred (100) feet; thence south twenty seven (27) degrees thirty (30) minutes, East one hundred (100) feet to property line between T. J. Bell and Lamuel Young: Thence over land of Lamuel Young the following courses and distances, to wit; south thirty eight (38) degrees thirty (30) minutes, East one hundred (100) feet; thence south forty three

ROAD VACATED:-

The viewers in pursuance of the foregoing road being laid out as a public road the following road having become useless, inconvenient and of no further use and therefore burdensome to the taxpayers of the Township and would therefore recommend that the same be vacated; as follows.

Beginning at a point in the public road leading from Marion to Kerrmoor some distance north east of the flat grove School House in Greenwood Township Clearfield County Penna; thence running, south seventy six (76) degrees, West (100) feet; thence south eighty one (81) degrees forty five (45) minutes, West three hundred (300) feet; thence south eighty five (85) degrees, West three hundred (300) feet; thence north, eighty nine (89) degrees, fifteen (15) minutes, west three hundred (300) feet; thence north eighty (80) degrees, West two hundred (200) feet; thence north sixty five (65) degrees, west one hundred (100) feet; thence north forty four (44) degrees, West one hundred and seventy five (175); feet; thence north, eight (8) degrees, thirty (30) minutes, West two hundred and twenty five (225) feet; thence north forty two (42) degrees, fifteen (15) minutes west two hundred (200) feet; thence north fifty six (56) degrees, West two hundred (200) feet; thence North forty one (41) degrees west one hundred (100) feet; thence north sixty (60) degrees, thirty (30) minutes, West one hundred (100) feet; thence north seventy two (72) degrees thirty (30) minutes, West two hundred (200) feet; thence north eighty three (83) degrees, fifteen (15) minutes, West four hundred (400) feet; thence north eighty four (84) degrees, thirty (30) minutes, West one hundred (100) feet; thence north sixty three (63) degrees West three hundred (300) feet; thence north nine (9) degrees, fifteen (15) minutes West two hundred (200) feet; thence north fifty six (56) degrees, thirty (30) minutes, West one hundred (100) feet thence north seventy four (74) degrees, thirty five (35) minutes, West one hundred (100) feet; thence north eighty nine (89) degrees thirty (30) minutes, West two hundred (200) feet to the end of the road vacated as said road is supplied by the new road laid out that the same has become useless and burdensome upon the taxpayers to keep up they would therefore recommend that the same be vacated. They would further state that in their opinion that none of the property owners over which said road vacated passes is damaged any by vacating the same and no one claiming any damages therefore no damages are assessed.

TO. J. L. DICKEY, GEORGE W HESS, AND FRANK DIEHL.

The Supervisors of Greenwood 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, leading from the Railroad Station of the New York Central Railroad at Bells Landing in Greenwood Township, to a point in the public road leading from Marion to Kerrmoor, at a point at or near the Flat Grove School House in Greenwood Township.

And vacate those two public roads, supplied by the aforesaid road to be laid out, leading from the aforesaid Railroad Station in Greenwood Township to the said public road leading from Marion to Kerrmoor between said points in Greenwood Township which by the laying out of said road will become useless, and burdensome to the taxpayers of said Township of Greenwood in the County aforesaid. Will meet at the aforesaid Railroad Station in Greenwood Township on Thursday the 6th day of July A. D. 1922 at 8.30 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 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 laying out and the vacating of the said roads 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 7th day of July A. D. 1922 at nine (9) o'clock A. M. when and where all parties interested in the said roads may attend and be heard.

A. G. Kramer

E. D. Billotte

J. D. Michaels

VIEWERS

Now June the 23 1922 served this notice on J L Dickey, George W Hess and Frank Deihl the Supervisors of Greenwood Township personally by handing to each of them a true and correct copy of same

Frank Deihl Sec

TO: T. R. WEIMER, JESSE. 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 Pa, to view and lay out a public road, leading from the Railroad Station on the New York Central Railroad; at Bells Landing in Greenwood Township, to a point in the public road, leading from Marrion to Kerrmoor, at a point at or near the Flat Grove School House, in Greenwood Township.

And vacate those two public roads supplied by the aforesaid road to be laid out, leading from the aforesaid Railroad Station in Greenwood Township to the said road leading from Marrion to Kerrmoor between said points, in Greenwood Township, which by the laying out of said road will become useless, and burdensome to the taxpayers of the said Township of Greenwood in the County aforesaid will meet at the aforesaid Railroad Station at Bells Landing in Greenwood Township on Thursday the 6th day of July A. D. 1922 at 8.30 o'clock A. M. to attend to the duty assigned them, of which time and place aforesaid all parties interested in the change of the said roads will please take notice.

And that the public hearing 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 laying out and the vacating of the said roads 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 7th day of July A. D. 1922 at nine (9) o'clock A. M. when and where all parties interested in the said roads may attend and be heard.

A. G. Kramer
Ed Billotte
J. D. Michaels

VIEWERS.

Now June 23, 1922 service accepted of the above notice for the County Commissioners of Clearfield County Pa.

L. C. Morris

Clerk.

ROAD VACATED:-

The viewers in persuance of the foregoing road being laid out as a public road the following road having become useless; inconvenient and of no further use and therefore burden to the tax-payers would therefore recomand that the same be vacated as follows

Beginning at the Railroad Station at Bells Landing in Greenwood Township Clearfield County Penna, thence tunning south twenty seven (27) degrees, forty five (45) minutes East three hundred (300) feet; thence south thirty eight (38) degrees East two hundred (200) feet; thence south twenty four (24) degrees, thirty (30) minutes, East four hundred (400.00) feet; thence south twenty two (22) degrees, thirty (30) minutes, East two hundred (200) feet; South thirteen (13) degrees, thirty (30) minutes East three hundred (300) feet; thence south eight (8) degrees, thirty (30) minutes, East three hundred (300) feet; thence south eight (8) degrees, thirty minutes East four hundred (400) feet; thence south no degrees, thirty (30) minutes, East six hundred (\$600) feet; thence south fourteen (14) degrees, thirty (30) minutes West two hundred and fifty (250.00) feet; thence south two (2) degrees, thirty (30) minutes west one hundred and fifty (150) feet; thence south eleven (11) degrees, East one hundred (100) feet; thence south twenty four (24) degrees, nineteen (19) minutes East two hundred (200) feet; thence south thirty five (35) degrees, fifteen (15) minutes, East three Hundred (300) feet; thence south eighteen (18) degrees, forty five (45) minutes East three hundred (300) feet; thence south sixteen (16) degrees, thirty (30) minutes, East two Hundred (200) feet to where the road leading from Curry Run has by the laying out of the aforesaid road become useless, inclnvenient and burdensome to the taxpayers of the Township to keep up they therefore recomand that said portion of said road be vacated but that the remainder of said road from the intersection of the public road leading from Curry Run south twenty (20) degrees forty five (45) minutes East one hundred and seventy (170) feet to where the same connects with the public road leading from Marion to Kerrmoor the viewers would recomand be not vacated. They would further state that in their opinion no one of the property owners over which said road vacated passes is damaged any as no one is claiming any damaged the before no damages are assessed.

degrees, thirty (30) minutes, East one hundred (100) feet; thence south twenty four (24) degrees, thirty (30) minutes, East one hundred (100) feet; thence south fifteen (15) degrees, East one hundred (100) feet; thence south eighteen (18) degrees, East one hundred (100) feet; thence south twenty one (21) degrees, thirty (30) minutes, East one hundred (100) feet; thence south thirty six (36) degrees, East one hundred (100) feet; thence south twenty five (25) degrees, East, one hundred (100) feet thence south three (3) degrees, thirty (30) minutes, East one hundred (100) feet, thence south nine (9) degrees, west, one hundred (100) feet; thence south twenty four (24) degrees, thirty (30) minutes, west one hundred (100) feet; thence south one (1) degree, West two hundred (200) feet to property line of Robert Young, thence south two (2) degrees thirty (30) minutes over land of Robert Young one hundred (100) feet; thence south, fifteen (15) degrees, East over land of Lamuel Young ten hundred and forty four (1044) feet to a point in the public road leading from Marion to Kerrmoor near the Grove Flat school House in Greenwood Township: --

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, ~~per centum~~

~~and that 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 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: T. J. Bell \$1.00

Lamuel Young 1.00

Robert Young 1.00

WITNESS our hands and seals this 7th day of July

A. D. 1922.

R. G. Kramer Seal
E. B. Billotte Seal
J. S. Michaels Seal
J. S. Michaels Seal

No. 6 Sept Sessions, 1922

ORDER

To view Vacate & Supply a road for public use in the township of Greenwood, 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.

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 partners are not entitled to damages, taking into consideration the disadvantages as well as the disadvantages of the road, they will report to that effect.

Siehr Sessions, 1922.

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.

My other Count
Sugden's Buff p. 9.
See also 1922
Confined absolutely
My New Count
Sugden's Buff (p. 9).

Filed 19

Fees, \$1.25 paid by _____

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 respectfully 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. 192 ____.

Sealy

Seal.

—Seals

Seal.