

Road

DOCKET No. 5

| Number | Term | Year |
|--------|------|------|
| 14 | Sept | 1922 |

Petition for viewers to lay out a
public road in Sandy Twp

Versus

X

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 20th day of July 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 Sandy

in said County, setting forth that they labor under great inconvenience for the want of a public road in the said Twp of Sandy to begin in the public road in said Twp, commonly known as "Dixon Avenue", at the store of George N. Gent, and to end in a public road in said Twp of Sandy, commonly known as "Forest Avenue", at the house of William Clyde

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 Hutton, Esq., J. E. Fry and George Weber

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 SANDY and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 29th day of August A. D. 1922, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 31st day of August, 1922, 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 John G. Liedl

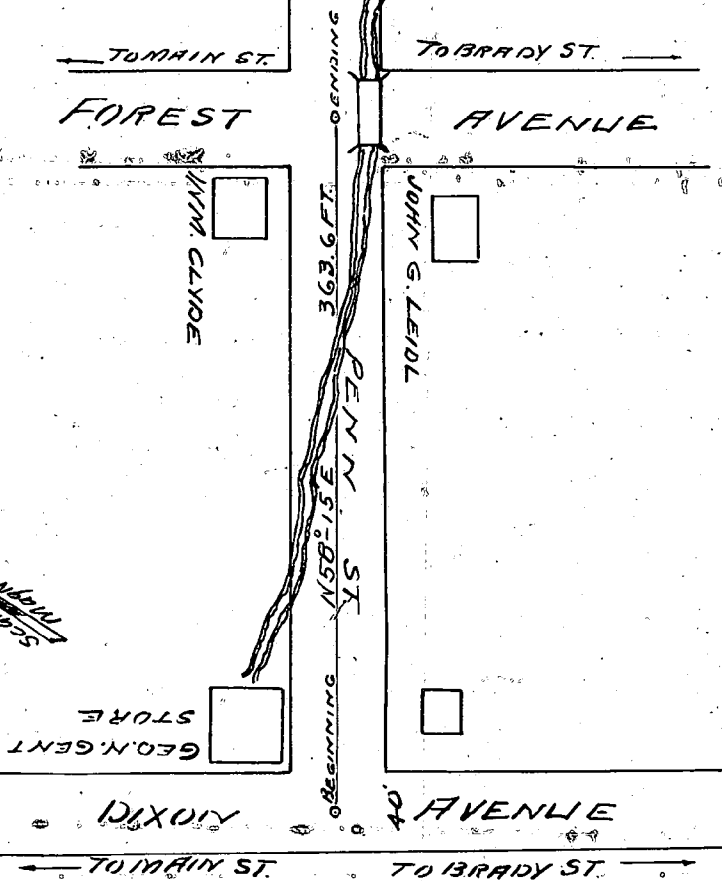
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 31st day of August A. D. 1922, when the following appearances were noted: W. S. Hand, Supervisor of Sandy Township

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 not 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~~ use the following described road, to wit: Beginning The viewers are of the unanimous opinion that while the road as petitioned for would be a convenience, it is not a necessity. That it is not necessary for the use of the general public, that it would be a convenience to some persons residing in the vicinity of the road petitioned for, but those persons can be accommodated by existing roads, by going a few hundred yards farther. The road as petitioned for, would require considerable filling, and bridge, and a change of a portion of the bed of a stream, the entire cost of which was estimated by Supervisor Hand to be in the neighborhood of \$2000.00, your viewers consider this estimate a little high, but for the reasons given and the further reason that the Township of Sandy is called upon to maintain an unusual mileage of roads, and for the reason that the Road district is now some \$8000.00 in debt and in the making of permanent roads are using much public funds we are of the opinion that the best interests of the citizens of the Township will be best served by not recommending the road petitioned for.

ROAD VIEW
DIXON AVE TO FOREST AVE.
VIA PENN ST.

IN SANDY TWP CLEARFIELD CO. PA.
TOTAL DISTANCE 363.6 FT. VIEWED AUG 29, 1922.

FRANK HUTTON
GEO. H. WEBER
J. E. FRY



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, Pennsylvania, to view a Public Road to begin at a point in the Public Road commonly known as Dixon Avenue, at the Store of George N. Gent, in Sandy Township to a point in the public road commonly known as Forest Avenue in Sandy Township, at house of William Clyde in the County aforesaid, will meet at the Store of George N. Gent in Sandy Township on Tuesday the 29th day of August 1922 at 9 o'clock A.M. to attend to the duty assigned them. And that the required public hearing will be held in the Court House in the Borough of Clearfield in said County on Thursday the 31st day of August 1922 at nine oclock A.M. Of which times and places you will take notice and may attend and be heard if you so desire.

DuBois, Pa. Aug 18th 1922

Amos Hutton
J. E. Fry
George Weber

Viewers

Now Aug. 17 1922 service of this notice is accepted.

L. C. Morris

Clerk

To The ROAD 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 in the Public Road commonly known as Dixon Avenue, at Store of George N. Gent in Sandy Township to a point in the Public Road commonly known as Forest Avenue at the house of William Clyde in Sandy Township in the County aforesaid, will meet at the Store of George N. Gent in Sandy Township on Tuesday the 29th day of August 1922 at nine o'clock A.M. to attend to the duty assigned them. And that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Thursday the 31st day of August 1922 at nine o'clock A.M. of which times and places you will take notice and may attend and be heard if you so desire.

DuBois, Pa. Aug 18th 1922

Amos Keeton
J. E. Fry
Leok Weber
Viewers

Now Aug 18th 1922 Service of this notice accepted for the
Supervisors of Sandy Township

Paul H. Hays
Atty for Supervisors

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 (no exceptions)

when it was not practical 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

no private property taken and no releases required

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: none

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

WITNESS our hands and seals this 1st day of September

A. D. 192 2.

M. A. Allen Seal
J. E. Fry Seal
George R. Fisher Seal
Seal

No. 14 Sept Session
ORDER
 To view and lay out
 road for Public
 township of Sandy
 Clearfield County

Sepk Sessions,
 read and confirmed Ni. Si. Re
 opened 23 feet wide, except with
 is side hill cutting or embankment
 bridging, there to be 16 feet wide

By the Court
 Magellan
 See 20 1922
 Confirmed
 By the Court
 Magellan

Filed

Fees \$1.25 paid by
 E. G. Boose, Atty.

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 | AMT. |
|---------------|------|-------|-------|
| Geo. K. Weber | 2 | 35 | 18.50 |
| J. E. Fry | 3 | 30 | 25.50 |
| Frank Hutton | 3 | 30 | 25.50 |
| | | | |
| | | | |

FILED
 SEP 2 1922
 GEO. W. RALSTON
 CLERK

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 _____

Seal
 Seal
 Seal
 Seal

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD
COUNTY, PENNSYLVANIA.

To Honorable Singleton Bell, President Judge of the said
Court:-

Your undersigned petitioners all of whom are residents
of Sandy Township, Clearfield County, Pennsylvania, would re-
spectfully represent;

That they labor under great inconvenience for the
want of a public road in the said Township of Sandy, to begin
in the public road in said Township, commonly known as "Dixon
Avenue", at the store of George N. Gent, and to end in a pub-
lic road in said Township of Sandy, commonly known as "Forest
Avenue", at the house of William Clyde-----

They therefore pray that your honor may appoint pro-
per persons as Viewers and direct that the said Viewers view
the premises and lay out between said termini a public road
for use of the public, and to make return of said view to the
court according to law. And they will ever pray.

W. H. H. H. H.

Geo. N. Gent

A. W. Walker

William Clyde

William Morgan

John D. Tatters

S. B. Pearson

Mrs. Anna P. P.

John Bowers

John J. Benyon

John G. Liedl

Phil. J. J.

Clearfield County, 0
SS;
Pennsylvania. 0

Before me, a Notary Public duly commissioned in
and for the County of Clearfield, personally came George N.
Gent, one of the signers to the foregoing petition, and being
by me duly sworn according to law, deposes and says that the
facts therein set forth, are to the best of his knowledge and
belief, true and correct.

Geo N Gent

Sworn to and subscribed before me

this 15 day of June, 1922.

Emilio B. Bove

Notary Public

My Commission Expires May 2, 1923.

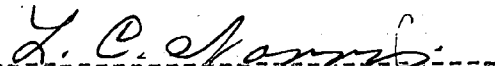
To the Commissioners of the County of Clearfield, State of Penna.,
and to the Supervisors of the Township of Sandy, of the same
County and State:-

You will please take notice that a petition on part of
divers citizens of Sandy Township praying for appointment of
of Viewers to view and lay out for public use, a public road in
the said Township of Sandy, beginning in the public road in said
township commonly known as "Dixon Avenue" at the store of George
N. Gent, and ending in another public road in said township,
commonly known as "Forest Avenue", at the house of William Clyde,
will be presented to the Judge of the Court of Quarter Sessions
in and for the county of Clearfield, on Monday, the twenty-third
day of July, 1922, at ten o'clock A. M.

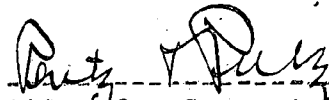


Atty. for petitioners

Now, July 19th, 1922, service of the foregoing notice is accepted.



Clerk of the Board of County
Commissioners of Clearfield
County.



Atty. for Supervisors of
Sandy Township.

No 14 Sept 20 1922

IN THE COURT OF QUARTER SESSIONS
OF
CLEARFIELD COUNTY.

Petition for Viewers to view
and lay out Public Road in
Sandy Township.

FILED
JUL 20 1922
W. RALSTON
CLERK

Now, July 22, 1922, the within
petition read and *Frank Hutton*
Ed. Joy and *Henry Miller*
are appointed Viewers and directed
to make view as prayed for and to
make return to Sept. Term, 1922.
Order to read more *in file*
by the Court.

E. V. Binney
Aug 15 *Supervisor*

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

RE; Petition for Viewers : Of September Sessions,
to view and lay out pub- : 1922.
lic road in Sandy Township : No.

BOND OF PETITIONERS.

WHEREAS divers citizens of Sandy Township, Clearfield County, Pennsylvania, have presented to the Judge of the above named court their petition to appoint viewers to view and pay out for public use a public road in said Sandy Township, beginning in a public road in said Township, ususally known as Dixon Avenue at the Stare of George N. Gent, and ending in a public road, commonly known as Forest Avenue, in said Township, at the house of William Clyde; the Obligors hereto being among said petitioners

KNOW ALL MEN BY THESE PRESENTS that we, and each of us as Obligors are jointly and severally bound by these presents unto the Commonwealth of Pennsylvania in the penal sum of One Hundred Dollars, to the payment of which to be well and truly made and done, we and each of us are firmly bound.

The condition of this obligation is such that if the judge of the said court shall by any decree or order, direct that we shall pay the costs or any part thereof, of the expenses of the said proceeding, than and in such case we do bind ourselves jointly and severally to pay into the office of the Clerk of said court any such costs or part thereof as may be assessed to us, within ten days from date of th making of such order or decree, and in such case this obligation to be null and void, otherwise to be and remain in full force and effect.

In witness whereof, we have hereunto set our hands and seals this first day of August, A. D. 1922.

Geo. N. Gent----- (SEAL)

William Clyde----- (SEAL)

William Morgan----- (SEAL)

IN THE COURT OF QUARTER SESSIONS

of

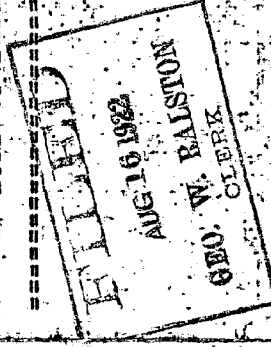
CLEARFIELD COUNTY.

Of September sessions, 1922.

No. 14

RE: PETITION FOR VIEWERS TO LAY
OUT PUBLIC ROAD IN SANDY TWP.

BOND OF PETITIONERS.



E. G. Boose, Atty.