

DOCKET No. _____

Number	Term	Year
2	Feb SS	1923

Vacation and supply road in Union Twp

Versus

R.O. #5: Page 541

Part Twp. Rd 17364

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 UNION and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 16th day of April A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 18th day of April, 1923, 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 Grant Kirk, Supervisor, John A. Hummell, W.G. Spicher, O.O. Hendricks, and J.S. Brubaker, citizens and

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 18th day of April A. D. 1923, when the following appearances were noted: No appearances

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is _____ 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 center of Public road leading from Rockton to Sabula which point is located at first angle in said Rockton & Sabula road, Northerly from the Rockton School house; thence North 6° 30' to a point in Public Road leading to DuBois at or near the residence of Mrs Henry Luce. The distance from pint of beginning to place of ending being eight hundred ninety three (893) feet.

Your Viewers further find that a certain public road now opened and used, beginning where the same intersects the Road leading from Rockton to Sabula, near the Rockton School House, thence North 78° 0' west two hundred forty nine (249) feet to a post; thence North 3° 30' East three hundred (300) feet to a post; thence North 6° 30' East, six hundred thirty (630) feet to a post; thence North 43° East, five hundred (500) feet to a post near the residence of Mrs Henry Luce, being the same point designated as the ending of the above mentioned new road, is, by reason of the dangerous angle in same, and the general difficult nature of the ground it occupies making it expensive to maintain and for the further reason that the new road as recommended shortens the distance by about one-half, serves the same purpose, and is located on ground of very easy grade, inexpensive to open and maintain, should in the interest both of the travelling public and the taxpayers of Union Twp., be vacated, and so recommend.

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 26th day of December 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 Union

in said County, setting forth ~~that~~ this petition to vacate that certain piece of road running from the Rockton School

House to the left by the property of Hays Bailey, Simon welty Estate and O. O. Hendricks coming out at the former home of Henry Luce.

And further petition that a new road be supplied and which is described as follows: Turning off the road leading to Home Camp about 50 yards from the Rockton School House and running in a straight line through the property of Wm. Brubaker from the point above mentioned to where this will intersect with the above mentioned road coming out at the former home of Henry Luce.

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. S. 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.

To the COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

NOTICE is hereby given that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road in Union Township, leading from a point about fifty yards from the Rockton School House and running in a straight line through the property of William Bruzbaker to where same intersects with another road at former home of Henry Luce and to VACATE that certain piece of road running from the Rockton School house to the left by property of Hays Bailey, Simon Welty estate, and O.O. Hendricks in Union Township to former home of Henry Luce in said Township of Union, will meet at the Rockton School House in Union Township on Monday the 16th day of April 1933 at 8 o'clock A.M. to attend to the duties of their appointment. And that the Public Hearing required by law will be held at the Court House in the Borough of Clearfield on Wednesday the 18th day of April 1933 at 9 o'clock A.M. At which times and places all parties interested may attend and be heard if they so desire.

Maugh Shulton

J. E. Fry

Geo K. Weber

Viewers

Now March 29 1933 service of this notice accepted for the County Commissioners.

L. C. Morris
Clerk

TO The SUPERVISORS OF UNION 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 in Union Township leading from a point about fifty yards from the Rockton School House and running in a straight line through the property of William Brubaker to where same intersects with another road at former home of Henry Luce, and to VACATE that certain piece of road running from the Rockton School House to the left by property of Hays Bailey, Simon Welty estate, and O.O. Hendricks in Union Township to former home of Henry Luce in said Union Township will meet at the Rockton School House in Union Township on Monday the 16th day of April 1923 at 8 o'clock A.M. to attend to the duties assigned them. And that the Public Hearing required by law will be held in the Court House in the Borough of Clearfield on Wednesday the 18th day of April 1923 at nine o'clock A.M. at which times and places all parties interested may attend and be heard if they so desire.

Irish Sullivan
J. E. Fry
Geo. Kleeber

Viewers

DuBois Pa. March 29th 1923

Now ¹⁹²³ Mar. 29th Service accepted for Supervisors of Union Township.

A. H. Woodward
Atty for Union Tp.

Map showing Roads Viewed

for
Vacation ^{the} Supply

in Union Township, Clearfield Co., Pa.

Scale: 1 inch = 100 feet.

Viewed April 16, 1923.

Frank M. Weber
Geo. H. Weber
J. E. Fry

Improved land

Wm. Grubacher

ROAD TO SUPPLY

Improved land

O. O. HENDRICKS

O. O. HENDRICKS

ROAD TO VACATE

O. O. HENDRICKS

FRANK WELTY

HAYES BAILEY

Public Schoolhouse

PUBLIC ROAD

to mountain

Beginning

Beginning

Ending

Heart Lake

to Heart's road

March 1923.

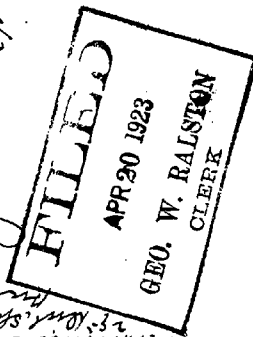
No. 2 Feb Sessions, 1923

ORDER

To view vacate & supply a
road for public use in the
township of Union,
Clearfield County

May Sessions, 1923,
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.

*By the County
Magistrate
J. H. Ralston*



Filed 19
Fees \$1.25 paid by

A. H. Woodward, 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	AM'T.

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

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

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: O.O.Hendricks, One dollar; Wm Brubacker One dollar

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

WITNESS our hands and seals this 19th day of April
A. D. 1923.

Wm H. Hutton

Seal

J. E. Fry

Seal

Geo. K. Weber

Seal

Seal

▲ PETITION TO VACATE AND SUPPLY.

We the undersigned citizens and taxpayers of Union Township Clearfield County Pennsylvania do hereby make this petition to the proper authorities to vacate that certain piece of road running from the Rockton School house to the left, by the property of Hays Bailey, Simon Welty Estate and O.O. Hendricks coming out at the former home of Henry Luce.

AND we further petition that a new road be supplied and which is described as follows; Turning off the road leading to Home Camp about fifty (50) yards from the Rockton school house and running in a straight line through the property of Wm. Brubaker from the point above mentioned to where this will intersect with the above mentioned road coming out at the former home of Henry Luce.

NAME	ADDRESS	NAME	ADDRESS
J. A. Hummel	Rockton Pa.	O. O. Hendricks	Rockton Pa.
J. S. Brubaker	Rockton Pa.	W. H. Hall	Rockton Pa.
M. D. Spicher	Rockton Pa.	Wm. Kirk	Rockton Pa.
F. E. Bigney	Rockton Pa.	W. J. Irwin	Rockton Pa.
J. M. Dressler	" "		
Gas Ranger	Rockton Pa.		
Wm. Smith	Rockton Pa.		
Wm. E. Keen	Rockton Pa.		
J. M. Lue	Rockton Pa.		
H. C. Labadie	" "		
R. H. Kirk	Rockton Pa.		
H. H. Shonke	Rockton Pa.		
J. E. Shetzinger			
R. A. Shesser	Rockton Pa.		
H. W. Dressler	" "		
E. C. Cook	" "		
D. M. Hall	" "		
J. W. Gabor	" "		
Hays Bailey	" "		
E. J. Brooke	Rockton Pa.		

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY.

NO. 2 FEB. SS. 1923

IN RE: Vacation and supply
of Public Road in Union
Township.

P E T I T I O N

Now due Dec. 26th 1922.
Frank Hulton Esq. D.S. Fay
and George Miller an ab-
sconded owner do present
as grounds for delay
activity relating thereto

By Wm. L. Corbett

Angela J. Hall

LAW OFFICES
OF
A. H. WOODWARD
CLEARFIELD, PA.

150 By atty