

Road

DOCKET No. ⁵_____

Number	Term	Year
6	Feb	1923

vacation of road in decatur twp

Versus

X

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

IN RE: Vacation of a portion of Public) No. Feb. SS. 1923
Road in Decatur Township leading from }
junction with the public road leading }
from Ashland to Brisbin, thence to a }
point at or near the residence of }
Jacob Stone, both termini being in }
Decatur Township.

PETITION

To the Honorable the President Judge of said Court:

The petition of the Supervisors of Decatur Township
respectfully represents:

That the following public road in said township, to-wit,
that portion of public road leading from the junction of said public
road with the public road leading from Ashland to Brisbin, thence
leading to a point at or near the residence of Jacob Stone, in
the township of Decatur aforesaid, has become useless and burdensome
to the township.

Your petitioners therefore, respectfully pray that an order
may be granted to view and vacate said portion of public road, and
that the same may be vacated according to law,

And they will ever pray, etc.

Paul M. Clarren, Pres.
G. S. Galt
P. N. Shouest

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS.

Paul M. Clarren, *President* of the Supervisors
of Decatur Township, being duly sworn according to law, deposes
and says that the facts set forth in the above and foregoing peti-
tion are true and correct to the best of his knowledge and belief.

Sworn and Subscribed before me this

23rd day of January A. D. 1923.

Arthur C. Baird

Paul M. Clarren

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

NO. 5 FEB. 5, 1923

IN RE: Vacation of public
road in Decatur Township
leading from junction with
the public road leading from
Ashland to Brisbin, thence
to a point at or near the
residence of Jacob Stone,
both terminating in
Decatur Township.

P E T I T I O N

Now pur 29¹/₂ 1923, A. L.
Estevado, & Harry Rose
and J. M. thought an offical
tribun to provide a demand
by trees, anenctly
John L. Jones
John L. Jones

FILED

JAN 29 1923

GEO. W. RAJSTON
C. L. RAJSTON
LAW OFFICES
A. H. WOODWARD
CLEARFIELD, PA.

RETURN OF VIEWERS.

TO THE HONORABLE THE JUDGE OF QUARTER SESSIONS OF THE PEACE, IN AND FOR THE
COUNTY OF CLEARFIELD, PA.

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 the 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 said road to be vacated, that the said view would be held on the

14th day of August, A. D. 1923, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

Pa., on the 17th day of August A. D., 1923, at 11 o'clock A. M., and that

said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view A. G. Kizer, Paul McLaren Supr., A. L. Edwards,
Harry Reiss, James Spangle,

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 17th day of August,

A. D. 1923, when the parties interested in the said road were in attendance: A. G. Kizer,
Paul McLaren Supr. A. L. Edwards, Harry Reiss, James
Spangle, m/s

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome + therefore recommended

The vacation of same (see map attached)

Aug 14 1921
1921 at 10 a.m. - Aug 17th at 10 a.m.
Hearings

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the 29th day of January in the year of our Lord, one thousand nine hundred and twenty-three

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~the~~ ~~Supervisors~~ ~~inhabitants~~ of the Township of Decatur, in the County aforesaid setting forth that
the following public road in said township, to wit, that portion of
public road leading from the junction of said public road with the public
road leading from Ashland to Brisbin, thence leading to a point at or near
the residence of Jacob Stone, in the township of Decatur aforesaid,
has become useless and burdensome.

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. L. Edwards, Esq.,

Harry Reese and J. W. Spangle who have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.

Geo W. Palston

Clerk.

No. 6 Feb Term 19 23

ORDER TO VACATE

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for

Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

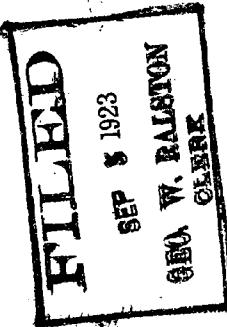
Reviewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

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.

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By the Court
England & G.J.
Now any of these
are entitled to defend
1923 by the Court
England & G.J.

19
Atty, A. H. Woodward
Fees \$1.25 paid by



and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road; a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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:

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

Witness our hands and seals this 17th day of August, A. D. 1923

..... R. L. Edwards [SEAL.]

..... H. A. Reese [SEAL.]

..... James W. Spangler [SEAL.]
Viewers.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view vacate a portion of
Road leading from a point at the junction of said road with the Public
road leading from Ashland to Brisbin

in Decatur Township to a point at or near the
residence of Jacob Stone

in Decatur Township, in the County aforesaid, will meet at the house of at junction of roads above refered to (near Ashland)
in Decatur Township, on Tuesday
the 14th day of August A. D. 1923, at 11.00
o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.
And a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield on Friday August 17th at 11.00 A. M.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

Viewers

July 31st 1923

Paul M^o Lauer Presidet
G. S. Test
P. N. Shewell Sec

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A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

Viewers

July 31st 19 23

Now July 31st, 1923 service of the within notice is accepted
for the Commissioners of Clearfield County.

L. O. Kamm
Clerk.