

DOCKET No. 5

Number	Term	Year
8	Dec	1923

Petition to vacate road in

Greenwood twp.

Versus

X

KNOW ALL MEN BY THESE PRESENTS: That we,

all of the County of Clearfield, Pennsylvania, are held and firmly bound under the Commonwealth of Pennsylvania, its successors or assigns, in the sum of Fifty Dollars, lawful money, for the payment of which 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 8th day of October, 1923.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the petitioners in a certain proceeding to vacate a public road in Greenwood Township, Clearfield County, Pennsylvania, known as the "Black Hill" road, shall proceed to the completion of said road and in the event the same is adversely decided against them, will pay the costs imposed upon them, in said proceeding, then this obligation shall be null and void, otherwise to be and remain in full force and virtue.

Frank White (SEAL)

John Hickey (SEAL)

____ (SEAL)

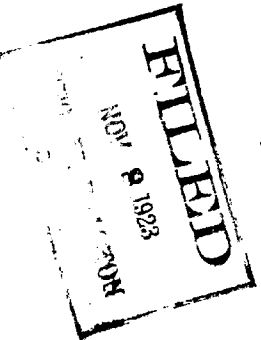
Nov Dec Dec. 1923

Location of Public

Good in Newwood
Stuck-

Bond

Nov 8" 1923. Appends
Applicant's
Applicant's



TO THE HONORABLE JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEAR-FIELD COUNTY:

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

That a public road has long since been laid out, known as "Black Hill" road, part of which said road, beginning at a point on State Highway Route No 62, leading from Mahaffey to Curwensville, at or near the home of E. A. Thompson and leading from thence through lands of R. C. Thompson Estate and others, and ending on the line between Greenwood Township and Bell Township, at or near *Stevenson Farm* has become useless, inconvenient and burdensome.

Your petitioners, therefore, pray the Court to inquire of and vacate said portion of said road and for that purpose to appoint three persons qualified, according to law, to view said portion of said road and inquire of the premises and make return of their proceedings at the next term of Court:

1 *W. B. Bell*
2 *Jim H. Mitchell*
3 *E. E. Hoover*
4 *J. I. Bell*
5 *L. Johnston*
6 *Benjamin*
7 *H. B. Darnick*
8 *J. Kester*
9 *Calvin Hoover*
10 *Lawrence Gould*
11 *Frank Oehl*
12 *James Selam*
13 *Wm. Michael*
14 *John Spencer*

15 *John Snyder*
16 *Geo. W. Bell*
17 *J. P. Brann*
18 *J. R. Nicker*
19 *James Mitchell*
20 *J. H. McCracken*
21 *Ezra Johnston*
22 *Chas. P. Thompson*
23 *M. J. Thompson*
24 *John Gould Threl*
25 *Robert Young*

- 26 Howard Bell.
27 Lloyd B. Johnson
28 Jack Beckey

petition for appointment
of ministers to vacante
public road in
Greenwood of cop-

Nov 8th 1913. Ag. Keweenaw Is.,
St. Ignace, Mich. & S.
Michels on opposite sides
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mythical ball

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GPO. W7. P-60303N
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Frank Rich & Co.
Rails Landing

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 8th day of November 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 sundry inhabitants of the Township of Greenwood, in the County aforesaid setting forth that a public road has long since been laid out, known as "Black Hill" road, part of which said road, beginning at a point on State Highway Route No. 62, leading from Mahaffey to Curwensville, at or near the home of E. A. Thompson and leading from thence through lands of E. A. Thompson Estate and others, and ending on the line between Greenwood Township and Bell Township, at or near Stevenson Farm has become useless, inconvenient 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. G. Kramer, Esq., F. D. Billotte, Esq.,

and J. S. Michaels 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. Ralston

Clerk.

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:

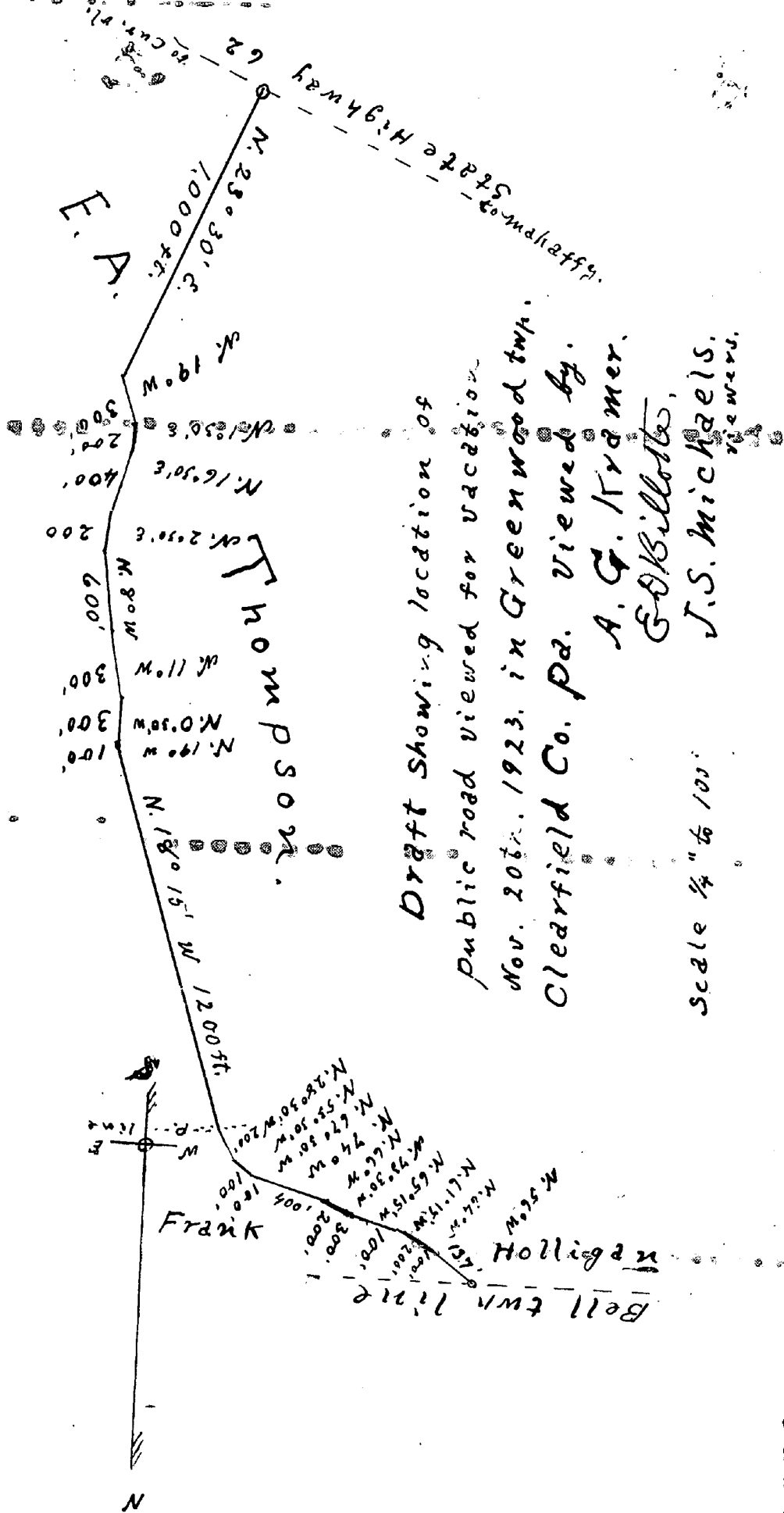
That notice of the time of the view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of Greenwood -----, and that Three, ----- notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

20th day of November -----, 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 21st day of November A. D., 1923, at nine 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 James Dickey one of the Supervisors of Greenwood Township and
E. A. Thompson over whose land the said road vacated runs; -----

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 21st day of November,
A. D. 1923., when the parties interested in the said road were in attendance: -----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has -----, become useless, inconvenient and burdensome as follows: Beginning in the
State Highway, leading from Mahaffey to Clearfield Route No 62, near the
residence of E. A. Thompson, in Greenwood Township Clearfield County Pe-
nsylvania; thence running over the improved land of the said E. A.
Thompson, North, twenty three (23) degrees, thirty (30) minutes; East
one thousand (1000) feet; Thence over unimproved wood land of the said
E. A. Thompson the following courses and distances, to wit: north nine-
teen (19) degrees, west, three hundred (300) feet; thence north one (1)
degree, thirty (30) minutes; East two hundred (200) feet; thence north
sixteen (16) degrees, thirty (30) minutes, East four hundred (400) feet;
thence north two (2) degrees, thirty (30) minutes, East two hundred (200)
feet; thence north eighty (80) degrees, west six hundred (600) feet;
thence north eleven (11) degrees, west three hundred (300) feet; thence
north no degrees, thirty (30) minutes, west, three hundred (300) feet;
thence north nineteen (19) degrees, west, one hundred (100) feet; thence
north eighteen (18) degrees, fifteen (15) minutes, west twelve hundred
(1200) feet to the property line of Frank Hullihen; Thence over unimpro-
ved wood land of the said Frank Hullihan, the following courses and dis-
tances, to wit:



TO:- T. R. WHIMER. JESSE. E. DALE AND M. L. FARRELL.
COUNTY, COMMISSIONERS OF CLEARFIELD COUNTY.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and vacate a public road, leading from a point on the State Road No 62, leading from Mahaffey to Curwensville, at or near the residence of E. A. Thompson in Greenwood Township; to a point on the Bell Township Line near the Stephenson farm in Bell Township in the County aforesaid, will meet at the house of E. A. Thompson in Greenwood Township on Tuesday the twentieth (20th) day of November A. D. 1923 at nine (9) o'clock A. M. to attend to the duty assigned them; at which time and place aforesaid all parties interested, either in favor of or against the vacating of the said road 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 vacating of the 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 twenty first (21st) day of November A. D. 1923 at nine (9) o'clock A. M. at which time and place all parties interested in the said road may attend and be heard.

A. G. Kramer
E. W. Billotts
J. A. Michaels.
VIEWERS:

Now November 14 1923 service accepted for the County Commissioners of Clearfield County Penna.

L. C. Norris
Clerk.

TO:- FRANK. DIEHL. GEORGE HESS AND JAMES. DICKEY.

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 Pennsylvania, to view and vacate a public Road leading from a point on the State No 62, leading from Mahaffey to Curwensville, at or near the residence of E. A. Thompson in Greenwood Township to a point on the Bell Township Line; near the Stephenson farm in Bell Township in the County aforesaid, will meet at the house of E A Thompson in Greenwood Township on ~~uesday~~ the Twentieth (20th) day of November A. D. 1923 at nine (9) o'clock A. M. to attend to the duty assigned them; of which time and place aforesaid all parties interested either in favor of or against the vacating of said road 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 vacating of the said road a chance to be heard by the viewers before the filing of their report in Court; will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa, on Wednesday the twenty first (21th) day of November A. D. 1923 at nine (9) o'clock A. M. at which time and place all parties interested; either in favor of or against the vacating of the said road may attend and be heard.

A. G. Krassick
E. A. Billott
J. J. Michaels
VIEWERS.

Now November 15-1923 served this notice on Frank Diehl, George Hess and James Dickey the Supervisors of Greenwood Township personally by handing to each of them a true and correct copy of same.

Frank Diehl
Sec

North, twenty eight (28) degrees, thirty (30) minutes; West two hundred (200) feet; thence north fifty three (53) degrees; thirty (30) minutes, West, one hundred (100) feet; Thence North sixty seven (67) degrees thirty (30) minutes; West, one hundred (100) feet: Thence North seventy four (74) degrees, West four hundred (400) feet: Thence north sixty six (66) degrees, West two hundred (200) feet: Thence north, seventy three (73) degrees, thirty (30) minutes, West, three hundred (300) feet: Thence north, sixty five (65) degrees, fifteen (15) minutes, West one hundred (100) feet: Thence north sixty one (61) degrees, and fifteen (15) minutes west two hundred (200) feet: Thence north sixty four (64) degrees, West one hundred (100) feet: Thence north fifty six (56) degrees, west one hundred and thirty seven (137) feet to the Bell Township line, the end of the road.

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 vacating 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 their damages and make report thereof, as follows:

That in the opinion of the viewers none of the abutting property owners on the road vacated have in any way been damaged by the vacating of the said road therefore no damages are assessed.

~~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 their damages and make report thereof, as follows:~~

Witness our hands and seals this 24th day of November, A. D. 1923.

.....A. G. Kramer..... [SEAL]

.....C. P. Billotte..... [SEAL]

.....J. S. Michals..... [SEAL]

Viewers.

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

No. 5 Dec Term 19 22

ORDER TO VACATE

To view and vacate road situate
in the Township of Clearfield
Clearfield County.

Now Dec Sessions 1923
read and confirmed Ni. Si.

By the Court.
Angela P. Bell
Now Sessions 19

confirmed absolute.

By the Court.

Sept 6th 1924
confirmed absolute
W. W. Ralston
E. J.

Filed

Atty,

Fees \$1.25 paid by

G. W. Ralston, Atty.

