

DOCKET No. 5

Number	Term	Year
6	Feb	1924

Petition for public read on

Sandy Twp.

Versus

R.O.#5-Page 190

Rt: 17403 from 17031 to 17406.

**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 4th day of February  
in the year of our Lord one thousand nine hundred  
twenty four

Judge of the same Court: Upon the petition of sundry in-  
habitants of the Township of Sandy

in said County, setting forth that the residents of the  
Twp. of Sandy and vicinity are greatly in need of a road crossing from  
the concrete road now laid to the road leading from Sabula to the Pine  
Grove School house and therefore pray the Court to appoint viewers to  
and open a road, beginning at a point on the present Twp Road leading  
from DuBois to Sabula and Penfield, where the concrete pavement ends;  
thence westerly about one (1) mile to a point to where the land and  
buildings of the Reform Church are located, on the road leading from  
Sabula to the Pine Grove Schoolhouse

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.  
Geo. K. Weber and J. E. Fry

who have been duly appointed by the Court and filed their oaths of office and are duly quali-  
fied 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. Palston, 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 four notices thereof were posted along the route of the proposed road, that the said view would be held on the 21st day of April A. D. 1924, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 25th day of April, 1924, 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 Jerry Brown, Supervisor and Jacob Beer citizen

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 25th day of April A. D. 1924, when the following appearances were noted: C.H. Kilmer and A.T. Kalgren who were each sworn and examined and gave their evidence in support of the proposed road

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 the Public road leading from Sabula to Penfield where the concrete road ends; thence N. 3° 0' W. in center of said road 288 feet; thence N. 5° 0' E. in center of same 200 feet; thence North 68° 15' W. through lands of J.W. DuBois 542.5 feet; thence North 56° W. 100 feet; thence North 80° 30' West 100 feet; thence North 67° W. 100 feet; thence N. 73° 40' W. 100 feet; thence N. 73° 15' W. 100 feet; thence N. 81° 45' W. 100 feet; thence N. 72° 15' W. 100 feet; thence N. 41° 40' W. 100 feet; thence N. 52° W. 50 feet; thence S. 62° 10' W. 50 feet; thence S. 39° 10' W. 100 feet; thence S. 61° 30' West 100 feet; thence South 83° 15' W. 100 feet; thence S. 88° 20' W. 100 feet; thence South 71° 15' W. 100 feet; thence N. 86° 15' W. 100 feet; thence South 79° 45' W. 100 feet; thence S. 68° 50' W. 100 feet; thence S. 66° W. 100 feet; thence S. 67° 40' W. 100 feet; thence N. 79° 20' W. 100 feet; thence N. 49° 15' W. 100 feet; thence N. 11° 10' W. 100 feet; thence N. 4° 50' E. 100 feet; thence N. 1° 15' E. 100 feet; thence N. 24° 30' W. 100 feet; thence N. 52° 30' W. 100 feet; thence N. 83° 30' W. along the line dividing lands of Jacob Beer and O.H. Bish 1125 feet to center of public road leading from Sabula to the Pine Grove School House a total distance of 4755.5 feet of which 4267.5 feet will be new construction

From the Sabula and Penfield road through the DuBois lands to the line of Bish and Beer 3142.5 feet is through wood land, side hill construction but as the difference in elevation between the Penfield road and the Beer and Bish corner is 240 feet and the chief problem confronting your viewers was to get a grade on this section not in excess of five degrees, more work and more time was required to keep

within this requirement and stake it out on the ground. If this road is constructed according to the survey hereto attached it will in no place exceed five degrees. Supervisor Brown estimated the cost of putting the road in good passable condition at \$1500.00 which estimate was concurred in by witnesses. After construction it will not be an expensive road to maintain. The chief reason for your viewers recommendation of this road is that it is the most available and shortest means by which quite a large settlement of Ridge farmers can get onto the concrete road, without it they have to drive from 2 to 5 miles around over dirt roads that drift in winter so as to be impassible and Spring and Fall very deep mud, many of these farmers are dairy farmers who are required to get their milk to the concrete for deliver or <sup>else</sup> ~~have~~ deliver themselves. So to the domestic coal for that section comes from unimproved lands back of these farms and this road will be useful for that purpose. The proposed road under present conditions will not drift as do all of the present roads do which serve the section this one proposes to. Your Viewers submit that with the extension of the permanent roads it should be the policy to encourage the building of such dirt roads as will most quickly and conveniently enable those not living adjacent to the permanent roads to have access to them and the benefits of them. It is because of our belief in the soundness of this policy that we recommend this road, if the policy is not sound then the Township should not be put to the expense of building this road

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 we were unable to see all of the property owners whose land is being taken, but are the opinion none of them will claim or should receive damages but award nominal damages

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: Jacob Bear \$1.00; O.H. Bish \$1.00 John E. DuBois \$1.00

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

WITNESS our hands and seals this 28th day of April

A. D. 192 4.

Amos Sutton Seal  
George K. Huber Seal  
J. E. Fry Seal  
 Seal

No. 6: Feb Sessions, 19 24

## ORDER

To view a  
road for public use in the  
township of Sandy  
Clearfield County

May Sessions, 19 24,  
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 Court*  
*Approved*

*now Sept 3rd 1924*

*Confirmed absolutely*  
*A. B. McKee*

Filed 19  
Fees \$1.25 paid by  
Pentz & Pentz, Atty's.

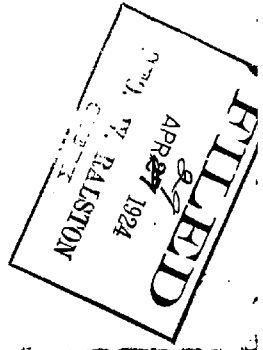
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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

KNOW ALL MEN BY THESE PRESENTS, That we,  
A. T. KALGREN, and  
are held and firmly bound, jointly and severally, our heirs,  
executors and administrators, unto the COUNTY OF CLEARFIELD,  
Commonwealth of Pennsylvania, in the sum of ONE HUNDRED (\$100.00)  
DOLLARS,

Sealed with our seals, and dated the 5th day of February, 1924.

WHEREAS the above bounden A. T. Kalgren and  
sureties, have presented a petition to the Court of Quarter  
Sessions of Clearfield County, to No. February Sessions,  
1924, for the opening and locating a certain road in Sandy  
Township, Clearfield County, Pennsylvania, leading from the  
Sabula to Pine Grove School House road, to the present concrete  
road, and praying the Court to appoint viewers therein.

NOW THE CONDITION OF THIS OBLIGATION IS  
SUCH, That if the above bounden Principal and Sureties, signers  
on said petition, shall well and faithfully prosecute said  
petition and proceedings thereunder, so that said road is open-  
ed, and in failing thereof shall pay to the County all costs in-  
curred therein, then this Obligation to be void and of no further  
force and effect, otherwise to be and remain in full force and  
virtue.

Charles H. Kelmer (SEAL)

A. T. Kalgren (SEAL)

Raymond E. Bundy (SEAL)

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD COUNTY

No. 6 February Term, 1924

In re: Road  
at SABULA, in  
SANDY TOWNSHIP

B O N D

*Declar'd 1924  
and affirmed  
14th March  
1924  
J. J.*

FILED

FEB 11 1924

GEO. W. RALSTON

CLERK

PENTZ & PENTZ  
ATTORNEYS AT LAW  
DUBOIS, PA.





To The 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 leading from a point in the present Township Road 1 leading from DuBois, to Sabula and Penfield, where the Concrete pavement end in Sandy Township, to a point about one mile, Westerly, to where the lands and buildings of the Reformed Church are located on the Road leading from Sabula to the Pine Grove School house in Sandy Township in the County aforesaid, will meet at the end of the Concrete Highway in Sandy Township, on Monday the twenty first day of April 1934 at nine o'clock A.M..

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa., on Friday the 25th day of April 1934 at nine o'clock A.M. when and where all interested parties may attend and be heard.

DuBois, Pa. March 20th 1934

Frank Shelton  
Geo. K. Leeper  
J. E. Fry  
Viewers

Now March 21 1934 service of this notice is accepted for the Commissioners of Clearfield County.

L. C. Morris  
Clerk

To The SUPERVISORS OF ROADS IN SANDY TWP., CLEARFIELD COUNTY, PA.

Notcie is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania to vview a Public Road leading from a point in the present Township Road leading from DuBois to Sabula and Penfield where the Concrete Pavement ends in Sandy Township to a point about one mile Westerly, to where the lands and buildings of the Reformed Church are located on the road leading from Sabula to the Pine Grove Schoolhouse in Sandy Township aforesaid, will meet at the end of the Concrete Highway in Sandy Township, on Monday the 21st day of April 1924 at nine o'clock A.M. And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Friday the 25th day of April 1924 at nine o'clock A.M. when and where all interested parties may attend and be heard.

Amuck Hutton  
Geo Kleeber  
J E Fry  
Viewers.

DuBois, Pa. March 20th 1924

Now March 20 1924 service of this notice is accepted for the Road Supervisors of Sandy Township.

Ray Lang  
accy for Sandy Twp

In the matter of open- : In the Court of Quarter Sessions of  
ing a road in Sandy : Clearfield County.  
Township, : No. February Session 1924.

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TO THE HONORABLE THE JUDGE OF THE ABOVE NAMED COURT.

PETITION

The petition of the undersigned residents of the Township of Sandy, Clearfield County, State of Pennsylvania, respectfully represents:

That the residents of the said Township of Sandy Clearfield County, State of Pennsylvania, and vicinity are greatly in need of a road crossing from the concrete road now laid to the road leading from Sabula to the Pine Grove Schoolhouse and therefore pray the court to appoint viewers to locate and open a road, beginning at a point on the present township road leading from DuBois to Sabula and Penfield, where the concrete pavement ends; thence westerly about one (1) mile to a point to where the land and buildings of the Reformed Church are located, on the road leading from Sabula to the Pine Grove Schoolhouse etc.,

And they will ever pray, etc.,

Wm H Van Sice Sabula Pa  
A. T. Kalgren Sabula Pa

John Hall  
Charles H Kilmer

Sabula Pa  
Sabula Pa

Eugene Kilmer

Sabula Pa

Jacob Beer

Sabula Pa

Charles Beer

Sabula Pa

J. W. Fossler

Sabula Pa

O. B. Bundy

Sabula Pa

John A. Bundy

Sabula Pa

Raymond Bundy

Sabula Pa

Isaac Bundy

Sabula Pa

Earl Bundy

Sabula Pa

Al Bundy

Penfield Pa

John Bundy

Sabula Pa

Ezra Bundy

Sabula Pa

George Beer

Sabula Pa

John H. Bink

Sabula Pa

W. A. Hays

Sabula Pa

A. B. Bundy

Sabula Pa

A. D. Bundy

Sabula Pa

Frank E. Beer

Sabula Pa

E. W. Brown

Sabula Pa

J. E. Clinton

Sabula Pa

S. Ables Sabula Pa

Rubin Detry Sabula Pa

Charles Detry Sabula Pa

S. G. Detry Sabula Pa

J. H. Detry Sabula Pa

W. H. Detry Sabula

Arthur H. Detry Sabula

James F. Detry Sabula

W. H. Murray Sabula Pa

J. F. Place Sabula Pa

Robert L. Bundy Sabula Pa

H. M. Shrauger Sabula Pa

George M. Sabula Pa

J. F. Shrauger Sabula Pa

E. A. Hoyt Sabula Pa

Emma Dodd Sabula Pa

W. C. Dodd Sabula Pa

H. H. Dodd Sabula Pa

Alexander Bundy Sabula Pa

Oscar H. Bish Sabula Pa

Orrin R. Bundy

Office accepted for County Commissioners  
 of City of 1924  
 Superior Board  
 J. C. Thompson

July 2, 1924 notice of hearing this matter in and county of  
 4, 1924 at 9 o'clock in the forenoon for and county of

6	July 4 <sup>th</sup> 1924 - J. C. Thompson, Esq. George H. Weber, Esq. J. C. Thompson, Esq. named to represent in this matter by the County Attorney J. C. Thompson
	PENIZ & PENIZ ATTORNEYS AT LAW DUBOIS, PA.