

DOCKET No. 6

Number	Term	Year
9	Dec	1924

Petition for public road in Sandy Twp

**Versus**

A

WASSON

.05'

AVE.

beginning

.25'

REYNOLDS

.05'

AVE.

HAND

ST.

NORTHWOOD

AVE.

Wrights Alley

FRANK HUTTON

Geo. K. Weber

J. E. FRY

Viewers.

Dec. 17, 1924.

CASE

.05'

AVE.

STREETER

1098

AVE.

Wrights Alley

FRANK HUTTON

Geo. K. Weber

J. E. FRY

Viewers.

Dec. 17, 1924.

NORTHWOOD

.05'

50°-50' E 363'

AVE.

Wrights Alley

FRANK HUTTON

Geo. K. Weber

J. E. FRY

To The 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 leading from the intersection of Hand Street and Watson Avenue in Sandy Township to what is known as Wrights Alley and Northwood Avenue in Sandy Township, in the County aforesaid, will meet at the intersection of Hand Street and Watson Avenue in Sandy Township, on Wednesday the 17th day of December 1934 at 9:30 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 Friday the 19th day of December 1934 at 9:30 o'clock A.M. When and where all parties interested may attend and be heard.

Frank Shulman  
J. E. Terry  
Frank Weber

MoBois, Pa. Dec. 5th 1934

Viewers

Now Dec 5, 1934 service of the above notice is reported for the Commissioners of Clearfield County.

L. C. Morris  
Clerk

To The ROAD SUPERVISORS OF SANDY TOWNSHIP, CLEARFIELD CO., PA.

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 the intersection of Hand Street and Wasson Avenue in Sandy Township to what is known as Wrights Alley and Northwood Avenue, ~~will be~~ in Sandy Township, will meet at the intersection of Hand Street and Wasson Avenue in Sandy Township, on Wednesday the 17th day of December 1924 at 9:30 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 Friday the 19th day of December 1924 at 9:30 o'clock A.M. when and where all interested parties may attend and be heard.

Frank Shullin  
J E Fry  
George Weber

DuBois, Pa. Dec. 3rd 1924

Viewers

Now Dec. 4 1924 service of the above notice is accepted for the Supervisors of Sandy Township.

Pen & Seal  
Attest for Sandy Twp  
Supervisors.

To The Honorable A.R.Chase, Judge of the Court of Quarter Sessions,  
in and for the COUNTY of CLEARFIELD:-

The Petition of the undersigned, inhabitants and citizens of the Township of Sandy, in the aforesaid County, respectfully represents:

That your Petitioners labor under great inconvenience for want of public highway in said Township of Sandy, to begin at a certain point, which said point of beginning is at the intersection of Public Highways known as HAND STREET and WASSON AVENUE, and which is Seven Hundred Thirty Two (732) feet from the intersection HAND STREET and SOUTH BRADY STREET, the latter being a Public Highway leading from DuBois to Clearfield; and thence proceeding ~~through what is known as The Wilson Turnpike~~, ~~along Hand Street for a distance of approximately ten hundred fifty~~ ~~(1050) feet to a thoroughfare known as NORTHWOOD AVENUE, thence in a~~ ~~South eastern direction along said avenue for a distance of approxi-~~ ~~mately three hundred fifty feet (350')~~ to what is known as Wright's Alley and Northwood Avenue.

Your petitioners, therefor, pray the Court to appoint proper persons to view and lay out the same according to law; and they will ever pray, etc.

Joe. P. Hogan  
O. M. Leach  
Mike Devine  
Ben Donahue  
Paul Sertian  
Harry T. Brann  
L. W. Smiley  
John Gillies

Charles S. Clark

A. J. Beal

~~G. M. Hartman~~

F. M. Timmins

E. M. Liddle

W. G. Hand.

Jerry. Brown

STATE OF PENNSYLVANIA ( )  
COUNTY OF CLEARFIELD, ( )  
SS

Personally appeared before me  
a Justice of the Peace in and for the County  
and State aforesaid, Paul Bertians  
and C.M. Leach, who being duly  
sworn according to law deposes and says that  
the facts contained in the foregoing petition  
are true and correct.

Paul Bertians

Sworn and subscribed to  
before me this 24th day  
of November, A. D., 1924.

Joe. P. Hogan, J.P.

MY COMMISSION EXPIRES  
FIRST MONDAY JANUARY 1926.

IN THE MUNICIPAL COURT OF  
CHARFIELD COUNTY  
IN THE 1924 SESSION, PA.

IN RE:- ESTATE OF  
WILLIAM SANDY INCORPORATION.

NOV. 26, 1924. Womrster, 1924  
Franklin & George  
and ~~Edgar~~  
are appointed viewers to pro-  
ceeds directed to the acts  
of ~~society~~.

BY THE COURT,  
J. J.

26 NOV 1924  
LAW OFFICES OF  
MC CALL AND WOMER  
DUBOIS, PA.

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 November in the year of our Lord one thousand nine hundred twenty four

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 want of a public highway in said Twp of Sandy, to begin at the intersection of public highways known as Hand Street and Wasson Avenue, and which is seven hundred thirty two 732 feet from the intersection of Hand Street and South Brady Street, the latter being a public highway leading from DuBois to Clearfield and thence proceeding to what is known as Wright's Alley and Northwood Ave.

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., George K. Weber and J. E. Fry

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 17th day of December A. D. 1924, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 19th day of December, 1924, at 9:30 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 W. S. Hand, Jerry Brown, E. W. Liddle Supervisors of Sandy Township, E. S. Womer Esq., of McCall & Womer; Attys for petitioners, J. P. Logan and George W. Johnstone

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of December A. D. 1924, when the following appearances were noted: (No appearances whatever)

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 This petition asks for a public road from intersection of Hand Street and Wasson Ave. to Wrights Alley at a point near the residence of J. P. Logan and is entirely within the boundaries of what is known as Wilson Terrace, a plotted piece of land, which plot is of road and entirely in Sandy Township. The distance between termini by the most feasible route is 1461 feet and would extend along what is known in said plot of lots as Hand St. and Northwood Ave. At the corner of Hand and Wasson is the Sandy Twp. Vocational High School, Wasson Ave is now a public road; Hand St. from Wasson Ave. is now graded and in fair condition for a short distance. The intersection at Hand and Northwood is a natural water way and would require a diagonally constructed water way; Wrights Alley is not now a public thoroughfare; the grade on the proposed road is in no place prohibitive and the greatest item of cost to open and construct the road would be the construction of approximately 70 or 75 feet of culvert.

None of the parties interested appeared at the hearing and your viewers are required to act entirely on their own opinion based on conditions found on the ground. It was their unanimous opinion that at the present time, the chief beneficiaries of the proposed road would be two families living near Wrights Alley and having at this time no public outlet. Those families living near the point of beginning, now having access to the Streets and Alleys of said Wilson Terrace plot, hence an outlet. Your Viewers are informed that Sandy Twp. now has over 90 miles of roads to keep up, that their road district is in debt and that they are unable to keep in condition the roads they now have

We understand the general public policy, as to roads, to be, Fewer Roads and Better Roads, this we think is a right public conception; that new roads should be layed out and authorized only where they are required by and needed by the public at large, or well settled communities where the revenues to the District, in taxes, largely reimburses the District for opening and maintaining.

It is our opinion that the road proposed in this Order does not meet these requirements. The citizens who would be specially benefitted are as good and worthy as any other citizens of the District, they went in where they are and built their homes, several years ago, they knew the conditions as to roads when they went in and made these improvements, the law provides a remedy for them. If a larger portion of the public would be benefitted by this road we would make other recommendation

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.

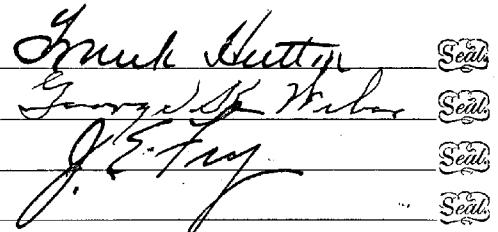
The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

No damages to be fixed

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: not any

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

WITNESS our hands and seals this 20th day of December  
A. D. 1924.

  
Frank Hutton Seal  
George J. Weber Seal  
J. E. Gray Seal

24  
1924

No. 9 Dec 9

## ORDER

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.

Viewers 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.

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

Jeffrey Sessions, 1924

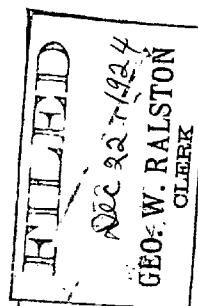
read and confirmed Ni. Si. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court  
A. D. 1924

Now May 6 1925 no exceptions  
this confirmed absolutely  
By the Court  
A. D. 1924

Filed 19  
Fees \$1.25 paid by

McCall & Womer, Attorneys



## 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. 1924.

Seal  
Seal  
Seal  
Seal  
Seal