

DOCKET No. 6

| Number | Term | Year |
|--------|--------|------|
| 7 | May ss | 1925 |

Vacation of Public road in Boggs Twp
on Old Erie Pike near residence of
Cyrus Robison

Versus

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 23 day of March in the year of our Lord, one thousand nine hundred and twenty five

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Boggs, in the County aforesaid setting forth that a certain public road in the Twp. of Boggs, to wit: that portion of public road leading from the old Erie Pike at or near the residence of Cyrus Robinson in said Twp of Boggs to a point on said road at or near the farm formerly of John W. Kyler, now William H. Varner, has become burdensome and useless to the traveling public and should be vacated as a public road

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 ap-

point from and among the County Board of Viewers Aaron G. Kramer, Esq., Harry Reese and

James 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.

Ges W Palston
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 Boggs; 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

10th day of March, A. D. 1925 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 11th, day of March, A. D., 1925, 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 ~~Besides the viewers Cyrus Robison and Charles Bush two of the supervisors of Boggs Township, and Milton Irwin~~

parties interested, either in favor of ~~against~~ vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 11th, day of March, A. D. 1925, when the parties interested in the said road were in attendance: ~~to wit Cyrus Robison and Charles Bush two of the supervisors of Boggs Township with their Attorney A. H. Woodward, Esq.~~

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ~~-----~~, become useless, inconvenient and burdensome ~~Beginning in the old Pike leading from Blue Bell to Curwensville near the residence of Cyrus Robison in Boggs Township Clearfield County Pennsylvania Thence running on the dividing property line between Cyrus Robison on the right and J C McCulloch on the left, south eighty three (83) degrees, East five hundred and forty eight (548) feet. Thence on the dividing property line between F. L. Lumadue on the left and Cyrus Robison on the right the following courses and distances to wit: North Eighty six and one half (86-1/2) degrees, East Two hundred and fourteen (314) feet. Thence South, Seventy six (76) degrees, East two hundred and ninety (290) feet. Thence East two hundred and eighty (280) feet. Thence on property line of F. L. Lumadue on the left and W. A. Ammerman on the right South eighty two (82) degrees, East nine hundred (900) feet. Thence South eighty four (84) degrees East two hundred and seventy nine (279) feet to the property line of William Verner. Thence over land of the said William Verner the following courses and distances: South eighty five (85) degrees, East six hundred and forty~~

PUBLIC ROAD IN BOGGSTOWNSHIP.
CLEARFIELD COUNTY PA
VIEWED AND YACATED APR 17-1925
BY A.G.KRAMER ESQ
H.A.REESE
JAS.SPANGLE
SCALE 1"=400'

PRIVATE ROAD
WATERFARM

TWP ROAD
TO WATERTOWN

ENDING

781°E
170-

NE61°E
769-

WILLIAM VARNER

N63°E 211

S85°E 643-

S84°E 2179

W.A. AMMERMAN

F.L.LUMADUE

S82°E 900-

E 1280

J.C. ROBISON

S76°E 290-

NE62°E 214-

J.C. McCULLOUGH

TO SCHAFFERTVILLE STATE
OLD STATE TO BLUEBELL
TO BEGINNING

S83°E 598

TO, JESSE E DALE, T R WEIMER, and B. W. McCACKEN, County 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 and vacate that part or portion of the public road, leading from the old Erie Pike, at or near the Residence of Cyrus Robison in Boggs Township; to a point in the said road at or near the farm of formerly John W Kyler, noe William H Verner in Boggs Township in the County aforesaid, will meet at the house of Cyrus Robison in Boggs Township on Tuesday the fourteenth (14th) day of April A. D. 1925 at ten o'clock A. M. to attend to the duty assigned them of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court in order to give all parties interested in 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 April the 15th 1925 at nine thirty (9.30) o'clock A. M. at which time and place all parties in any way interested in the said road may attend and be heard.

A G Brainer

H D Reese

J W Spangle

VIEWERS.

Now April 4, 1925 service accepted for the County Commissioners of Clearfield County Penn'a.

L O Morris

Clerk.

TO. Charles Bush, Cyrus Robison, and S. S. Walk, the Supervisors of Boggs Township Clearfield County Pennsylvania.

You are hereby notified; That the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate that part or portion of the public road, leading from the old Erie Pike at or near the Residence of Cyrus Robison in Boggs Township to a point on the said road at or near the farm of formerly John W Kyler now William H Varner in Boggs Township in the County aforesaid, will meet at the house of Cyrus Robison in Boggs Township on Tuesday the fourteenth (14th) day of April A. D. 1925 at ten o'clock A. M. to attend to the duty assigned them of which time and place aforesaid all parties interested will please take notice:

And that the Public hearing as required by the Act of Assembly and the Rules of Court in order to give all parties interested in 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 April 15th 1925 at nine thirty (9.30) o'clock A. M. at which time and place all parties in any way interested in said road may attend and be heard.

A G Kramer

H A Rees

J W Spangle

VIEWERS.

Now April 7 1925 served this notice on Charles Bush, S. S. Walk and Cyrus Robison the Supervisors of Boggs Township Clearfield County Penn, a personally my handing to each of them a true and correct copy of same.

Cyrus Robison

three (643) feet. Thence North eighty three (83) degrees, East Two hundred and eleven (211) feet. Thence North sixty eight and one half (68 1/2) degrees: East seven hundred and sixty nine (769) feet. Thence North seventy eight and one half (78 1/2) degrees, East one hundred and seventy (170) feet to where it with a private road leading from the farm of William Varner which intersects with the State road leading to Wallacetown in Borgs Township in the County aforesaid.

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 vacating 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 vacating thereof, and that they procured such release from:

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

No abutting property owner being damaged by the vacating of said road therefore no damages are assessed.

Land Commissioners for the State of Pennsylvania

Witness our hands and seals this 16th day of April _____, A. D. 1925.

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

..... M. A. Reese [SEAL]

..... James M. Spangler [SEAL]
Viewers.

25 May Term 19

ORDER TO VACATE

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.

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

Now May Sessions 1925

read and confirmed Ni Si.

By the Court

John

Now

Sessions 1925

confirmed absolute.

By the Court

John

confirmed absolute.

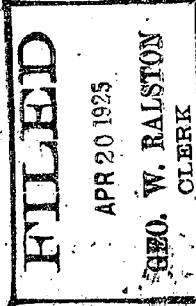
Filed

19

Atty

Fees \$1.25 paid by

A. H. Woodward, Atty.



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

In re: Vacation of a Public)
Road in Boggs Township in said)
County of Clearfield, leading)
from a point on the old Erie Pike)
near the residence of Cyrus Robin-) No. May SS. 1925.
son in Boggs Township, aforesaid,)
to a point on said road at or near)
the farm formerly of John W. Kyler,)
now William H. Varner.)

To the Honorable the President Judge of said Court:

The petition of the undersigned Supervisors of the Township of Boggs in said County of Clearfield respectfully represents:-

That a certain public road in the Township of Boggs, to wit, that portion of public road leading from the old Erie Pike at or near the residence of Cyrus Robinson in said Township of Boggs to a point on said road at or near the farm formerly of John W. Kyler, now William H. Varner, has become burdensome and useless to the traveling public and should be vacated as a public road.

Your petitioners, therefore, respectfully pray that an order may be granted to view said public road and that the same may be duly vacated in accordance with the law.

And they will ever pray, etc.

Cyrus Robinson
Charles Bush

State of Pennsylvania,

County of Clearfield, SS:

Cyrus Robinson, one of the Supervisors of Boggs Township aforesaid, and one of the above named petitioners, being duly sworn

according to law, deposes and says, that the facts stated in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed before me

this 11th day of March, A.D. 1925.

Geo. W. Ralston.

Dorthy

James Robinson

In the Court of Quarter SS.
No. 7 May SS. 1925.

In re: Vacation of a Public
Road in Boggs Township in
said County of Clearfield,
leading from a point on the
old Erie Pike near the resi-
dence of Cyrus Robinson in
Boggs Township, aforesaid, to
a point on said road at or
near the farm formerly of
John W. Kyler, now William
H. Varner.

PETITION.

Now March 24th 1925
John S. Varner Esq.
Henry Varner, Jr.
James G. Angler,
are appointed trustees
to name and appoint
by the court
Attache
P.L.

FILED
MAR 23 1925

EO. W. RALSTON
CLERK

LAW OFFICES
A. H. WOODWARD
CLEARFIELD, PA.