

DOCKET No. 6

Number      Term      Year

10

Sept

1926

Pet to vacate road in Gulich Twp

Versus

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

In re: Public Road in |  
Gulich Township | No. \_\_\_\_\_ September Term, 1926.

To the Honorable A. R. Chase,

President Judge of said Court:-

The petition of T. C. Reams, ~~George Stanley~~ <sup>E. W. David</sup> and Raymond Korman would respectfully represent:

1. That your petitioners are the duly qualified Supervisors of the Township of Gulich.
2. That a public road has long since been laid out, leading from Allemansville to Tyrone Pike, beginning one (1) mile North of Allemans on State Route #276 and running East by Allemans Springs to Tyrone Pike, one and one-fourth ( $1\frac{1}{4}$ ) miles in length, which road your petitioners conceive is now become useless, inconvenient and burdensome to the inhabitants of said Township.

Your petitioners therefore pray the Court that the said road may be vacated, agreeably to the Act of Assembly in such case made and provided,

And they will ever pray.

E W David  
T. C. Reams  
Raymond Korman

State of Pennsylvania : : SS,  
County of Clearfield :

*Justice of the Peace* Personally appeared before me, the subscriber, a,  
in and for said County and State, E H Davis  
who being duly sworn according to law doth depose and say that the facts  
set forth in the foregoing petition are true and correct.

E H Davis

Sworn and subscribed before me this 21 day of June, A.D.  
1926.

*H L Korman*  
*Justice of the Peace*

THE 21ST DAY OF JUNE, FIRST MONDAY  
1926.

IN THE COURT OF QUARTER SESSIONS  
OF CLEARFIELD COUNTY, PENNSYLVANIA.  
No. 19, September Term, 1926.

In re: Public Road in  
Gulich Township

PETITION TO VACATE

And now, July 6<sup>th</sup> 1926, the  
within petition presented, read and  
considered, whereupon J. P. Thomas  
Henry Hale and James Shantz  
are appointed to view said road, and make  
return as provided by Act of Assembly  
and Rules of Court.

By the Court,

J. P. Thomas  
P. J.  
JUL 6 1926  
REC W. HALSTON  
CLERK

John Scollins, attorney,  
Houtzdale,  
Penn.

650 by Petty



TO; JESSE. E. DALE, T. R. WEIMER AND B, W. McCracken.  
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 public road leading from Allemansville to the Tyrone pike from a point about one mile north of Allmans on the State route No:284, East of Allmans springs in Gulich Township in the county aforesaid, will meet at the end of the road to be vacated near Allmans s springs if Gulich Township on Thursday July 22d A. D. 1926 at 10.30 o'clock A. M. to attend to the duty assigned them, at 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 to be held by the viewers before the filing of their report in court, in order to give all parties interested, either in favor or opposed to vacating said road a chance to be heard by the vi viewers will be held by the viewers in the Arbitration Room in the court House in Clearfield Pa on Friday July 23d A, D, 1926 at ten o'clock A. M. at which time and place all parties interested either in favor of or opposed to the vacating of said road may attend and be heard.

A G Kramer  
H B Reed  
Jas W Spangler  
VIEWERS.

Now July 14th 1926 service accepted for the County Commissioners of Clearfield County and person al service waived.

R C Morris  
Clerk.

TO; E, W, David, T, C, Reams and Raymond Korman.  
The Supervisors of Gulich 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 public road leading from Allemansville to the Tyrone pike from a point about one mile north of Allmans on the State route No 284, East of Allmans springs in Gulich Township to where said road connects with the Tyrone pike in Gulich Township in the county aforesaid, will meet at the end of the road to be vacated near Allmans springs in Gulich Township on Thursday the 22d day of July A. D. 1926 at 10.30 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 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 opposed to the vacating of said road a chance to be heard will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday July 23d 1926 at ten o'clock A. M. at which time and place all parties interested either in favor of or opposed to the vacating of said road may attend and be heard.

A. G. Kraemer

H. A. Reese

Jas W. Spangler

VIEWERS.

Now July 14<sup>th</sup> 1926 served this notice on E, W, David, T, C, Reams and Raymond Korman the supervisors of Gulich Township Clearfield county Penna personally by handing to each of them a true and correct of same.

E. W. David

J. C. Ream

Raymond Korman

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 6th day of July in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE

By the Honorable ~~Singleton~~ ~~Field~~, President Judge of the said Court: Upon the petition of ~~xxxxxx~~ Supervisors

inhabitants of the Township of GULICH, in the County aforesaid setting forth that ..... a public road has long since been laid out, leading from Allemansville to \_\_\_\_\_ Tyrone Pike, beginning one 1 mile North of Allemans on State Route #284 and running East by Allemans Springs to Tyrone Pike, one and one-fourth (1 $\frac{1}{4}$ ) miles in length, which road your petitioners conceive is now become useless, inconvenient and burdensome to the inhabitants of said twp.

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 A. G. Kramer, Esq., Harry Reese and George 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. 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 Gulich, -----, 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

22d day of July; -----, A. D. 1926, 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 23d day of July, ----- A. D., 19 , at ten 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 Thomas Reams, H. R. Korman and E. W. David the supervisors

of Gulich Township and also John Scollins Attorney for the supervisors

and H. E. Fulkerson and William M. Fakin parties in favor of vacating the said road; -----

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 23d:---- day of July, ----,

A. D. 1926, when the parties interested in the said road were in attendance: John Scollins, Esq Attorney for the supervisors with E. W. David and H. R. Korman tow of the Supervisors of Gulich Township as witnesses, no one opposed to the vacating of said road appearing.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has -----, become useless, inconvenient and burdensome to wit. Beginning as shown on the draft attached as part of the report of the viewers at a point on the public road leading from Janesville to Allamont's -ville in Gulich Township Clearfield county Penna; on unimproved woods land of Mrs. E. J. Montz; Thence running over the said unimproved woods land of the said Mr. E. J. Montz the following courses and distances, to wit: North twenty (20) degrees east one hundred and fifty one (151) feet: Thence running North seventy four (74), degrees East two hundred and sixteen (216), feet. Thence North eighty nine (89), degrees, East four hundred and eighteen (418), feet. Thence running South eighty seven (87), degrees. East two hundred and forty two (242), feet: Thence South sixty three (63), degrees East three hundred (300), feet: Thence running North eighty eight (88) degrees; East three hundred (300), feet: Thence South sixty nine (69), degrees, East five hundred and forty eight (548), feet: Thence South seventy four (74), degrees, East five hundred and six (506), feet: Thence running South seventy (70), degrees, East three hundred and seventy two (372), feet: Thence South seventy nine (79), degrees; East three hundred and seventy five (375), feet: Thence South eighty five (85),

degrees, East five hundred and twenty five (525), feet: Thence North seventy nine (79), degrees; East five hundred and fifty two (552), feet: Thence North eighty six (86), degrees, East nine hundred (900), feet. to line of land of the Ginter Estate, Thence over unimproved woods land of the said Ginter Estate North, eighty nine (89), degrees East four hundred and twenty eight (428), feet to where it connects with the public road leading from Janesville to Tyrone known as the Tyrone pike in Gulich Township County and State aforesaid. On account of having become useless and burdensome to the taxpayers of the township the viewers recommend that the same be vacated.

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, to assess them damages and make report thereof, as follows:

No one in the opinion of the viewers being damaged by the vacation of said road therefore no damages are assessed.

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

Witness our hands and seals this 27th -- day of July, \_\_\_\_\_, A. D. 1926.

*A. G. F. ...* [SEAL.]

*W. A. Reese* [SEAL.]

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

