

DOCKET No. 6

Number

12

Term

May ss

Year

1926

PETITION TO VACATE ROAD IN PIKE TWP

Versus

X

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

In re:
Vacation of Road in Pike Township

To Honorable A. R. Chase, President Judge of said Court:

The petition of the Supervisors of the Township of Pike and of divers citizens and taxpayers of said Township, respectfully represents:

There is a large mileage of public roads in the Township of Pike, much greater than the financial condition of said Township enables it to keep and maintain in a reasonably safe condition.

That some of these roads are seldom used and are a source of danger to the Township and of little use to anyone.

That one of these roads, which has become useless and burdensome, begins at a point near the intersection of the old Hartshorn road and the back road to Curwensville; thence in a northeasterly direction, approximately three-fourths (3/4) of a mile; to end at the intersection with a road leading from the Sandri Farm to the Hartshorn Mill.

They therefore pray that said road be vacated.

And they will ever pray.

John H. Bloom ---

Joseph Smay ---

Wm. L. Carr
Supervisors of Pike Township.

Albert Y. Straw ---

Chas. L. Bailey ---

Chas. L. Beal ---

Caleb T. Beal ---

B. Frank Carr ---

John C. Smeal ---

Andrew L. L. L. ---

W. S. Carr ---

Wm. M. Carr ---

Geo. A. Pinkerton ---

Yang F. Linbrier

ORDER

Now, this ^{*April*} ~~10th~~ day of ~~March~~, A. D. 1926, the within

petition having been read and considered, *Frank Hullar Esq.*
Ed. Billotte, 2nd J. E. ~~Linbrier~~ George H. Weber

are appointed viewers to view the road sought to be vacated in the
above petition, and to make their report and recommendation as
required by law.

BY THE COURT.

A. R. Chase
P. J.

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY
PENNA.

12 May 22 1926

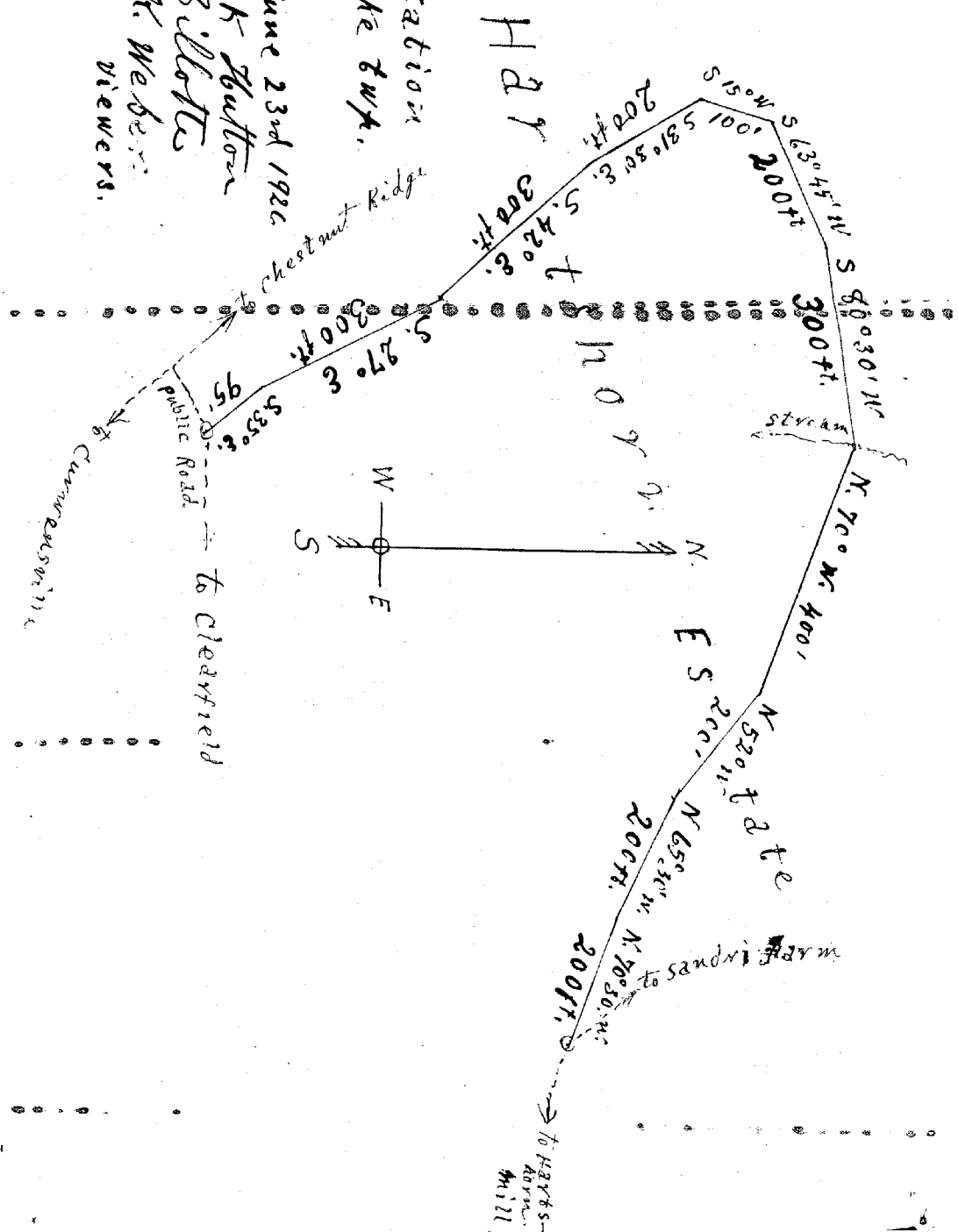
In re
Petition to vacate
road in Pike Township

FILED
APR 10 1926
W. RALSTON
CLERK

BOULTON, FORSYTH & BELL
ATTORNEYS AT LAW
CLEARFIELD, PA.

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Draft showing location
 of a public Road in Pike twp.
 Clearfield, Co. Pa.
 Viewed for location June 23rd 1926
 Frank Shulton
 City of Willets
 Geo. H. Weber
 viewers.
 Scale 1/2" to 100'
 Total length 2.495 ft.



To the SUPERVISORS of PIKE TOWNSHIP ROAD DISTRICT.

Notice is hereby given that the undersigned Viewers, appointed by the Court of Quarter Session of Clearfield County, Pennsylvania, to view for Vacation a Road BEGINNING at a point near the intersection of the "Hartshorn Road" and the Back Road to Curwensville, thence in a Northerly direction, approximately three fourths of a mile in Pike Township, to the intersection of a Road leading from the Sandr i Farm to the Hartshorn Mill in Pike Township, in the County aforesaid, will meet at the intersection of the old Hartshorn Road with the Back Road to Curwensville on WEDNESDAY the 23rd day of June 1926 at 1:30 o'clock P.M. to attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Tuesday the 29th day of June 1926 at ten o'clock A.M., when and where all interested parties may attend and be heard.

Mark Hutton
Ed Bellotti
Geo. K. Weber
Viewers.

DuBois, Pa. June 11th 1926

Now, June, ¹⁶ 1926 since of the above notice is accepted for the Supervisors of Pike Township Road District.

Bill Boulton, Tynth

To the COMMISSIONERS OF CLEARFIELD COUNTY, PENNA.

You are hereby notified that the undersigned Viewers, appointed by the Court of quarter Sessions of Clearfield County, Pennsylvania, to view for VACATION a Road Beginning at a point near the intersection of the Hartshorn Road and the back Road to Curwensville, thence in a Northerly direction, approximately three fourths of a mile, in PIKE Township, to the intersection of a Road leading from the "Sandri" Farm to the Hartshorn Mill, in Pike Township, in the County aforesaid, will meet at the intersection of the old Hartshorn Road with the back Road to Curwensville on Wednesday the 23rd day of June 1926 at 1:30 o'clock P.M. to attend to the duties assigned them.

And that the Public Hearing required will be held in the Court House in the Borough of Clearfield, Pa. on Tuesday the 29th day of June 1926 at ten o'clock A.M. at which time and place all parties interested may attend and be heard.

Mark Hutton
Ed Billotte
Geo. R. Weber

Viewers

DuBois, Pa. June 11th 1926

Now, June 12 service of the above notice is accepted for the Commissioners of Clearfield County, Pa.

L. C. Morris
Clerk

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: no releases required

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 them damages and make report thereof, as follows:

no damages to be assessed

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

Witness our hands and seals this 30th day of June, A. D. 1926

Frank Sutton [SEAL]

Ed Billotte [SEAL]

George H. Wilson [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. 12 May Term 19 26

ORDER TO VACATE

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

Now *lph* Sessions 1926
read and confirmed Ni. Si.

By the Court
W. H. H. H. H.
Now *May* Sessions 1921 P. J.
confirmed absolute.

By the Court.
A. H. H. H.

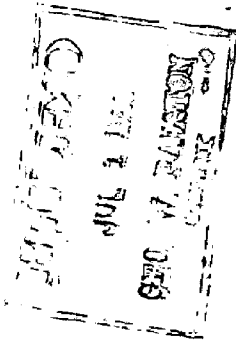
Filed

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Witness my hand and seal of the Court at Clearfield, Pa., this 24th day of June, 1926.

Bell, Boulton & Forsyth, Attys.

324 P. H. J. H.



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 10th day of April in the year of our Lord, one thousand nine hundred and twenty six

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Pike, in the County aforesaid setting forth that one of these roads, which has become useless and burdensome, begins at a point near the intersection of the old Hartshorn road and the back road to Curwensville; thence in a northeasterly direction, approximately three-fourths of a mile; to end at the intersection with a road leading from the Sandri Farm to the Hartshorn Mill

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 Frank Hutton, Esq. Ed. Billotte

and George K. Weber 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 **PIKE**, 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

23rd day of **June**, A. D. 19**26**, 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 **29th** day of **June** A. D., 19**26**, at **10** 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 Walter Long, J. H. Bloom and Joseph Smay, Supervisors of Pike Twp.

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 **29th** day of **June**, A. D. 19 **26**, when the parties interested in the said road were in attendance: W. Albert Ramey Atty for Supervisors, Walter Long, J. H. Bloom and Joseph Smay, Supervisors of Pike Twp.,

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome there was no opposition to the vacation of this road either at the view or the Hearing and was the opinion of all citizens and tax payers present that the road should be vacated, which opinion was fully endorsed by the Viewers. The road gives no indication of having been recently used, there is no improved land abutting on it, there is a stream over which the bridge is very bad and which would cost from \$1200.00 to 1500.00 to replace. The Viewers could not see any use for it nor could they learn of any need for it.