

DOCKET No. 6

Number Term Year

15 Sept 1926

Petition to vacate road in Goshen Twp

Versus

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

In re vacation of a portion of the township }
road beginning at a point called the Turn- }
table on the road leading from Clearfield to }
West Goshen School House to a point situate }
near Ed. Taylor's home, a distance of appros }
imately one mile, said road leading from Clear }
field to West Goshen School House.)

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

The petition of the undersigned Supervisors of Goshen Township respectfully represent:

FIRST: That the township road leading from the point at the Turntable to a point on the road near Ed. Taylor's has become and useless for the township to repair and maintain the same would be burdensome and impracticable for the Supervisors of Goshen Township.

SECOND: They, therefore, respectfully petition the court for the appointment of viewers to vacate said road.

And they will ever pray, etc.

Frank J. Kramer

Joseph Morris

Wearl Taylor
Supervisors of Goshen Township.

IN THE COURT OF JURISDICTION
OF CLEARFIELD COUNTY, PA.

15 Sept 1926

In re vacation of a portion
of the township road begin-
ning at a point called the
Turntable on the road lead-
ing from Clearfield to West
Goshen School House to a
point situate near Mr. Tay-
lor's home, a distance of
approximately one mile, said
road leading from Clear-
field to West Goshen School
House. PETITION.

Done under seal 20th 1926

V. H. Hausey
Ex. Petitt, Ex. Jack
Mueller, are granted
leave to file and
serve. By the court
H. Hausey

JUL 20 1926

CLERK
CLERK

LAW OFFICES
WOODWARD & SHAW
CLEARFIELD, PA.
Woodward & Shaw.

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 Session of Clearfield County Pennsylvania, to view and vacate that part of the public road leading from Clearfield to the West Goshen School House from a point at or near what is known as the Turntable in Goshen township to a point at or near the residence of Ed, Taylor in Goshen township in the county and State aforesaid will meet at the West Goshen school house in Goshen township, county and State aforesaid on Wednesday August the eleventh (11th), A. D, 1926 at ten (10), 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 in the said road, either in favor of or opposed to the vacation thereof a chance to be heard by the viewers, will be held in the Arbitration Room in the Court House in Clearfield Pa on Thursday the twelfth (12th), day of August A. D. 1926. at nine (9), o'clock A. M. at which time and place all parties interested in said road may attend and be heard.

A G Kramer
Ed Billotto
J J Michael
VIEWERS.

Now July 30 1926 service accepted for the county commissioners of Clearfield County Pa and personal service waived.

L O Morris
Clerk.

TO:- Ira, J, Kramer, Joseph Morris and Mearl Kyler.
The Supervisors of Goshen 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 of the public road leading from Clearfield to the West Goshen school house from a point at or near what is known as the Turntable in Goshen Township ; to a point at or near the residence of Ed, Taylor in Geshen; township in the County and State aforesaid will meet at the west Goshen School House in Goshen stownship on Wednesday August the eleventh (11th), A. D. 1926 at ten (10), 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 Assemblu 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 in the said road, either in faver of or opposed to the vacation of the said road a chance to be heard by the viewers will be held in the Arbitration room in the Ceurt Heuse in Clearfield Pa on Thursday the twelfth (12th) day of August A, D, 1926 at nine (9), o'clock A. M. at which time and place all parties interested may attend and be heard.~~

A G Kramer
E D Billotte
J S Michaeli
VIEWERS.

Now Aug. 7th 1926 served this notice on Ira, J, Kramer, Joseph. and Mearl Kyler the supervisors of Goshen Township personally by handing to each one of them a true and correct copy of same.

Joseph Morris

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 20th day of July in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE Supervisors
By the Honorable ~~William B. Kim~~ President Judge of the said Court: Upon the petition of ~~Wm. B. Kim~~ inhabitants of the Township of Goshen, in the County aforesaid setting forth that the township road leadinf from a point called the Turntable on the road leading from Clearfield to West Goshen School House to a point situate near Ed. Taylor's home, a distance of approximately one mile, said road leading from Clearfield to West Goshen School House has become useless and burdensome

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., Ed. Billotte and Jack Michaels 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 **Goshen**, -----, 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

11th day of **August, --**, 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 **12th** day of **August, --** A. D., 1926, 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 **Ira, J. Kramer, Joseph Morris and Mearl Kyler the supervisors of Goshen Township county and State aforesaid, -----**

parties interested, ~~citizen~~ in favor of ~~vacating~~ vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the **12th** day of **August, --**, A. D. 1926, when the parties interested in the said road were in attendance:

To wit: Ira, J. Kramer, Joseph Morris and Mearl Kyler The supervisors of the said township of Goshen parties interested and in favor of vacating the said road with their Attorney A. B. Shaw Esq.-----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has -----, become useless, inconvenient and burdensome ~~to the taxpayers of the township aforesaid and no benefit to the citizens or traveling of said township and therefore recoment that same be vacated : which begins at a point in the public road leading from Clearfield to the West Goshen School house on through to Shawville in said township. At a point on said road known as the turn table near lick run, Thence running over land of Ellis Irvin Estate, Thence running South fifty eight (58) degrees East seven hundred (700) feet thence South fifty two (52) degrees, East Six hundred (600) feet Thence south forty five (45) degrees, East sixty eight feet to the property line of the Sulfridge Estate, Thence over the property of the heirs of the Sulfridge Estate the following courses and distances, to wit: North twenty five (25) degrees East, three hundred and fifty five (355) feet: Thence North, fifteen (15) degrees, East East three hundred (300) feet: North forty (40) degrees, East five hundred (500) feet. Thence North twenty six (26) degrees, East one hundred (100) feet to of land on the East of Archer H. Read and on the west by land of the Lansberry Estate. Thence on the dividing line between the said A. H. Read and the said Lansberry Estate the following courses and distances to wit: North fifteen (15) degrees, East six hundred (600) feet.~~

Thence North twenty seven (27) degrees, thirty (30) minutes East three hundred (300) feet; Thence North twenty eight (28) degrees, East three hundred (300) feet; Thence North thirty six (36) degrees, thirty (30) minutes, East three hundred (300) feet to property line of Harry W Flegal, Thence over land of Harry Flegal the following courses and distances to wit:

North twenty one (21) degrees, East one hundred (100) feet; Thence North three (3) degrees thirty (30) minutes, East two hundred (200) feet; Thence North eighteen (18) degrees East two hundred (200) feet; Thence North twenty four (24) degrees, East four hundred (400) feet; Thence North twenty six (26) degrees, East six hundred (600) feet; Thence North twenty five (25) degrees, East four hundred (400) feet to property line of Ira Tate on the north and Ed Taylor on the East on the dividing line of said properties the following courses and distances, to wit: North forty (40) degrees fifteen (15) minutes, East two hundred (200) feet; Thence North forty three (43) degrees forty five (45) minutes, East three hundred (300) feet; Thence North fifty nine (59) degrees, forty five (45) minutes East two hundred (200) feet; Thence North seventy one (71) degrees, forty five (45) minutes, North three hundred (300) feet; Thence North fifty one (51) degrees, East one hundred (100) feet; Thence North sixteen (16) degrees, East one hundred (100) feet; Thence North three (3) degrees, West one hundred (100) feet; Thence North ten (10) degrees thirty (30) minutes East one hundred (100) feet; Thence North fifty one (51) degrees forty five (45) minutes East thirty five (35) feet to a point in the public road leading from the west Goshen School House past the residence of Ed Taylor about six hundred feet north west of the barn of Ed Taylor in Goshen Township 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, to assess them damages and make report thereof, as follows:

and we herewith return ~~notices~~ ~~notices obtained~~ and copy of the notices served on the Supervisors and county commissioners.

Witness our hands and seals this 20th day of August, A. D. 1926.

A. E. Knobell [SEAL.]

E. T. Billotte [SEAL.]

J. S. Michaels [SEAL.]

Viewers.

No. 15 Sept Term 19 26

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 circumstances, they are invited to state their reasons.

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in the Township of Goshen
Clearfield County.

Now ~~Sept~~ Sessions 19 26

$B = 1, C = 0$.

By the Count

A. M. Chase

Filed 19

Atty. Woodward & Shaw

Fees \$1.25 paid by

