

DOCKET No. 5

Number	Term	Year
20	Sept	1926

Petition to vacate road in Bell Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN., A.

In Re: Vacation of a portion of the old State Highway route at a point on the road leading from Megees Mills to Burnside TW, P line to wit, Beginning at the Watering trough to cattle pen a distance of one half mile, thence, from the Joe Campbell Property to the H. W. Wetzel Farming a distance the of one eighth of a mile, third; Beginning at the Jim. Campbell Property, thence to the Susquohanna School House a distance of approximately one half mile in length, Fourth; Beginning at the Property of Edwin. Sunderlin thence to the Burnside TW, P line, a distance of approximately two miles.

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

The petition of the undersigned Supervisors of the township of Bell respectfully represents; 6=====

FIRST; That the State Highway in said Township of Bell leading from Megees Mills to the Burnside TW, P line at certain points on said Route, which have been indicated above, has been abandoned by the State Highway Department according to their late survey and reversed the jurisdiction and upkeep of said Route to the jurisdiction of Bell Township.=====

SECOND: That to keep up this small portion or portions of the old highway which has been abandoned by the State Highway Department would be burdensome and impracticable for the Supervisors of Bell Township.=====

They, therefore, respectfully petition the Court for the appointment of viewers to vacate said road.=====

And they will ever pray etc.

J. W. Gue
W. F. Hall

Supervisors of Bell Township

This Indenture

Made the _____ day of _____ in the year of our

~~Lord one thousand nine hundred and~~

~~Between~~

~~of the second part: Withuneth,~~ That the said part _____ of the first part, for and in consideration of the sum of _____

~~lawful money of the United States of America, well and truly paid by the said part _____ of the second part to the said part _____ of the first part, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged,~~ granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said part _____ of the second part, _____ heirs and assigns.

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

208th 20 1986

In Re: Vacation of a portion
of the old State Highway route
at apoint on the road leading
from McGees Mills to Burnside
Twp line to wit, Beginning at
the Watering trough to cattle
pen, a distance of one half
mile, thence from the Joe
Campbell property to the H.V.
Wetzel Fording, a distance of
one eighth of a mile; third,
Beginning at the Jim Campbell
property, thence to the Sus-
quehanna School House, a dis-
tance of approximately one
half mile in length; Fourth,
Beginning at the property of
Eakin Sunderlin, thence to the
Burnside Twp line, a distance
of approximately two miles.

P E T I T I O N

Now August 27th 1986

Frank Weston Esq.

of Ballville, county

Shawnee Co. West Va. and
allotted to various
parties by the Court.

W. J. Shaw

AUG 27 1986

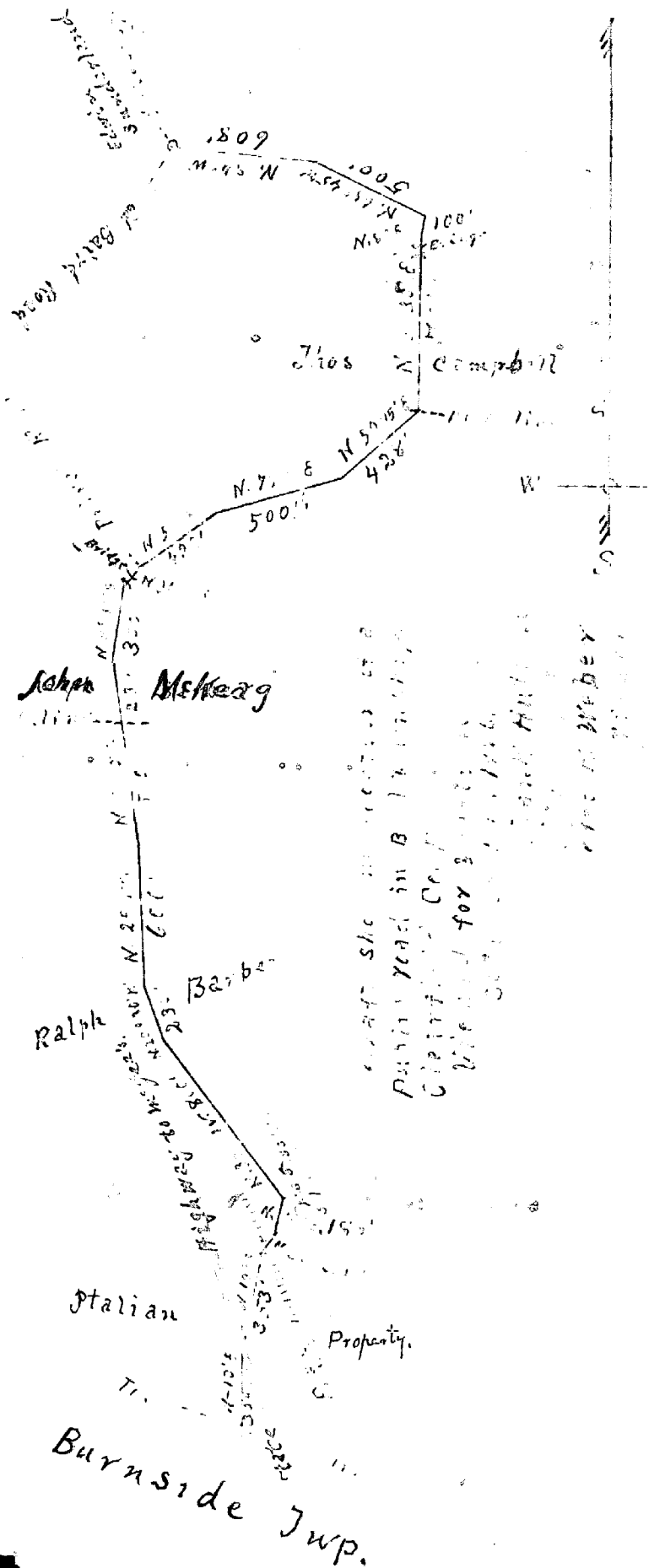
WOODWARD & Shaw.

OTHER

In re. vacation of a portion of the
old State Highway route at a point
on the road leading from Magees Mills
to Burnside Twp. line to wit, Beginning
at the Watering trough to cattle pen
a distance of one half mile, thence,
from the Joe Campbell property to
the H. W. Wetzel fording a distance the
of one eight of a mile. Third.
Beginning at the Jim Campbell property
thence to the Susquehanna School House
a distance of approximately one half
mile in length. Fourth:
Beginning at the property of Edwin
Sunderlin thence to the Burnside Twp.
line a distance of approximately two
miles.

Petition

1st. That the State Highway in said Twp of Bell, leading from
Magees Mills to the Burnside Twp line at certain points on said
route which have been indicated above, has been abandoned by the
State Highway Dept. according to their late survey and reversed the
jurisdiction and upkeep of said route to Bell Twp. That to keep
up this small portion or portions of the old highway would be
burdensome for the Supervisors of Bell Twp



STATION 12.00
 12.00
 12.00

12.00
 12.00
 12.00

12.00

Direct Showing the
 cities of Appleton, Port
 Washington, Clear
 Lake, Contra Costa,
 Mendocino for location
 of the 15th A.D. 1900.

STATION 12.00
 12.00

STATION 12.00
 12.00
 12.00

STATION 12.00
 12.00

TO THE SUPERVISORS OF BELL TOWNSHIP ROAD DISTRICT.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania to view for Vacation certain pieces of Road, all in Bell Township and between McGees Mills and the Burnside Township line; The First, Beginning at the Waterin Trough to Cattle Pen a distance of about one-half mile, thence from the Joe Campbell property to the H.W. Wetzel Fording, a distance of about one-eighth mile; ALSO one Beginning at the Jim Campbell property, thence to the Susquehanna School House, a distance of about one-half mile; ALSO one Beginning at the property of Edwin Sunderlin, thence to the Burnside Township line, a distance of about two miles, will meet at the Burnside Township line on Friday the 15th day of October 1926 at 9 o'clock A.M. you attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Wednesday the 20th day of October 1926 at 9:30 o'clock A.M. at which time and place all interested parties may attend and be heard.

Iruek Hutton
Ed Billotte
George H. Weber
Viewers.

DuBois, Pa. Oct. 1st 1926.

Now, October 6th 1926 service of above notice is accepted for the Supervisors of Bell Township Road District.

Howard & Shaw
Atty's

TO THE 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 for Vacation certain pieces of road in BELL Township, between MaGees Mills and the Burnside Township line; The First Beginning at the Watering Trough to Cattle Pen a distance of about one-half mile, thence from the Joe Campbell property to the H.W. Wetzel Fording a distance of about one-eighth mile; ALSO one Beginning at the Jim Campbell property, thence to the Susquehanna School House a distance of about one-half mile; ALSO one Beginning at the property of Edwin Sunderland, thence to the Burnside Township line a distance of about two miles will meet at the Burnside Township line on Friday the 15th day of October 1926 at nine o'clock a.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 on Wednesday the 20th day of October 1926 at 9:30 o'clock A.M. when and where all interested parties may attend and be heard.

Frank Lutton
Egl. Billotte
George H. Weber
Viewers.

DuBois, Pa. Oct 1st 1926.

Now, Oct. 8 1926 service of above notice is accepted for the Commissioners of Clearfield County.

L. C. Harris
Clerk

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 27th day of August in the year of our Lord, one thousand nine hundred and twenty six

By the Honorable ~~Shadrach Bell~~ ^{A. R. CHASE}, President Judge of the said Court: Upon the petition of ~~residents~~ ^{Supervisors} of the Township of Bell, in the County aforesaid setting forth that

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. 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 Bell, and that five notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

15th day of October, 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 20th day of October, A. D., 1926, at 9:30 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 S.W. Lee and I.E. Dull Supervisors of Bell Twp and Ed Sunderlin Citizen and W.B. Stephenson

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 20th day of October,

A. D. 1926, when the parties interested in the said road were in attendance: A.B. Shaw, Esq., Atty. for the petitioners, S.W. Lee and I.E. Dull Supervisors all parties favorable to the petition. No appearance adverse to petition.

The witnesses present were either sworn or affirmed and examined and evidence heard

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has, become useless, inconvenient and burdensome and should be vacated as prayed for. A draft of the several sections of road which were not occupied by the new State highway is hereto attached and made part of this report and show specifically the pieces of road 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: 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 sustained

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

Witness our hands and seals this thirtieth day of November, A. D. 1926

Frank Sutton [SEAL.]

E. B. Billotte [SEAL.]

George R. Weber [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. 20 Sept Term 19 26

ORDER TO VACATE

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

Now 10⁰⁰ Sessions 19 26 read and confirmed Ni. Si.

By the Court.

Now 1⁰⁰ Sessions 19 26 confirmed absolute.

By the Court.

Filed 19

Atty,

Fees \$1.25 paid by

Woodward & Shaw, Attys.

