

Road

DOCKET No. 6

Number Term Year

6

Sept

1927

Petition to vacate road in Cooper Twp

Versus

X

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

In re: Road in the
Township of Cooper,
Clearfield County,
Pennsylvania. :
: No. September Sessions, 1927.
:
:

The petition of Charles A. Johnson, Charles Ardary and Morton W. Peters, Supervisors of the Township of Cooper, respectfully sets forth that Charles A. Johnson, Charles Ardary, and Morton W. Peters, are the duly qualified Supervisors of the Township of Cooper.

That a Pennsylvania State Highway Route No. 219 was laid out by the Sproul Act of 1911, which said State Highway extends from Clearfield to Bellefonte, and passes, inter alia, from the Village of Munson in Morris Township, to Cooper Township, through the Village of Kylertown; and thence in a general Northerly direction to the line of Centre County and Clearfield County.

That in the Spring of 1926, the Department of Highways of the Commonwealth of Pennsylvania relocated portions of the same, abandoned the portions of the old State Highway not included within the lines of the relocation.

That the various portions of the original State Highway Route No. 219, which were abandoned, have been useless, inconvenient and burdensome, for the reason that the new and improved State Highway Route No. 219, as relocated, furnishes a sufficient and adequate road.

The petitioners pray the Court that the following portions of said Road (leading from the Cooper-Morris Township line, Northerly to the Centre-Clearfield County line) be vacated:-

(1) Beginning at Station 437, plus 25, (Sproul Highway Station,) and ending at Station 480, plus 77, (Sproul Highway Station,) EXCEPTING, that piece of said road between Dicks Store, and ending at the Sandcroft and Boyd McBath line. The amount of road to be vacated being approximately 3900 feet.

(2) Approximately 1573 feet beginning at Station 436, plus 12, Sproul Highway Station, and ending at Station 451, plus 85, Sproul Highway Station.

(3) Approximately 1350 feet beginning at Station 553, plus 25, Sproul Highway Station, and ending at Station 566, plus 40, Sproul Highway Station.

(4) Beginning where said State Highway Route No. 219, (Sproul location) intersects with the Township road leading to Karthaus, which intersection is North of Station 730, approximately 400 feet, and extends from said intersection to Station 804, plus 20, intersecting with the new macadam relocated state highway, approximately 8,000 feet.

That your petitioners pray that a portion of State Highway Route No. 219, Sproul Act, as abandoned by the State, be vacated and supplied as follows:-

That there be vacated all of said road (except where same be intersected with the new macadam relocated State Highway) for a distance of approximately 3806 feet, beginning

at Sproul Station 574, plus 40, and ending at Sproul Station 612, plus 46, and that said piece of road be supplied by the laying out of a new road for a distance of approximately 600 feet, which new road shall begin at the intersection of the Township Road leading to Sylvan Grove from the abandoned State Highway (near Station 590 Sproul Act) and extending on the same line as the Sylvan Grove line in an Easterly direction to the new macadam relocated State Highway Route No. 219.

And they will ever pray, etc.

E E Ordary
Morton Peters
Chas A Johnson
Supervisors of Cooper Township

STATE OF PENNSYLVANIA, :
COUNTY OF CLEARFIELD. : SS:

CHARLES A. JOHNSON, CHARLES ARDARY, and
MORTON W. PETERS, being duly sworn according to law depose and
say that they are the Supervisors of the Township of Cooper,
Clearfield County, Pennsylvania, and that the facts set forth in
the foregoing Petition are true and correct.

Sworn and subscribed before me
this 2nd day of July A. D. 1927.

Chas Diviner JP

My Commission Expires Feb
1st day of January 1928

... Charles Johnson
... Chas Ardary
... Morton Peters
...
...
...

IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY, PENNA.
NO. SEPTEMBER SS. 1927.

Sept. 11 1927

In re: Road in the
Township of Cooper,
Clearfield County, Pa.

PETITION.

*Received 5-2-1927
Baron Warner Esq.
of Bellefonte Pa.
for the purpose of
the above petition
to view and report
by the court*

FILED

JUL 5 1927

REC'D
W. R. RAYNOLD & PLATT
CLERKS AT LAW
CLEARFIELD, PA.

Thence running North eighty two (82) degrees, thirty two (32) minutes
West nine hundred (900) feet Thence over land on the South by Mike Raider

Thence running North Eighty two (82) degrees, thirty two (32) minutes
West nine hundred (900) feet West nine hundred (900) feet;;

Thence running North eighty two (82) degrees thirty

Thence running North eighty two (82) degrees, thirty two (32) minutes
West nine hundred (900) feet; Thence over land on the North owned by
Rade Raymond, and on the South by Mike Raider; North Eighty three (83)
(83) degrees West six hundred and thirty five (635) feet to the
Township road leading from Clearfield to the mouth of Moshannon in
Cooper Township the terminus of said road.

ALSO laid out a public road leading from the State Highway
in said township to the end of the road leading to Sylvan Grove, The
beginning of the road laid out on the State Highway is at or near
the residence of Charles Bechtol and is laid out on the land of Charles
Bechtol adjoining the property line of George Raider and is two
hundred and eighty (280) feet in length

The damages assessed for the value of the land taken for
said road is

\$25.00

A Pennsylvania State Highway Route No. 219 was laid out by the Sproul Act of 1911, which said highway extends from Clearfield to Bellefonte, and passes, inter alia, from the Village of Munson in Morris Twp, to Cooper Township, through the village of Kylertown; and thence in a general northerly direction to the line of Centre County and Clearfield Co.

That in the Spring of 1926, the Department of Highways ~~and Highways~~ of the Commonwealth of Pennsylvania relocated portions of the same, abandoned the portions of the old state highway not included within the lines of the relocation.

That the various portions of the original state highway Route No. 219, which was abandoned, have been useless and burdensome, for the reason that the new state highway Route No. 219 as relocated, furnishes adequate road.

The petitioners pray that the following portions leading from Cooper-Morris Twp. line, northerly to the Centre-Clearfield County line be vacated Beginning at Station 437, plus 25, (Sproul Highway Station), and ending at Station 480, plus 77, (Sproul Highway Station) Excepting, that piece of said road between Dicks Store, and ending at the Sandcroft and Boyd Mcbath line, the amount of road to be vacated being approximately 3900 feet;

Approximately 1573 feet beginning at Station 436, plus 12, Sproul Highway Station, and ending at Station 451, plus 35, Sproul Highway Station.

Approximately 1350 feet beginning at Station 553, plus 25, Sproul Highway Station, and ending at station 566, plus 40, sproul highway station.

Beginning where said state highway Route No. 219, (Sproul location) intersects with the township road leading to Karthaus, which intersection is north of station 730, approximately 400 feet, and extends from said intersection to station 804, plus 20, intersecting with the new macadam relocated state highway approximately 8,000 feet.

That your petitioners pray that a portion of state highway Route No. 219, Sproul Act, as abandoned by the state be vacated and supplied as follows: That there be vacated all of said road (except where same be intersected with the new macadam relocated state Highway) for a distance of approximately 3806 feet, beginning at Sproul station 574, plus 40, and ending at Sproul Station 612, plus 46, and that said piece of road be supplied by the laying out of a new road for a distance of approximately 600 feet, which new road shall begin at the intersection of the township Road leading to Sylvan Grove from the abandoned State Highway (near Station 590 Sproul Act) and extending on the same line as the Sylvan Grove line in an Easterly direction to the new macadam relocated State Highway Route No. 219.

TO, JESSE. E, DALE. T, R, WEIMER, AND W, B, McCRACKEN
THE 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 those several sections of the township road, leading from the township line of Morris Township from at or near the village of Morrisdale, through Cooper Township to at or near the Centre County line in Clearfield County Pa, supplied by the State Highway leading in a northly direction through the village of Kylertown, as follows, to wit.

From Station No 437, plus 25, on said State Highway, on Route No 212, To Station 480 plus 77, Except that piece of said road, between Dicks store to the sanderoft and Boget McBath line the distance to be vacated being 3900 feet.

Section number two (2) from Station number 436 plus 12 to station number 451 plus 85 a distance approximately 1573 feet.

Section number three (3) from station number 553 to station number 566, plus 40 approximately 1350, feet.

Section number four (4), from station number 219, intersecting with the township road leading to Karthaus, to station number 730 approximately 400 feet.

And also vacate approximately 3806 feet, From station number 574, plus 40 to station No 612, plus 46.

And to view and lay out a public road a distance of approximately 600 feet, from a point at the intersection of the township road leading to Sylvan Grove from the State Highway to at or near the station, number 590, Spreul Aet, And extending in an easterly direction to the Sylvan Grove line of route number 219, In Cooper Township Clearfield County and State aforesaid.

Will meet at section number one (1) to be vacated at or near the village of Morrisdale in Cooper township on Tuesday August the second (2) A, D, 1927 at nine thirty (9.30) 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 in the said road with their witnesses and the County Commissioners a chance to appear and be heard by the viewers before the filing of their report in Court will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa on Wednesday August the third (3) A, D, 1927 at nine (9) o'clock A. M. at which time and place all parties interested may appear and be heard..

A. H. Kramer

E. D. Billotte

J. S. Michaels

VIEWERS.

Now July 22 1927 service accepted for the county Commissioners of Clearfield county Pa.

L. C. Hannis

Clerk.

TO: CHARLES, A, JOHNSON, CHARLES, ARDERY AND, MORTON.
W. PETERS.

The Supervisors of Cooper Township Clearfield County
Pennsylvania.

You are hereby notified, that the undersigned view-
ers appointed by the Court of quarter Sessions of Clearfield County
Pennsylvania to view and vacate those several sections of the town-
ship road leading from the Morris Township line at or near the vil-
lage of Morrisdale, Through Cooper Township to at or near the Cen-
tre County line in Clearfield County Pa, Supplied by the State
Highway leading in a Northerly direction , Through the village of
Kylertown as follows, to wit.

From Station No 437, Plus 25, on said State Highway on
route No 212 To station 480 plus 77, Excepting that piece of said
road between Disks store to the Sanderoft and Boget McBath line
the distance to be vacated being about 3900 feet.

Section No two (2) from station No 436 plus 12, to Sta-
tion No 451 plus 85 , a distance approximately 1573 feet.

Section No 3, from station No 553 to station No 566 plus
40 approximately 1350 feet.

Section No 4, from station No 219, intersecting with the
township road leading to Karthaus, to station No 730 approxima te-
tely 400 feet.

And also vacate approximately 3806 feet, From station No
574, plus 40, station No 612, plus 46.

And to view and lay out a public road a distance of approx-
imately 600 feet, from a point at the intersection of the township
road leading tp Sylvan Grove from the said State Highway; at or
near station No 590 Sproul Aet, And extending in ~~an~~ easterly di-
rection to the Sylvan Grove line of route No 219, In Cooper Town-
ship Clearfield County and State aforesaid.

Will meet at section No one (1) to be vacated at or near
the village of Morrisdale in Cooper township on Tuesday August
the second (2) A, D. 1927 at nine thirty (9.30) o'clock A. M. to
attend to the duty assigned them of which time and place afore-

said 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 with their witnesses and the county Commissioners a chance to appear and be heard by the viewers before the filing of their report in Court will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa on Wednesday August the third (3) A. D. 1927 at nine (9) o'clock A. M. at which time and place all parties interested may appear and be heard.

A G Kramer

E W Billotte

J L Michaels
VIEWERS.

Now July 23 - 1927 served this notice on Charles A, Johnson Charles Ardery and Morton W, Porters the Supervisors of Cooper Township, Clearfield Pa personally by handing to each of them a true and correct copy of same.

John A. Pearce Sec

*Filed July 23 1927
Clearfield Pa
J. A. Pearce*

No; 2;

Beginning at a point at the intersection of the State Highway with the road to be vacated on the property of E, J, Thompson Thence running North over land of the said E, J, Thompson eighty six (86) degrees, thirty five (35) minutes, East five hundred (500) feet to property line of Yorum South eighty three (83) degrees, East six hundred (600) feet, thence South fifty two degrees (52) East three hundred and nineteen (319) feet to the intersection of the State Highway.

No 3;

Beginning at the intersection of the State Highway on land of Fred Geisey. Thence running North ten (10) degrees West one hundre and sixty two (162) feet; Thence North twenty one (21) degrees forty five (45) minutes, East nine hundred and thirty eight (938) feet to the connection of the State Highway at the Blacksmith shop of David Westburg.

No, 4;

Beginning at the intersection of the State Highway on the property of Joseph Little, Thence running North seventeer (17) degrees fifteen (15) minutes, East seven hundred and twenty five (725) feet to a State Highway crossing, Thence over land of Geo Raider on the East and on the West by land of Charles Bechtol North seventeen (17) degrees, East three hundred (300) feet thence North thirty nine (39) degrees East three hundred (300) feet Thence North fifty eight (58) degrees East one hundred and thirty eight (138) feet to new road laid out see draft and description of same from thence road vacated runs North sixty nine (69) degrees, East twelve hundred (1200) feet to a State Highway crossing

Thence

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 5th day of July in the year of our Lord, one
thousand nine hundred and twenty seven

By the Honorable ^{A. R. CHASE} ~~Singleton Bell~~, President Judge of the said Court: Upon the petition of ^{Supervisors} ~~summons~~
inhabitants of the Township of COOPER, 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 ap-
point from and among the County Board of Viewers AARON 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 appoint-
ment, 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 trans-
mit 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 Cooper ----- and that three copies of notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the second day of August, -----, A. D. 1927, 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 third day of August ----- A. D., 1927, 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 besides the viewers Charles Ardery and Mortin W. Peters two of the supervisors of Cooper Township; -----

parties interested, ~~in~~ 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 third (3rd) day of August, A. D. 1927, when the parties interested in the said road were in attendance: Charles Ardery and Morton W. Peters two of the supervisors of said Township none others appearing with the Attorney John C. Arnold Esq.-----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome and therefore recommend that sections of the said road supplied by the State Highway as shown by the draft is of no further use therefore recommend that the sections as shown on draft be vacated on account of being supplied by the State Highway to wit. at a point on the farm of Dr Geo B Kirk near the Morris Township line at the point where the State Highway connects with the said road. Thence running North ten (10) degrees, East one thousand three hundred (1300) feet, Thence North sixteen (16) degrees thirty (30) minutes, East fifty (50) feet. Thence North fifty five (55) degrees East five hundred and sixty nine feet to the crossing of the crossing of the State Highway, Thence over land of Sandcroft North eighty six (86) degrees, thirty (30) minutes East seven hundred (700) feet; Thence North twenty three (23) degree East fifty (50) feet; Thence North six (6) degrees, thirty (30) minutes East six hundred and twenty six (626) feet to land of H. Montz at cement block Thence South Eighty six (86) degrees, Thirty (30) minutes East Four hundred thirty four (434) feet to land of Sandcroft Boyd and McBath line at or near the village of Kylertown.

Continuance of No. 4.

Thence over land of Claud Fulmer North sixty three degrees, thirty minutes East five hundred and sixty two (562) feet to the connection of the State Highway.

No. 5.

Beginning at a point where the road vacated connects with the State Highway leading from Kylertown to Snow Shue. on land of Steinkachner & Rider Thence running North forty five (45) degrees, thirty (30) minutes, West three hundred (300) feet, thence North twenty eight (28) degrees thirty (30) minutes West two hundred (200) feet; Thence North thirteen (13) degrees, forty five (45) minutes West six hundred (600) feet, to property line of Christ Hartle, Thence over land of the said Christ Hartle the following courses and distances to wit, North twenty one (21) degrees, thirty (30) minutes West five hundred (500) feet. Thence North fifty three (53) degrees thirty (30) minutes West three hundred (300) feet, thence North fifty seven (57) degrees fifteen (15) minutes, West five hundred (500) feet to property line of Francis Hartle; Thence over land of the said Francis Hartle the following courses and distances. North seventy five (75) degrees, forty five (45) minutes, West seven hundred (700) feet. Thence North seventy two (72) degrees, forty five (45) minutes West nine hundred (900) feet, Thence North seventy (70) degrees, West four hundred (400) feet. Thence North sixty (60) degrees, West Eleven hundred (1100) feet to property line of Ed, Raymond on the North and Swansa on the South thence running North

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

and copy of the notices served

Witness our hands and seals this 26th day of August, A. D. 19 27

A. G. Krancer [SEAL]

E. B. Billotte [SEAL]

J. S. Michael [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
A. G. Kramer	4	64	\$33.20
E. W. Billotte	4	92	\$34.60
J. J. Michael	3	138	\$29.00

No. 6 Sept Term 19 27

ORDER TO VACATE

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

Now *Sept* Sessions 19 27
read and confirmed Ni. Si.

By the Court
A. H. Chase
Now *Dec* Sessions 1927
confirmed absolute.

By the Court.

A. H. Chase
P. J.

Filed 19

Atty,

Fees \$1.25 paid by

Arnold & Platt, Attys.

