

Road

DOCKET No. 6

Number Term Year

2 May ss 1928

Petition to vacate road in Bloom. Twp

Versus

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To THE COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You and each of 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 leading from a point in a public road at farm buildings of LESTER KENDALL, in BLOOM Township to a point in a public road on line of land of NELLIE HAAG in BLOOM Township, in the County aforesaid, will meet at the house known as GOFFE ACRES in BLOOM Township, on Tuesday the 24th day of April 1928 at 8:30 o'clock A.M. to attend to the duty assigned them.

And that the required Public Hearing will be held in the Court House, in the Borough of Clearfield, Pa., on Wednesday the 25th day of April, 1928 at nine o'clock A.M. at which time and place you may attend and be heard, if you so desire.

Frank Sullivan
Ed. Billotte
Jesse E. Dall
Viewers

DuBois, Pa. April 10th 1928

Now, April 11 1928, service of the above notice is accepted for the Commissioners of Clearfield County, Pennsylvania.

L. O. Morris
Commissioners Clerk

2.5

TO THE SUPERVISORS OF BLOOM TOWNSHIP ROAD DISTRICT.

You and each of 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 leading from a point in a public road at farm buildings of LESTER KENDALL, in BLOOM Township to a point in a public road on line of lands of NELLIE HAAG in BLOOM Township, will meet at the house known as GOFFE ACRES in BLOOM Township on Tuesday the 24th day of April, 1928, at 8:30 o'clock A.M. to attend to the duties assigned them.

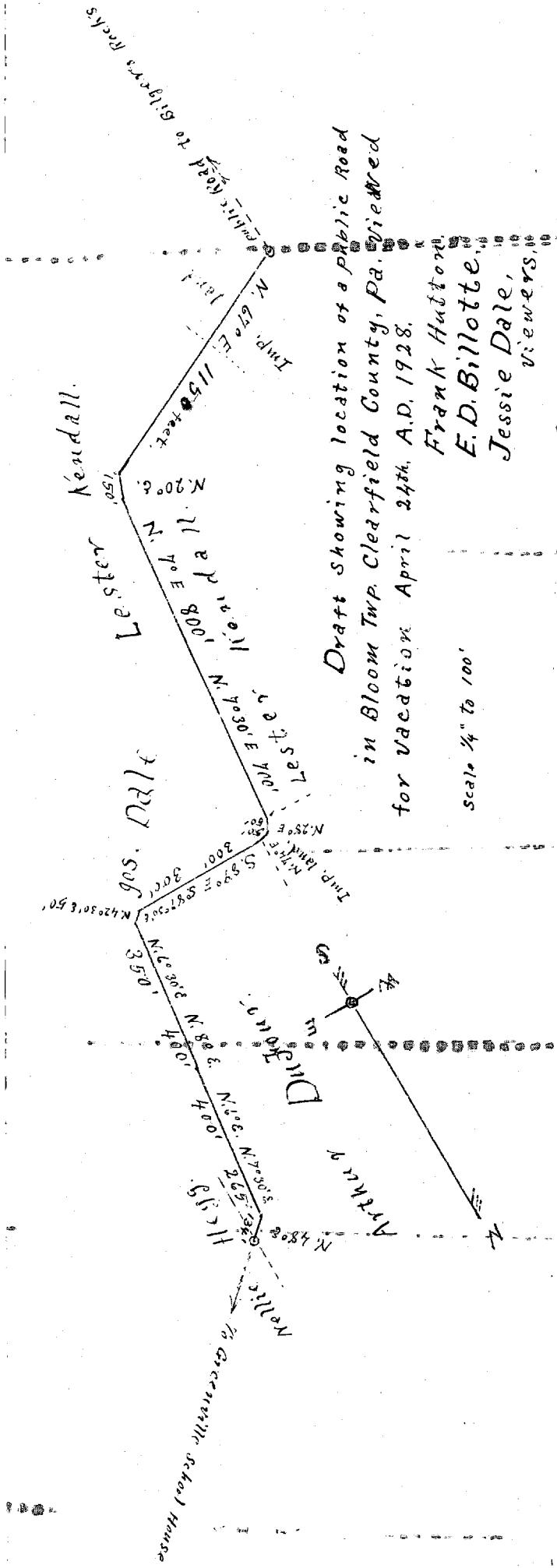
And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa., on Wednesday the 25th day of April, 1928, at nine o'clock A.M. when and where all parties interested may attend and be heard.

Frank Brullin
E. G. Billotte
Jesse E. Dale
Viewers

DuBois, Pa. April 10th 1928

Now, April 1928, service of the above notice is accepted for the SUPERVISORS of BLOOM Township Road District.

Bill Brullin, Farny
attns to Bloom Rd. Dist.



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 12th day of March in the year of our Lord, one thousand nine hundred and twenty eight

A.R.CHASE

By the Honorable ~~Stephen E. Billotte~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Bloom, in the County aforesaid setting forth that

there has long existed a certain public road in said township from a point in a public road at farm buildings of Lester Kendall to a point in public road on line of Nellie Haag, which has become useless and burdensome; this road is incapable of being made reasonable for travel and serves no purpose, public or private as a highway

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 Frank Hutton, Esq., Ed. Billotte

and Jesse E. Dale 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.

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 Bloom , 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

24th day of April , A. D. 1928, 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 25th day of April A. D., 19 28 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 Paul Hartzfeldt, Supervisor of Bloom 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 25th day of April ,

A. D. 19 28 , when the parties interested in the said road were in attendance: Cortez Bell Esq., of Bell Boulton and Forsythe Attys for the Supervisors of Bloom Township and Paul Hartzfelat, Supervisor of said Township. No other appearances

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ~~been~~, become useless, inconvenient and burdensome to the Township of Bloom. Your Viewers find on the ground that the road asked to be vacated, begins at the farm buildings of Lester Kendall and extends something more than one mile to the property of Neilie Haag; that the road in question gives no surface indications of having been worked by the Township authorities or having been used for traffic purposes of any kind; much of it is low and swampy ground and runs through woodland in fact there is not over 1000 feet of improved land abutting on it in the entire length. Only one residence with farm buildings are in sight and this family use a shorter and private road out to the Concrete Highway, which private road is over their own lands.

The road in question appears to be one of those roads, that has long since ceased to function as such and abandoned by the authorities and the public as well and is described as follows:- Begin at point in public road at farm buildings of Lester Kendall; thence North 67 Degrees East, 1150 feet; thence N. 20 degrees E. 150 feet; thence North 70 degrees East, 800 feet; thence N. 70 degrees 30' East 700 feet; thence

D.C.

North 25 degrees E. 50 feet; thence North 74 degrees East 50 feet; thence South 89 degrees East 300 feet; thence South 87 degrees E. 300 feet; thence N. 42 degrees 30' E. 50 feet; thence North 6 degrees 30' East, 350 feet; thence N. 8 degrees East 400 feet; thence N. 6 degrees E., 400 feet; thence N. 7 degrees 30' E. 265 feet; thence N. 48 degrees E., 134 feet to line of Nellie Hagg property.

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 vacating 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 assess

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

Witness our hands and seals this 26th day of April, A. D. 1928

Frank Sutton [SEAL.]

E. B. Billotte [SEAL.]

Jesse E. Hale [SEAL.]

Viewers.

No. 2 May Term 19 28

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 advantages as well as the disadvantages of the road, they will report to that effect.

To view and vacate road situate in the Township of Bloom

Clearfield County.

Now May Sessions 1928

read and confirmed Ni. Si.

By the Court
S. H. Bell
Now May Sessions 1928

confirmed absolute.

By the Court

A. H. Hutton

Filed 19

Atty. Bell, Boulton & Forsyth

Fees \$1.25 paid by

FILED
May 3-1928
GEO. W. RALSTON
CLERK

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

In re:

Vacation of Road in Bloom Township :

To the Honorable A. R. Chase, President Judge:

The petition of the undersigned residents and taxpayers of Bloom Township, Clearfield County aforesaid, and including therein the Supervisors of said Township, respectfully represents:

That there has long existed a certain public road in said township from a point in a public road at farm buildings of Lester Kendall to a point in public road on line of Nellie Haag, which has become useless and burdensome; this road is incapable of being made reasonable for travel and serves no purpose, public or private, as a highway.

They therefore pray that the road above described shall be vacated and that viewers be appointed to the end that the proceedings be had provided by law for the vacation of roads.

And they will ever pray.

Lester Kendall

S. P. Leonard

J. V. Wood

G. A. Clark

C. Hartfield

G. V. Weber

J. B. Wood

C. L. Kendall

Warren Charles

Percy Colton

STATE OF PENNSYLVANIA :

: SS

COUNTY OF CLEARFIELD :

Pass, Blow up, Supervisors.

J. L. Smith, being sworn according to law deposes and says that the facts set forth in the foregoing petition are true to the best of his knowledge, information and belief.

J. L. Smith

Sworn and subscribed to before me,
this 5 day of *March*, A.D. 1928.

J. F. Henry J.P.

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1926

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, are held and firmly bound to the County of Clearfield in the sum of one hundred dollars (\$100.00), to which payment we do bind ourselves and our successors and representatives by these presents.

Sealed with our seals this 5th day of ~~January~~ March 1928.

The condition of this obligation is such that, whereas a petition has been presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania, praying for the vacation of a certain road from a point in the public road at the farm buildings of Lester Kendall to a point in public road at line of land of Nellie Haag.

NOW THEREFORE by virtue of said proceeding, the road so described shall be vacated by the Court, then this obligation to be void and of no effect; otherwise to be and remain of full force and virtue.

G L Smith

B A Thomas

Paul M Hartfeld
Supervisors.

IN THE COURT OF QUARTER SIS-
SIONS OF CLEARFIELD COUNTY,
PENNA.

2 May 1928

In re:

Vacation of Road in Bloom
Township

PETITION TO VACATE
and
BOND

From March 12th 1928

Frank Miller Esq.
Ed Bellotte and
Leslie O'Hallie inc
affiliated herein
to have and repossess
by the cause
Ed Bellotte

