

ROAD

DOCKET No. ⁶

Number

Term

Year

6

SEPT SS

1928

Petition to vacate and supply road

in Bradford Twp.

Versus

R.L. #6 - Page 199

X

Part Twp. Rd. 17611

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 30th day of July in the year of our Lord, one thousand nine hundred and twenty eight

A. R. CHASE
By the Honorable ~~Singleton~~ Bel, President Judge of the said Court: Upon the petition of sundry and supervisors inhabitants of the Township of BRADFORD, in the County aforesaid setting forth that a road long since laid out leading from Pleasant Valley Church to Egypt from a point near the John Goodrow residence and ending at or near the residence of F. L. Conoway, is steep, hard to keep up and drifts in winter so it cannot be traveled, your petitioners therefore pray the Honorable Court to appoint viewers to vacate that portion of the above mentioned public road and supply the same with a new road from the said John Goodrow's residence to the said F. L. Conoway's residence and they will ever pray.

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 John Scollins, Esq., Ed. Billotte and

Jesse 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.

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 Bradford, 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

18th day of September, 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. the View and Hearing having been continued 2 weeks by agreement and after notice to all parties in interest, on the 21st day of September A. D., 1928, at 10:00 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: A. B. Lansberry and W. H. Kephart, Supervisors; and John Goodrow

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 21st day of September, A. D. 1928, when the parties interested in the said road were in attendance: Carl A. Belin, Esq., Attorney for petitioners, with A. B. Lansberry and W. H. Kephart, Supervisors.
A. B. Lansberry and W. H. Kephart, sworn, examined and cross-examined by counsel and your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome, to wit: Beginning at a post on the Township Road leading from Pleasant Valley Church to Egypt; thence South 67 degrees 30 minutes East 100 feet to a post; thence South 85 degrees East 200 feet to a post; thence North 76 degrees East 100 feet to a post; thence South 74 degrees East 200 feet to a post; thence South 80 degrees 30 minutes East 500 feet to a post; thence South 85 degrees East 353 feet and ending at a post in said public Road.

That owing to its steep grades it has fallen into disuse by the public and becomes impassable in winter with drifting snow, and is therefore recommended for vacation.

We further find and agree that there is necessity for a public road for the use and convenience of the traveling public and recommend that a public road be supplied:

Beginning at the end of the public road proposed to be vacated (herein above described) thence North 50 degrees West 300 feet to a post; thence North 65 degrees West 50 feet to a post; thence North 83 degrees West 750 feet to a post; thence North 65 degrees West 100 feet to a post; and thence North 83 degrees 30 minutes West 100 feet and ending in the public road leading from Pleasant Valley Church to Egypt.

The road herein proposed for public use passes over a uniform grade and is now in constant use, through the property of John Goodrow, who claims no damage in view of

the benefits to be derived thereby personally by him.

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:

No damages assessed

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

Witness our hands and seals this 21st day of November, A. D. 1928

John Scellina [SEAL]
Ed. Billotte [SEAL]
Jesse E. Dale [SEAL]

Viewers.

To: R. E. Dale, A. B. Lansberry and W. H. Kephart, Supervisors of
Bradford Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No. 6,
September Sessions, 1928, to view and vacate that portion of a public road
long since laid out in Bradford Township leading from Pleasant Valley Church
to Egypt, from a point near the John Goodrow residence and ending at or near
the residence of F. L. Conoway, in Bradford Township, in the County aforesaid,
will meet at the residence of John Goodrow in said Township on Tuesday, the
4th day of September, A. D. 1928 at ten (10:00) o'clock A. M., to attend to
the duties assigned them: all parties interested will take notice.

And that the public hearing as required by Act of
Assembly and 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 an opportunity to be heard, will be held in the Arbitration Room in the
Court House in Clearfield on Friday, the 7th day of September, A. D. 1928
at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard,
at which time and place all parties interested may attend and be heard.

John Collins
Ed. Billotte
Jesse Dale
Viewers

Dated, August 8, 1928.

CLEARFIELD COUNTY, SS:-

A. D. 1928

Now, this 14th day of August, service of the above Notice
is accepted for the Supervisors of Bradford Township, Clearfield County, Pa.

W. H. Kephart
A. B. Lansberry
Supervisors

To:-- 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 to No. 6, September Sessions, 1928, to view and vacate that portion of a public road long since laid out in Bradford Township leading from Pleasant Valley Church to Egypt, from a point near the John Goodrow residence and ending at or near the residence of F. L. Conoway, in Bradford Township, in the County aforesaid, will meet at the residence of John Goodrow in said Township on Tuesday, the 4th day of September, A. D. 1928 at ten (10:00) o'clock A. M., to attend to the duties assigned them: all parties interested will take notice.

And that the public hearing as required by Act of Assembly and 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 an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 7th day of September, A. D. 1928 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Scollins
Ed. Bullatte
Jesse Dale
Viewers

Dated, August 8, 1928.

CLEARFIELD COUNTY, SS:

Now, this 14th day of August, A. D. 1928, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris
Clerk

TO THE COMMISSIONERS OF CLEARFIELD COUNTY:

You are hereby notified that the Supervisors and Citizens of Bradford Township will present a petition on July 30, 1928, to vacate and supply a portion of road leading from Pleasant Valley Church to Egypt, from a point near the John Goodrow residence and ending at or near the residence of F. L. Conway, and to supply a new road from the John Goodrow residence to the F. L. Conway residence.

H. A. Hegarty
Atty for publisher

Now, July 30, 1928, service accepted
for County Commissioners.
L. C. Norris, Clerk.

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

To the Honorable Judge of said Court:

We the undersigned supervisors and citizens of Bradford Township respectfully represent that a road long since laid out leading from Pleasant Valley Church to Egypt from a point near the John Geedrow residence and ending at or near the residence of F. L. Conoway, is steep, hard to keep up and drifts in winter time so it cannot be traveled, your petitioners therefore pray the Honorable court to appoint viewers to vacate that portion of the above mentioned Public Road and supply the same with a new road from the said John Geedrow's residence to the said F. L. Conoway's residence and they will ever pray.

W. H. Kephart
Supervisor of Bradford Township

A. B. Lansberry
Supervisor.

R. E. Dale
Supervisor.

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IN THE COURT OF QUARTER SESSIONS
OF CLEFFIELD COUNTY, PENNSYLVANIA

NO. 6 September Term 1928.

In Re: Petition to appoint
viewers to vacate and supply a
road in Bradford Township.

From July 30th 1928.

*John Dalton Esq,
21 Blount St. Erie Pa.
Heale are appointed
to view and report
by the court.*

A. Hagerly,

*Attorney-at-law,
Clefffield, Pa.*

