

Road

DOCKET No. 5

Number Term Year

9

Sept ss 1928

Petition to vacate road in

Morris Twp.

Versus

X

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

PETITION FOR THE VACATING OF A PUBLIC ROAD.

To the Honorable A. R. Chase president judge of said Court,-

The petition of the undersigned, inhabitants of the Township of Morris, Clearfield County, Pennsylvania, respectfully sheweth:

That a road has been long since laid out beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Alport and from there through the Village of Oak Grove, and from Mike Meerwaw's Residence leading through to Shaft no. 3 ending on the road leading from Munson road to Morrisdale Station, being about one mile long.

The above described road has not been used for about ten years, and your petitioners conceive, is now become useless, inconvenient and burdensome.

Your petitioners therefore pray the court that the said road may be vacated, agreeably to the Act of General Assembly in such case made and provided; and they will ever pray, etc.

Albert Wilkins

Blaylock Johnston
W. H. Hutton

Sam Lewis

J. C. Moyer
F. L. Shuriff

John Horner

S. M. T. Belm.

James H. Newsham

W. H. Newsham

Roy M. C. Brown

~~John H. Coas~~
Frank Washburn
~~Bob Wright~~
Jacob J. Legal
Paul E. J.
J. E. Hur
Ther Davis

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD)

Personally appeared before me the subscriber and after being duly sworn deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Peter M. D. Smith

Sworn and subscribed to before me
this 13th day of August, A. D. 1928.

William Lee J. P.

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 **Morris;** ----- 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

23d day of **October**-----, 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 **Wednes-** day of **twenty fourth** A. D., **1928**, at **(9)** 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 **two of the Supervisors of Morris Township which were the only appearances except the appointed viewers;** -----

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 **24th** day of **October**, A. D. **1928**, when the parties interested in the said road were in attendance: **the Supervisors of said Township of Morris in said County which being the only parties interested being in attendance;** -----

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 recomand that the same be vacated the same being a burden to the tax payers of the ----- and of no benefit. -----
Beginning on a road leading from State Highway leading from Morrisdale to Munson from a point known as the Oak Grove to shaft number three (3) in Morris Township at or near the residence of Mike Meerwas, Thence running South seventy nine (79) degrees, East two hundred and fifty two (252) feet. over land of an old abandoned coal field, thence running south twelve (12) degrees, East three Hundred (300.) feet. Thence south thirty eight (38) degrees East four hundred and fifteen (415) feet. Thence south seventy eight (78) degrees East two hundred and eight (208) feet. Thence south thirty eight (38) degrees; East three hundred (300) feet. Thence East twenty seven (27) degrees East three hundre (300) feet. Thence south thirty two (32) degrees East three hundred (300) feet, Thence south eleven (11)----- degrees, East three hundred (300) feet. Thence south twenty three (23) degrees, East three hundred and seventy five (375)

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 August in the year of our Lord, one thousand nine hundred and twenty eight

A. R. CHASE

By the Honorable ~~Shirley E. Bell~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Morris, in the County aforesaid setting forth that a road has been long since laid out beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Allport and from there through the Village of Oak Grove, and from Mike Meerwaw's residence leading through to Shaft No. 3) ending on the road leading from Munson road to Morrisdale Station, being about one mile long.

The above described road has not been used for about ten years and your petitioners conceive, is now become useless, inconvenient 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 appoint from and among the County Board of Viewers A. G. Kramer, Esq., Harry Reese

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.

SCALE 1"=300'

BY AG. KRAMER ESQ.

CLAREFIELD COUNTY PA.
VIEWED AND VERIFIED

5.12'E 300

14.5

11/30

003

003

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5-23-E-375

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TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of said County to view and vacate two portions of the public road in the Township of Morris,...

FIRST: Beginning at Mrs. Krumshaw's residence on the road leading from the state Road Route 53; thence a westerly direction to a point where it intersects the Township Road leading from Allport to Bigler at Haws' Farm, approximately 3/4 of a mile.

SECOND: Beginning at a point at Ambrose Neff residence on a road leading from the State Road Route 53; from thence in a Southwesterly direction to a point at James Emiegh residence where it intersects the road leading from the State road route 53 through Lakeside Park. Approximately 1/2 of a mile, will meet for the discharge of the duties of their appointments at the residence of Mrs. Krumshaw on the road to be vacated on Tuesday the 23rd day of October, 1928 at 10:00 A. M. of which time and place all parties interested will please take notice.

And that a public hearing as required by the Act of Assembly and the rules of court in advance of the filing of their report will be held by the viewers in the Arbitration Room in the Court House at Clearfield, Pa., on Wednesday the 24th day of October, 1928 at 9:00 A.M. when and where all parties interested may appear with witnesses and be heard.

A. G. Kramer

H. A. Reese

J. S. Michaels.
VIEWERS

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned viewers

appointed by the Court of Quarter Sessions of said County to
view and vacate two portions of the public road in the Township

of Morris.

FIRST: Beginning at Mrs. Krumshaw's residence on the

road leading from the State Road Route 53; thence a westerly
direction to a point where it intersects the Township Road lead-
ing from Allport to Bigler at Hawk Farm, approximately 3/4 of

a mile.

SECOND: Beginning at a point at Ambrose Hill residence

on a road leading from the State Road Route 53; from thence in a
Southwesterly direction to a point at James Smith residence
where it intersects the road leading from the State Road Route
53 through Lakeside Park. Approximately 1/8 of a mile, will

meet for the discharge of the duties of their appointments at the
residence of Mrs. Krumshaw on the road to be vacated on Tuesday
the 23rd day of October, 1928 at 10:00 A. M. of which time and
place all parties interested will please take notice.

And that a public hearing as required by the Act of
the General Assembly for the County Commissioners
Assembly and the rules of court in advance of the filing of their
report will be held by the viewers in the Arbitration Room in the
Court House at Clearfield, Pa., on Wednesday the 24th day of Oct-

ber, 1928 at 9:00 A.M. when and where all parties interested may

appear with witnesses and be heard.

A. A. Krumshaw

H. A. Krumshaw

J. J. Krumshaw
VIEWERS

TO THE COUNTY COMMISSIONERS,
Clearfield, Pennsylvania.

You are hereby notified that on Monday, August 20, 1928, a petition will be presented to the Court of Quarter Sessions asking for the appointment of viewers to vacate a certain road in Merris Township, beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Merrisdale and Alport and from there through the Village of Oak Grove, and from Mike Meerwaw's residence leading through to Shaft No. 3 ending on the road leading from Munson road to Merrisdale Station, being about one mile long.

Carl A. Belin
Attorney for Petitioners.

Now August 16, 1928 Service accepted for County
Commissioners.

BY

H. C. Morris
Clerk.

feet (375) feet. Thence South six six (6) degrees. East nine hundred (900) feet. Thence South twenty (20) degrees. West three hundred (300) feet. Thence South thirty eight (38) degrees. West three hundred (300) feet. Thence South forty eight (48) feet west three hundred and thirty six (336) feet to the connection of the public road leading from Oak Grove to Hawk Run in Morris Township County and State aforesaid a distance of over one mile in length which said road from ~~all appearance~~ is of no account is not and has not for some time been used The viewers therefore recommend the same to be 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 the ~~properties~~ ^{properties} 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, ~~have not claimed any damages~~ ^{have not claimed any damages} that may arise from the vacation thereof, and that they ~~have not claimed any damages~~ ^{have not claimed any damages} and no one appearing claiming any damages ~~therefore no damages are assessed.~~

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, to wit, the undersigned Viewers, after having considered the advantages to be derived to them, do assess their damages and make report thereof as follows:

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

attached

Witness our hands and seals this

24th

day of

October

, A. D. 1928

A. G. Kramer..... [SEAL.]

W. A. Reese..... [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. H. Kramer	3	52	\$2510
A. A. Reese	3	52	\$2510
J. S. Michaels	2	115	\$2090

SL
No. 9 Sept ~~Term~~ 19 28

ORDER TO VACATE

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

Now Dec Sessions 1928
read and confirmed Ni. Si.

By the Court, H. H. H. H. H.
Now Dec Sessions 1928
confirmed absolute.

By the Court.

T. H. H. H.
P. J.

Filed Nov 15 1928
Ben W. H. H. H.
Atty, W. A. Hegerly & Carl A.
Fees \$1.25 paid by Belin