

Road

DOCKET No. 6

Number Term Year

6 Sept ss 1929

Petition to vacate road in

Bell Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.
Honorable A. R. Chase, President Judge of said Court.

The petition of the undersigned who are residents and tax
payers of Bell Township, Clearfield County, Pennsylvania
respectfully represents:

That there is now existing in said Township
an old public road a portion of which is practically
useless and which imposes an unnecessary burden upon the
Township and in the opinion of your petitioners should be
vacated.

Said road is substantially described as follows:
Beginning at a point at the cement highway near Wallace
Semple's house below Mahaffey and thence running up a
stream about 1 1/2 miles to a road leading to the Bush
place and the road desired to be vacated being commonly
known as Miller Run road. Further description of said road
may be attached hereto.

The petitioners pray that the said road be
vacated and that viewers be appointed to act as required by
law and report to the Court.

And they will ever pray.

G. F. Davidson
J. W. Davidson
Foster Beatty
H. M. Davidson
Jack Davidson
E. L. Lawler
John Beatty
F. C. Hoch
Chas. S. Bietz

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Jack Davidson
E. L. Hatcher
John Beatty
F. C. Hoch
Chas. S. Biegt

CLEARFIELD COUNTY: SS

being sworn according to

law deposes and says that he is one of the supervisors
of the Township of Bell and that the facts stated in the above
petition are true and that in the opinion of the Board
of Supervisors the road so asked to be vacated is unnecessary
for public use and is a burden and source of danger to the
Township of Bell.

B H Shaffer.

Sworn and subscribed to

before me this Third 3rd day of
August
A. D. 1922.

Jack Byers
Supervisor

D H Bell Justice of Peace

D. H. BELL, JUSTICE OF THE PEACE

Mahaffey, Clearfield, Co., Pa.

My Commission Expires 1st Mon. in Jan. 1934

ORDER TO VACATE

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

Now Sept Sessions 1929 read and confirmed Ni. Si.

By the Court
 Now Dec Sessions 1929 confirmed absolute
 By the Court

FILED
 SEP 2 - 1929
 GEO. W. RALSTON
 CLERK

Atty, Bell & Bell

Fees \$1.25 paid by

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
Earl G. Boose	2	112	20.60
Jack McMichaels	1	66	10.80
Harr Reese	2	11720	.85

FILED
 SEP 2 - 1929
 J. W. RALSTON
 CLERK

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: As none of the parties in interest asked that any damages be awarded them, none were awarded and no releases were obtained, it appearing to the viewers from the testimony offered that no ascertainable or tangible damage had been sustained by any one by the vacation of said road.

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

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of the

Witness our hands and seals this

day of

, A. D. 19

James T. Jones [SEAL.]

H. A. Reese [SEAL.]

J. S. Michaels [SEAL.]

Viewers.

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 three notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the 22nd day of August, A. D. 1929, 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 26th day of August A. D., 1929, at 9.00 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 no person or

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 26th day of August,

A. D. 1929, when the parties interested in the said road were in attendance: George Sutton, who appeared to oppose the vacation of the said public road, and he being sworn, his testimony was taken. After testifying, he requested that the hearing be continued until Aug. 30th, 1929, which was granted and at that time he appeared, with Clemp Miller and Dallas Miller to oppose the said vacation. In favor there appeared B. H. Shaffer and John Beatty, all of whom were sworn and testified.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome for the reason that the people in the neighborhood served by said road, have also two other public roads which are equally convenient for public purposes and the road sought to be vacated appears to be used only occasionally and to keep it in proper repair it is necessary to replace a bridge across Miller Run which would impose upon the township a considerable, and as it appears to the viewers, an unnecessary expense.

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

By the Honorable ^{A. R. CHASE} ~~Stoddard Bell~~ President Judge of the said Court: Upon the petition of sundry
inhabitants of the Township of Bell, in the County aforesaid setting forth that an
old public road beginning at a point at the cement highway near Wallace
Semple's house below Mahaffey and thence running up a stream about 1 1/2
miles to a road leading to the Bush place and the road desired to be vacated
being commonly known as Miller Run road

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 Earl G. Boose 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 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
persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating
said road, releases from whatever damage they may sustain by the vacation of said road; and in case the
viewers 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
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
at 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 Raketon

Clerk.

PUBLIC ROAD
TO NEWTONBERG
MILLER

BUSH ROAD
BEGINNING

S 47° E 300

S 40° E 600

S 32° E 300

S 28° E 302

S 8° E 300

S 2½° E 299

S 0° 300

S 4° W 1708

S 4½° E 114

UNIMPROVED

LAND

S 3½° E 317

S 8½° W 320

S 2° E 597

S 10° E 301

S 44½° E 300

S 49° E 302

S 43½° E 300

S 40° E 296

S 40° E 300

S 9° E 160

S 21° E 300

S 0° 300

S 31° W 401

WALLACE

STATE

ROAD

ENDING

PUBLIC ROAD IN BELL TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND VACATED AUG. 22 - 1929
BY EARL BOOZE ESQ
H. A. REESE
J. S. MICHAELS

SCALE 1" = 300'

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

RE; Vacation of Public Road : Notice of View and Public
In Bell Township. : hearing to Supervisors of
Of September Sessions, 1929 : Bell Township and Commissioners
No. 6 : of Clearfield County.

:

Please take notice that the undersigned have been appointed by the Court to view and Vacate a certain Public Road in Bell Township and to make return thereof to the Court on the first Monday of September, 1929. The said road proposed for vacation. The said road is described in the Order to view as follows; "Beginning at a point at the cement highway near Wallace Semple's house below Mahaffey and thence running up a stream about 1-1/2 miles to a road leading to the Bush place and the road desired to be vacated being commonly known as Miller Run Road"

The Viewers will meet at the house of Wallace Semple----- in said Bell Township on THURSDAY, the 22nd day of August, 1929 at 3.00 o'clock, P. M. for purpose of said view and will hold the public hearing thereon required of the viewers by law, in the Arbitration Room of the Court House at Clearfield, Pa., on Monday, the 26th day of August, 1929 at 9.00 o'clock A. M., at which time and place you may appear and be heard if you wish.

VIEWERS

Charles Boone

Harry Reese

Jack Michaels

Now, August 10th, 1929, service is accepted for the Supervisors of Bell Township.

Bell Bell

Attorneys

So die, service is accepted for the Commissioners of Clearfield County.

L. E. Morris

Clerk

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~and vacate a certain public~~ Road leading from a point in the cement highway near Wallace Semple's house below Mahaffey

in Bell Township ~~to~~ and thence running up a stream about 1-1/2 miles to a road leading to the Bush place and the road to be vacated being commonly known as the Miller Run Road

in Bell Township, in the County aforesaid, will meet at the house of Wallace Semple

in Bell Township, on Thursday the twenty-second day of August, A. D. 1929, at 3.00 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

The public hearing by law required of the Viewers will be held in the Arbitration Room of the Court House at Clearfield, Pa., Monday, August 26th 1929, at 9.00 o'clock A. M.

Charles Brown
Harry Reese
Jack Michaels
Viewers.

Aug. 10,

1929