

ROAD
DOCKET No. 6

Number Term Year

3 Sept ss 1930

Petition to vacate road

in Brady Twp

Versus

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 29th day of July in the year of our Lord, one thousand nine hundred and thirty one

A. R. CHASE
By the Honorable ~~Singleton~~ Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Brady, in the County aforesaid setting forth that there exists in the Township of Brady a road, beginning at a private driveway of C. R. Grape and extending a distance of approximately three tenths of a mile to the intersection of the road running between Troutville and Sykesville. That there is no person living along said road and convenient to no one except C. R. Grape who is willing to have the same vacated

That the maintenance of said road is burdensome to the tax payers of Brady Township.

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 Booze, 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 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. Ralstone
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 Supervi-

ors of the Township of **Brady**, 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 **twelfth** day of **August**, A. D. 19**31**, 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 **fourteenth** day of **August** A. D., 19**31**, at **ten** 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 **C. R. Grape**, the owner of the land through which the said road is layed out, and **C. W. Korb**, a citizen of **Troutville Boro**.

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 **14th** day of **August**,

A. D. 19**31**, when the parties interested in the said road were in attendance: **Harry Bonsall**, one of the Supervisors of Brady Township, and **F. Cortez Bell Esq.**, representing the petitioners for the vacation.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has **become useless, inconvenient and burdensome and is useful only to the abutting landowner, C. R. Grape**, who at the View stated that the continuance of the road was a detriment to him rather than a benefit and stated that he was entirely agreeable to the vacation thereof.

No. 3 Sept Term 19 31

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.

	Days	Miles	Amt
Earl Boose	4	64	\$36.40
Ed. Billotte	2	49	19.90
Jack Michaels	2	89	23.50

Now Sept Sessions 19 31
read and confirmed Ni. Si.
By the Court
J. McNamee
Now See Sessions 19 31
confirmed absolute.

By the Court
W. J. McNamee

Filed 19

Atty. Bell, O'Laughlin &
S. Silverblatt,
Fees \$1.25 paid by

RECEIVED
GE. 4/1931
CLERK'S OFFICE
CLERKSTON

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:

It appearing to the Viewers from the statement made to them by the land-owner affected that the vacation was a benefit to him and that he asked no damages, the viewers did not procure a formal release of damages.

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

Witness our hands and seals this 19th day of August, , A. D. 1931

... Carl V. Borse [SEAL.]

... E. D. Billotto [SEAL.]

... J. S. Michael [SEAL.]

Viewers.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

Re; Petition to vacate a : Of Sept. Term
Public Road in Brady : 1931.
Township. : No. 3.

To the Supervisors of Brady Township; the petitioners,
and the Commissioners of Clearfield County;

You and each of you will please take notice that upon petition of divers citizens of Brady Township aforesaid, the Court has appointed the undersigned as Viewers to view and vacate a certain public road in said Brady Township, which road in the Order issued to the Viewers is described as follows;

"Beginning at a private driveway of C. R. Grape and extending a distance of approximately three tenths of a mile to the intersection of the road running between Troutville and Sykesville."

The Viewers have appointed Wednesday, the twelfth day of August, 1931, at nine o'clock A. M. Standard Time as the time of the view, and will meet for that purpose at the Post Office in the Borough of Troutville, Pa., at said hour, and the public hearing in the matter provided for by the Act of Assembly and the Rules of this Court, will be held in the Grady Jury Room in the Court House at Clearfield, Pa. on Friday, the fourteenth day of August, 1931, at ten o'clock A. M. Standard Time, at which time and place parties in interest may attend and be heard.

August 3d., 1931.

Earl Rose
Ed Billalie
Jack Michaels
Viewers.

Now, August 3d., 1931, notice received and copy furnished and service is accepted.

J. H. Snyder
Supervisor of Brady Township
Bell, O'Laughlin & Gilbert
Counsel for petitioners
L. C. Morris
Clerk of County Commissioners

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 to vacate a certain public

Road leading from the private driveway of C. R. Grape

in Brady Township, to the intersection of this road with the road leading from Troutville to Sykesville,

in Brady Township, in Clearfield County, aforesaid, will meet at the Post Office in Troutville, Pa.,

in Brady Township, on Wednesday the twelfth day of August 1931, at nine o'clock A. M. to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the

Grand Jury Room of the Court House at Clearfield, Penna., on Friday the fourteenth day of August 1931, at ten o'clock A.M.

Earl Boose

Ed. Billotte

Aug. 3d.

1931.

Jack Michaels

Viewers.

Private Drive
Public Rd. to Troutville

C. R. Grade
North 6° West 1860 feet

C. R. Grade

Draft Showing location of
Public Road in Brady Township, C. I. D.
County, Penna. Viewed for vacation.
August 12th A.D. 1931.

Edgar Booze,
E. D. B. Miller,
Jack Michalek,
viewers.

Scale 300' to 1"
Total length 1860'

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: Vacation of road : No. September Sessions 1931
in Brady Township : :

To the Honorable A. R. Chase President Judge of said Court.

The petition of the Supervisors of Brady Township
respectfully represents:

FIRST: That, there exists in the Township of Brady
a road, beginning at a private driveway of C. R. Grape and
extending a distance of approximately three tenths (3/10) of
a mile to the intersection of the road running between Troutville
and Sykesville.

SECOND: That, there is no person living along said
road and convenient to no one except C. R. Grape who is willing
to have the same vacated.

THIRD: That, the maintenance of said road is burdensome
to the tax payers of Brady Township and the same is not a benefit
or convenience to the traveling public.

WHEREFORE your petitioners pray that the viewers be
appointed in accordance with the Act of Assembly to view said
road and after hearing is had report to the Honorable Court their
recommendation relative to the same.

And they will ever pray.

THE SUPERVISORS OF BRADY TOWNSHIP

J H Snyder
H W Bonsall
B G Nolder

STATE OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

Before me the subscriber hereto came H. W. Bonsall
who being duly sworn according to law, deposes and says that
the facts in the within petition are true and correct to the
best of his knowledge and belief.

Sworn and subscribed to
before me this 21
day of July A. D. 1931

W. J. Seyler

MY COMMISSION EXPIRES
FIRST MONDAY, JANUARY 1932

Now, July 1931, the within petition having been read and considered, and and are appointed viewers to view certain premises and after hearing are to report to the Court their recommendation relative to the same according to the Act of Assembly in such cases made and provided.

By the Court

