

Road

DOCKET No. 16

Number Term Year

4

May 1931

Petition to vacate road in Sandy Twp

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In Re Vacation of Public Roads : Of May Term, 1931  
in Sandy Township. : No.

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

Your undersigned, who are the Supervisors of said Sandy  
Township, in Clearfield County, Pennsylvania, would respectfully  
represent;

That the pieces of public road in said Township, hereinafter  
designated as the FIRST PIECE and the SECOND PIECE, respectively,  
have become useless, inconvenient and burdensome to the said  
township, because that both are in part layed out over low, swampy  
ground and because of other and better roads in the vicinity, have  
been practically abandoned for public travel, and ought in the  
opinion of your petitioners, to be vacated.

FIRST PIECE; Beginning at the intersection of another public  
road, at the house of Duncan Allsbaugh, and extending Westerly  
across the State Highway from Sabula to Penfield and ending at the  
cement highway near the house of Nancy VanCise;

SECOND PIECE; Beginning at the A. R. VanTassell Farm barn  
and extending westerly through the VanTassell Farm to the line  
of the City of DuBois;

Your petitioners therefore respectfully pray that the Court  
appoint Viewers to view the said sections of public road aforesaid  
which many years ago were layed out and opened by virtue of an or-  
der of this court, and to vacate the same. And they will ever pray.

Jerry Brown  
Ralph Gray  
Joshua Hooper

CLEARFIELD COUNTY, )  
PENNSYLVANIA. ) SS

On the \_\_\_\_\_ day of April, 1931, before me, a Notary Public commissioned in and for Clearfield County, personally came JERRY BROWN, Secretary of the Board of Supervisors of Sandy Township, and one of the petitioners whose name is subscribed to the foregoing petition, and he being duly sworn according to law, deposes and says that the facts therein set out, are true and correct.

Jerry Brown

Sworn and subscribed before me  
the day and year aforesaid.

Jerry Brown  
Notary Public.

My Commission Expires Apr. 12, 1931.

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD CO.  
OF MAY TERM, 1930, No. 142

Petition for appointment  
of Viewers to view and  
vacate public roads in  
Sandy Township.

Now, April 11, 1931, the  
within petition read and  
thereupon the Court does  
appoint John Schell,

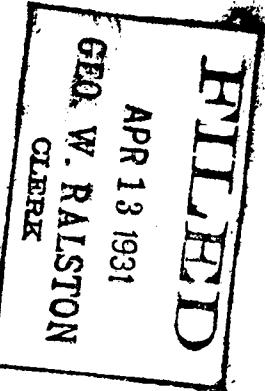
John Murphy and  
H. L. Weber, who  
are directed to view the  
said roads and make report  
to Court the first Monday  
of May, 1931.

By the Court

John Chase  
P.J.

Earle G. Bonse  
Attorney-at-Law  
Dubois, Pa.

HENRY HALL PRINT. INDIANA, PA.



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 13th day of April in the year of our Lord, one thousand nine hundred and thirty one

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~and~~ <sup>Henry</sup> ~~Supervisors~~ ~~Inhabitants~~ of the Township of Sandy, in the County aforesaid setting forth that .the....

the pieces of public road in said Township, hereinafter designated as the first and second piece , have become useless, inconvenient and burdensome to the said township, because that both are in part layed out over low, swampy ground and because of other and better roads in the vicinity

First: Beginning at the intersection of another public road, at the house of Duncan Allsbaugh, and extending Westerly across the State Highway from Sabule to Penfield and ending at the cement highway near the house of Nancy Vancise.

SECOND: Beginning at the A. R. Van Tassell farm barn and extending westerly through the Van Tassell farm to the line of the City of Du Bois.

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 John Scollins, Esq., J. E. Frye

and Geo K. Weber 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, therof 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*  
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, <sup>to No. 2, May Term 1931</sup> 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 Sandy, 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

28th day of April, 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 30th day of April A. D., 19 31, 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: First View, 10:30 A. M.: Duncan Allsbaugh; and Second View, 11:00 A. M.: J. F. Hoover, Supervisor of Sandy Township, and A. E. Little

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held Arbitration Room in the Court House, in Clearfield, Pa., on the 30th day of April,

A. D. 19 31, when the parties interested in the said road were in attendance: J. F. Hoover, Supervisor of Sandy Township, being duly sworn, examined and cross-examined by your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road ~~should~~ have, become useless, inconvenient and burdensome to wit:

FIRST: Beginning at the intersection of this Road with the Road leading to Home Camp and Hickory Kingdom opposite the residence of Duncan Allsbaugh; thence North 70 degrees 15' West along lands of Duncan Allsbaugh 295 feet; thence North 60 degrees 45' West thereby 393 feet to post on line of lands of John E. DuBois and DuBois Motor Cycle Club; thence thereby North 72 degrees 15' West 124 feet to a post; thence still thereby South 89 degrees 15' West 650 feet to a post; thence thereby North 82 degrees 50' West 100 feet to a post; thence thereby North 68 degrees 15' West 160 feet to a post; thence thereby and along lands of Mrs. Nancy Vancise North 57 degrees West across State Highway Route #555 and Sandy Lick Creek 457 feet and ending at the old Concrete Road leading from Sabula to Mountain Run.

We further find that the aforesaid Road burdensome of up-keep and there is little if any travel thereon; that with the exception of the Duncan Allsbaugh land, who has more convenient outlet, the abutting properties are unimproved, with other outlets. The Road serves no public use, and is therefore recommended for vacation.

SECOND: Beginning at a post opposite the A. R. Van Tassel barn, on Road leading from Maple Avenue to Resinger's Mill, thence North 73 degrees 15' West along lands of A. R. Van Tassel Estate 1200 feet to the City Line of DuBois.

We further find that the aforesaid Road passes over low, swampy land and is burdensome of upkeep, inconvenient and useless for public travel, and therefore recommended for vacation.

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: \_\_\_\_\_

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 claimed or assessed.

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

Witness our hands and seals this 1st day of May, A. D. 19 31.

*John Scollion* [SEAL.]

*J. E. Try* [SEAL.]

*George A. Weber* [SEAL.]

Viewers.

No. 47 May Term 1931

**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
J. E. Erje	4	93	\$34.65
Geo. K. Weber	2	88	\$19.40
John Scollins	4	156	\$37.80

Now May Sessions 1931

read and confirmed Ni. Si.

By the Court

*A. H. Mack*  
Now Sept Sessions 1931

confirmed absolute.

By the Court

*A. H. Mack*

Filed

Atty,

Fees \$1.25 paid by

E. G. Boosé, Esq.,



abm

10: The Commissioners of Clearfield County, Pennsylvania-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County to the R. D. May Sessions, 1931, to view and report that piece of public road in Sandy Township, beginning at the intersection of another public road, at the house of Duncan Allbaugh, and extending westerly across the State Highway from Schulz to Penfield and ending at the county highway near the house of Harry Vanline, in Sandy Township, in the County aforesaid, will meet at the house of Duncan Allbaugh in said Township on ~~Wednesday~~<sup>Thursday</sup>, the 20th day of April, A. D. 1931 at 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 ~~Wednesday~~<sup>Thursday</sup>, the 20th day of April, A. D. 1931 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  
J. E. Frey  
Geo. K. Weber

CLEARFIELD COUNTY, SS:

Now, this 16th day of April, A. D. 1931, service  
of the above notice is accepted for the Commissioners of Clearfield County.

L. C. Morris  
Clerk

TO: Ralph Gray, Jerry Brown and Joshua T. Hoover, Supervisors of Sandy Township, Clearfield County:-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 2, May Sessions, 1931, to view and vacate that piece of public road in Sandy Township, beginning at the intersection of another public road, at the house of Duncan Allsbaugh, and extending Westerly across the State Highway from Sabula to Penfield and ending at the cement highway near the house of Nancy Vancise, in Sandy Township, in the County aforesaid, will meet at the house of Duncan Allsbaugh in said Township on Tuesday, the 28th day of April, A. D. 1931 at 10:30 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 <sup>Thursday</sup> the 30th day of April, A. D. 1931 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 Scallind  
J. E. Frye  
Geo. A. Weber  
Viewers

Dated, April 15th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 17th day of April, A. D. 1931, service of the above Notice is accepted for the Supervisors of Sandy Township, Clearfield County., the petitioners.

James Buse  
Atty for  
Supervisors

TO: The 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. 2, May Sessions, 1931, to view and rate that piece of public road in Sandy Township beginning at the A. R. Van Tassel farm barn and extending westerly through the Van Tassel farm to the line of the City of DuBois, in the County aforesaid, will meet at the farm barn of A. R. Van Tassel in said Township on Tuesday, the 20th day of April, A. D. 1931 at 11:00 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 ~~Wednesday~~<sup>Thursday</sup>, the 20th day of April, A. D. 1931 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 Scallind  
J. E. Frye  
Geo. T. Weber  
Viewers

Dated, April 15th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 16th day of April, A. D. 1931, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris  
Clerk

TO: Ralph Gray, Jerry Brown and Joshua T. Hoover, Supervisors of Sandy Township, Clearfield County:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 2, May Sessions, 1931, to view and vacate that piece of public road in Sandy Township beginning at the A. R. Van Tassell farm barn and extending westerly through the Van Tassell farm to the line of the City of DuBois, in the County aforesaid, will meet at the farm barn of A. R. Van Tassell in said Township on Tuesday, the 28th day of April, A. D. 1931 at 11:00 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 ~~Wednesday~~<sup>Thursday</sup>, the 30th day of April, A. D. 1931 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 Scellins  
J. E. Frye  
Geo. K. Weber  
Viewers

Dated, April 15th, 1931.

CLEARFIELD COUNTY, SS:

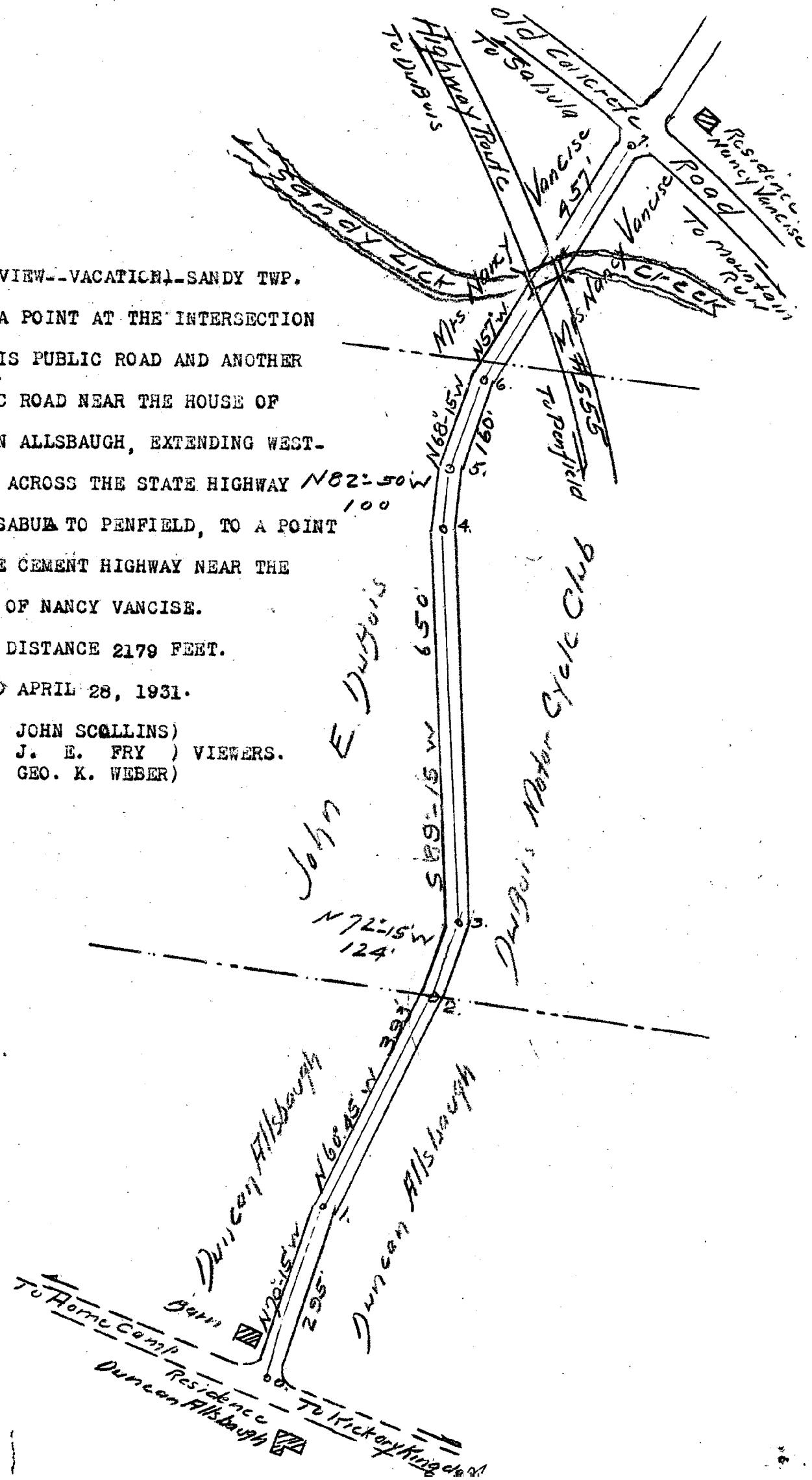
Now, this 17th day of April, A. D. 1931, service of the above Notice is accepted for the Supervisors of Sandy Township, Clearfield County, the petitioners.

Curry House  
Atty. for  
Supervisors

Scale 1" = 200'

ROAD VIEW--VACATION--SANDY TWP.  
FROM A POINT AT THE INTERSECTION  
OF THIS PUBLIC ROAD AND ANOTHER  
PUBLIC ROAD NEAR THE HOUSE OF  
DUNCAN ALLSBAUGH, EXTENDING WEST-  
TERLY ACROSS THE STATE HIGHWAY N 72-50W  
FROM SABINA TO PENFIELD, TO A POINT  
AT THE CEMENT HIGHWAY NEAR THE  
HOUSE OF NANCY VANCISE.  
TOTAL DISTANCE 2179 FEET.  
VIEWED APRIL 28, 1931.

JOHN SCALLINS)  
J. E. FRY ) VIEWERS.  
GEO. K. WEBER)



ROAD VIEW -- VACATION-- SANDY TOWNSHIP  
FROM A POINT AT THE INTERSECTION OF THIS  
PUBLIC ROAD WITH ANOTHER PUBLIC ROAD NEAR  
THE FARM BARN OF A. R. VANTASSELL WESTERLY  
1200 FEET TO A POINT IN THE SANDY TOWNSHIP-  
CITY OF DUBOIS LINE.

VIEWED APRIL 28, 1931.

JOHN SCOLLINS)  
J. E. FRY ) VIEWERS  
GEO. K. WEBER)

City of Dubois  
1/2 mile N 1/2  
1/2 mile S 1/2

