

Road

DOCKET No. 6

Number

5

Term

May ss

Year

1931

Petition to vacate road in Graham Twp

Versus

Graham

Tshp-1904

X Graham

NOV 88  
7-1716

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 16th day of April 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

*Supervisors*  
2nd inhabitants of the Township of Graham, in the County aforesaid setting forth that there has been long since laid out a public road beginning at a point at Grayhampton and thence in the Easterly Direction to the town of Ky-lertown, Cooper Twp. being a distance of approximately 6 miles.

3rd That a portion of the road described in paragraph 2, beginning at Grayhampton and then extending in an easterly direction to the Black Oak School House being a distance of approximately 2 1/2 miles has been vacated.

4th A portion of the said road described in Paragraph 2 beginning at Black Oak School House; thence in an Easterly direction at a point where said road intersects the road leading from Kylertown to the Bigler Allport cut off, a distance of approximately 2 miles, has long since been useless and inconvenient and burdensome. The intersection referred to on the road leading from Kylertown to Bigler Allport cut off is the first intersection that the road leading from Grayhampton to Kylertown intersects.

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., Harry Reese and

H. P. Dowler 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

Graham, 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

9th day of June, A. D. 1931, 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 12th day of June A. D., 1931, 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: James Bock and Walter Hubler, Supervisors of Graham Township,

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 12th day of June,

A. D. 1931, when the parties interested in the said road were in attendance: James Bock and Walter Hubler, Supervisors of Graham Township, who being 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 has — — —, become useless, inconvenient and burdensome find, to wit: — — —

The hereinafter described portion of that public road beginning at a point at Grahampton and leading thence in an Easterly direction to the Town of Kylertown, beginning at a post at its intersection with the road leading from the State Highway to Deer Creek, near the Black Oak School House; thence along lands of Henry Evans and E. K. Smeal South  $82\frac{1}{2}$  degrees East 946 feet to a post; thence South  $77\frac{1}{2}$  degrees East 619 feet to post on unimproved land of T. H. Forcey Estate; thence thereby South 82 degrees East 622 feet to a post; thence South 69 degrees East 304 feet to a post; thence South 62 degrees East 995 feet to Alder Run; thence South 74 degrees East 467 feet to a post; thence South  $61\frac{1}{2}$  degrees East 540 feet to a post; thence South 80 degrees East 245 feet to a post; thence North 83 degrees East 354 feet to a post; thence North 73 degrees East 465 feet to a post; thence North 84 degrees East 572 feet to post on lands of B. D. Schooner Estate; thence thereby South 78 degrees East 612 feet to a post; thence South 64 degrees East 360 feet to a post; thence South  $59\frac{1}{2}$  degrees East 710 feet to a post; thence South  $52\frac{1}{2}$  degrees East 1257 feet to a post; thence South 62 degrees East 897 feet to a post; thence South 71 degrees East 313 feet to a post on lands of Orwig Bros.; thence thereby South  $76\frac{1}{2}$  degrees East 802 feet to a post; and thence South 57 degrees East 1011 feet and ending at the intersection

of said Road with the public road leading to the State Highway.

We further find that the aforesaid Road is inconvenient, burdensome and useless for public travel; that it passes over much unimproved land with no inhabitants thereon and at either extremity thereof owners have more convenient outlets to improved public roads, and are petitioners for its absolute vacation, which your Board therefore recommends.

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 13th day of June, A. D. 1931.

*John Scollins* [SEAL.]  
*W. A. Reed* [SEAL.]  
*J. H. Smith* [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

No. 5 May Term 19 31

## ORDER TO VACATE

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

Now *Sept* Sessions 19 *31*  
read and confirmed Ni. Si.

By the Court.

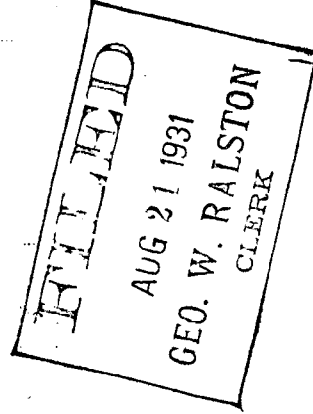
Now *vac* Sessions 19 *31*  
confirmed absolute.

By the Court.

*A. H. H. H. H.*  
*J. J.*

Filed 19

Atty. W. A. Hagerty and  
Carl A. Belin  
Fees \$1.25 paid by



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

IN RE:

VACATION OF ROAD IN  
GRAHAM TOWNSHIP, CLEARFIELD  
COUNTY, PENNSYLVANIA.

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TO THE HONORABLE A. R. CHASE, P. J.:

Your petitioners respectfully represent:

FIRST: That James Bock, Fred Koble and Walter Hubler, are the duly authorized Supervisors of the Township of Graham, County of Clearfield and State of Pennsylvania, and that James Bock is Secretary and Treasurer and Fred Koble is the President of the Board.

SECOND: That there has been long since laid out a public road beginning at a point at Grayhampton and thence in the Easterly direction to the town of Kylertown, Cooper Township Pennsylvania, being a distance of approximately six (6) miles.

THIRD: That a portion of the road described in paragraph two (2), beginning at Grayhampton and then extending in an Easterly direction to the Black Oak School House being a distance approximately two and one half (2 1/2) miles has been vacated.

FOURTH: A portion of the said road described in paragraph two (2), beginning at Black Oak School House; thence in an Easterly direction at a point where said road intersects the road leading from Kylertown to the Bigler Allport cut off, a distance of approximately two (2) miles, has long since been useless, and inconvenient and burdensome. The intersection referred to on the road leading from Kylertown to Bigler Allport cut off is the first intersection that the road leading from Grayhampton to Kylertown intersects.

WHEREFORE, your petitioners pray the learned Court to appoint viewers to have said road vacated according to law so provided.

W. F. Smith  
W. O. Hans  
P. B. Mons  
James Bock  
Ernest Hubler  
E. H. meal  
John Ward  
Latimer Lansbery  
Brian Lansbery  
Ollie Lansbery  
Willard Evans  
Fred Golfe  
Robert Hurley  
G. M. Hubler  
Walter Hubler

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Personally appeared before me the subscriber, Walter Hubler, who after being duly sworn according to law, deposes and says that the facts set forth in the above petition are true and correct, and that the signers thereon are taxpayers and citizens of the State of Pennsylvania.

Sworn and subscribed to before me this 10 day of April, A. D. 1931.

Geo. H. Palstoy  
Prothonotary

Walter Hubler

5 May 22 1931

New April 16<sup>th</sup> 1931

John Seethie Esq.  
Harry Reese Esq. H.P.  
Shawler are appointed  
viewers to view and  
report.

By the Court  
H. P. Shaw

P. J.

LC

RECEIVED
APR 17 1931
REC. OF DIST. CT.



TO: James Bock, Fred Coble and Walter Hubler, Supervisors of  
Graham Township, Clearfield County:-

You are hereby notified that the undersigned Viewers,  
appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania,  
to No. 5, May Sessions, 1931 to view and vacate a public Road leading from a  
point at Grahamp-ton and thence in the Easterly direction to the Town of Kylertown  
in Cooper Township, a distance of approximately six miles, a portion of  
said Road beginning at Black Oak School House, thence in an Easterly direction  
to a point where said Road intersects the road leading from Kylertown to the  
Bigler-Allport Cut-off, a distance of approximately 2 miles; the intersection  
referred to being the first intersection that the road leading from Grahamp-ton  
to Kylertown intersects, in Graham Township, a portion of the aforesaid described  
road beginning at Grahamp-ton and thence extending in an Easterly direction  
to the Black Oak School House, being a distance of approximately 2½ miles  
having already been vacated, in Graham Township, in the County aforesaid, will  
meet at the Black Oak School House in Graham Township on Tuesday, the 9th day  
of June, A. D. 1931 at 1:30 o'clock P. M., to attend to the duty 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 12th day of June, A. D. 1931 at ten (10)  
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  
Harry Reese  
H. P. Bowler  
Viewers

Dated, May 13th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 2 day of May, A. D. 1931, service  
of the above Notice is accepted for the Supervisors of Graham Township,  
Clearfield County.

Fred Coble  
James Bock  
Walter Hubler  
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, Pennsylvania, to No. 5, May Sessions, 1931 to view and vacate a public road leading from a point at Grahampton and thence in the Easterly direction to the Town of Hylertown in Cooper Township, a distance of approximately six miles, a portion of said Road beginning at Black Oak School House, thence in an Easterly direction to a point where said Road intersects the road leading from Hylertown to the Bigler-Allport Cut-off, a distance of approximately 2 miles; the intersection referred to being the first intersection that the road leading from Grahampton to Hylertown intersects, in Graham Township, a portion of the aforesaid described road beginning at Grahampton and thence extending in an Easterly direction to the Black Oak School House, being a distance of approximately  $2\frac{1}{2}$  miles having already been vacated, in Graham Township, in the County aforesaid, will meet at the Black Oak School House in Graham Township on Tuesday, the 9th day of June, A. D. 1931 at 1:30 o'clock P. M., to attend to the duty 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 12th day of June, A. D. 1931 at ten (10) 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  
Harry Reese  
H. P. Fowler  
Viewers

Dated, May 13th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 15th day of May, A. D. 1931, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris  
Clerk



PUBLIC ROAD IN GRAHAM TOWNSHIP  
CLEARFIELD COUNTY PA.  
VIEWED AND VACATED JUNE 9-1931  
BY JOHN SCOLLINS ESQ.  
H.A. REESE  
H.P. DOWLER

SCALE 1"=600'

