

ROAD

DOCKET No. 6

Number
1

Term
May SS

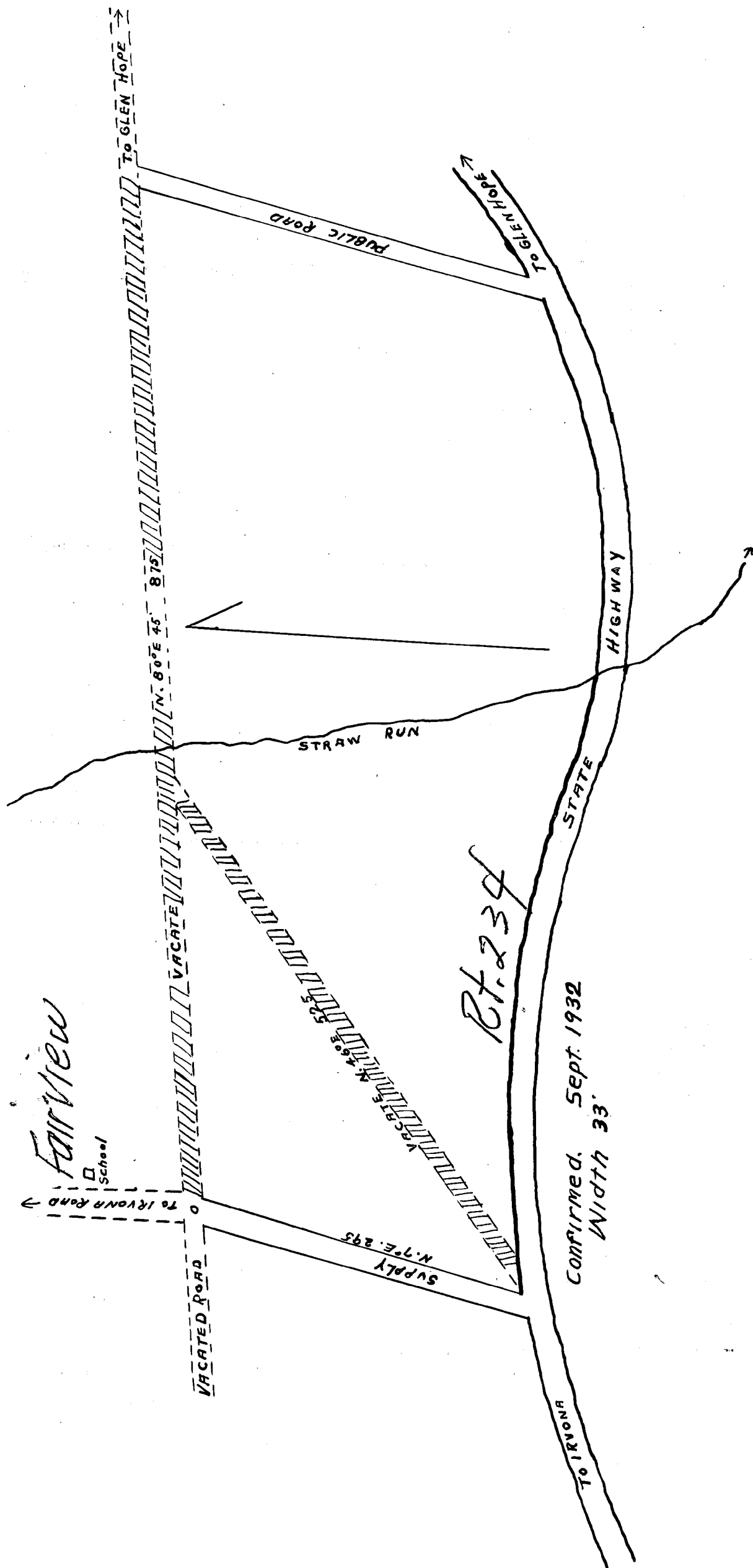
Year
1932

Petition to vacate and supply a
road in Beccaria Township.

Versus

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IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY, PENN'A.

No. 1 May 22 1932

In Re;

BECCARIA TOWNSHIP

PETITION TO VACATE AND SUPPLY
A ROAD IN BECCARIA TOWNSHIP.

Feb 15th 1932

J. H. Kellie's Son

Harry Kellie and

Jack Kellie are

applicants here

to vacate and repair

By the court

Attest

W. A. GILLMAN
CLERK
C. A. Belin
Attorney at Law,
Clearfield, Pa.

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

IN RE:)
Beccaria Township.)

PETITION TO VACATE AND SUPPLY A ROAD IN BECCARIA TOWNSHIP.

To the HONORABLE A. R. CHASE, President Judge of said Court:

Your petitioners respectfully represent:

FIRST: That there has been long since laid out a public road in Beccaria Township, Clearfield County, Pennsylvania, beginning at a point about thirty (30) rods East of the Fairview School House and two (2) miles South East of Irvona, and thence in a Northerly direction Three hundred and fifty eight (358) feet to a point of an intersection of a road and thence in the same direction Five Hundred and seventeen (517) feet to another intersection of public road.

SECOND: That there is a road that intersects the road mentioned in paragraph one (1), a distance of Three hundred and fifty eight (358) feet north of the beginning point and thence goes in a Southeasterly direction a distance of five hundred and twenty five (525) feet to a point on road leading from Irvona to Glen Hope, Pennsylvania.

THIRD: That an accurate description of the roads described in paragraph one (1) and two (2) was made by surveyor. A copy of which survey is attached to and made a part of this petition.

FOURTH: That the two above described roads

have become useless and burdensome and your petitioners pray the learned Court to appoint viewers according to the Act of Assembly, to vacate and abandon said road..

FIFTH: The petitioners propose a new road beginning at the point of Road No. 1, and thence in an Easterly direction a distance of two hundred and ninety four and five tenths (294 $\frac{5}{10}$) feet to a point where it intersects the road leading from Irvona to Glen Hope, Pennsylvania. This new road will take care of all the traffic of the public road to be abandoned.

WHEREFORE, your petitioners respectfully pray the Court to appoint viewers to vacate and abandon the roads described in paragraph one and two and supply said roads with new public road described in paragraph five (5).

J. W. Neubauer
Samuel Sample

Supervisors of Beccaria Township.

Clair Sample

J. E. Titch

Wm. Gates

J. E. Green

John Bailor
Amos Brown

Guy Diehl
Theron Bloome
Wm Maxwell Bloome
Frank Joss

STATE OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Personally appeared before me the subscriber, H. KILLION
Secretary of the Supervisors of Beccaria Township, who after being
duly sworn according to law deposes and says that the facts set
forth in the above petition are true and correct.

Sworn to and subscribed to before
me this 13 day of February,
A. D. 1932.

John Green J.D.
MY COMMISSION EXPIRES
JANUARY 1st, 1934

H. Killion

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.

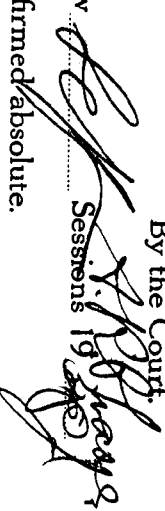
	Days	Miles	Am't
J. S. Michaels	4	226	\$41.30
E. A. Reese	3	124	\$28.70
John Scollins	6	160	\$53.00

No. 1 May Term 19, 32

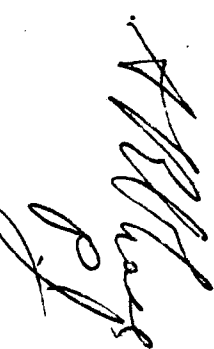
ORDER TO VACATE

_____ and supply
To view and vacate/road situate
in the Township of Beccaria
Clearfield County.

Now May Sessions 1932
read and confirmed Ni. Si.

By the Court,
Now  Sessions 1932
confirmed absolute.

By the Court.


Filed April 15 1932

Atty, Carl A. Belin
Fees \$1.25 paid by _____

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: Amos Groom, through whose land the new proposed
supply road passes.

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 15th

day of

April

, A. D. 19 32.

[SEAL.] John Deering

[SEAL.] W. A. Rice

[SEAL.] J. S. Mink

Viewers.

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 15th day of February in the year of our Lord, one
thousand nine hundred and thirty two

A. R. CHASE

By the Honorable ~~SEYMOUR~~, President Judge of the said Court: Upon the petition of sundry

inhabitants of the Township of Beccaria, in the County aforesaid setting forth that there...
1st there has been long since laid out a public road in Beccaria Twp, beginning
at a point about 30 rods east of the Fairview School House and 2 miles east of
Irvona, and thence in a northerly direction 358 feet to a point of an intersection
of a road and thence in the same direction 517 feet to another intersection
of public road.

2nd. That there is a road that intersects the road mentioned in paragraph 1, a
distance of 358 feet north of the beginning point and thence goes in a south
easterly direction a distance of 525 feet to a point on road leading from
Irvona to Glen Hope, Pa. The above two described roads have become useless and
pray that the same may be vacated and abandoned.

The petitioners propose a new road beginning at the point of Road No. 1, and
thence in an easterly direction a distance of two hundred and ninety four
and five tenths (294.5) feet to a point where it intersects the road leading
from Irvona to Glen Hope, Penna. This new road will take care of all the
traffic of the public road to be abandoned.

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 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
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 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
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.

W. R. Gallagher

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

Beccaria, 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 **March**, A. D. 1932, and the adjourned view on the 5th day of April, 1932, 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.

and the adjourned hearing on the 8th day of April, 1932
Pa., on the **11th** day of **March** A. D., 1932/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 :

on March 9th, 1932: Harry Killian, Jos. Niebauer and Lemuel Semple, Supervisors; and at the adjourned view on April 5th, 1932: Amel Groom, Harry Killian, Lemuel Semple and Dale O'Donnell, Supervisors,

adjourned
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 **8th** day of **April**, A. D. 1932, when the parties interested in the said road were in attendance: **Carl A. Belin, Esq., with Lemuel Semple, Jos. Niebauer and Dale O'Donnell, Supervisors, and Harry Killian, Secretary, and Amos Groom. All witnesses sworn, examined and cross-examined by counsel and 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, to wit:

FIRST:- Beginning at a point about 30 rods East of Fairview School House (and two miles East of Irvona) and thence North 80 degrees 45 minutes East 875 feet and intersecting with public road leading from State Highway to Glen Hope, and

Secondly, Beginning at its point of intersection, a distance of approximately 358 feet or less, from the beginning point of the Road first above described and thence running South 46 degrees, West 525 feet to its intersection with the State Improved Highway leading from Irvona to Glen Hope.

That the aforesaid described roads require a Bridge across Straw Run, that at presently laid out they gave no public use, are expensive, intersecting and a burden to the Township, and the public interest would be more economically served by the supply of a public Road, to wit:

Third:- Beginning at the terminus of the road described in the "First" paragraph above and thence running South 7 degrees West 295 feet and ending at its intersection with the State Improved Highway leading from Irvona to Glen Hope, and providing a direct out let to said Improved Highway.

To: The County 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. 1, May Sessions, 1932, to view and vacate the following described public roads in Eccaria Township:

First:- Beginning at a point about 80 rods East of the Fairview School House and two miles East of Irvona, and thence in a Northerly direction 258 feet to the two-way point of intersection with the "Second" hereof; and thence in the same direction 517 feet to the point of intersection with another public road leading to Glen Hope.

Second:- Beginning at its point of intersection, a distance of 566 feet North of the beginning point of the road first above described; thence in a South-easterly direction a distance of 525 feet to a point on road leading from Irvona to Glen Hope.

The aforesaid roads to be vacated and abandoned, and supplied by a new road beginning at the terminus of the road described in the "First" paragraph, and thence in an Easterly direction 294.5 feet to a point where it intersects the public road leading from Irvona to Glen Hope, as described in the plan attached to the petition:

will meet at the Fairview School House in Eccaria Township, in the County aforesaid, on Tuesday the 5th day of April, A. D. 1932 at 10:00 o'clock A. M., (adjourned from Wednesday the 9th day of March, A. D. 1932) 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 Friday, the 6th day of April, A. D. 1932 at ten (10:00) o'clock A. M., (adjourned from Friday the 11th day of March, A. D. 1932), or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

Dated, March 5th, 1932.

CLEARFIELD COUNTY: SS,

Now, this 28th day of March, A. D. 1932, service of the above Notice is accepted for the Commissioners of Clearfield County, Penna.

John Collins
Harry Reese
J. D. Michael
Viewers

L. C. Norris
Clerk

TO: J. W. Niebauer, Dale O'Donnell and Lemuel Semple, Supervisors of
Beccaria Township, Clearfield County:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No. 1, May
Sessions, 1932, to view and vacate the following described public roads in
Beccaria Township:

First:- Beginning at a point about 30 rods East of the
Fairview School House and two miles East of Irvona, and thence in a Northerly
direction 258 feet to the two-way point of intersection with the "Second"
hereof; and thence in the same direction 517 feet to the point of intersection
with another public road leading to Glen Hope.

Second:- Beginning at its point of intersection, a distance
of 358 feet North of the beginning point of the road first above described;
thence in a South-easterly direction a distance of 525 feet to a point on road
leading from Irvona to Glen Hope.

The aforesaid roads to be vacated and abandoned, and
supplied by a new road beginning at the terminus of the road described in the
"First" paragraph, and thence in an Easterly Direction 294.5 feet to a post
where it intersects the public road leading from Irvona to Glen Hope, as
described in the plan attached to the petition:

Will meet at the Fairview School House in Beccaria Township, in the County
aforesaid, on Tuesday the 5th day of April, A. D. 1932 at 10:30 o'clock A. M.,
(adjourned from Wednesday the 9th day of March, A. D. 1932) 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 oppor-
tunity to be heard, will be held in the Arbitration Room in the Court House
in Clearfield on Friday, the 8th day of April, A. D. 1932 at ten (10:00)
o'clock A. M., (adjourned from Friday the 11th day of March, A. D. 1932) or
as soon thereafter as counsel can be heard, at which time and place all parties
interested may attend and be heard.

Dated, March 24th, 1932.

John Scellins
Harry Reese
J. D. Michael
Viewers

CLEARFIELD COUNTY, SS:

Now, this 29th day of Mar — A. D. 1932,
service of the above Notice is accepted for the Supervisors of Beccaria Township,
Clearfield County.

J. W. Niebauer
x Dale O'Donnell
x Lemuel Semple
Supervisors

TO: J. W. Niebauer, Ashley Dillon and Lemuel Semple, Supervisors of Beccaria Township, Clearfield County:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 1, May Sessions, 1932, to view and vacate the following described public roads in Beccaria Township:

First:- Beginning at a point about 30 rods East of the Fairview School House and two miles East of Irvona, and thence in a Northerly direction 258 feet to the two-way point of intersection with the "Second" hereof; and thence in the same direction 517 feet to the point of intersection with another public road leading to Glen Hope.

Second:- Beginning at its point of intersection, a distance of 358 feet North of the beginning point of the road first above described; thence in a South-easterly direction a distance of 525 feet to a point on road leading from Irvona to Glen Hope.

The aforesaid roads to be vacated and abandoned, and supplied by a new road beginning at the terminus of the road described in the "First" paragraph, and thence in an Easterly direction 294.5 feet to a post where it intersects the public road leading from Irvona to Glen Hope, as described in the plan attached to the petition:

will meet at the Fairview School House in Beccaria Township, in the County aforesaid, on Wednesday the 9th day of March, A. D. 1932 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 Friday, the 11th day of March, A. D. 1932 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 Collins
Harry Reese
J. S. Michael
Viewers

Dated, February 24th, 1932.

CLEARFIELD COUNTY, SS:

Now, this 27 day of Feb., A. D. 1932, service of the above Notice is accepted for the Supervisors of Beccaria Township, Clearfield County.

Lab. O'Hornell
J. W. Niebauer
Lemuel Semple
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. 1, May Sessions, 1932, to view and vacate the following described public roads in Escobar Township:

First:- Beginning at a point about 30 rods East of the Fairview School House and two miles East of Irvona, and thence in a Northerly direction 253 feet to the two-way point of intersection with the "Locust" road; and thence in the same direction 517 feet to the point of intersection with another public road leading to Glen Hope.

Second:- Beginning at the point of intersection, a distance of 550 feet North of the beginning point of the road first above described; thence in a South-easterly direction a distance of 925 feet to a point on road leading from Irvona to Glen Hope.

The aforesaid roads to be vacated and abandoned, and supplied by a new road beginning at the terminus of the road described in the "First" paragraph, and thence in an Easterly direction 234.5 feet to a point where it intersects the public road leading from Irvona to Glen Hope, as described in the plan attached to the petition:

will meet at the Fairview School House in Escobar Township, in the County aforesaid, on Wednesday, the 9th day of March, A. D. 1932 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 Friday, the 11th day of March, A. D. 1932 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 Zellins
Larry Reese
J. S. Michaels
Viewers

Dated, February 24th, 1932.

CLEARFIELD COUNTY, SS:

Now, this 25 day of February, A. D. 1932, service of the within Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk



PUBLIC ROAD IN BECCARIA TOWNSHIP,
CLEARFIELD COUNTY, PA.
VIEWED, VACATED AND SUPPLIED
APRIL 5-1932 BY JOHN SCOLLINS ESQ.
H.A. REESE
J.S. MICHAELS

SCALE 1"=100'