

DOCKET No. 6

Page 337.

Number	Term	Year
2	Dec. SS	1932

Petition to maintain road or street
in Plymptonville known as Center
Street. (Lawrence Township).

Versus

R. A. #6 - Page 337

Center St. in Plymptonville

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

RE: PUBLIC ROAD IN THE VILLAGE OF :
PLYMPTONVILLE, TOWNSHIP OF LAW- :
RENCE AND COUNTY OF CLEARFIELD :
:

TO THE HON. A. R. CHASE, PRESIDENT JUDGE OF SAID COURT:-

The petition of the undersigned citizens and residents of the village of Plymptonville, Township of Lawrence, County of Clearfield and State of Pennsylvania respectfully represents:-

1. That there is a Street or Road known as Center Street running from Maple Avenue in the Village, and Township aforesaid to a public road known as the Mt. Joy Road.

2. That the said road or street which is used by the people of the aforesaid village and the surrounding community has been maintained by the persons who have resided along said road or street. The said road or street has been used to a great extent by the traveling public and is in a thickly populated district.

3. That the maintenance of the said road or street has worked a considerable hardship upon the residents who live along said road or street who have been compelled to maintain the said road or street not only for themselves but for a heavy traffic.

WHEREFORE your petitioners pray your Honorable Court to appoint the proper persons to view the aforesaid road or street to the end that the aforesaid road or street may be taken over and maintained by the proper public officials.

AND they will ever pray, etc.

6 S Shiflin Add: Race St
Chas Learish " "
Elmer Lansberry 328 Maple Ave
J. Graham 326 Maple Ave
C.M. Murdoch 23 Poplar Ave.
Clyde A. Curry 801 Old Mill Road
Arthur Keller R 27 # 3
Ray Brown RFD 3
Raymond P. Rhine R.D. # 3
Ellis Bandit 221 Maple Ave
W.W. Tregg 13 Poplar Ave
M. H. Duckett 5 Poplar Ave
R. H. Lutz Poplar Ave.
W. H. Smith P 65 - Pa. St.
Roy V. Maines Race St.
Paul E. Learish Maple Ave.
A. R. Graham Poplar Ave
F. G. Ullock 930 William St
C. L. Landy 728 William St
Harmon Taylor Center St. Clearfield Pa

STATE OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :

Before me C. C. Sander,
personally came C. C. Sander, one of the
signers to the foregoing petition, who being by me duly sworn accord-
ing to law deposes and says that the matters set forth in the said
petition are true and correct.

Sworn and subscribed before :
me this 1st day of
October A. D. 1932.
W. R. Halloway
MY COMMISSION EXPIRES
FIRST MONDAY OF JANUARY, 1936

C. C. Sander

Leave over margin

BY THE COURT

AT THE APPOINTED TWELVE MILES TO THE NEW BRIDGE ROAD AND REPORT TO THE COURT.

STIPULATED, WHEREUPON, IT IS AGREED AND READ AS FOLLOWS:

AND NO. 625, 1932, IN THE MANNER PROVIDED IN THE COURT.

No. 2 Doc. 1 Iss. 6

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
PENNSYLVANIA

RE: PUBLIC ROAD IN THE VILLAGE
OF PINEMONT, CLEARFIELD COUNTY,
STATE OF PENNSYLVANIA

PETITION TO VIEW ROAD

FILED

OCT 1 1932

W. R. GALLAGHER
CLERK

LAW OFFICES
MITCHELL CHASE
MOOSE TEMPLE BLDG.
CLEARFIELD, PA.

COMMERCIAL PRINTING CO., CLEARFIELD

1932 4-98

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 1st day of October in the year of our Lord one thousand nine hundred thirty two

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence, Village of Plymtonville in said County, setting forth that the undersigned citizens and residents of the village of Plymtonville, Township of Lawrence, County of Clearfield, Pa.

1. That there is a Street or Road known as Center Street running from Maple Avenue in the Village and Township aforesaid to a public road known as the Mt. Joy Road.

2. That the said road or street which is used by the people of the aforesaid village and the surrounding community has been maintained by the persons who have resided along said road or street. The said road or street has been used to a great extent by the traveling public and is in a thickly populated district.

3. That the maintenance of the said road or street has worked a considerable hardship upon the residents who live along said road or street who have been compelled to maintain the said road or street not only for themselves but for a heavy traffic.

WHEREFORE your petitioners pray your Honorable Court to appoint the proper persons to view the aforesaid road or street to the end that the aforesaid road or street may be taken over and maintained by the proper public officials.

And they will ever pray, etc.

...may arise to them on opening the same, out of the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; 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 place where, they should meet, to view and lay out said road, and the time and place of hearing.

By order of the Court.

A. R. CHASE, P. J.

, Clerk.

RETURN OF VIEWERS

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

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, be leave to report as follows:

That notice of the time of 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 Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 26th day of October A. D. 1932; and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 28th day of October, 1932, at 10 o'clock A.M. That the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view: E. E. Lewis and J. Reynolds Fullerton, Supervisors of Lawrence Township,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 28th day of October A. D. 1932, when the following appearances were noted: Hon. J. Mitchell Chase, Attorney for petitioners, with C. M. Meredith, Arman C. Taylor, Alex Eddington, Martin F. Duckett, John T. Campbell, James M. McHenry, C. C. Sandy and Albert R. Hinkle; and E. E. Lewis, Supervisor of Lawrence Township. All of whom were sworn, examined and cross-examined by counsel and your Board.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to wit Beginning at the intersection of Maple Avenue and Centre Street, as plotted and laid out in the Village of Plymptonville in the Township of Lawrence, and thence running North 86 degrees and 32 minutes East seven hundred and thirty-five (735) feet and intersecting with and ending in the improved public highway leading from Mt. Joy to Clearfield.

Your Board further finds that the aforesaid road serves the public use; that approximately 75 families will be served thereby, and that the aforesaid road has for a period of upwards of eight years been maintained by the residents of Plymptonville (a suburb of the Borough of Clearfield) at their own cost and expense; and that the public traffic thereon requires that the same be maintained at public expense, on account of its providing convenient access to the general public.

There being no objection to the petition, and in the opinion of your Board, the said Road being necessary and convenient for public use, recommends that the same be approved.

We further find that no damages will be suffered by any residents living along said Road, the properties having been built along the street as laid out and plotted by the original owners, who dedicated the said streets to public use.

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, excepting _____

when it was not practical to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be entitled by reason of the location and opening 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 28th day of November
A. D. 1932.

John Bellend *Seal.*
K. A. Reese *Seal.*
W. T. Fowler *Seal.*
John Bellend *Seal.*

No. 2 Dec Sessions, 19 32

ORDER

To view the aforesaid road on street that same may be taken over and maintained by the proper official township of Lawrence
Clearfield County

Dec Sessions, 1932,

read and confirmed, Ni. Si. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
E. J. Chase, P. J.

for the said 1932
J. Mitchell Chase, Atty.

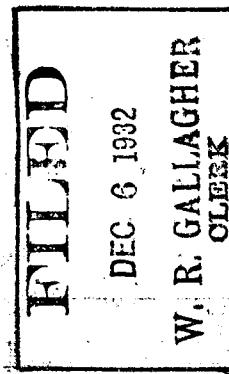
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
H. P. Dowler	2	2	\$15.10
Harry Reese	3	112	\$28.10
John Scollins	4	114	\$35.70



Filed

Fees \$1.25 paid by

J. Mitchell Chase, Atty.

RELEASE OF DAMAGES

Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said

all damages that may arise to us respectfully by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this _____ day of
A. D. 192 _____.

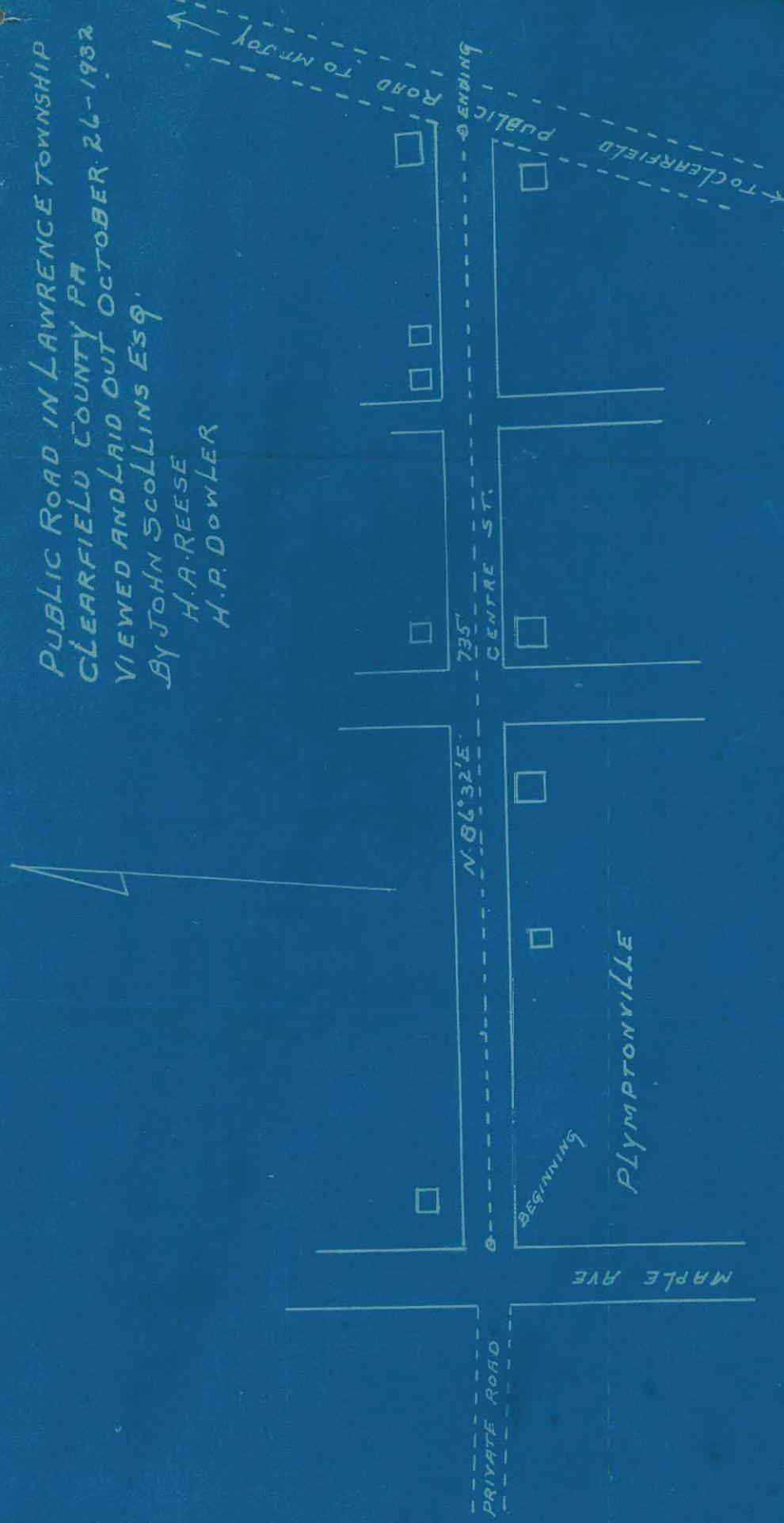
Seal

Seal

Seal

Seal

PUBLIC ROAD IN LAWRENCE TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND Laid Out OCTOBER 26-1932
BY JOHN SCOLLINS Esq.
H.A. REESE
H.R. DOWLER



TO: Joseph Young, Jr., J. Reynolds Fullerton and E. E. Lewis, Supervisors of Lawrence Township, Clearfield County:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 2, December Sessions, 1932, to view a road or street in Lawrence Township, to wit: known as Center Street, running from Maple Avenue in the Village of Plymtonville and Township aforesaid to a public road known as the Mt. Joy Road, to the end that the aforesaid road or street may be taken over and maintained by the proper public officials, will meet at the intersection of Mt. Joy Road and Center Street in the Village of Plymtonville, Lawrence Township, on Wednesday the 26th day of October, 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 28th day of October, A. D. 1932 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 Scollins
Harry Reese
Harry P. Dowler
Viewers

Dated, October 7th, 1932.

COUNTY OF CLEARFIELD, SS:

Now, this 10 day of October, A. D. 1932, service of the above Notice is accepted for the Supervisors of Lawrence Township, Clearfield County.

J. P. Fullerton
Jos. W. Young
E. E. Lewis
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, December Sessions, 1932, to view a road or street in Lawrence Township, to wit: known as Center Street, running from Maple Avenue in the Village of Plymtonville and Township aforesaid to a public road known as the Mt. Joy Road, to the end that the aforesaid road or street may be taken over and maintained by the proper public officials, will meet at the intersection of Mt. Joy Road and Center Street in the Village of Plymtonville, Lawrence Township, on Wednesday the 26th day of October, 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 28th day of October, A. D. 1932 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 Scollin
Harry Reese
Harry P. Dawler
Viewers

Dated, October 7th, 1932.

COUNTY OF CLEARFIELD, SS:

On this 10th day of October, A. D. 1932, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk