

DOCKET No. 6

Number

#2

Term

FEB

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Year

1936

PETITION TO LAY A ROAD IN

GULICH TOWNSHIP

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN RE: Laying out of a Public Road | No. December Sessions, 1935.
in Gulich Township. |

To the Honorable W. Wallace Smith, President Judge of said Court:

The petition of the undersigned, citizens and tax-payers of the Township of Gulich, in the County of Clearfield, respectfully represents:

1. That they labor under great inconvenience for want of a public road, leading from the Improved public highway (Route 353) on Railroad Avenue in the village of Morann, thence along Ash Street (as laid out by the Kittanning Coal Company) and ending at the proposed road's intersection with the public road leading from Ramey to Ginter, at or near the property of Steve Kokosky, in said Township.

2. That your petitioners have improved their properties along the said proposed road; that approximately 15 families would be accomodated thereby; that there are approximately 14 children of school age that attend the Morann public school, living along the route of said road.

3. That approximately 6 years ago the Supervisor of Gulich Township, Thomas Ream, worked upon said Road with township machinery; but, your petitioners have been required to maintain said road, for public use, at their own expense:

WHEREFORE, your petitioners representing that the said Road is necessary for public travel; that your petitioners labor under great inconvenience for want thereof, pray your Honorable Court to appoint a Board of Viewers, to view and lay out said proposed road, for public use, in accordance with the provisions of the Act of Assembly in such case made and provided.

AND THEY WILL EVER PRAY.

Julius Dellerke	Morran Pa
Thomas Sales	Morran Pa
Madigan Storo	Houtzdale Pa
Arthur Hutchinson	Houtzdale Pa.
Art F. Riegger	Houtzdale Pa
Andrew Brown	Houtzdale Pa
James Rogers	Houtzdale Pa.
Albert Brago	Houtzdale Pa.
James Helzel	Houtzdale Pa.
Morgan Barber Shop	Houtzdale Pa
George Morrison	Smithmill Pa. W
John Marroni	SR. Smithmill Pa
Phyllis Moroni	Smith Mill Pa
Martha Moroni	Smithmill Penna
Charles Klesser	Smithmill Pa
Camille Morroni	Smithmill Pa.
John Moroni Jr.	Smithmill Pa.
Eda Moroni	Smith Mills Pa.
Val Murawski	Morann Pa
Frank W. Emerick	Morann Pa
George Janock	Morann Pa
John Emerick Jr.	Morann Pa
Mika Slyke	Morann Pa
Stephen Phillips	Morann Pa.
Edward Volinsky	Morann Pa
Andrew Dorman	Morann Pa
Mike Sott	Morann Pa
Mike Dudock	Morann Pa
Fred Bergman	Morann Pa
Valter Fawcett	Morann Pa

Frank J Smerek Morano Pa
Andy Pachuta Morano Pa
John Gaszak Morano Pa
Mike Frankovich Morano Pa
John Samosky Houtzdale, Pa
Peter Enala Morano Pa

Mrs Katherine Solas Morano Pa
X Mrs Fabian Hiza Morano Pa
Mr John Frankovich Sr.
Mr Joseph Frankovich
Mr John B. Smerek
Mrs John J Smerek
Mrs James Lasbousky Morano Pa
Mr Frank Phillips Morano Pa
Joe Moroski Morano Pa
Mrs Joe Muraski Morano Pa
Mrs Andrew Drillock Morano Pa

+ Mikael Drillock Morano Pa
Elizabeth Drillock Morano Pa
Elsie Potkavitsky
Mrs. Joseph Potkavitsky Morano Pa
X Mr. Joseph Potkavitsky Morano Pa
Morano Pa
John Mello Houtzdale, Pa
Elizabeth Muraski Morano Pa

STATE OF PENNSYLVANIA |
COUNTY OF CLEARFIELD | SS:

_____ ,
and _____ , petitioners within named, personally
appearing before me, and being duly sworn according to law, depose and say
that the facts setbforth in the within petition are true and correct.

Joseph D. Bellard
Thomas Saba
Vol. Murawski

Sworn and subscribed before me, this 29 day of November,
1935.

G. F. Sappfor Jr.

My Commission Expires First
Monday in January, 1936.

OF CLAREMONT COUNTY, PENNSA. 1436
No. *24* DECEMBER 1935., 1935.

In re: Laying out of a Public

NOTES

AND NOT, *Dec. 24, 1935*
the within petition presented,
read and considered thereupon
AB and *considered thereupon*
and H. A. Giddens Captain
are appointed from the County
Board of Viewers, to view the
road proposed to be laid out;
and make report as provided by
Act of Assembly; and the Rules of
Court.

JOHN SCOLLINS
ATTORNEY AT LAW
HOUTSDALE, PA.
D.J.

The Tuttle Law Print, Publishers, Rutland, Vt

五

DEC 24

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 Gulich and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the Eighth day of January A. D. 1936, and the hearing to be held in the ~~auditorium~~ ^{#1 Jury} Room, at the Court House, in Clearfield, Pa., on the Tenth day of January, 1936, at 10:30 o'clock A.M. That three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Thomas Brennen, John Fox and Jules Ferrier, Supervisors for Gulich Township Road District.

parties in interest. That the hearing was held in the ~~auditorium~~ ^{#1 Jury} Room, in the Court House, at Clearfield, Pa., on the Tenth day of January A. D. 1936, when the following appearances were noted: Thomas Brennen, John Fox and Jules Ferrier, Supervisors for Gulich Township Road District; also the following petitioners: Andrew Drelock, Catherine Drelock, Sophia Gmerek, Thomas Soles and Martin Gize, there being no counsel or other witnesses present at this hearing.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is a 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 point of intersection of State Highway Route #353 and a Street known as Ash Street in the village of Morann, Clearfield County, Pennsylvania; thence along Ash Street as dedicated and laid out by the Kittaning Coal Company to the end of said Street a distance of about 2400 feet, or where said Street intersects with the Kittaning Coal Company's land at or near the property of Andrew Drelock.

The proposed road hereinabove described is laid out over a dedicated Street in the village of Morann, Clearfield County, Pennsylvania, known as Ash Street, said Street having a width of approximately 66 feet, the same being fenced on either side by the abutting property owners. That for many years the individual property owners served by said Street have kept the same in repair at their individual expense, and in the opinion of your undersigned Board, the newly proposed road over said Street is necessary for the convenience of the traveling public and should be maintained at public expense.

That during the greater part of the year said Street is impassable due to the lack of grading and proper drainage. Approximately 15 families live along the proposed road, and the Supervisors of Gulich Township have resolved to build this proposed road as soon as the same has been authorized and approved in accordance with law.

There are no objections to the proposed road, and according to the vast number of petitioners requesting the same, its construction seems to be necessary for the accomodation of the traveling

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 24th day of December in the year of our Lord one thousand nine hundred thirty five

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Gulich

in said County, setting forth that they labor under great inconvenience for want of a public road, leading from the Improved public highway (Route 353) on Railroad Avenue in the village of Morann, thence along Ash Street (as laid out by the Kittaning Coal Co) and ending at the proposed road's intersection with the public road leading from Ramey to Ginter, at or near the property of Steve Kokosky, in said township. that approximately 15 families would be accomodated thereby; that there are al4 children of school age that atter the Morann public school, living along the route of said road.

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. B. SHAW, Esq E.D. Billotte and H. A. Giles

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgement, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may, be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degress, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if 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.

M. R. Gallagher, Clerk.

public as well as for the convenience and accomodation of the great number of families living along said proposed road, and for the convenience and advantage of the great number of children of school age using said proposed road in going to and from the Morann public schools; therefore your Board recommends its approval.

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~~

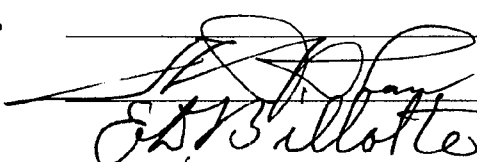
~~when it was not practical to preserve it within that limit~~

~~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:~~

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

WITNESS our hands and seals this Tenth day of January
A. D. 1936.

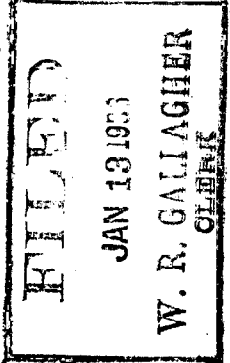
 Seal
H. A. G. Lee. Seal

ORDER

To view and lay out _____ a
road for public _____ use in the
township of Gulich _____,
Clearfield County _____

February Sessions, 1936,
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.

W. R. Gallagher



Accepted by the Clerk

John Scollins, Attorney

Filed _____ 19____

Fees \$1.25 paid by _____

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.
A. B. Shaw	3	64	\$53.20
E. D. Billotte	3	117	\$35.85
H. A. Giles	2	74	\$23.70

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

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:-

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 24th day of December, A.D., 1935 to view and supply a public road leading from the Improved public highway (Route 353) on Railroad Avenue in the village of Morann, thence along Ash Street (as laid out by the Kittaning Coal Co) and ending at the proposed road's intersection with the public road leading from Ramey to Ginter, at or near the property of Steve Kokosky in Gulich Township, will meet at the point where said proposed road has its beginning in Gulich Township on Wednesday, January 8, 1936 at ten-thirty o'clock A.M. to attend to the duties assigned to them, 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 said road an opportunity to be heard, will be held Friday, January 10, 1936 at 10:30 o'clock A.M. in No. 1 Court Room of the Court House at Clearfield, Pennsylvania at which time and place all parties interested may attend and be heard if they so desire.

A. B. SHAW

E. D. BILLOTTE

H. A. GILES
(Viewers.)

NOW THIS 27th day of December, A.D., 1935, service of the above notice is accepted for the County Commissioners of Clearfield County, Pennsylvania.

Myra E. Lucas
Assistant Clerk.

TO THE SUPERVISORS OF GULICH TOWNSHIP, CLEARFIELD COUNTY, PENN'A:-

NOTICE OF VIEW

You are heroby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 24th day of December, A.D., 1935 to view and supply a public road leading from the Improved public highway (Route 353) on Railroad Avenue in the village of Morann, thence along Ash Street (as laid out by the Kittaning Coal Co) and ending at the proposed road's intersection with the public road leading from Ramey to Ginter, at or near the property of Stove Kokosky in Gulich Township, will meet at the point where said proposed road has its beginning in Gulich Township on Wednesday, January 8, 1936 at ten-thirty o'clock A.M. to attend to the duties assigned to them, 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 said road an opportunity to be heard, will be held Friday, January 10, 1936 at 10:30 o'clock A.M. in No. 1 Court Room of the Court House at Clearfield, Pennsylvania at which time and place all parties interested may attend and be heard if they so desire.

A. B. SHAW

E. D. BILLOTTE

H. A. GILES
(Viewers)

NOW THIS 80 day of Dec, A.D., 1935, service of the above notice is accepted for the Supervisors of Gulich Township, Clearfield County, Pennsylvania.

Thomas Brunson

John Fay

Jules Herrier
(Supervisors)

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 supply} a Road ~~on~~ ~~assess damages~~, leading from THE IMPROVED PUBLIC HIGHWAY (ROUTE 353) ON RAILROAD AVENUE IN THE VILLAGE OF MORANN, THENCE ALONG ASH STREET (AS LAID OUT BY THE KITTANING CO)

.....
.....
.....
in GULICH Township to THE PROPOSED ROAD'S INTERSECTION WITH THE PUBLIC ROAD LEADING FROM RAMEY TO GINTER, AT OR NEAR THE PROPERTY OF STEVE KOKOSKY

.....
.....
in GULICH Township, in the County aforesaid, will meet ~~at the house of~~ AT THE POINT WHERE SAID PROPOSED ROAD HAS ITS BEGINNING.

in GULICH Township, on WEDNESDAY
the ... EIGHTH day of JANUARY, A. D. 19~~7~~36, at 10:30

o'clock ... A M., to attend to the duty assigned them, of which time and place aforesaid, 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 SAID ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD FRIDAY, JANUARY 10, 1936 AT 10:30 O'CLOCK A.M. IN NO. 1 COURT ROOM OF THE COURT HOUSE AT CLEARFIELD, PENNSYLVANIA AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD IF THEY SO DESIRE.

..... A.B. SHAW

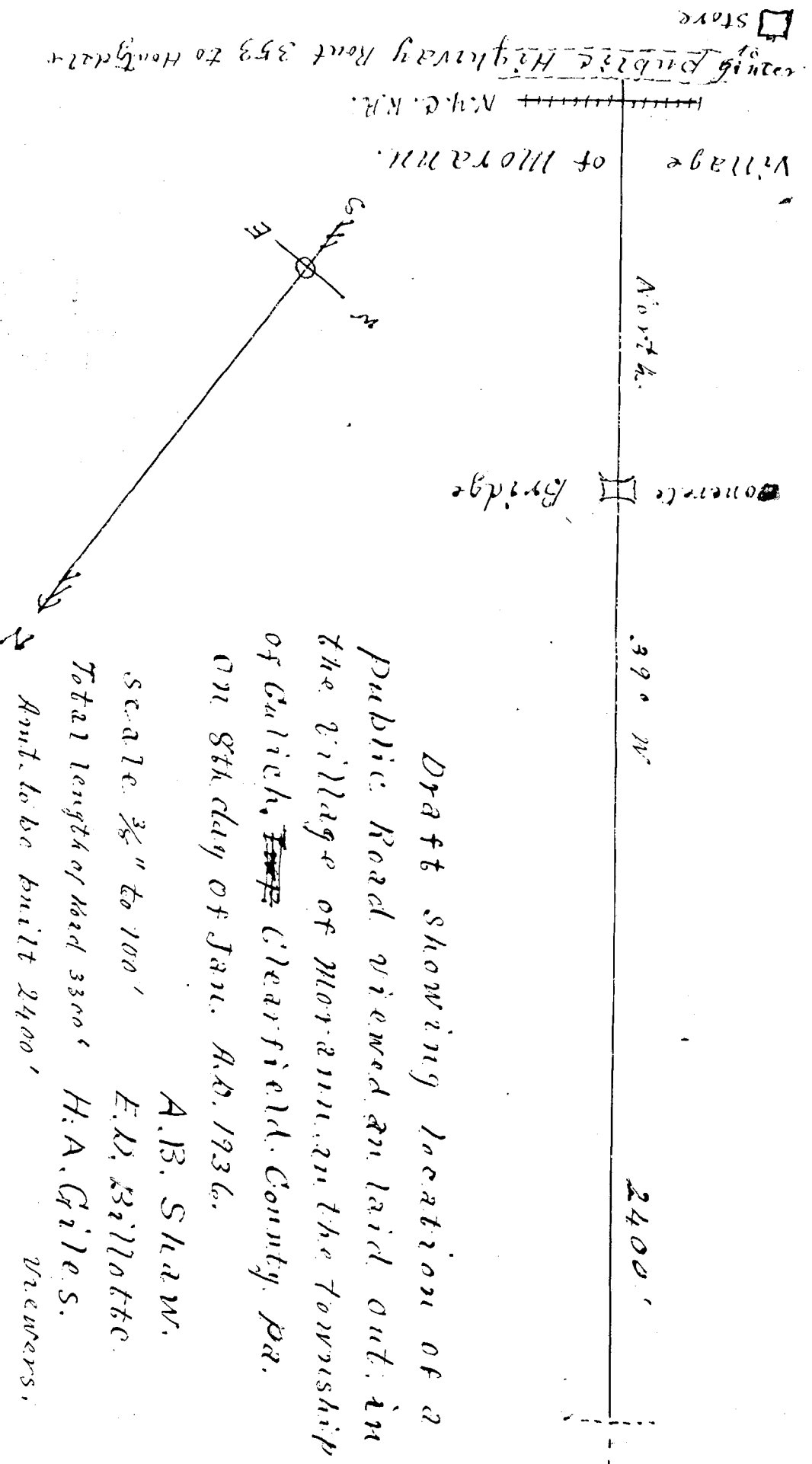
..... E.D. BILLOTTE

..... H.A. GILES

VIEWERS

..... DECEMBER 27, 1935

Ketting Coal. Co.



Draft showing location of a
Public Road viewed and laid out in
the village of Moravian in the township
of Culich, ~~Clearfield~~ Clearfield County, Pa.
on 8th day of Jan. A.D. 1936.

A.B. Shaw.
Scale $\frac{3}{8}$ " to 100' E.D. Billotte.
Total length of road 3300' H.A. Giles.
Ant. to be built 2400' Viewers.