

ROAD

DOCKET No. 6

Number	Term	Year
7	Dec. SS	1936

M. L. McCreight, Frank Hahne, Jr.,
representing ESTATE OF FRANK HAHNE,
Ida Weil

Versus

County of Clearfield

Quarter Sessions
IN THE COURT OF ~~COMMON PLEAS~~ OF THE COUNTY OF CLEARFIELD

M. I. McCREIGHT,
FRANK HAHNE, JR., represent-
ing the Estate of Frank Hahne,
and IDA WEIL

No. _____

-vs-

COUNTY OF CLEARFIELD

December Term, 1936

P E T I T I O N

TO THE HONORABLE THE JUDGE OF THE ABOVE NAMED COURT:

The petition of M. I. McCREIGHT, FRANK HAHNE, JR., representing the Estate of Frank Hahne, and IDA WEIL, respectfully represents:

1. That M. I. McCreight, the Estate of Frank Hahne, late of the City of DuBois, County of Clearfield and State of Pennsylvania, represented by Frank Hahne, Jr., and Ida Weil, of the City of Pittsburgh, Pennsylvania, are the petitioners and plaintiffs in the above named case, and have requested M. I. McCreight, one of the parties affected, to present this petition.

2. Your petitioners own a certain piece of land situated in the Township of Sandy, County of Clearfield and State of Pennsylvania, abutting on Public Highway Route #322, a public highway owned and controlled by the State of Pennsylvania.

3. The eastern termini of the property of your petitioners begins on the said highway abutting the land of what is known as the Canfield property, thence extending Westerly to the

B. & O. Railroad crossing and after crossing said right-of-way there is another piece of said land between the railroad and Highway Route #322, and farther west a small piece of said land abutting on said route.

4. The said Commonwealth of Pennsylvania, by virtue of the powers vested in them have decided and are improving the said Highway Route #322 abutting on the property of your petitioners by widening, changing grade and changing the routes along said premises, to the great damage and detriment of your petitioners.

6. Under the laws of the Commonwealth of Pennsylvania the County of Clearfield is responsible for the damages done your petitioners and your petitioners have taken up said matters with the Commissioners of the County of Clearfield and have tried to agree to the value of said land so appropriated by the said Commonwealth of Pennsylvania, but your petitioners are unable to agree with the said County Commissioners as to the value and damages done to your petitioners.

7. Your petitioners present herewith in a separate schedule hereto attached a list of the liens of record in the County of Clearfield against the said property.

THEREFORE, your petitioners pray your honorable Court to appoint Viewers as provided by the laws of the Commonwealth of Pennsylvania to find and assess the damages sustained by virtue of said taking of said land for the purposes aforesaid.

And they will ever pray, etc.

John Strong

STATE OF PENNSYLVANIA
SS:
COUNTY OF CLEARFIELD

Personally appeared before me, a Notary Public in and for said County and State, M. I. McCREIGHT, one of the Petitioners in the foregoing Petition, who being duly sworn according to law deposes and says that the facts set forth in the foregoing Petition are correct and true.

M. I. McCreight

Sworn and subscribed before me
this ~~26~~ day of October, 1936.

R. P. Shaffer
Notary Public
my comm. expires 3/19/39

IN THE COURT OF COMMON PLEAS OF THE COUNTY OF CLEARFIELD

M.I. McCREIGHT,
FRANK HAHNE, Jr. Representing
the Estate of Frank Hahne,
and IDA WEIL

-vs-
COUNTY OF CLEARFIELD

Y
NO. _____

December Term, 1936

*

N O T I C E

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY:

You are hereby notified that a petition will be presented to the Court of Common Pleas of Clearfield County on behalf of M.I. McCreight, Frank Hahne, Jr., representing the estate of Frank Hahne, and Ida Weil, the above named Plaintiffs, on Monday November 2, 1936, for the appointment of viewers to assess the damages caused by the taking of lands, trees, disturbance of buildings etc., of the said Plaintiffs, for the improvement of the State Highway, Route No. 322, in the Township of Sandy, Clearfield County, Pennsylvania.


Attorneys for Plaintiffs

Above notice accepted 19th day of October, 1936, for
County Commissioners,

By 
Myra E. Lucas
Chief Clerk

IN THE COURT OF COMMON PLEAS OF THE COUNTY OF CLEARFIELD

M. I. McCREIGHT, FRANK HAHNE, Jr.
Representing the Estate of
Frank Hahne, and IDA WEIL

-vs-

COUNTY OF CLEARFIELD

NO. _____

December Term, 1936

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* *
*

O R D E R

NOW 2nd DAY OF November, 1936, the foregoing petition read and considered, and thereupon *A. B. Show, C. C. H. ? Rees, H. L. Bonsell*, members of the County Board of Viewers, are appointed Viewers to meet and view the land, property and material appropriated, injured or destroyed, on the day of 1936. Said Viewers to give ten days notice by publication in The Dubois Morning Courier and The Clearfield Republican of the time and place of said meeting, and to post handbills in conspicuous places in the City and on the premises, and report on the same, and file their report thereon on the first Monday of January, 1937.

BY THE COURT

W. D. Hall Jr. J.

In the Court of Common Pleas
of Clearfield County

No. 7 December Term, 1936

M. T. MCCREIGHT, FRANK
HAHNE, JR., representing
plaintiff Frank Hahne,
aka Will

-vs-

COUNTY OF CLEARFIELD

Sealed
Petition

FILED

NOV 2 1936

W. R. GALLAGHER

CLERK

PENTZ & PENTZ
ATTORNEYS AT LAW
DU BOIS, PENNA.

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 2nd day of November in the year of our Lord one thousand nine hundred thirty-six

Judge of the same Court: Upon the petition of ~~sandy in-habitors of the Township of~~ M. I. McCreight, Frank Hahne, Jr. representing the Estate of Frank Hahne, and in said County, setting forth that Ida Weil of Sandy Township

Petition of M. I. McCreight, Frank Hahne, Jr., representing the Estate of Frank Hahne, and Ida Weil, respectfully represents:

Your petitioners own a certain piece of land situate in the Township of Sandy, County of Clearfield and State of Penna., abutting on public Highway Route #322, a public highway owned and controlled by the State of Pennsylvania.

The eastern termini of the property of your petitioners begins on the said highway abutting the land of what is known as the Canfield property, thence extending westerly to the B. & O. Railroad crossing and after crossing said right-of-way there is another piece of said land between the railroad and Highway Route #322, and farther west a small piece of said land abutting on said route.

The said Commonwealth of Pennsylvania, by virtue of the powers vested in them have decided and are improving the said Highway Route #322 abutting on the property of your petitioners by widening, changing grade and changing the routes along said premises, to the great damage and detriment of your petitioners.

In the taking of said land by the Commonwealth of Penna. it has destroyed a large number of timber trees growing on said land and taken the most valuable part thereof to the extent of acres, as well as narrowing down the said land by virtue of said improvement and greatly damages your petitioners.

Under the laws of the Commonwealth of Pennsylvania the County of Clearfield is responsible for the damages done your petitioners and your petitioners have taken up said matters with the Commissioners of the County of Clearfield and have tried to agree to the value of said land so appropriated by the said Commonwealth of Pennsylvania, but your petitioners are unable to agree with the said County Commissioners as to the value and damages done to your petitioners.

view the advantages as well as disadvantages arising,.....

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 Said Viewers to give ten days notice by publication in the DuBois Morning Courier and the Clearfield Republican of the time and place of said meeting, post handbills, and file their report on the first Monday of Jan. 1937.

By order of the Court.

W R Gallagher, 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 _____ and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 23rd day of November Grand Jury A. D. 1926, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 25th day of November, 1926, at 9:00 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 M.I.McCright one of the petitioners and representatives of the Frank Hahne and Ida Weil Estate.

Grand Jury
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 25th day of November A. D. 1926, when the following appearances were noted: M.I.McCright, one of the representatives of the Frank Hahne and Ida Weil Estate, together with his attorney, John J. Pentz, Esquire, of the law firm of Pentz and Pentz of DuBois, Pa. There was also present at this meeting Robert Maine Esq., representing A.M.Liberight, Esq., County Solicitor.

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 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 use the following described road to wit: Beginning damage has been sustained by the Estate of Frank Hahne and Ida Weil, by reason of the construction and relocation of State Highway Route # 59 Sec 9 through said premises, on account of which a petition was presented to the Court of Quarter Sessions of Clearfield County, Penna by M.I.McCright and Frank Hahne Jr, representatives of said estate. That in the construction and widening of said Highway a strip of land approximately 13 1/2 feet in width, including the slope has been taken and appropriated and in addition thereto a small portion of the petitioners land on the side of the B & O R R tracks nearest DuBois has been taken by reason of a small fill between the B & O R R right of way and the present Highway, amounting in all to 9450 sq ft or .22/100 of an acre. That in the widening of said Highway to its present and required width a number of saplings and small trees were destroyed, none of which had any market or particular value.

Mr M.I.McCright, one of the representatives of the Frank Hahne and Ida Weil Estate, claims said estate has been damaged to the extent of \$1000.00. After viewing the premises and the conditions surrounding the same and taking into consideration the special benefits accruing thereto, your viewers are of the opinion that the foregoing estimate is excessive, but that the estate of Frank Hahne and Ida Weil should be compensated for the land taken and appropriated, and do assess to the estate of Frank Hahne and Ida Weil, damages in the amount of One Hundred (\$ 100.00) Dollars.

Seal

Seal

Seal

Seal

A. D. 1926

WITNESS our hands and seals this

18th

day of

July

1926

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

make report thereof as follows:
the following persons having refused to release the damages to which they ~~respective~~ may
be entitled by reason of the location and opening of the said road, we, the undersigned view
ers, after having considered the advantages to be derived to them, do assess them damages and
make report thereof as follows:

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 ~~respective~~ may

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 practicable to preserve it within that limit.

A.D. 1925

Witnesse our hands and seals this day of

location and opening of the road as foreseen.

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

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

RELEASE OF DAMAGES

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

No. 7 Dec. Sessions, 1936

ORDER

To view & Assess Damages to a road for the ~~Surplus~~ use in the township of Sandy,
Clearfield County _____,

Tel Sessions, 1937.

read and confirmed Ni. Si. Road to be opened 33 feet wide, except where there

is *sitter-hill-cutting*—or *embankment-and-*

bridging, there to be 16 feet wider.

Dr. Thompson's paper is excellent.
The pictures are fine, I particularly

thirty years.
B. J. George

John H. Thompson

John H. MacCallum

✓ *Deer
battering*

“Second”

—

Filed _____ 19 _____.
Fees \$1.25 paid by _____.

Fees \$1.25 paid by _____.

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 2nd day of November, A.D., 1936, to assess the damages and benefits, if any, by reason of the construction and relocation of State Highway Route #59 sec 9 through the property or estate of Frank Hahne and Ida Weil, situate in the Township of Sandy, Clearfield County, Pennsylvania, will meet on the premises on Monday the 23rd day of November, A.D., 1936 at 11:30 A.M. to attend the duties assigned them, and that a 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 in the Grand Jury Room in the Court House at Clearfield on Wednesday the 25th day of November, A.D., 1936 at 9:00 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A.B. Shaw

H.A. Reese

H.W. Bonsall

Viewers.

Now November 6th 1936, service of the above notice is hereby accepted by copy.

Myra Lucas
Clerk

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Road or assess damages, leading from ~~the intersection of the road and the road leading to the intersection of State Highway Route 300 and State Highway Route 300 through the property of Estate of Robert D. and Ida E. Miller, at 106 Main Street, in the Township of~~
~~in the Township of~~
~~in the County of~~

in Conoy Township, in the County aforesaid, will

meet at the house of on the prentree Township, in the County aforesaid, will

in Conoy Township, on Conoy ⁶⁶

the 20th day of November, A. D. 1923, at 11:30 o'clock ^{A.M.}, to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

THAT A PUBLIC HEARING AS REQUIRED BY ACT OF ASSESSMENT AND RULES OF COURT, IN ORDER TO GIVE ALL PARTIES INTERESTED IN SAID ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD, ON WEDNESDAY THE 20TH DAY OF NOVEMBER A.D. 1923 AT 9:00 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD IN THE SO DESIRE.

A. B. GRAY

W. A. REED

H. V. BONSALL

VIEWERS

Covener 12th

1923

NO. 1. OCTOBER
LANDS IN STATE OF PENNSYLVANIA
GLENSFIELD COUNTY, PA.
VIEWED UPON A PLANE SURVEY
MOSSES AND
SETTLEMENTS
W. W. BURDICK

McCREADY & CO.



← DUNNEDIN

NEW HIGHWAY CUT OR CLOUD

STREIGHT
CLOUD

