

ROAD

DOCKET No. 6

Number	Term	Year
7	Sept	1936

Petition to supply a road in

Jordan Township

Versus

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 28th day of July in the year of our Lord one thousand nine hundred thirty six

Supervisors

Judge of the same Court: Upon the petition of ~~supervisors~~
~~of the Township of~~ Jordan

in said County, setting forth that they desire to have a road constructed and opened into the Fruit Hill Picnic grounds in said Jordan Township.

That the said road shall have for its northern terminus a point upon State Highway System road, a hard-surface road, No (17021) and for its southern terminus a point within the said Fruit Hill picnic grounds.

That the length of the desired road shall be approximately 600 feet.

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 T. C. McGarvey

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 degrees, 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.

W. WALLACE SMITH, P. J. 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 Jordan and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 13th day of August A. D. 192³⁶, and the hearing to be held in the ^{Grand Jury} ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 15th day of August, 192³⁶, at 11 o'clock A M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view W.L.Schoning, Blake Summers and Levi Hamer, Supervisors of the Township of Jordan, also E.W.Strong, Secretary of the Jordan Township Road District.

parties in interest. That the hearing was held in the ^{Grand Jury} ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 15th day of August A. D. 192³⁶, when the following appearances were noted: W.L.Schoning, Blake Summers and Levi Hamer, Supervisors of the Township of Jordan.

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 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 a point on State Highway Route #17021 at or near the Fruit Hill Presbyterian Church; thence South 13 degrees East, 340 feet to a stake; thence South 51 degrees East, 292 feet to a stake at or with-
in the Fruit Hill Picnic Grounds.

To the County Commissioners of Clearfield County, Penna.

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 28th day of July A.D., 1936, to lay out a public road in the Township of Jordan, Clearfield County, Pennsylvania, leading from a point on State Highway Route # 17021 near the Fruit Hill picnic grounds; thence in a southerly direction to a point within the said Fruit Hill picnic grounds, said road to be approximately 600 feet in length, will meet at the point where said proposed road has its beginning in the Township of Jordan on Thursday the 13th day of August A.D., 1936 at 1:00 o'clock P.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 Saturday the 15th day of August A.D., 1936 at 11:00 o'clock A.M. at which time and place all parties interested in said road may attend and be heard if they so desire.

A.B. Shaw

E.D. Billotte

T.C. McGarvey

Viewers.

Now this 1st day of August A.D., 1936 service of the above notice is hereby accepted by copy.

Myra E. Lucas
Clerk

To the Supervisors of Jordan Township Road District

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 28th day of July A.D., 1936, to lay out a public road in the Township of Jordan, Clearfield County, Pennsylvania, leading from a point on State Highway Route # 17021 near the Fruit Hill picnic grounds; thence in a southerly direction to a point within the said Fruit Hill picnic grounds, said road to be approximately 600 feet in length, will meet at the point where said proposed road has its beginning in the Township of Jordan on Thursday the 13th day of August A.D., 1936 at 1:00 o'clock P.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 Saturday the 15th day of August A.D., 1936 at 11:00 o'clock A.M. at which time and place all parties interested in said road may attend and be heard if they so desire.

A.B. Shaw

E.D. Billotte

T.C. McGarvey

Viewers.

Now this 6th day of August A.D., 1936 service of the above notice is hereby accepted on behalf of the Supervisors of the Jordan Township Road District.

A. Strong
Secretary.

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 lay out} a Road or assess damages, leading from a point on State Highway Route # 17021 near the Fruit Hill picnic grounds; thence in a southerly direction to a point within the said Fruit Hill picnic grounds, said road to be approximately 600 feet in length

~~in Jordan Township~~

in Jordan Township, in the County aforesaid, will meet at the ~~house~~ of Fruit Hill picnic grounds in Jordan Township, on Thursday the 13th day of August, A. D. 1936, at 1:00 o'clock P. 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 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 SATURDAY THE 15th DAY OF AUGUST A.D. 1936 AT 11:00 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROAD MAY ATTEND AND BE HEARD IF THEY SO DESIRE.

A.D. SHAW

E.D. BILLOTTE

F.C. MCCARVEY

VIEWERS

August 1st 1936

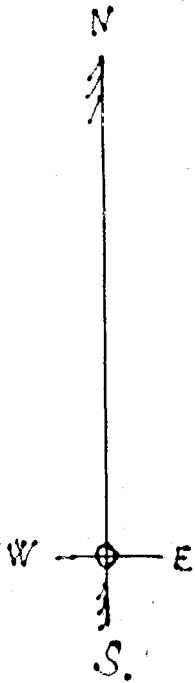
Route 17021

S. 13° E.

340 ft.

S. 51° E.

292 ft.



Draft showing location of a public
Road viewed and laid out in Jordan
Township, Clearfield County, Penna.
Aug. 13th, A.D. 1936.

A. B. Shaw.

E. D. Billotte

T. C. McGarvey.

viewers

Scale 1" to 100'

Total length 632 ft

Fruit Hill
pic-nic Ground.

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 _____

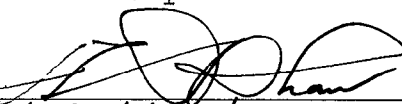


when it was not practical to preserve it within that limit.

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: The proposed road passes over the Fruit Hill Church property and no damages are requested.

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

WITNESS our hands and seals this 2nd day of September
A. D. 19236.

 Seal
 Seal
 Seal
Seal

ORDER

To view _____ a
road for public _____ use in the
township of Jordan _____,
Clearfield County _____

_____ Sessions, 19 _____,

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.

Per Curiam
Robert R. Harris P. J. 55th Jud. Ct.
Specially Pleading

FILED
SEP 5 1936
W. R. GALLAGHER
CLERK

Dec. 7, 1936 Confirmed
absolutely. W. R. Gallagher

Filed _____ 19 _____

Fees \$1.25 paid by _____

Chase & Chase, Attys.

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	1		\$10.00

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

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

PETITION OF :
W. L. Schoening :
Levi Haymer :
Blake Summers :
SUPERVISORS OF JORDAN : No. Sept. Term 1936
TOWNSHIP, COUNTY OF CLEARFIELD, :
PENNSYLVANIA. To view and lay ::
out a road. :

TO THE HONORABLE W. WALLACE SMITH, PRESIDENT JUDGE
OF SAID COURT:

The petition of W. L. Schoening, Levi Haymer, and
Blake Summers respectfully represents:

(1) That your petitioners are the duly elected
supervisors of the Township of Jordan, County of Clearfield,
State of Pennsylvania.

(2) That they are the legally constituted body for
the maintenance and construction of roads in the Township of
Jordan.

(3) That they desire to have a road constructed and
opened into the Fruit Hill picnic grounds in said Jordan Town-
ship.

(4) That said road shall have for its northern
terminus a point upon State Highway System road, a hard-sur-
faced road, No. (17021) and for its southern terminus a point
within the said Fruit Hill picnic grounds.

(5) That the length of the desired road shall be
a pproximately 600 feet.

(6) That this is a public picnic grounds and the
need for a road leading into said grounds is desirable.

WHEREFORE, your petitioners pray that you
grant and ORDER OF VIEW to conform withthe foregoing petition.

And they will ever pray, etc.

Levi H. Haymer
Blake Summers
W. L. Schoening

