

ROAD

DOCKET No. 6

Page 443

Number	Term	Year
4	Sept. SS	1937

SANDY TOWNSHIP--Laying out a
public Road

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 3rd day of August in the year of our Lord one thousand nine hundred and thirty-seven

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Sandy in said County, setting forth that they labor under great inconvenience for want of a public road leading from the improved public highway, Route #352 at a point slightly west of the intersection of said Route #352 with Route #351, to the cemetery property of the St. Joseph Roman Catholic Church, being a distance of approximately 1/5 of a mile.

That the said road is now being maintained for public use by the congregation of the St. Joseph Roman Catholic Church, being the only means of access to the said cemetery. 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 E. G. Boose, Esq., J. E. Fry and Harry Bonsall 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 whereever 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. 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

Sandy and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 14th day of August, 1937, and the hearing to be held in the ~~Arbitration~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 16th day of August, 1937, at 9.30 o'clock A.M. That all viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view, no one of the-----

parties in interest. That the hearing was held in the ~~Arbitration~~ ^{Grand Jury} Room, in the Court House, at Clearfield, Pa., on the 16th day of August, A.D. 1937, when the following appearances were noted: Wm. C. Chase Esq., counsel for petitioners, and Fr. M. J. Urbonis, a witness for the petitioners.

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 a+ a point in Highway Route No. 352, in Sandy Township, Clearfield County, Pennsylvania, slightly West of the intersection of said Route No. 354, with Highway Route No. 351; thence S. 49° 30' W., a distance of 491 feet to point; thence S. 50° 30' West, a distance of 234 feet through the St. Joseph's Lithuanian Roman Catholic Cemetery, to a point in a circle, for parking vehicles.

VIEWERS' NOTICE

Notice is hereby given that the undersigned, who have been appointed by the Court of Quarter Sessions of Clearfield County, Penna., to view on a Petition to lay out a

a certain section of a Public Road in Sandy Township, County and State aforesaid, which said section of Public Road is described in the Petition as follows:

"leading from the improved public highway, Route #352 at a point slightly west of the intersection of said Route #352 with Route #351, to the cemetery property of the St. Joseph Roman Catholic Church, being a distance of approximately 1/5 of a mile"

The Viewers will meet to view, at the first named termini, that is at the intersection of Routes #351 & #352, in Sandy Township, Clearfield County, Pa. 6 o'clock on SATURDAY, the 14th day of August, 1937, at 2.00 P. M., or as soon thereafter as the same can be reached.

The Public Hearing in the premises provided for by law and the Rules of this Court, will be held in the Grand Jury Room in the Court House at Clearfield, Pa., on Monday, the sixteenth day of August, 1937, beginning at 9.30 o'clock P. M., at which time and place all parties in interest may appear and be heard.

E. G. Boose

J. E. Fry

Harry Bonsall
Viewers.

Aug. 5-1937.

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

In Re- : Of September Sessions,
Petition for Public : 1937.
Road in Sandy Township. : No. 4.

To the Commissioners of Clearfield County; the Supervisors of Sandy Township, and Counsel for the Petitioners.

Upon petition by divers citizens of Sandy Township aforesaid setting forth that they labor under great inconvenience for want of a Public Road leading from the improved public highway, Route #352 at a point slightly west of the intersection of said Route #352 with Route #351, to the cemetery property of the St. Joseph Roman Catholic Church, being a distance of approximately 1/5 of a mile, the Court has appointed the undersigned as Viewers in the premises.

The Viewers will meet to attend to the duties of said appointment on SATURDAY, AUGUST 14th., 1937, at TWO O'CLOCK P. M. in Sandy Township aforesaid, at the intersection of State Highway Routes #352 & #351, above mentioned.

The Public Hearing in the matter as provided for by law and the Rules of this Court, will be held on MONDAY, August 16th., at 9.30 A. M. in the Grand Jury Room in the Court House at Clearfield, Pa., when and where all parties in interest may attend and will be heard.

-----E. G. Boose-----

-----J. E. FRY-----

August 5th-1937.

-----Harry Bonsall-----
Viewers

Now, August 6th., 1937, notice above set forth is received and copy hereof delivered to each of us, and service is accepted.

John C. Chase
Counsel for Petitioners

Myra E. Lucas
Clerk
For the County Commissioners

Ralph Gray
Supervisor
For Sandy Township.

LITHUANIAN CEMETERY
ST. JOSEPH'S
ROMAN CATHOLIC CHURCH

25 Radius Curve

VIE AUGUST 14, 1937

ROAD VIEW--SANDY TOWNSHIP
FROM ROUTE NO. 352 TO THE
LITHUANIAN CEMETERY, PROP-
ERTY OF THE ST. JOSEPH'S
ROMAN CATHOLIC CHURCH.

DISTANCE 725 FEET, OR
.137 MILE.

VIEWERS G. BOOSE,
HARRY W. SELL & J. E. FRY

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 ~~find that the strip of land on which the proposed road will be layed, has heretofore been dedicated for public use as a public thoroughfare leading from another public road, to the said cemetery property of the St. Joseph's Roman Catholic Church, and for many years last past has been so used.~~

~~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. It appearing that no damages will accrue to any one by reason of the the opening and improving said thorofare for public use, no damages are awarded.~~

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

WITNESS our hands and seals this 17th day of August,
A. D. 1937.

E. B. Rose Seal
Harry Gossall Seal
J. O. Gray Seal

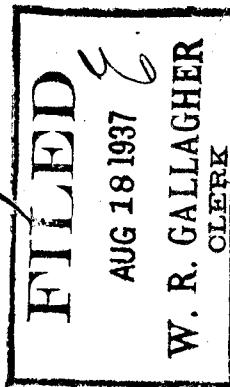
ORDER

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

Sept. 17. Sessions, 1937.

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.

Dr. G. S. & D. G. G. J.
W. R. GALLAGHER
CLERK



19
Filed in release
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.

	DAY	MILES	AMT.
Harry Bonsall	2	74	\$23.70
J. E. Fry	3	60	\$33.00
E. G. Booze	4	64	\$43.20

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 CLEARFIELD COUNTY, PENNA.

In re: Laying out a Public :
road in Sandy Township. :No.

September Term, 1937.

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

The petition of the undersigned citizens and taxpayers of the Township of Sandy, Clearfield County, Pennsylvania respectfully represent:

1. That they labor under great inconvenience for want of a public road leading from the improved public highway, Route #352 at a point slightly west of the intersection of said Route #352 with Route #351, to the cemetery property of the St. Joseph Roman Catholic Church, being a distance of approximately 1/5 of a mile.

2. That the said road is now being maintained for public use by the congregation of the St. Joseph Roman Catholic Church, being the only means of access to the said cemetery.

3. That the said St. Joseph Roman Catholic Church has several hundred members and that the deceased members of their families are buried in said cemetery and as a result of not having a public road, the petitioners are greatly inconvenienced in gaining access to the cemetery.

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 in accordance with the provisions of the Act of Assembly in such case made and provided.

And they will ever pray.

COUNTY OF CLEARFIELD, SS:

On this 29th day of July, A. D. 1937, before me the subscriber, a Notary Public in and for said County, personally came the above named W. K. NICHOL, who being duly sworn according to law doth depose and say that the facts set forth in the foregoing petition are true and correct.

W.K.Nichol

Sworn and subscribed before me
this 29th day of July, A. D. 1937.

Harold D. Cooper

MY COMMISSION EXPIRED
MARCH 31, 1935

W K Nichol	W H Nelson
Peter Kolash	John mitborek
Mrs P Kolash	Mrs Andy Galovic
Wm Kolash	A E Stanton
Veronica Kolash	John Kursal
Anna Leasonis	Mrs John Kursal
Miz Gatz	Mrs. Josephine McGlinsky
Wm Steiner	Mrs. Fritz McGlinsky
Frank Garskie	Mrs. Fritz McGlinsky
Mrs. Frank Garskie	Joe Garski
Mrs. Wm Steiner	Fred Nelson
Mr Bill Steiner	Miss C Chan
Anthony Olbick	Mrs J. Cochran
Mrs Mary Olbick	J. Heilbrun
Mrs John Durkin	Wilbur K. Hiltz
John Durkin	To William Lundergan
Mrs. Josephine Nichol	Mrs. Wm Kareltski
William Siatovich	Marta Kareltski
William Tomosaitis	Joe Masiolavicius
William Jones	Joe Anshev
Mrs William Jones	Joseph J. Masiolavicius
Alex Nelson	Joseph Miciavicius
Sarah Nelson	Simon Mikelomis

John Novitsky

Mrs. T. Novitsky

Anthony Sinekewich

W.P. Sierkowski

Mrs. Tom. Sierkowski

Mrs. Andy Sierkowski

Kaiata Starukino

Mary Starukino

Geo. S. Stark

Samuel Sovitsky

Anthony Brazinski

Mrs. Anthony Brazinski

Andy Sierkowsky

William Haley

Hannah Haley

James A. Nelson

L. W. Smiley

Harry Thamm

La R. Wilcox

D.W. Dawson

James G. Bucci

J. Brantz

T.J. Peters

Grover Hendee

Rose Frankowski

J. M. Boyer

Tom S. Tracy

Chas E. Kestler

Lee T. Hinman

W.H. Edinger

Rachel Fitzpatrick

Mrs. Anna Vitacelli

George Anderson SR.

George Anderson Jr.

Walter Fornino

William Clyde

Lowell Parker

Walter Frankowski

R. S. Fleck

F.M. Tingley

James Jeffrey Jr.

Dorothy M. Jeffrey

F.O. Radaker

Ruth M. Radaker

Blazius Grajulis

Mary Grajulis

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

NO. *of* SEPTEMBER TERM 1937

IN RE: LAVING OUT OF A
PUBLIC ROAD IN SANDY
TOWNSHIP.

Petition for Viewers.

Now, this *24* day of *September*,
1937, the within petition
presented, read and considered
hereupon, *C. S. G.*
I, *J. H. D.* *J. H. D.*
are appointed a Board of Viewers
to view the premises and make
report to the Court as provided
by Act of Assembly in
such cases.

P. O. J.

FILED

REG. NO.

WILMINGTON
ATTORNEY-AT-LAW
KEYSTONE BUILDING
CLEARFIELD, PENNA.