

ROAD

DOCKET No. 6

Number	Term	Year
2	Dec. SS	1938

Agreement between
County Commissioners of Clearfield
County and Josiah Pritchard Estate

Versus

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Notice
of
the County Commissioners of
Clearfield County, Pennsylvania, en-
tered into an agreement with J. W.
Pritchard and Sarah C. Pritchard, as
executors and sole beneficiaries under
the will of Josiah Pritchard, deceased,
as to the amount of damages to be
paid them, on account of the taking
of certain land for state highway
purposes, as a result of the change in
width, lines and location of a cer-
tain portion of State Highway Route
No. 57, where said state highway
crosses the land of the said Josiah
Pritchard Estate, in Decatur Town-
ship, Clearfield County, Pennsylvania.
Said agreement was filed in the of-
fice of the Prothonotary of Clearfield
County, on the 20th day of September,
1938, and any taxpayer of Clearfield
County may file exceptions thereto
on or before the 3d. day of October,
1938; if no exceptions to said agree-
ment are filed, the proceeding will
be presented to the Court of Quarter
Sessions of Clearfield County, Penn-
sylvania, in No. 1 Court Room of the
Court House at Clearfield, Pa., at ten
o'clock A. M. on the 6th day of
October 1938, where any taxpayer
may appear and be heard, together
with his witnesses.

Clearfield County Commissioners
9/22-1d-ch

Affidavit of Publication

STATE OF PENNSYLVANIA:

: S. S.

COUNTY OF CLEARFIELD :
Wm. C. Plummer,....., having been duly sworn

according to law doth depose and say that he is Adv. Mgr.
of the Clearfield Progress, a daily newspaper
published in said County, and that the notice hereto attached
was published in said newspaper on the following dates:

Sept., 22nd, 1938.

The affiant also states that he has no personal interest in the
notice attached hereto and that the dates and place of publica-
tion are true to the best of his knowledge and belief.

Wm. C. Plummer

Sworn and subscribed this 22nd day of Sept., 1938.
before me: C. J. Davis
NOTARY PUBLIC
CLEARFIELD, PA.

N. P.

My Commission Expires
March 5, 1941

AGREEMENT Between J. C. GATEHOUSE, T. R. WEIMER and W. V. CARR, County Commissioners of Clearfield County, Pennsylvania, hereinafter referred to as "County Commissioners", parties of the first part, and J. W. PRITCHARD and SARAH E. PRITCHARD, PRITCHARD, as Executors and sole beneficiaries under the will of Josiah Pritchard, deceased, hereinafter referred to as "Owners", parties of the second part.

WHEREAS, Owners' property was affected by the improvement of the section of road in Decatur Township, Clearfield County, Pennsylvania, designated on the records of the Department of Highways as Route No. 57, and

WHEREAS, under a statutory right conferred upon him, the Secretary of Highways of the Commonwealth of Pennsylvania, has undertaken the improvement and reconstruction of said Route No. 57, and

WHEREAS, the Secretary of Highways so notified the County Commissioners in writing of the contemplated improvement and reconstruction, and

WHEREAS, the said County Commissioners agreed in writing to such improvement and reconstruction,

Now, therefore, this agreement

W I T N E S S E T H:

(1). In consideration of the premises and of the promises hereinafter set forth on the part of the Owners to be kept and performed, the County Commissioners agree to pay Owners the sum of Six Hundred (\$600.00) Dollars.

(2). Owners agree to accept said sum of Six Hundred (\$600.) Dollars as full compensation for damages arising by reason of the improvement and reconstruction of said section of road in Decatur Township, Clearfield County, Pennsylvania, designated as Route 57, and by reason of the taking of the lands of said Owners for right of way purposes, and for the inconvenience and incidental damages

in connection therewith. ✓ The extent of the said taking of lands for right of way purposes is indicated on a plan hereto annexed, as exhibit "A", and made a part hereof.

(3). It is mutually understood and agreed that this agreement shall be filed by the County Commissioners in the office of the Prothonotary of Clearfield County; that if no exceptions are filed thereto within ten days after notice given by publication, as required by law, the County Commissioners will pay over to Owners the said sum of Six Hundred (\$600.00) Dollars upon delivery to them of releases, quitclaims or other instruments as they may require, as aforesaid.

(4). It is further mutually understood and agreed that if exceptions to this agreement are filed within ten (10) days after such notice, the proceeding shall be presented to the Court of Quarter Sessions of Clearfield County for its approval, that the Court shall fix a time for hearing the matter, at which time the parties hereto and any taxpayer interested therein and their witnesses, shall be heard, ✓ and the Court shall either approve or disapprove the agreement, as it deems proper; if the Court disapproves the agreement and indicates a sum which it would approve if the County Commissioners and Owners agree thereon, said sum shall be acceptable by County Commissioners and Owners, and it is covenant-ed by and between the parties hereto that said sum shall take the place of the aforesaid sum of Six Hundred (\$600.00) Dollars; provided, however, that if the Court disapproves the agreement and fails to indicate a sum which it would approve, then and in such case, this agreement shall be null and void, ✓ and Owners shall, if they so desire, proceed to present their petition to the Court of Quarter Sessions for the appointment of Viewers to ascertain and assess damages in the manner provided by law.

IN WITNESS WHEREOF, the County Commissioners of Clearfield County have hereunto affixed their signatures, duly attest-

ed by the Commissioners' Clerk, and Owners have hereunto set their hands and seals, this the 20th day of September A. D. 1938.

ATTEST:

Myra E. Lucas
COMMISSIONERS' CLERK

J. C. Hatchouse
J. R. Weimer
G. J. Carr

County Commissioners

Witnessed by:

Clara J. M. Fleeters

J. C. Pritchard (SEAL)

Sarah E. Pritchard (SEAL)
OWNERS, as Executors and sole
heirs U/W of Josiah W. Pritchard,
deceased.

No. 2 Dec. 22 1938

COUNTY COMMISSIONERS OF
CLEARFIELD COUNTY

-with-

J. . PRITCHARD ESTATE

AGREEMENT

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