

ROAD

DOCKET No. 6

Number

Term

Year

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Dec. SS

1938

Agreement between  
County Commissioners of Clearfield  
County and Josiah Pritchard Estate

Versus

Notice

The County Commissioners of Clearfield County, Pennsylvania, entered 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 certain portion of State Highway Route No. 57, where said state highway crosses the land of the said Josiah Pritchard Estate, in Decatur Township, Clearfield County, Pennsylvania. Said agreement was filed in the office 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 agreement are filed, the proceeding will be presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania, 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  
9122-1d-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 Mer.

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 publication 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. S. JAVIS  
NOTARY PUBLIC  
CLEARFIELD, PA.  
My Commission Expires  
March 5, 1941  
N.P.

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 covenanted 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. Hatchman  
T. R. Weimer  
W. D. Carr  
County Commissioners

Witnessed by:

Clara J. McTeeters

J. W. 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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