

ROAD

DOCKET No. 6

Number Term Year

3 Sept ss 1938

Petition to lay out a road

**in Bradford Twp. in the village
of Woodland**

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 2nd day of June in the year of our Lord one thousand nine hundred thirty eight

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Bradford in said County, setting forth that your petitioners labor under great inconvenience for want of a public road or highway in the Township of Bradford to begin at a point on State Route No .57 in the village of Woodland at a point on the Samuel Swift Estate Property and to extend therefrom approximately fifteen hundred (1500) feet in a northeasterly direction to a point on the Claud Woolever property and that such road is necessary for the convenience of the public

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 John Scollins, Esq, H. A. Reese and H. A. Giles

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 and to make report of their findings to the Court on the First Monday of September 1938.

By order of the Court. W. Wallace Smith.

Mr 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 Bradford and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 28th day of June A. D. 19238 and the hearing to be held in the ~~Anteroom~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 1st day of July, 19238 at 10 o'clock A. M. That three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. C. Murray, Supt. Harbison-Walker Refractories Co., Ernest Baumgardner, Jerry Daugherty, Clyde Lonjun, John Walker, Scott Rowles, Claude Wolliver, Daniel Hewitt, Russell Mullen, James Henchcliff, Henry Kephart and Jesse Learish, parties in interest. That the hearing was held in the ~~Anteroom~~ ^{Grand Jury} Room, in the Court House, at Clearfield, Pa., on the 1st day of July A. D. 19238, when the following appearances were noted: Ernest Baumgardner, John Wilsoncroft, Supervisor Bradford Township; James Hencliff, and J. C. Murray, Supt. Harbison-Walker Refractories Co., all of whom were sworn, examined and cross-examined by your Board.

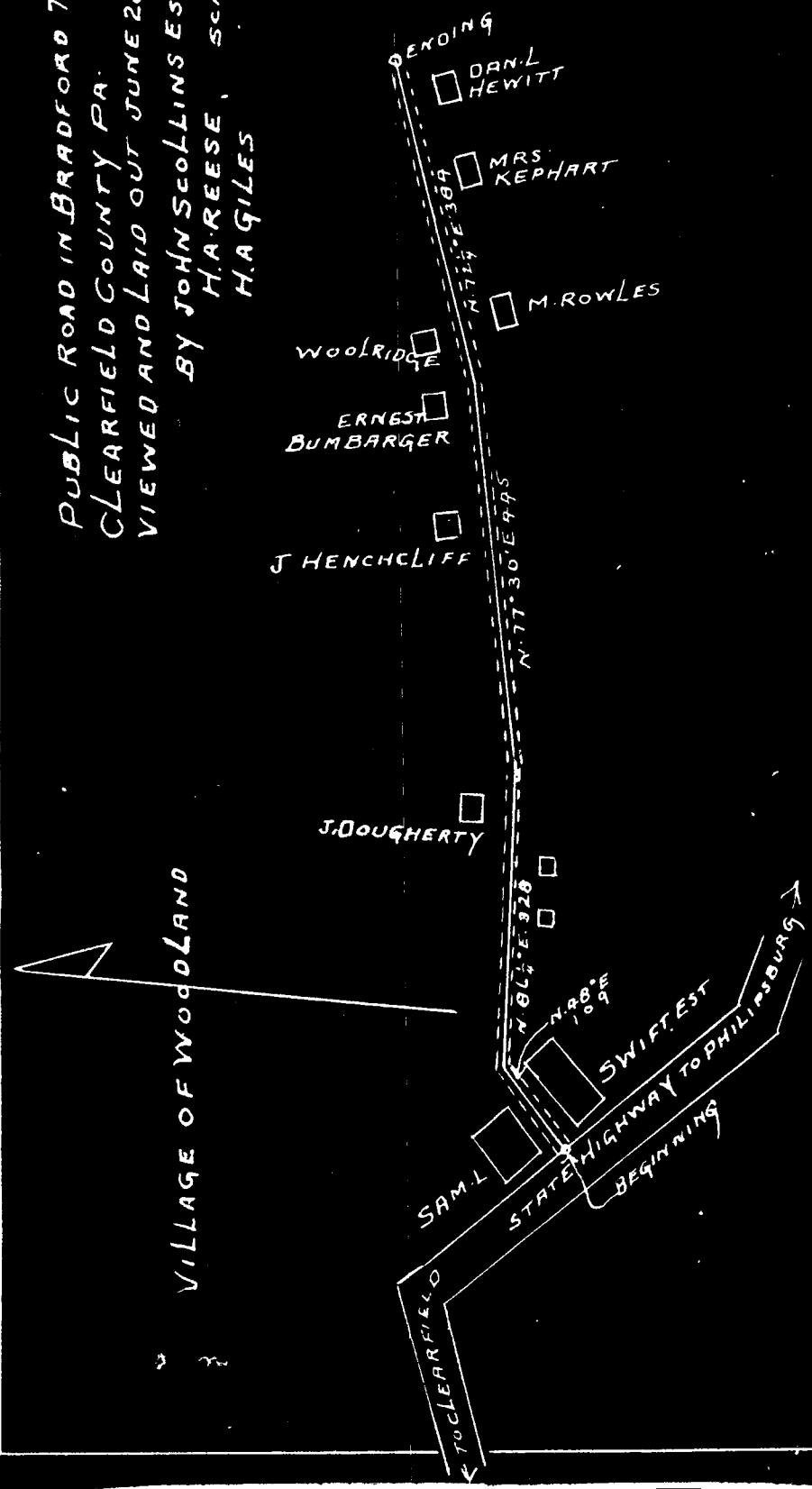
After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is occasion for a road as desired by the petitioner, and that the same is necessary for a public road: And having had respect to the shortest distance and the best ground for such road we 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 the intersection of Spruce Street with the State Highway, Route 57, leading from Clearfield to Philipsburg, at the property of Samuel Swift Estate in the Village of Woodland; thence thereby North 48° East 109 feet to a post; thence North 86-1/4° East 328 feet to a post; thence North 77° 30' East 445 feet to a post; thence North 72-1/4° East 384 feet, ending at the Gearhart Line.

We further find that the aforesaid road traverses Spruce Street in the Village of Woodland aforesaid, as dedicated by the Harbison-Walker Refractories Company to public use; that the various residences abutting thereon are described as fronting on Spruce Street.

We further find that said road is necessary, convenient and accomodating to the residents living along the same, and from the testimony of the witnesses produced at the hearing, no damages will be incurred in the building thereof.

We further find that Spruce Street, dedicated as aforesaid, is 20 feet in width.

PUBLIC ROAD IN BRADFORD TOWNSHIP,
CLEARFIELD COUNTY PA.
VIEWED AND LAID OUT JUNE 28-1938
BY JOHN SCOLLINS ESQ
H.A. REESE,
H.A. GILES, SCALE 1" = 200'



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

In re: Order to view and lay out: No. 3, September ss., 1938.
a road for public use in the :
Township of Bradford. :

You are hereby notified that the undersigned Viewers, appointed by the Court to the above number and term, to view and lay out a road for public use in the Township of Bradford: "to begin at a point on State Route No. 57 in the village of Woodland at a point on the Samuel Swift Estate property and to extend therefrom approximately fifteen hundred (1500) feet in a north-easterly direction to a point on the Claud Woolever property" in the County aforesaid, will meet at the house of Samuel Swift Estate in Bradford Township, on Tuesday, the 28th day of June, 1938, at 10 o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

And that the public hearing required by Act of Assembly and the 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 the said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House, in Clearfield, on Friday, the 1st day of July, 1938 at 10 o'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

R. H. Scollins
N. A. Rees
N. A. Giles

Dated: June 14th, 1938.

Viewers.

CLEARFIELD COUNTY, SS:

AND NOW, June 17, 1938, service of the above notice accepted for the County Commissioners of Clearfield County, and receipt of an attested copy thereof is hereby acknowledged.

Myra Edwards
Clerk.

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

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of July, 1938 at 10 o'clock A.M., or as soon thereafter as counsel
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attend and be heard.

John Scollard
H. A. Reese
H. A. Giles

Dated: ~~June~~ 14th, 1938.

Viewers.

CLEARFIELD COUNTY, SS:
AND NOW, June 17th, 1938, service of the
above notice is accepted for the Township of Bradford, and receipt
of an attested copy thereof is hereby acknowledged.

J. R. G. 6-17-38
A. Wilson
C. O. English
Board of Supervisors.

No. 3 Sept Sessions, 1938

ORDER

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

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 | AMT. |
|---------------|------|-------|---------|
| H. A. Reese | 3 | 90 | \$34.50 |
| H. A. Giles | 3 | 43 | \$32.15 |
| John Scollins | 3 | 104 | \$35.20 |

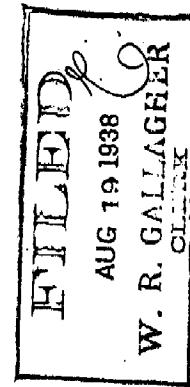
John Scollins
Sessions, 1938.
road and confirmed Ni. Si. Road to be
opened ~~30~~ feet wide, except where there
is side hill cutting or embankment, and
bridging, there to be 16 feet wide.

James K. Nevling
Sessions, 1938.
confirming above, *John Scollins*

Filed 19

Fees \$1.25 paid by

James K. Nevling, Atty.



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

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: No damages incurred or assessed,

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

WITNESS our hands and seals this first day of July
A. D. 19238.

John Scellard Seal
H. A. Reese Seal
H. A. Gile Seal
Seal