

ROAD

DOCKET No. 6

Number

Term

Year

6

FEBRUARY SS 1938

CLEARFIELD COUNTY COMMISSIONERS
agreement with
HARBISON WALKER REFRACTORIES CO

Versus

Notice.

The County Commissioners of Clearfield County, Pennsylvania, entered into an agreement with Harbison Walker Refractories Company as to the amount of damages to be paid to said Harbison Walker Refractories Company on account of taking of certain land for State Highway purposes, as the result of change in width, lines and location of a certain portion of State Highway No. 57, where said state highway crosses land of Harbison Walker Refractories Company in Braintree Township, Clearfield County, Pennsylvania. Said agreement was in the office of the Prothonotary of Clearfield County, on the 29th day of January 1938, and any taxpayer of Clearfield County may file exceptions thereto on or before the 14th day of February, 1938; if exceptions to said agreement are filed the proceedings will be presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania, in No. 1 Court Room of the Court House, at Clearfield, Pennsylvania, at ten o'clock A.M. on the 21st day of February when and where any taxpayer may appear and be heard, together with witnesses.

Clearfield County Commissioners

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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:

Feb, 1st, 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 1st day of Feb, 1938.
before me.

Wm C Davis
W. C. DAVIS
NOTARY PUBLIC
CLEARFIELD, PA.
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 HARBISON WALKER REFRACTORIES COMPANY, a corporation, with its principal office in the City of Pittsburgh, Pa., hereinafter referred to as Company, party of the second part.

WHEREAS, Route 57 is a State Highway on the plan of the State Highways of the Commonwealth of Pennsylvania, and part thereof is located in Bradford Township, Clearfield County, Pennsylvania, and

WHEREAS, under a statutory right conferred upon him, the Secretary of Highways of the Commonwealth of Pennsylvania, has undertaken the reconstruction and improvement of said state highway, and said reconstruction and improvement involve a change in the width of existing lines and of location, and

WHEREAS, the Secretary of Highways so notified the County Commissioners in writing of the contemplated change in such existing width, lines and location, and

WHEREAS, such change in width, lines and location required the taking of certain land of Company and the removal therefrom of certain buildings, all of which more fully appears from the approved plan of the Pennsylvania Department of Highways, the pertinent portion of which is reproduced by blue print annexed hereto and made a part hereof; the portion of said blue print which appears in yellow being the premises of Company taken for such highway purposes.

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 company to be kept and performed, the County Commissioners agree to pay Company the sum of

One Thousand Three Hundred (\$1,300.00) Dollars as damages.

(2). Company agrees to accept said sum of One Thousand Three Hundred (\$1,300.00) Dollars full compensation for damages for the taking of the land of said Company for right of way purposes, for the damage suffered due to the required removal of buildings, and any other damages arising by reason of the change in width, lines and location of route 57 of the State Highway of the Commonwealth of Pennsylvania, as more fully appears from the approved plan of the Pennsylvania Department of Highways, the pertinent portion of which is reproduced by blue print annexed hereto.

(3). It is mutually 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 Company the sum of One Thousand Three Hundred (\$1,300.00) Dollars.

(4). It is further mutually understood and agreed that if exceptions to this agreement are filed within ten days after such notice, the proceeding shall be presented to the Court of Quarter Sessions of Clearfield County, for its approval or disapproval, as said Court shall deem proper.

IN WITNESS WHEREOF, the County Commissioners of Clearfield County, Pennsylvania, have hereunto affixed their signatures, duly attested by the Commissioners' Clerk, and Harbison Walker Refractories Company has caused these presents to be executed by its duly authorized officers, and its corporate seal duly attested, to be hereunto affixed, this 25th day of

January 1938.

ATTEST:

Myra E. Lucas
COMMISSIONERS' CLERK

ATTEST:

William
Secretary

J. C. Hatcher

M. S. Carr
COUNTY COMMISSIONERS OF CLEARFIELD
COUNTY

HARBISON WALKER REFRACTORIES
COMPANY

BY Fred Leoree
Vice President

6 Feb 28. 1938

CLEARFIELD COUNTY COMMISSIONERS

with

HARRISON WALKER REFRACTORIES
COMPANY

AGREEMENT

MAR 1 1938

W. C. COLLATHER
DEPT. OF COMMERCE

250 Dm

