

ROAD

DOCKET No. 6

Number	Term	Year
<u>1</u>	<u>Dec. SS</u>	<u>1940</u>

Petition to Lay Out a Road in

BIGLER TOWNSHIP

Versus

To the Hon. W. Wallace Smith, President Judge of the Court of Clearfield County, Penna.

We the petitioners and tax payers of Bigler Township, Clearfield County and residence of Bigler Township, respectfully represent, That we labor under great inconvenience in not having a road or an outlet from our place of residence.

We petition that viewers be appointed to lay out a road beginning at a point on Route 553 near the residence of Harry V. Moberg, North 315 feet to a point on Pine street, unimproved; Thence East along said Pine Street 328 feet to a point on route 520. This route passes the residence of Harry V. Moberg, David Richards, William McGlynn, John C. Bloom, Sadie Washek, John Lecerf, ~~John Hale~~ ^{SE. HALE}, Edward Robison, and William Mc Murray, and we will ever pray.

NAMES	ADDRESSES
Harry V. Moberg	Madera, Pa.
William E. Moberg	Madera, Pa.
Jack Lecerf	411 11 11
Bernadette Lecerf	Madera, Pa.
W. L. Mc Murray	Madera, Pa.
Edward Robison	Madera, Pa.
Margaret Robison	Madera, Pa.
Stuart E. Hale	Madera, Pa.
Mrs. Mary A. Hale	Madera, Pa.
W. M. Mc Glynn Jr.	Madera, Pa.
Helen Mc Glynn	Madera, Pa.
Norman L. Bloom	Madera, Pa.
Mrs. Sadie Washek	Madera, Pa.
Mrs. John J. Libenskey	Madera, Pa.

David Richard.
 Alex Mc Mullen
 Carl Edward Robison
 Grace Anna Robison
 Elizabeth Waple
 John T M Glynn
 Harriet M Glynn
 Mary M Glynn
 F H B Davis
 Thomas Southern
 J S Hall
 James Southern
 George Lockchick
 Lewis Isaac
 Wm J Southern
 Ben B. Jopling
 Edward Richardson
 Andrew Rokitorvsky or
 Anthony Isaac
 John T Burns
 Bernard John
 William M Glynn Jr.
 William H. Follen
 John Morgan
 George Vrabel
 H. V. Borwae
 Grayk Lockchick
 John Brung
 Mike Zaywarsky
 Martin Vrabel
 Thomas M Glynn

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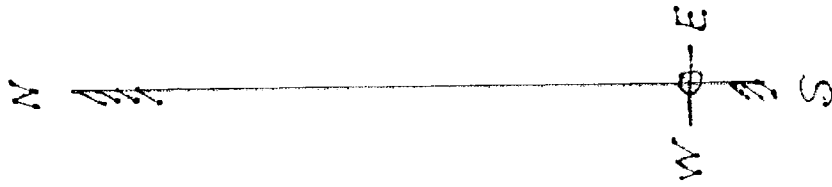
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1000 22, 1940
In the Court / District
Sessions of Clarendon County.

In re Petition
to lay out road in
High Township.

Sept. 3, 1940. A.B. Shaw,
Esq., Thomas C. McLeary
and E. C. Bilbott are
appointed viewers to act
upon the within petition,
with the usual power.
J. R. Sullivan, Clerk.

E



N.W. C. McGlynn
 334.72
 N. 11° East
 334.72
 7.788
 Harry V. Moberg
 Route No. 553

S. 87° E. 315 ft.
 Andy Tomich
 S. 82° E 312 ft.
 Pine Street
 John C. Bloom

Route No. 553
 John C. Bloom

Draft Showing location of
 a public Road laid out
 in the Township of Bigler,
 Clearfield County, Pennsylvania
 near the residence of Harry V.
 Moberg, Beginning at Route No. 553.
 Viewed and laid out the 24th
 day of September A.D. 1940.

A. B. Shaw,
 E. D. Blinette,
 Thomas C. McGarvey,
 Viewers.

Scale 2" to 100'

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 3rd day of September A.D., 1940, to lay out and establish a road, beginning at a point on Route #553 in the Township of Bigler, Clearfield County, Pennsylvania, near the residence of Harry V. Moberg; thence North approximately 315 feet to a point on Pine Street, unimproved; thence East along said Pine Street approximately 328 feet to a point on Route # 530 in said Township of Bigler, will meet on the premises on Tuesday September 24, 1940 at 10:30 o'clock A.M., to attend the duties assigned them, and that the public hearing as required by Act of Assembly and Rules of Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, on Thursday the 26th day of September A.D., 1940 at 10:30 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A.B. Shaw

E.D. Billotte

Thomas C. McGarvey
Viewers

Now September 12, 1940, service of the above notice of view is hereby accepted by copy on behalf of the County Commissioners of Clearfield County.

Fred B. Reed
Chief Clerk

TO THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF BIGLER, CLEARFIELD COUNTY, PENNA.

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 3rd day of September A.D., 1940, to lay out and establish a road, beginning at a point on Route #553 in the Township of Bigler, Clearfield County, Pennsylvania, near the residence of Harry V. Moberg; thence North approximately 315 feet to a point on Pine Street, unimproved; thence East along said Pine Street approximately 328 feet to a point on Route # 550 in said Township of Bigler, will meet on the premises on Tuesday September 24, 1940 at 10:30 o'clock A.M., to attend the duties assigned them, and that the public hearing as required by Act of Assembly and Rules of Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, on Thursday the 26th day of September A.D., 1940 at 10:30 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A.B. Shaw

E.D. Billotte

Thomas C. McGarvey
Viewers

Now September 1940, service of the above notice of view is hereby accepted by copy on behalf of the Supervisors of Bigler Township.

William H. Hensel
Secretary

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ^{and lay out} a Road or ~~assess~~ damages, ~~leading from~~ beginning at a point on Route # 600 in the Township of Bigler, Clearfield County, Pennsylvania, near the residence of Harry V. McHenry, thence north approximately 315 feet to a point on Pine Street, thence east along said Pine Street, approximately 320 feet to a point on Route # 600 in said Township of Bigler

in ~~shipship~~ to

in ~~the~~ Township, in the County aforesaid, will meet at the house of Harry V. McHenry in Bigler Township, on Sunday the 26th day of September, A. D. 1920, at 10:30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all

parties interested will take notice.

THAT THE PUBLIC INTEREST AS PROMOTED BY ACT OF ASSEMBLY AND RULES OF COURT IN OTHER TOWNS ALL TOWNS INTERESTED IN SAID ROAD RIGHT HAVE AN OPPORTUNITY TO BE HEARD, WILL BE HEARD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD ON THURSDAY THE 26TH DAY OF SEPTEMBER A.D., 1920 AT 10:30 O'CLOCK A.M., AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A.D. 1920

E.D. BILLETTE

THOMAS C. McHENRY VIEWERS.

September 10, 1920

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 September
in the year of our Lord one thousand nine hundred
forty.

Judge of the same Court: Upon the petition of sundry in-
habitants of the Township of Bigler

in said County, setting forth that they labor under great
inconvenience in not having a road or an outlet from their places of
residence.

They petition for viewers to lay out a road beginning at a point
on Route 553 near the residence of Harry V. Moberg, North 315 feet
to a point on Pine Street, unimproved; thence East along said Pine
Street 328 feet to a point on route 520. This route passes the
residences of Harry V. Moberg, David Richards, William McGlynn,
John C. Bloom, Sadie Washek, John Lecerf, S. E. Hale, Edward Robison
and William McMurray
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 - A. B. Shaw, Esq.,
E. D. Billotte and Thomas C. McGarvey

who have been duly appointed by the Court and filed their oaths of office and are duly qual-
ified 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.

By order of the Court.

J. Harold McFadden, 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

Bigler and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 24th day of September ^{Grand Jury} ~~Arbitration~~ A. D. 1940, and the hearing to be held in the ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 26th day of September, 1940, at 10:30 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 William Hensel, Supervisor of Bigler Township, John C. Bloom and others

^{Grand Jury} ~~Arbitration~~ parties in interest. That the hearing was held in the ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 26th day of September A. D. 1940, when the following appearances were noted: No parties appeared at this hearing

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 property of Harry V. Moberg on Highway Route #553 in the village of Madera, Bigler Township, Clearfield County, Pennsylvania; thence along a dedicated street North 11 degrees East, three hundred and thirty six (336 1/2) feet to Pine street; thence along Pine Street South eighty two degrees East, three hundred and twelve (312) feet to Highway Route # 530. in said Township of Bigler.

The proposed road is laid out over dedicated streets in the village of Madera, said streets having a width of approximately fifty (50) feet, parts of which are fenced in by the abutting property owners, and for a number of years the individual property owners served by said streets, have maintained and kept the same in repair to the best of their ability, but in the opinion of your undersigned board the newly proposed road is necessary for the convenience of the traveling public and should be taken over and maintained at public expense.

That during the greater part of the year said streets are impassible due to lack of grading and improper drainage, and the Supervisors of Bigler Township have agreed and resolved to take over said newly proposed road as part of the Bigler Township road mileage as soon as the same has been duly authorized and approved by the Court in accordance with law.

There appear to be no objection to the proposed road, and according to the great number of petitioners requesting the same its construction seems to be necessary for the accomodation of the traveling public as well as for the convenience of those families living along said proposed road, and in view of these facts your board recommends that the same be taken over by the Supervisors of Bigler Township and maintained as a public road.

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 _____

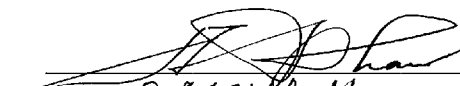

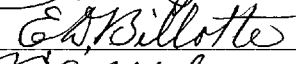

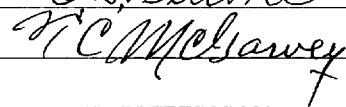


when it was not practical to preserve it within that limit.

~~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, and the undersigned view-ers after having considered the advantages to be derived to them decrease their damages and make report thereof as follows:~~

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

WITNESS our hands and seals this 26th day of September
A. D. 192⁴⁰2.

No. 1 December Sessions, 19 40

ORDER

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

December Sessions, 1940,
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.

R. Waller Junior

*Pl. 3 1941 Confirmed
settled by court
R. Waller Junior*

Filed 19
Fees \$1.25 paid by

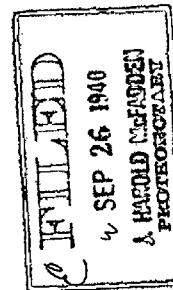
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.

	DAYS	MILES	AMT.
A. B. Shew	3	60	33.99
E. D. Billotte	3	120	36.00
T. C. McGarvey	2	93	24.65



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