

ROAD

DOCKET No. 6

Number	Term	Year
2	Dec. SS	1940

In re: Petition to Lay Out a
Road in BIGLER TOWNSHIP

Versus

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

We the petitioners and tax payers of Bigler Township, Clearfield County and resident of Bigler Township, respectfully represents, 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 Rout 53; Thence South along property of Andrew Yavorsky to Warren Street ; Thence East along Warren street to a point on road leading from Madera to Beulah, approximately a distance of 450 feet .

Thence South along the residence of Charles E. Haines, Andrew Mavorasky, Jacob Smith Frank Montoro, Thence East along residence of Leonard Kephart, Leslie Dale, and Mary Tiracorda Amatto. And we will ever prey.

NAMES	ADDRESSES
William H Ackley	Madera Pa
Andrew Vavosky	Madera Pa.
Victor Stonier	Madera Pa.
Leonard Kephart	Madera Pa
Julia Kephart	Madera Penna
LL Dale	Madera Pa
Pearl Dale	Madera Pa
Catharine Vochinsky	Madera Pa
Stanley Vochinsky	Madera Pa
Chas E Haines	Madera Pa
James W Roffner	Madera Pa
Stone Pastor	Madera Pa
Anna Pastor	Madera Pa.
Eguma Hartzog	Madera Pa
Mina S Haines	Madera Pa

Joseph H Smith	Madera, Penna
Charles L Shoff	Madera Pa
E. D. Shoff	Madera Pa
Thomas Southern	Madera Pa
James Southern	Madera Pa
William Person	Madera Pa
David Morgan	Madera Pa
George Yoravsky	Madera Pa
Catherine Yoravsky	Madera Pa
H. Y. Swartz	Madera Pa
George Cafatch	Madera Pa
David W Shoff	Madera Pa
Mary Yoravsky	Madera Pa
John H. Mummel	Madera Pa
John Stoker	Madera Pa
J. C. Stoker	Madera Pa
Steve W Luray	Madera Pa
R. G. Lamborn	Madera Pa
R. H. Swoope	Madera Pa
W. C. Wolfe	Madera Pa
Johnson	Madera Pa
Thomas J. H. Brown	Madera Pa

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

ANDREW YAVOESKY came personally before me the subscriber a Justice of the Peace in and for said County, and State, Deposes and says that all the names on the foregoing petition are residence and tax payers of the Township, of Bigler.

Sworna dn suscribed to
before me this 18th day
of September 1940.

Andrew Favosky

James W. Ruffner

No. 2 Rec. as 1940

B1

Nov 24, 1940, in
accordance with previous application
of H. D. Klein, H. A.
Kraus and H. A. Klein are
appointed visitors with the and
expenses to act upon the petition.

H. A. Klein

6
(55)

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 19th day of September in the year of our Lord one thousand nine hundred and Forty.

Judge of the same Court: Upon the petition of sundry inhabitants 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 place of residence. Therefore, they petition for viewers to lay out a road, beginning at a point on Route 53; thence South along property of Andrew Yavorsky to Warren Street; Thence East along Warren street to a point on road leading from Madera to Beulah, approximately a distance of 450 feet. Thence South along the residence of Charles E. Haines, Andrew Yavorsky, Jacob Smith, Frank Montoro, Thence East along residence of Leonard Kephart, Leslie Dale, and Mary Tiracorda Amatto. 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.,

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

By order of the Court. W. Wallace Smith, P. J.

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 8th day of October A. D. 1920, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 10th day of October, 1920, 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 H. Ackley, Supervisor of Bigler Township, Andrew Yavorsky, Frank Montoro and Charles E. Haines.

Grand Jury
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 10th day of October A. D. 1920, when the following appearances were noted: Charles E. Haines, L.C. Dale, Leonard Kephart, Frank Montoro and Andrew Yavorsky.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not 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 point of intersection of State Highway Route # 53 and dedicated Street in the village of Madera on which the Madera Hotel abutts; thence South 13 degrees 10 minutes West, 169 feet; thence still South along a dedicated Street 46 degrees 30 minutes East, 115 feet; thence North along a dedicated Street known as Warren Street, 76 degrees East, 187 feet to State Highway Route # which leads from Madera to Beulah.

The proposed road hereinabove described is laid out over dedicated Streets in the village of Madera, Bigler Township, Clearfield County, Pennsylvania, having a width of approximately 50 feet, the same for the most part being fenced on either side by the abutting property owners. That for many years the individual property owners served by said streets have kept the same in repair at their own cost and expense, and in the opinion of your undersigned Board, the newly proposed road over said streets is necessary for the convenience of the traveling public and should be kept up and maintained as a public road at public expense.

There are no objections 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 and accomodation of the great number of families living along said proposed road, so in view of these facts, your undersigned viewer's recommend the taking over and improvement of the aforementioned proposed road by the Bigler Township Road District for the use of the traveling public.

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.

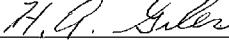
The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from _____

the following persons having refused to release the damages to which they respectively 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: _____

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

WITNESS our hands and seals this 11th day of October
A. D. 1940.


J. D. Phan 

H. L. Reese 

H. G. Giler 




No. 2 Dec. Sessions, 1940

ORDER

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

December Sessions, 1940,

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	A.M.T.
H.A. Reese	3	102	35.10
H.A. Giles	2	65	23.25
A.B. Shaw	3	60	33.00

Dr. S. Allen, J. J. G.
W. 3, 1941, signing
authority of the County
for the work being

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.

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 _____

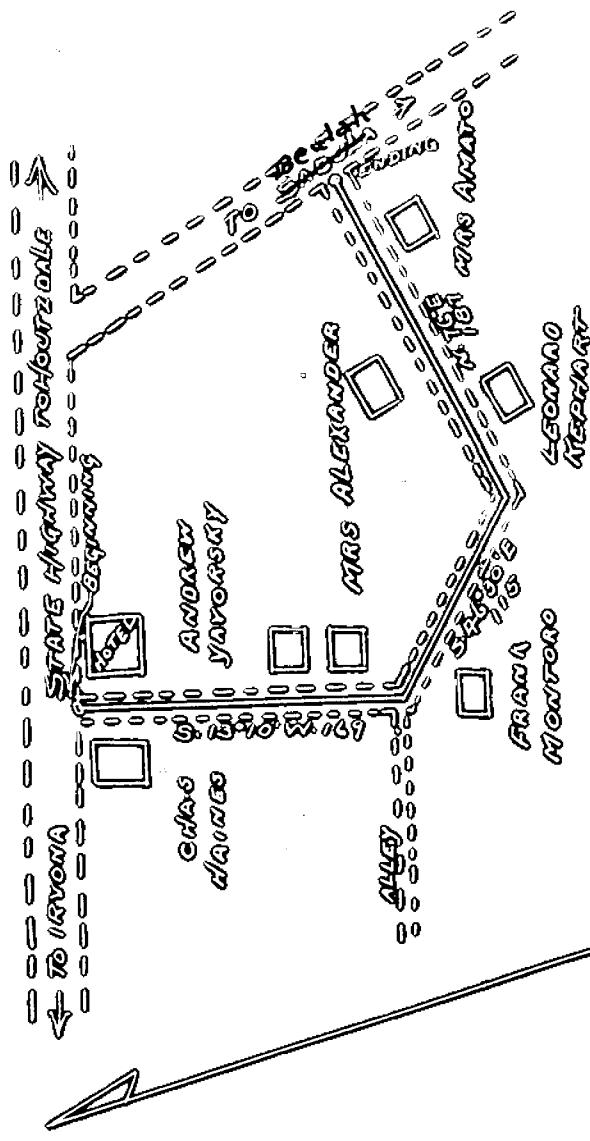
all damages that may arise to us respectfully by reason of the location and opening of the said
road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter
ask, sue for, demand, have or receive any damages for injuries arising or growing out of the
location and opening of the road aforesaid.

Witness our hands and seals this _____ day of _____
A. D. 192 _____.

Seal
Seal
Seal
Seal

PUZZI'S ROAD in CLEVELAND TOWNSHIP
CLEARFIELD COUNTY. PA.
INTERESTED AND LAND OWNERS
OCT. 1, 1870 BY A. J. PUZZI
TAXED \$25.00.

YOUTHAGE OF MADERA



Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view/ a Road ~~processes~~ damages, leading from Beginning at a point on Highway Route # 53, in the Township of Bigler, Clearfield County, Pennsylvania, thence South along property of Andrew Yavorsky, to Warren Street to a point on road leading from Madera to Beulah, thence South along the property of Charles E. Haines, Andrew Yavorsky, Jacob Smith, Frank Montoro, thence in an Easterly direction along property of Leonard Kephart, Leslie Dale to residence of Mary Tiracorda Amutto in the village of Madera, in shipship to in Bigler Township, in the County aforesaid, will meet at the house of Andrew Yavorsky, in Bigler Township, on Tuesday the 8th day of October, A. D. 1940, 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 HEARING AS REQUIRED BY ACT OF ASSEMBLY AND RULES OF COURT IN ORDER TO GIVE ALL PERSONS 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 10th DAY OF OCTOBER A.D., 1940, AT 10:30 O'CLOCK A.M., AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROAD MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

..... A. B. SHAW

..... B. A. REESE

..... H. A. GILES

VIEWERS.

..... September 23 1940.

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, on the 19th day of September, A.D., 1940, to lay out and establish a road, beginning at a point on Highway Route # 53 in the Township of Bigler, Clearfield County, Pennsylvania; thence South along property Andrew Yavorsky to Warren Street in the village of Madera; thence East along Warren Street to a point on road leading from Madera to Beulah; thence South; along the property of Charles E. Haines, Andrew Yavorsky, Jacob Smith, Frank Montoro; thence in an Easterly direction along property of Leonard Kephart, Leslie Dale to residence of Mary Tiracorda Amatto in said village of Madera, Clearfield County, Pennsylvania, will meet on the premises on Tuesday the 8th day of October, A.D., 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 10th day of October, 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.

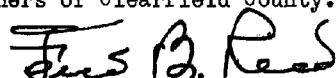
A.B.Shaw

H.A.Reese

H.A.Giles

Viewers

Now September 23, 1940, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County.



Cleak

TO THE SUPERVISORS OF BIGLER TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, on the 19th day of September, A.D., 1940, to lay out and establish a road, beginning at a point on Highway Route # 53 in the Township of Bigler, Clearfield County, Pennsylvania; thence South along property Andrew Yavorsky to Warren Street in the village of Madera; thence East along Warren Street to a point on road leading from Madera to Beulah; thence South; along the property of Charles E. Haines, Andrew Yavorsky, Jacob Smith, Frank Montoro; thence in an Easterly direction along property of Leonard Kephart, Leslie Dale to residence of Mary Tiracorda Amatto in said village of Madera, Clearfield County, Pennsylvania, will meet on the premises on Tuesday the 8th day of October, A.D., 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 10th day of October, 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.

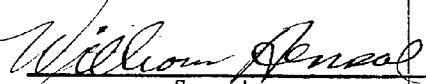
A.B.Shaw

H.A.Reese

H.A.Giles

Viewers

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


Secretary