

IN THE COURT OF QUARTER SESS.  
OF CLEARFIELD COUNTY

No. 6 Dec SESSIONS, 1940

In re: VACATION OF  
PORTION OF HIGHWAY ROUTE  
17092, IN HUSTON TOWNSHIP,  
CLEARFIELD COUNTY,  
PENNSYLVANIA

P E T I T I O N

FILED

OCT 28 1940

J. HAROLD McFADDEN  
CLERK

PENTZ & PENTZ  
ATTORNEYS AT LAW  
DU BOIS, PENNA.

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

IN RE: Vacation of Portion :  
of Highway Route 17092, in :  
Huston Township, Clearfield :  
County, Pennsylvania. : NO. 6, December Sessions, 1940.

You are hereby notified that the undersigned Viewers, appointed by the Court to the above number and term, to view and vacate the following described portions of a Township Road in the Township of Huston, to wit: a portion approximately .362 mile from Stations 172 67 to 181 77, will meet at said point on Friday, the 22nd day of November, 1940, at 10:00 o'clock A. M., in the County aforesaid, 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 Saturday, the 23rd day of November, 1940, at 10:00 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.

John Cherry, Esq  
H. W. Bissell  
J. Estay Viewers

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: VACATION OF PORTION OF  
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TOWNSHIP, CLEARFIELD COUNTY,  
PENNSYLVANIA.

NO. 6 Dec. SESSIONS, 1940

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TO THE HONORABLE THE JUDGE OF THE ABOVE NAMED COURT:

The petition of the undersigned Supervisors of the  
Township of Huston respectfully represents:

1. Your petitioners are the duly elected and qualified  
Supervisors of the Township of Huston, Clearfield County, Pennsylvania.

2. That there existed in Huston Township a township  
highway leading from what was known as the Penfield Pike to Home  
Camp, in Union Township, Clearfield County, Pennsylvania, and  
later taken over by the State Highway Department and designated  
Route 17092.

3. That the State Highway Department in improving  
said highway after taking the same over, relocated the same in  
Huston Township as of the 9th day of September 1940 and by reason  
of such relocation abandoned the old highway and the same reverted  
to the Township of Huston under the laws of the Commonwealth of  
Pennsylvania. The abandonment of the same being by notice from  
the State Highway Department, same being hereto attached and made  
a part hereof.

4. The portion of the highway to be abandoned by reason of the said relocation is shown and embraced within the dotted lines on the map hereto attached and consists, as described in said notice from the State Highway Department and as shown on the map, of approximately .362 mile from Stations 172 67 to 181 77.

5. That the said highway reverting to the Township of Huston by reason of the relocation of said highway by the State Highway Department, and that portion thus abandoned by the State Highway Department, is useless, inconvenient and burdensome, in that it serves no person or persons, is composed principally of curves, and is apt to be misleading to the travelling public and direct them from the public highway.

WHEREFORE, your petitioner respectfully prays that your honorable Court appoint three Viewers of the County of Clearfield to vacate said highway.

And they will ever pray, etc.

Harold B Woodward

McGudemus Maholz

Walter W. Overturf  
Supervisors

STATE OF PENNSYLVANIA SS:  
COUNTY OF CLEARFIELD

Personally appeared before the undersigned, a Notary Public in and for said County and State, NICODEMUS MAHOLTZ, WALTER W. OVERTURF and HAROLD B. WOODWARD, Road Supervisors of the Township of Huston, who being duly sworn according to law depose and say the facts set forth in the foregoing Petition are true and correct to the best of their knowledge, information and belief.

Sworn and subscribed before me  
this 25 day of October, 1940.

J. S. Kerchner  
Justice of the Peace  
my term expires Jan 1942

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In re: VACATION OF PORTION OF  
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PENNSYLVANIA. NO. SESSIONS, 1940

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O R D E R

NOW, 28th day of October, 1940, within Petition  
presented, and John Cherry Jr., of H. S. Bonsell,  
..... of ....., and  
J. C. Fry of ....., are  
appointed Viewers to view the said highway for vacation and make  
report thereon the first Monday of December, 1940.

By the Court

Dr. Eddleman <sup>P.J.</sup>



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HIGHWAYS  
HARRISBURG

IN REPLY REFER TO

Clearfield County  
Huston Township  
Route 17092  
O. R. 207

September 9, 1940

Mr. Glen L. Copp, Secretary  
Board of Huston Township Supervisors  
Penfield, Pennsylvania

Dear Sir:

The Department of Highways is improving State Highway Route 17092, within the boundaries of Huston Township, Clearfield County, has relocated the said highway from a point at Station 172+67 to a point at Station 191+77, a distance of approximately 1910 feet or approximately 0.362 of a mile, more fully described and shown on the attached drawing.

By this change of location the portion of road originally maintained as a part of the State Highway System, between the stations above referred to, is abandoned as a part of the system and reverts as a public highway to the jurisdiction of the officials who maintained it previous to its adoption as a part of the State Highway System.

If the authorities who now have jurisdiction over it are of the opinion that the portion abandoned as a State highway route is unnecessary for public use and travel or that it will be burdensome or dangerous, we suggest that you have a petition presented to the county court requesting its vacation as a public highway.

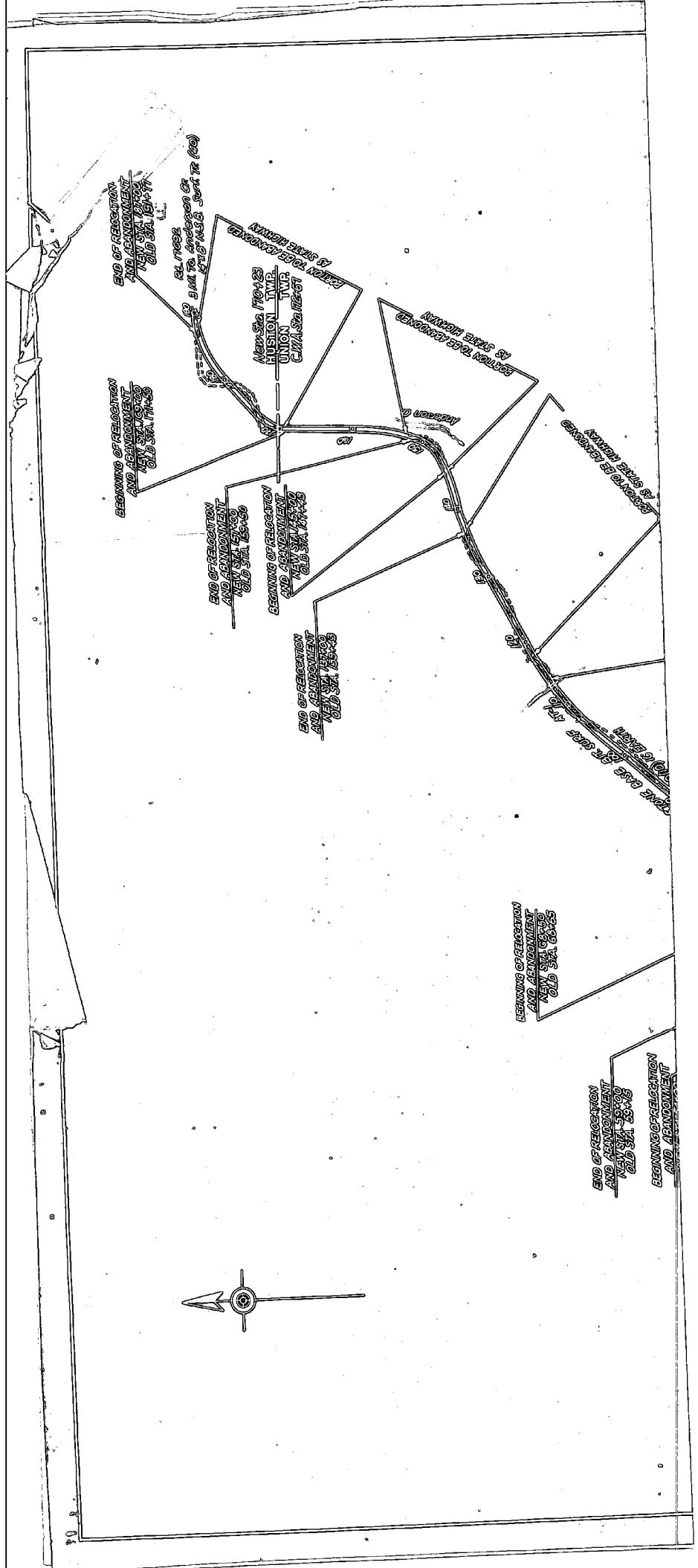
Very truly yours

*I. Lamont Hughes*

I. Lamont Hughes  
Secretary of Highways

Enclosure





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PENNSYLVANIA

P E T I T I O N

*John R. Pentz*  
John R. Pentz  
Attn: Wm. C. Thompson  
Tennant

PENTZ & PENTZ  
ATTORNEYS AT LAW  
DuBois, PENNA.

1 NO. 6 Dec. 19 TERM, 19 <sup>40</sup>  
John A. Chesney - Mailed 10/28/40

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