

ROAD
DOCKET No. 7

Number	Term	Year
1	Feb. SS	1942

GULICH TOWNSHIP--Petition to

Vacate a Public Road

Versus

TO THE SUPERVISORS OF GULICH TWP. CLEARFIELD COUNTY, PENNA

NOTICE OF VIEW

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 22nd day of December A.D., 1941, to vacate the following described public roads in the Township of Gulich, Clearfield County, Pennsylvania, being certain portions of old State Highway, Route # 17043 leading from Allemansville to Janesville via Conrads known as Route #17043, of the State Dept. of Highways,

The first road to be vacated begins at a point on State Highway Route 17043 between the villages of Allemansville and Janesville in the Township of Gulich, at a point at station 19-00 thence over old State Highway Route # 17043 to a point at station 25-39 on new State Highway Route # 17043 as relocated by the State Highway Department being a distance of approximately 639 Feet,

The second road to be vacated begins at a point on State Highway Route 17043 between the villages of Allemansville and Janesville in the Township of Gulich at a point at station 31-39 thence over old State Highway Route #17043 to a point at station #54-80 on new State Highway Route #17043 as relocated by the State Highway Department being a distance of approximately 2341 Feet,

will meet on the premises in the Township of Gulich on Wednesday the 7th day of January, A.D., 1942 at 10:00 o'clock A.M. to attend the duties assigned them, and that a public hearing as required by Act of Assembly and 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 said roads to be vacated and supplied an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield on Friday 9, 1942 at 10:00 o'clock A.M. , at which time and place all parties interested in said roads may attend and be heard, if they so desire.

A.B. Shaw, Esq.

Thomas C. McGarvey

E.D. Billotte
VIEWERS

AND NOW, 23rd day of Dec. 1941 service of the above notice is hereby accepted by copy on behalf of the Supervisors of Gulich Twp. Clearfield County, Pa.

Joseph L. Kandrack
SECRETARY

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNA.

NOTICE OF VIEW

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A.B. Shaw, Esq.

Thomas McG. rvey

E.D. Billotte

VIEWERS

AND NOW, the 23rd day of Dec. 1941, service of the above notice is hereby accepted by copy.

Frederic A. Reed
clerk

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~~ ^{and assess} and vacate the following described public roads in the Township of Gulich ~~damages leading from Clearfield County, Pennsylvania, being~~ ^{portions of old State Highway Route #17043 along present State Highway, Route #17043 leading from} Allenstown to Janesville,.....

THE first road to be vacated begins at a point on State Highway Route #17043 between the villages of Allenstown and Janesville in the Twp. of Gulich at a point at station 19-00 thence over old State Highway Route #17043 to a point at station 28-39 on new State Highway Route #17043 as relocated by the State Highway Dept. being a distance of approximately 639 Ft.

THE second road to be vacated begins at a point on State Highway Route #17043 between the villages of Allenstown and Janesville in the Twp. of Gulich at a point at station 31-39 thence over old State Highway Route #17043 to a point at station 54-20 on new State Highway Route #17043 as relocated by the State Highway Department being a distance of approximately 2341 Ft.

in GULICH Township, in the County aforesaid, will meet ^{on the premises} ~~at the house of~~ in GULICH Township, on WEDNESDAY the 7th day of JANUARY , A. D. 19 42 ... , at 10:00 o'clock. A. M., to attend to the duty assigned them, of which time and place aforesaid, all

parties interested will take notice. THAT A PUBLIC HEARING AS REQUIRED BY ACT OF AS EARLY AND RULES OF COURT TO BE HELD BY THE VIEWERS BEING THE FILING OF SAID REPORT IN COURT. IN ORDER TO GIVE ALL INTERESTED PARTIES IN SAID ROADS TO BE VACATED AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT JAMESBURG, ON FRIDAY, 9, 1942 AT 10:00 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROADS MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A.B. SHAW, ESQ.
.....
E.D. BILLOTTE
.....
THOMAS FOGARVEY
.....
VIEWERS.

Draft showing location of seven sections
of public road in Gulich Township,
Clearfield County, Pa. Parts of old
State Highway Route No. 17043, between
Allemonsville and Janesville viewed for
vacation by the undersigned Viewers
on January 7th 1942.

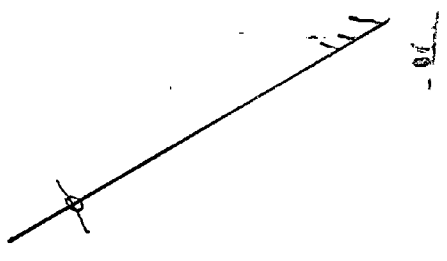
A.B. Shaw
E.D. Billotte
Thos C. McGarvey
Viewers

New Highway Route.

No. 17043. 24

part vacated old High way

Scale 1" = 50 ft



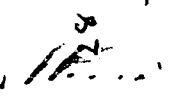
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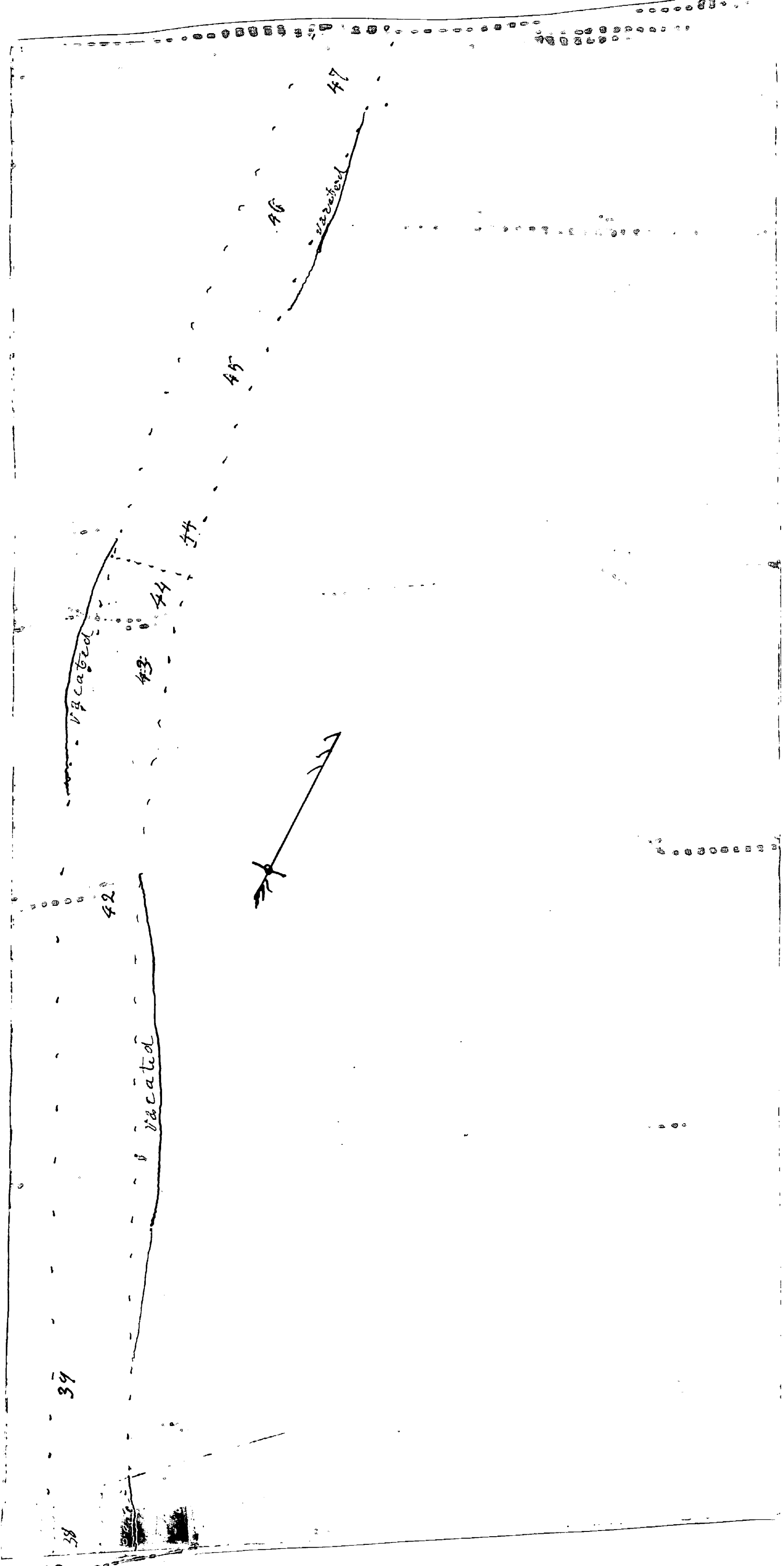
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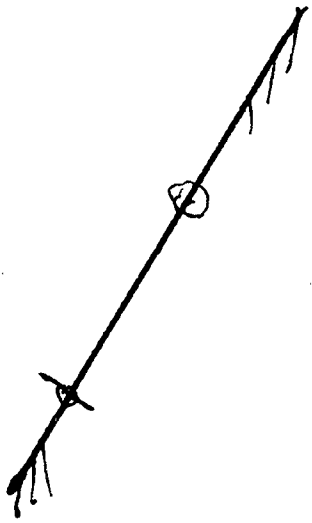
34

32

32







Limit
of work

51

vacated

48

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In Re: Vacation of Public Road | No. , February Sess., 1942.
in the Township of Gulich. |

To the Honorable W. Wallace Smith, President Judge of said Court:

The petition of the Supervisors of the Township of Gulich, a second class Township of said County and State, respectfully represents:

1. That a public road has long since been laid out from Allemansville to Janesville via Conrad's within the boundaries of said Township of Gulich, known as Route 17043 of the State Department of Highways.

2. That the State Department of Highways in improving said highway, relocated the same from a point at Station 19 ± 00 to a point at Station 25 ± 39, a distance of 639 feet or approximately 0.121 of a mile; and also from a point at Station 31 ± 39 to a point at Station 54 ± 80, a distance of 2341 feet, or approximately 0.443 of a mile.

3. That by the aforesaid changes of location the portions of road originally maintained as a part of the State Highway System, between the stations above referred to, have been abandoned as a part of the System and reverted as a public highway to the jurisdiction of your petitioners.

4. That in the opinion of your petitioners the portions of said public road, abandoned as a State Highway route are unnecessary for public use and travel, and that the same will become burdensome and dangerous and inconvenient.

WHEREFORE, your petitioners pray the Court that the said portions of the public road aforesaid may be vacated, agreeably to the Act of Assembly in such case made and provided.

AND THEY WILL EVER PRAY.

John F. J.
George J. J.
Andrew C. Tokarcik
Supervisors of the
Township of Gulich.

STATE OF PENNSYLVANIA |
COU NTY OF CLEARFIELD | SS:

Andrew C. Tokarcik, petitioner above named
being duly sworn according to law deposes and says that the facts
set forth in the foregoing petition are true and correct.

And further saith not.

Andrew C. Tokarcik

Sworn and subscribed before me, this 10th day of
December, 1941.

K. L. Scollins
NOTARY PUBLIC
My commission expires Mar. 9, 1943

ORDER OF COURT.

AND NOW, this 22nd day of December 1941, the
within petition presented, read and considered: Whereupon
L. D. Khan, Esq., Thomas C. McHany & E. D. Billings
are appointed to view the portions of the said in the within
petition prayed to be vacated, and to consider and judge whether
the same has become useless, inconvenient and burdensome; and if
they agree, they shall make report accordingly to the next Court
of Quarter Sessions to be held for the said County.

BY THE COURT

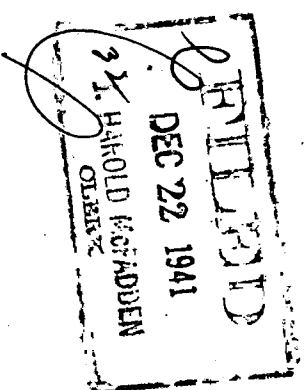
L. D. Khan, Esq.
P. J.

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD
COUNTY, PENN'A.

No. 1 Feb. ss., 1942.

In re: Vacation of public
road in the Township of
Gulich.

Petition and Order of Court
appointing Board of Viewers



JOHN SCOLLINS
ATTORNEY AT LAW
HOUTZDALE, PA.

The Tuttle Law Print, Publishers, Rutland, Vt.

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the 22nd day of December in the year of our Lord, one thousand nine hundred and Forty-one.

W. WALLACE SMITH

By the Honorable ~~Simon B. Bell~~, President Judge of the said Court: Upon the petition of ~~sundry~~

Supervisors

~~xx inhabitants~~ of the Township of Gulich in the County aforesaid setting forth that a public road has long since been laid out from Allemansville to Janesville via Conrad's within the boundaries of Gulich Township, known as Route 17043 of the State Department of Highways.

That the State Department of Highways in improving said highway, relocated the same from a point at Station 19 ± 00 to a point at Station 25 ± 39, a distance of 639 feet or approximately 0.121 of a mile; and also from a point at Station 31 ± 39 to a point at Station 54 ± 80, a distance of 2341 feet, or approximately 0.443 of a mile.

That the portions of road originally maintained as a part of the State Highway System, between the stations above referred to, have been abandoned as a part of the System and reverted as a public highway to the jurisdiction of your petitioners.

That in the opinion of your petitioners the portions of said public road, abandoned as a State Highway route are unnecessary for public use and travel, and that the same will become burdensome and dangerous and inconvenient.

Wherefore, petitioners pray that said portions of the public road aforesaid be vacated.

~~And now granted by the Court that the said road be vacated between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers~~

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers A. B. Shaw, Esq., Thomas C. McGarvey

and E. D. Billotte who have been duly appointed by the said Court on the

County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view 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 QUARTER SESSIONS OF THE PEACE, IN AND FOR THE
COUNTY OF CLEARFIELD, PA.

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, beg leave to report as follows:

That notice of the time of the 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 Gulich, and that three notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

7th day of January, A. D. 1942, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the ~~Arbitration~~ ^{Grand Jury} Room in the Court House, in Clearfield,

Pa., on the 9th day of January A. D., 1942, at 10:00 o'clock A.M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view

Joseph L. Kandrach, Secretary of the Board of Supervisors of Gulich Township, Clearfield County, Penna.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held ~~in the Court House~~ ^{Grand Jury} in the Court House, in Clearfield, Pa., on the 9th day of January

A. D. 1942, when the parties interested in the said road were in attendance: ~~No persons attended the hearing held before the viewers on Friday January 9th 1942.~~

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road or certain sections thereof which have been abandoned as part of new Highway ~~road have become useless, inconvenient and burdensome~~

Route # 17043, between Allemansville and Janesville, in Gulich Township, have become useless, inconvenient and burdensome and of no use whatsoever to the traveling public and your undersigned viewers recommend that the abandoned sections of old State Highway Route # 17043 between Allemansville and Janesville which have reverted back to the Township of Gulich by reason of the construction and relocation of said Highway, be vacated as a part of the Clearfield Township Public Road System. The sections of old State Highway Route # 17043 between Allemansville and Janesville which the undersigned viewers recommend be vacated and as prayed for by the petitioners, are as follows:-

The first section to be vacated has its beginning at station No. 19, near Allemansville; thence over old State Highway Route #17043 in a northerly direction a distance of about 500 feet to point at station No. 32 on East side of New Highway Route #17043, as relocated.

The second section to be vacated has its beginning at station No. 32, on South side of new Highway; thence over old Highway Route #17043 in a northerly direction, a distance of about 200 feet to point at station No. 34, on South side of new State Highway Route #17043 as relocated.

The third section to be vacated has its beginning at station No. 37, on East side of New Highway; thence in a northerly direction over old State Highway Route #17043, a distance of about 150 feet to a point midway between station No. 38 & 39 on the East side of new State Highway Route #17043, as relocated.

The fourth section to be vacated has its beginning at station No. 39, on the East side of new Highway; thence in a northerly direction over old State Highway Route #17043, a distance of about 400 feet to a point at station No. 42 on the East side of new State Highway Route #17043, as relocated.

The fifth section to be vacated has its beginning midway between station No. 42 & 43, on the West side of new State Highway Route #17043; thence over old State Highway Route #17043 in a northerly direction, a distance of about 200 feet to a point at station No. 44, on the West side of new State Highway Route #17043, as relocated.

The sixth section to be vacated has its beginning midway between station Nos. 45 & 46, on the East side of new State Highway Route #17043; thence over old State Highway Route #17043 in a northerly direction a distance of about 150 feet to a point at station No. 47, on the East side of new State Highway Route #17043, as relocated.

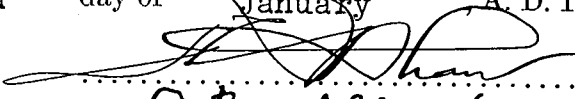
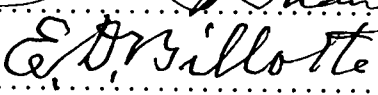
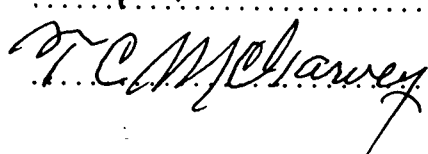
The seventh section to be vacated has its beginning at station No. 48, on the West side of new State Highway Route #17043; thence over old State Highway Route #17043 in a northerly direction, a distance of about 400 feet to a point at station No. 51, on the East side of new State Highway Route #17043, as relocated. and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, a release in writing of all claims against the State of Michigan for the vacation thereof, and that they procured such release from:

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation and closing up 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 damage resulted to the abutting property owners by reason of the vacation of the sections of old State Highway Route #17043 hereinabove mentioned.

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

Witness our hands and seals this 9th day of January, A. D. 19 42

 [SEAL]
 [SEAL]
 [SEAL]
Viewers.

No. 1 Feb. Term 19 42

ORDER TO VACATE

To view and vacate road situate
in the Township of Gullich
Clearfield County.

Now Feb Sessions 19 42

read and confirmed Ni. Si.

By the Court.
Now May Sessions 19 42

confirmed absolute.

By the Court.
J. Scollins

Filed 19

Atty, John Scollins

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	Am't
A. B. ...	3	32	32.00
E. D. Billotte	3	112	112.00
Thos. C. McGarvey	3	128	128.00