

ROAD

DOCKET No. 7

Number

Term

Year

1

Dec

1942

Pet. of Supvrs to Vacate and Supply

Townshio Route in Greenwood Twp.

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN THE MATTER OF VACATING AND
SUPPLYING A TOWNSHIP ROUTE
IN GREENWOOD TOWNSHIP.

PETITION FOR THE
APPOINTMENT OF VIEWERS.

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

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

FIRST: That State Legislative Route No. 62, being the improved Highway from Grampian to Mahaffey, is intersected in Greenwood Township at Station 1164+60 with Township Route 461.

SECOND: That Route 461 a short distance from Route No. 62 crosses Bell Run by means of a bridge which has become unsafe and inadequate for present day needs.

THIRD: That if Route 461 is to continue on its present course it will require the erection of a new bridge at an expenditure of \$15,000.00, requiring two 32 feet spans to comply with the requirements of the State Highway Department.

FOURTH: That the Township of Greenwood is unable financially to assume the burden of constructing a new bridge.

FIFTH: That Bell Run a short distance to the north crosses Route No. 62 and by moving the course of Route 461 to the north the necessity for a new bridge would be eliminated.

WHEREFORE your petitioners pray the Court that viewers may be appointed to vacate and supply a portion of Township Route 461 beginning on State Legislative Route No. 62 at Station 1164+60

where the said two highways intersect and extending easterly on Township Route 461 a distance of approximately 300 feet.

And they will ever pray, etc.

Frank Passmore
Gorman Shaffer
Arthur A. Bell

SUPERVISORS OF GREENWOOD TOWNSHIP

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS

Before me a **PROTHONOTARY**, in and for said County and State, personally appeared Frank Passmore, who being duly sworn according to law says that the facts set forth in the foregoing petition are true.

Frank Passmore

Sworn and subscribed before me
this 14 day of October, 1942.

Harold M. Fadden
PROTHONOTARY

My commission expires _____.

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY, 1944

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY
PENNSYLVANIA

No. 1 Dec 22 1942

IN THE MATTER OF
VACATING AND SUPPLYING A
TOWNSHIP ROUTE IN GREENWOOD
TOWNSHIP.

PETITION FOR THE
APPOINTMENT OF VIEWERS.

NOW, Oct. 15, 1942, *A. B. Bluff*
A. E. Delme and H. E. Delme
are appointed viewers to
vacate and supply Route as
prayed for.

By the Court

A. Decker

FILED.

OCT 15 1942

J. HAROLD McFADDEN

CLERK

CHARLES R. KRAMER

219 MARKET STREET
CLEARFIELD, PA.

400 By Supor

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 fifteenth day of October in the year of our Lord, one thousand nine hundred and forty-two.

By the Honorable ~~Singleton Bell~~ W Wallace Smith, President Judge of the said Court: Upon the petition of ~~single~~ Supervisors. Inhabitants of the Township of Greenwood, in the County aforesaid setting forth that

FIRST: That State Legislative Route No. 62, being the improved Highway from Grampian to Mahaffey, is intersected in Greenwood Township at Station 1164 + 60 with Township Route 461.

SECOND: That Route 461 a short distance from Route No. 62 crosses Bell Run by means of a bridge which has become unsafe and inadequate for present day needs.

THIRD: That if Route 461 is to continue on its present course it will require the erection of a new bridge at an expenditure of \$15,000.00, requiring two 32 feet spans to comply with the requirements of the State Highway Department.

FOURTH: That the Township of Greenwood is unable financially to assume the burden of constructing a new bridge.

FIFTH: That Bell Run a short distance to the north crosses Route No. 62 and by moving the course of Route 461 to the north the necessity for a new bridge would be eliminated.

WHEREFORE your petitioners pray the Court that viewers may be appointed to vacate and supply a portion of Township Route 461 beginning on State Legislative Route No. 62 at Station 1164 + 60 where the said two highways intersect and extending easterly on Township Route 461 a distance of approximately 300 feet.

And they will ever pray, etc.

Frank Passmore
Norman Shaffer
Arthur A. Bell

SUPERVISORS OF GREENWOOD TOWNSHIP.

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. W. Wallace Smith, P. J.

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 Greenwood, 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

4th day of November, 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 Room in the Court House, in Clearfield, Pa., on the 6th day of November 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 Frank Passmore, Arthur A. Bell, Supervisors of Greenwood Township, Dewight Gates and others

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 6th day of November, A. D. 1942, when the parties interested in the said road were in attendance: Clarence R. Kramer, Esq., Solicitor for Greenwood Township Road District, Hon. A. R. Chase, Attorney for Dewight Gates.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome and should be vacated as prayed for, beginning at the intersection of State Highway Route # 62 and Township Route # 461 in Greenwood Township, Clearfield County, Pennsylvania at Station 1164+ 60; thence in an easterly direction over Township Route # 461, crossing an old wooden bridge which traverses Bell Run a distance of one hundred and forty-one (141) feet to a point on Township Route # 461; said portion of Township Route # 461 as it now exists in Greenwood Township, including the bridge over Bell Run to be vacated and abandoned as a public road, and supplied by a new road, beginning at a point on said Township Road Route # 461, one hundred and thirty-three (133) feet East of the point of vacation of said Township Road; thence extending from this point North 37 deg 30 min West, one hundred and sixty-five (165) feet to a point of intersection with State Highway Route # 62. The section of Township Route # 461 as it now exists, between the point of beginning of the newly proposed road and the point of vacation or abandonment of said Township Road at or near the property of Dewight Gates shall be continued for the use and convenience of the traveling public and shall be maintained at public expense.

That the bridge on Township Route # 461 which traverses Bell Run in

Greenwood Township has been condemned as being unsafe and in order to construct a new bridge over said run which would meet State specifications would cost about \$15,000.00, a sum disproportionate to the ability of Greenwood Township to pay at present. Furthermore the construction of a bridge over Bell Run is not necessary and the need for travel over Township Route # 461 by the traveling public can be equally and more economically supplied by the construction of a new road from a point on Township Route # 461 to a point on State Highway Route # 62.

Wherefore your undersigned Viewer's recommend the vacation of the portion of Township Route # 461, together with the bridge over Bell Run, and the construction of a new road between the points herein designated

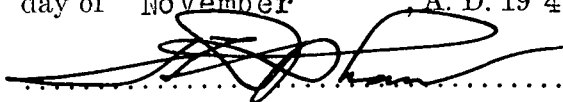
and supplied
and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

~~The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from 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:~~

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

Witness our hands and seals this 6th day of November, A. D. 19 42

 [SEAL.]

H. A. Reese [SEAL.]

H. E. Tobias [SEAL.]

Viewers.

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
1.1.1942	2	22	41.00
2.1.1942	2	100	20.00
3.1.1942	2	32	32.00

No. 1 Dec STerm 1942

ORDER TO VACATE

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

Now Dec Sessions 1942

read and confirmed Ni. Si.

By the Court.
R. Walker J.
Now Feb Sessions 1943
confirmed absolute.

By the Court
R. Walker J.

Filed _____ 19 _____

Atty, Clarence R. Kramer

Fees \$1.25 paid by _____

[illegible]

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Penna, on the 15th day of October, A.D., 1942, to vacate and supply the following described road in the Township of Greenwood, Clearfield County, Pa.

The road to be vacated is a portion of Township Route # 461 in said Township of Greenwood, beginning at a point on State Highway Route # 62 at Station 1164+60 where the said two highways intersect thence extending in an easterly direction over Township Route # 461 and crossing the bridge which traverses Bell Run, a distance of approximately 300 feet to a point on Township Route # 461.

The above road or portion of Township Route # 461 is to be vacated and abandoned, and supplied by a new road, having its beginning at a point on Township Route # 461 approximately 300 feet distant from the intersection of said Township Route and State Highway Route # 62 in said Township of Greenwood; thence extending in a westerly direction and North of Bell Run, a distance of approximately 300 feet to State Highway Route # 62, will meet on the premises in said Township of Greenwood, Clearfield County, Pennsylvania, on Wednesday November 4, 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 Viewer's before the filing of their report in Court, will be held on Friday November 6, 1942, at 10:00 o'clock A.M., in the Grandjury Room in the Court House at Clearfield, Penna, at which time and place, all parties interested in said road may attend and be heard, if they so desire.

A.B. Shaw

H.A. Reese

W.E. Tobias

Viewer's

Now October 21, 1942, service is hereby accepted by copy on behalf of the County Commissioners of Clearfield County

Geo B. Reed

Clerk

TO THE SUPERVISORS OF GREENWOOD TOWNSHIP, CLEARFIELD COUNTY, PENNA.

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Penna, on the 15th day of October, A.D., 1942, to vacate and supply the following described road in the Township of Greenwood, Clearfield County, Pa.

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A.B. Shaw

H.A. Reese

W.E. Tobias

Viewer's

Now October , 1942, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Greenwood Township.

Merrill W. Bell
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~~^{vacate and supply} a Road ~~on~~^{or} assess
~~damages, leading from~~ in Greenwood Township, Clearfield County, Pennsylvania

The road to be vacated is a portion of Township Road, Route # 461
in said Township of Greenwood, beginning at a point on State Highway Route # 62
at Station 1164+60, where the said two highways intersect; thence extending in
an easterly direction over Township Road Route # 461 and crossing the bridge which
traverses Bell Run, a distance of approximately 300 feet to a point on Township
Road Route # 461.

The above road or portion of Township Road Route # 461, is to be
vacated and abandoned, and supplied by a new road, having its beginning at a point
on Township Road Route # 461, approximately 300 feet distant from the intersection
of said Township Road Route # 461 and State Highway Route # 62 in said Township
of Greenwood; thence extending in a westerly direction and North of Bell Run, a
distance of approximately 300 feet to State Highway Route # 62.

in Greenwood Township, in the County aforesaid, will
meet ~~at the house of~~ on the premises

in Greenwood Township, on Wednesday
the 4th day of November, A. D. 1942, 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 ASSEMBLY
AND RULES OF COURT TO BE HELD BY THE VIEWER'S BEFORE THE FILING OF THEIR REPORT
IN COURT, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD,
ON FRIDAY THE 6th DAY OF NOVEMBER, A.D. 1942, AT 10:00 O'CLOCK A.M., AT WHICH TIME
AND PLACE ALL PARTIES INTERESTED IN SAID ROAD MAY ATTEND AND BE HEARD, IF THEY SO
DESEIRE.

A. B. SHAW

H. A. REISE

W. E. TOBIAS

VIEWSERS.

October 21, 1942.