

No. 3 Sept Sessions, 19 42

ORDER

To ~~view~~ Review a
road for public use in the
township of Sandy,
Clearfield County

 Sessions, 19 ,

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.

*Apr. 30, 1943. It is
ordered that the review's report,
review's report, + petition
for re-review be placed
on the next Argument List
that counsel be notified, &
that the whole matter
shall be considered by the
Court at that time.
R. Graham Smith, Jr., P.J.*

Filed 19 .

Fees \$1.25 paid by

Eugene D. Vallely, Atty.

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 1st day of February in the year of our Lord one thousand nine hundred forty-three

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Sandy

in said County, setting forth that they labor under great inconvenience for want of a public road in the Township of Sandy to begin at a point on the intersection of Hand Street and Northwood Avenue, in the Wilson Terrace Addition of the said Township, and thence westerly to Main Street Extension, at a point 200 feet north of the residence of Pete Heberling, along said South Main Street Extension

and therefore, praying the Court to appoint proper persons to Re 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., W. E. Tobias and E. D. Billotte

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.

John Harold McFadden, Clerk.

very little grade and would create easy access to and from the Sandy Township High School and vicinity during all seasons of the year, which in the opinion of your Board is necessary, not only for the convenience and advantage of the pupils attending Sandy Township High School and for those living in the vicinity of said proposed road, who would be especially benefitted thereby, but for the convenience and advantage of the traveling public.

That the property owners, who would be effected by the construction of said proposed road, with one exception, have signed releases of any damage that might be caused thereby, and in the opinion of your Board the special, as well as, the general advantages to the traveling public, which would be derived by the construction of said proposed road outweigh the cost of construction.

WHEREFORE, your Board recommends the construction of said proposed road for public use.

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 Daniel B. Droney, Lawrence Dixon and Edna Dixon, his wife, and Harry T. Carns, said releases being hereto attached, and

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, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows: To Peter S. Heberling the sum of \$50.00

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

WITNESS our hands and seals this 1st day of March

A. D. 1943.

E. D. Willotte Seal
N. E. Tobias Seal
[Signature] Seal