

ROAD  
**DOCKET No.** 7

**Number**                      **Term**                      **Year**

1                      Sept. SS                      1943

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**Petition to Vacate certain portions**

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**of a Public Road in Beccaria**

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**Township                      Versus**

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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 28th day of June in the year of our Lord, one

thousand nine hundred and forty-three.

By the Honorable ~~Singleton Ball~~ <sup>W. WALLACE SMITH</sup> President Judge of the said Court: Upon the petition of ~~xxxx~~ <sup>Supervisors</sup> ~~inhabitants~~ of the Township of Beccaria, in the County aforesaid setting forth that a public road has long since been laid out in said township, Beginning at or near the Irvona Borough line, and extending Southerly to the Cambria County line, as shown by a plan thereof which is hereunto annexed, marked Exhibit "A" and made a part hereof, and is now known as Highway Route 170192.

That said public road has lately been improved from an earthen road to a natural stone base, macadam road.

That in the improvement of said road, portions of it as originally laid out and maintained has been relocated, as designated on the plan thereof hereto attached, and parts thereof have been abandoned and become unnecessary for public use and travel, and will be burdensome and dangerous to maintain

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 appoint 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.

W. Wallace Smith,

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 Beccaria, 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 August, A. D. 1943, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the ~~Arbitration~~ <sup>Grand Jury</sup> Room in the Court House, in Clearfield,

Pa., on the 6th day of August A. D., 1943 at 10:30 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 Ed Berger, Carl E. Weakland and Dale O'Donnell, Supervisors of the Township of Beccaria, Clearfield County, Pennsylvania.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the ~~Arbitration~~ <sup>Grand Jury</sup> Room in the Court House, in Clearfield, Pa., on the 6th day of August,

A. D. 1943, when the parties interested in the said road were in attendance: Ed Berger, Carl E. Weakland and Dale O'Donnell, Supervisors of the Township of Beccaria.

And that after the view and hearing above mentioned; the undersigned Viewers do agree that said road ~~has become useless, inconvenient and burdensome~~ or certain sections thereof which the State Highway of the Commonwealth of Pennsylvania, have abandoned by reason of the construction and relocation of State Highway Route #17019-2 in Gulich Township, have become useless, inconvenient and burdensome, and serve no useful purpose whatsoever to the traveling public, and your undersigned viewers recommend that said <sup>abandoned</sup> portions of State Highway Route #17019-2 which under the law have reverted back to the Township of Beccaria, be vacated as a part of the Beccaria Township Public Road System.

The portions or sections of the old State Highway Route #17019-2 which have reverted back to the Township of Beccaria and which your undersigned Viewer's recommend be vacated as prayed for, are as follows:-

THE FIRST SECTION to be vacated has its beginning at Station #16 near the Cambria County line; thence over old State Highway Route #17019 in a northerly direction, a distance of about 525 feet to point at Station #21 on East side of new State Highway Route #17019-2, as relocated.

THE SECOND SECTION to be vacated has its beginning at Station #23, on the East side of the new State Highway Route #17019-2; thence over old

Highway Route #17019 in a northeasterly direction, a distance of about 100 feet to a point at Station #30, on the East side of new State Highway Route 17019-2, as relocated.

THE THIRD SECTION to be vacated has its beginning at or near Station #35; thence in a northerly direction over old State Highway Route #17019, a distance of 300 feet to a point at Station #39, on the East side of new State Highway Route #17019-2, as relocated.

THE FOURTH SECTION to be vacated has its beginning at or near Station #42 on new State Highway Route #17019-2; thence in a northerly direction over old State Highway Route #17019, a distance of about 624 feet at a point at Station #48, on the West side of new State Highway Route #17019-2, as relocated.

THE FIFTH SECTION to be vacated has its beginning at or near Station #49 on new State Highway Route #17019-2; thence in a northerly direction over old State Highway Route #17019, a distance of about 600 feet to a point at Station #55, on the East side of new State Highway Route #17019-2, 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.

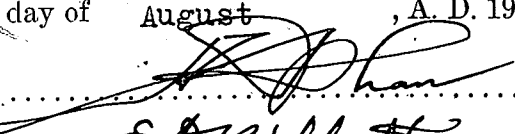
~~The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation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

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 #17019 herein described.

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

Witness our hands and seals this 6th day of August, A. D. 1943

 [SEAL.]

 [SEAL.]

 [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
A. B. Shaw	3	70	33.50
E. D. Billotte	3	134	36.70
T. C. McGarvey	2	103	26.15

read and confirmed Ni. Si.

By the Court.

confirmed absolute.

By the Court.

No. 1 Sept Term 19 43

## ORDER TO VACATE

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

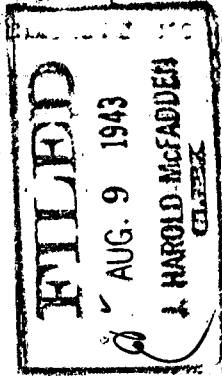
Now Sessions 1943

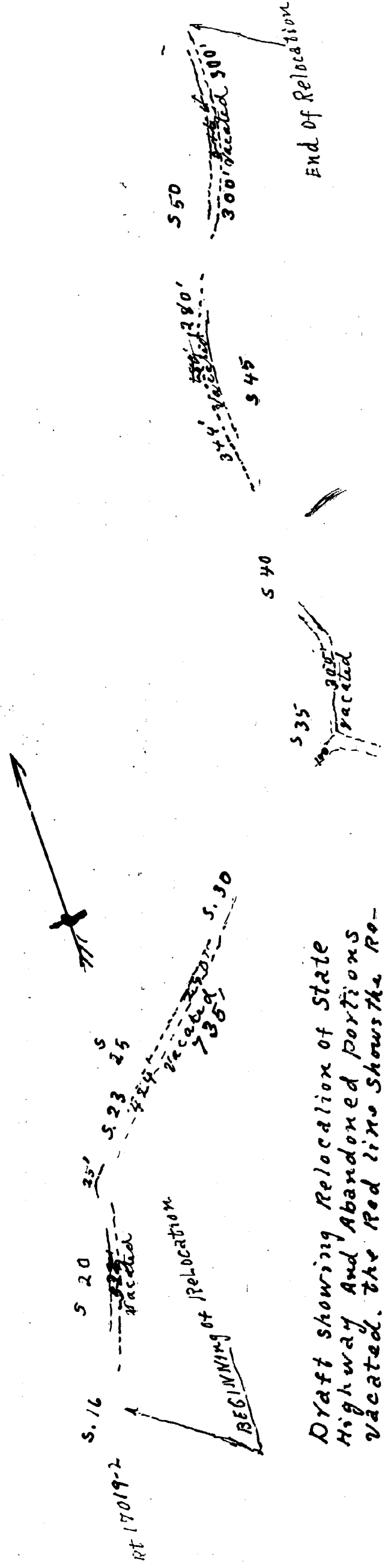
Now Sessions 1943

Filed 1943

Atty, John Scollins

Fees \$1.25 paid by





Draft showing Relocation of State Highway And Abandoned Portions vacated. the Red line shows the Relocation of the Highway. The dotted lines show the vacated of abandoned portions of Old Route.

Viewed for vacation the 4th day of August A.D. 1943.

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

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, Penna. on the 28th day of June, A.D., 1943, to view and vacate the following described public roads in the Township of Beccaria, Clearfield County, Pennsylvania, the same being certain portions of <sup>old</sup> State Highway Route #17019 which have become useless and burdensome by reason of the construction and relocation of said Highway, now known as State Highway Route #17019-2, in said Township of Beccaria, Clearfield County, Pa.

THE FIRST ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 16+00; thence extending in an Northeasterly direction along said Highway to a point at Station No. 30+00, a distance of approximately 1800 feet.

THE SECOND ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 34+52; thence extending in a Northeasterly direction along said Highway to a point thereon at Station No. 39+00, a distance of approximately 450 feet.

THE THIRD ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 42+00; thence extending along said hiway in a Northeasterly direction to a point thereon at Station No. 55+00, a distance of approximately 1300 feet,

will meet on the premises, on Wednesday August 4, 1943 at 10:30 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 or parts thereof to be vacated and abandoned an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday the 6th day of August, A.D., 1943, at 10:30 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

E. D. Billotte

T. C. McGarvey

Viewer's

Now, July 20 1943, service of the above notice is hereby accepted by copy.

Fred B. Reed  
Clerk

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

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Penna., on the 28th day of June, A.D., 1943, to view and vacate the following described public roads in the Township of Beccaria, Clearfield County, Pennsylvania, the same being certain portions of <sup>old</sup> State Highway Route #17019 which have become useless and burdensome by reason of the construction and relocation of said Highway, now known as State Highway Route #17019-2, in said Township of Beccaria, Clearfield County, Pa.

THE FIRST ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 16+00; thence extending in a Northeasterly direction along said Highway to a point at Station No. 30+00, a distance of approximately 1800 feet.

THE SECOND ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 34+52; thence extending in a Northeasterly direction along said Highway to a point thereon at Station No. 39+00, a distance of approximately 450 feet.

THE THIRD ROAD OR PORTION THEREOF TO BE VACATED AND ABANDONED, has its beginning on State Highway Route #17019-2 at Station No. 42+00; thence extending along said hiway in a Northeasterly direction to a point thereon at Station No. 55+00, a distance of approximately 1300 feet,

will meet on the premises, on Wednesday August 4, 1943 at 10:30 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 or parts thereof to be vacated and abandoned an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday the 6th day of August, A.D., 1943, at 10:30 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

\_\_\_\_\_  
E. D. Billotte

\_\_\_\_\_  
T. C. McGarvey

Viewer's

Now, July 22 1943, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Beccaria Twp.

H. F. E. Stright  
Sect'y

# Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view <sup>for vacation the</sup> a Road or assess damages, leading from following sections of road, situate in the township of Becerra, Clearfield County, Pennsylvania, the same being certain portions of the old State Highway Route #17019 which have become useless and burdensome by reason of the construction and relocation of said Highway in said township.

The road or sections thereof to be vacated and abandoned are as follows: THE FIRST THEREOF, has its beginning on State Highway Route #17019-2 at Station # 10.00; thence extending in a northeasterly direction along said Highway to a point thereon at Station # 30.00, a distance of approximately 1000 ft in shipship to

THE SECOND THEREOF, has its beginning on State Highway Route #17019-2 at Station # 30.00; thence extending along said Highway to a point at Station # 35.00, a distance of approximately 450 feet.

THE THIRD THEREOF, has its beginning on State Highway Route #17019-2 at Station # 35.00; thence extending in a northeasterly direction along said Highway to a point at Station # 55.00, a distance of approximately 1500 feet.

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

in Becerra Township, on Wednesday the 4th day of August, A. D. 1943, 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 LEGISLATURE MAY BE HELD IN COURT SO BE HEARD 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, PENNSYLVANIA, ON FRIDAY THE 6th DAY OF AUGUST A. D. 1943 AT 10:30 O'CLOCK A. M., AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROAD OR PORTIONS THEREOF TO BE VACATED AND ABANDONED MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A. H. SHAW

E. D. BILLOTT

T. C. MCQUAY

VIEWERS.

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

IN RE: Vacation of certain  
portions of a Public Road  
in the Township of Beccaria. NO. \_\_\_\_\_ SEPTEMBER SS., 1943.

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

The petition of Dale O'Donnell, Carl E. Weakland  
and Ed Berger respectfully represents:

1. That your petitioners are the Supervisors of the Township of Beccaria, a Township of the second class.
2. That a public road has long since been laid out in said Township, beginning at or near the Irvona Borough line, and extending Southerly to the Cambria County line, as shown by a plan thereof which is hereunto annexed, marked Exhibit "A" and made a part hereof, and is now known as Highway Route 17019-2.
3. That said public road has lately been improved from an earthen road to a natural stone base, macadam road.
4. That in the improvement of said road, portions of it as originally laid out and maintained has been relocated, as as designated on the plan thereof hereto attached, and parts thereof have been abandoned and become unnecessary for public use and travel, and will be burdensome and dangerous to maintain.

Wherefore, your petitioners pray The Court that the abandoned portions of the aforesaid road may be vacated, agreeably to the Act of Assembly in such case made and provided, and

They will ever pray.

Carl Weakland  
Dale O'Donnell  
Ed Berger  
Supervisors of Beccaria  
Township.

State of Pennsylvania :  
County of Clearfield : SS,

Ed Berger, one of the petitioners  
within named, who being duly sworn according to law, deposes and  
says that the facts set forth in the foregoing petition are true  
and correct.

Ed Berger

Sworn and subscribed before me,

this 23-day of June, 1943.

J. W. Laing J. P.

NOTARY PUBLIC

My Commission Expires Feb. 17, 1945

ORDER OF COURT

And now, this 28 day of June, A. D. 1943,

A. B. Shaw Esq., Thomas C. McBarney  
and E. D. Kellert are appointed viewers to view  
the premises within described and make report to the Court, with  
a form of decree, as required by the Act of Assembly in such  
case made and provided, and the Rules of Court.

BY THE COURT,

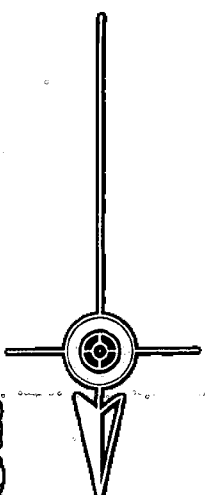
W. Graham Smith

P. J.

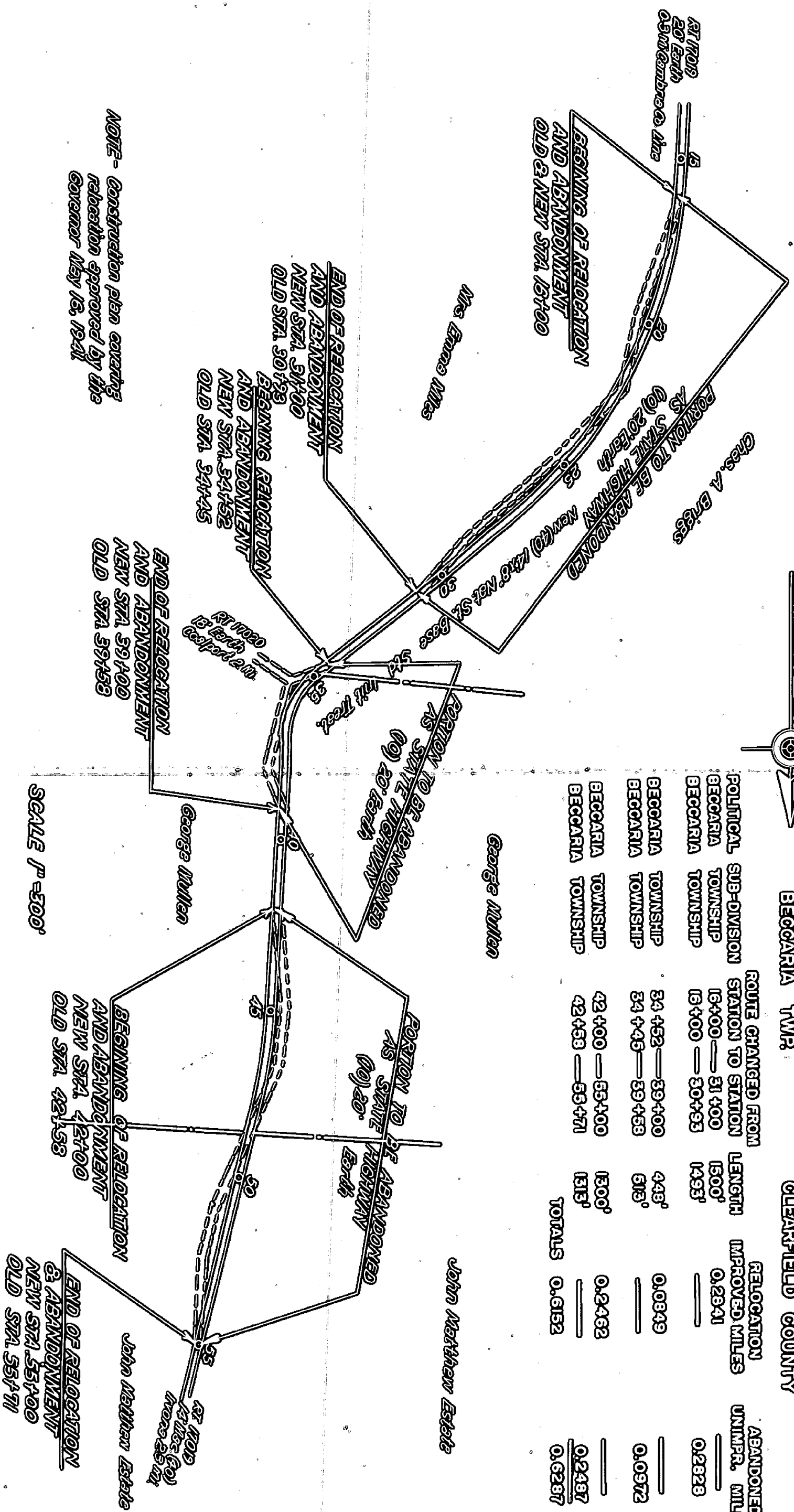
# SKETCH

SHOWING PORTION OF STATE HIGHWAY RT 17019-2  
TO BE ABANDONED

BEGGARIA TWP. CLEARFIELD COUNTY



POLITICAL SUB-DIVISION	ROUTE CHANGED FROM STATION TO STATION	LENGTH	RELOCATION IMPROVED MILES	ABANDONED UNIMPR. MILES
BEGGARIA TOWNSHIP	16+00 — 31+00	1500'	0.2341	—
BEGGARIA TOWNSHIP	16+00 — 30+93	1493'	—	0.2828
BEGGARIA TOWNSHIP	34+52 — 39+00	448'	0.0849	—
BEGGARIA TOWNSHIP	34+45 — 39+53	513'	—	0.0972
BEGGARIA TOWNSHIP	42+00 — 53+00	1300'	0.2462	—
BEGGARIA TOWNSHIP	42+53 — 53+71	1313'	—	0.2487
TOTALS			0.6152	0.6287



NOTE - Construction plan covering  
relocation approved by the  
Governor May 16, 1941

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

NO. 1 September SS., 1943.

IN RE: Vacation of certain portions of a Public Road in the Township of Beccaria.

Petition for the Appointment of Viewers, and Order of Court thereon.

FILED

JUN 28 1943

J. HAROLD McFADDEN  
CLERK

JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PA.

The Tuttle Law Print, Publishers, Rutland, Vt.