

XER ROAD

DOCKET No. 7

Number Term Page 75
Year

2 MAY SESSIONS 1946

PETITION FOR NEW BRIDGE IN PENN

TOWNSHIP

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Proceedings to Construct a Bridge in Penn Township, Clearfield County, on Route 472 No. May Sessions 1946

*** * ***

*
*

TO THE HONORABLE F. CORTEZ BELL, PRESIDENT JUDGE OF SAID COURT:

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

1. There is a bridge existing on Township Route 472, in the Township of Penn, Countv of Clearfield and State of Pennsylvania, at a point approximately 300 feet South of the intersection of said Township Route 472, with Legislative Route 59, where a small creek crosses said Township Route 472, and being known as the road from State Route 59 at Grampian to the Village of Stronach.

2. The existing bridge on said road over the stream above mentioned, is now unfit for use and unsafe and has been condemned, and the reconstruction and replacement thereof is necessary for the benefit and use of the traveling public.

3. The erection and construction of a bridge to take the place of the existing bridge over the said creek on said Township Route 472 is necessary as aforesaid, and will require more expense than it is reasonable for said Penn Township to bear, said expense will be approximately Five Thousand Dollars (\$5000.00), and probably in excess thereof.

4. To replace the existing condemned bridge will, as aforesaid, require the construction of a new bridge, with a new approach and the change of the creek channel.

WHEREFORE, your petitioners respectfully pray your honorable Court to appoint Viewers to ~~visit~~ ^{visit} the said locality and after hearing thereon to report to your honorable Court as in such case made and provided.

Oscar Anderson
b. n. Kightwood
Kirk Sharp
Supervisors of Penn Township

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

Personally appeared *Oscar Anderson*, *C.N. Wighswort*, *Kirk Thorp*, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct, and that he and the other signers thereof, are the Supervisors of Penn Township, Clearfield County, Pennsylvania.

Sworn and subscribed before me
this 26th day of March, 1946.

Marcel J. McGadden

PROTHONOTARY
My Commission Expires
First Monday in Jan. 1950

Oscar Anderson
C.N. Wighswort
Kirk Thorp

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Proceedings to Construct No.
a Bridge in Penn Township, Clear-
field County, on Route 472. May Sessions 1946.

O R D E R

NOW, March 28, 1946, within Petition being presented, and it appearing to the Court that the averments therein are true and correct, and that the Supervisors have presented said Petition, and that the expense of the replacing of the existing bridge, is more than the said Township should reasonably bear,

A B Shaw, W H Yost, and
Ed Pooler are appointed Viewers to view the premises and after testimony had, make recommendation to this Court as to the replacing, and relocating, and reconstructing of said bridge, the approaches thereto, and the change of channel of said stream.

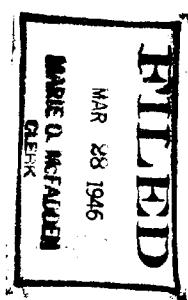
BY THE COURT

J C Campbell P.J.

IN THE COURT OF COMMON SESS
OF CLEARFIELD COUNTY
No. 2 MAY SESSIONS, 1946

In re: Proceedings to
Construct a Bridge in
Penn Township, Clear-
field County, on Route
472

P E T I T I O N



PENTZ & SILBERBLATT
ATTORNEYS AT LAW
105 SO. SECOND ST.
CLEARFIELD, PENNA.

Q: 270

2.50
1.50

Clearfield County, SS:

At a Court of Quarter Sessions of the Peace of the county of Clearfield
Pennsylvania, held at Clearfield, in and for said county on the 28th
day of March, A. D. 19 46

before Judge of said Court, upon a petition of sundry inhabitants of the township of Penn in said County, setting forth that there is a bridge existing on Township Route 472, in the Township of Penn, County of Clearfield, Pa. at a point approximately 300 feet South of the intersection of said Township Route 472, with Legislative Route 59, where a small creek crosses said Township Route 472, and being known as the road from State Route 59 at Grampian to the Village of Stronach.

The existing bridge on said road over the stream above mentioned, is now unfit for use and unsafe and has been condemned, and the reconstruction and replacement thereof is necessary for the benefit and use of the traveling public.

The erection and construction of a bridge to take the place of the existing bridge over the said creek on said Township Route 472 is necessary as aforesaid, and will require more expense than it is reasonable for said Penn Township to bear, said expense will be approximatley Five Thousand Dollars, (\$5000.00), and probably in excess thereof.

To replace the existing condemned bridge will, as aforesaid, require the construction of a new bridge, with a new approach and the change of the creek channel.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

where upon the Court upon due consideration had of the premises do order and appoint A. B. Shaw,
W. H. Yost and Ed Pooler

who after being respectively sworn or affirmed to perform their duties impartially and to the best of their judgment, are to view the place proposed for the said bridge, and if they or any two of them, view the same, and any two of the actual viewers agree that there is occasion for such a bridge, and that the erecting of the said bridge

could require more expense than it would be reasonable the said townships should bear, they are to make report accord-

The estimated cost of the construction of the above mentioned bridge in accordance with State Highway specifications, which will meet with the approval of the Dept. of Forest & Waters, is \$15,000.00 and is in excess of the amount Penn Township can afford to pay. The Township according to testimony offered before the viewers can expend from the general fund for the construction of said bridge the sum of \$2,500.00 The only other means of financing the construction of said bridge would be through a bond issue whereby the sum of approximately \$3,100.00 could be raised by the supervisors by increasing the indebtedness of said township 2% of its assessed valuation amounting to the sum of \$159,980.00 Through an election whereby said indebtedness could be increased to 7% of the assessed valuation and if approved by the electorate of Penn Township the sum of approximately \$11,100.00 could be raised toward the construction of said bridge. This means of financing the construction of said bridge would place a great burden upon the tax payers of the Township and a map or plot thereof to be made, which shall accompany said report; the report aforesaid to be made to the next of Penn.

term of the Court of Quarter Sessions to be held for the said county of Clearfield.

BY THE COURT.

F. Cortez Bell,
President Judge.

Marie D. McFadden

CLERK.

Return of Viewers.

To the Honorable the Judge of the Court 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, Pa., beg leave to report as follows:

That notice of the time of the view was duly served according to law upon the Commissioners of Clearfield County and on each member of the Board of Supervisors of Penn Township, and that three notices thereof were posted along the public road at and near the location of said bridge, giving notice that the view would be held on Tuesday the 16th day of April A. D. 1946 at 10:00 o'clock A. M. And that the public hearing as required by the Act of Assembly and the Rules of Court Grand Jury would be held in the Arbitration Room, in the Court House in Clearfield, Pa., on Thursday the 18th day of April A. D. 1946 at 10:00 o'clock A. M.

And that the said viewers met on the premises the site or proposed location of said bridge, where the public road leading from Highway Route # 59 in Penn Township to the village of Stronach in Penn Township on Tuesday the 16th day of April A. D. 1946 at 10:00 o'clock A. M. and that there were present at the view Oscar Anderson and Clair Wrigglesworth, Supervisors of Penn Township, also Alfred Seger, property owner, residing near said proposed bridge.

parties interested in said bridge.

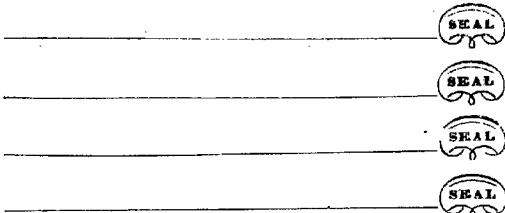
And that the said viewers all having been present at the view and after having made said view do agree that there is a necessity for said bridge. That according to the testimony offered before the Viewers the present bridge (now condemned) on Township Route # 472 in Penn Township, the subject of these proceedings, is used considerably more than any bridge in said Township and according to actual count an average of 148 vehicles pass over said bridge every twenty-four hours. That to dispense with said bridge would require the routing of traffic through Grampian Borough; thence over a dirt road to Stronach and vicinity, a distance of about two miles, and for those persons living in the Village of Stronach and vicinity the elimination of said bridge would require them to travel a distance of about two miles to reach the point where Legislative Route #59 intersects with Township Road Route #472 near said village. Furthermore the Township Road which leads from Stronach to Grampian according to the testimony offered by the Supervisors of Penn Township is difficult to maintain and becomes impassable during certain seasons of the year and particularly during the winter months and to eliminate the present bridge on Township Road #472 near the Village of Stronach would create a great hardship to the travelling public and to the individual families living in the Village of Stronach, Penn Township and vicinity.

Wherefor, your undersigned Viewers recommend that a new bridge be constructed at public expense, at the aforementioned point in Penn Township, for the use and convenience of the traveling public.

Release of Damages.

Know All Men by These Presents, That we, the undersigned owners of lands upon which the bridge is located by the viewers, ~~under the annexed order, passes~~ for and in consideration of the sum of ONE DOLLAR to us respectively paid by the _____ at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release, and forever quit-claim to the said _____ all damages that may arise to us respectively by reason of the location or building of said bridge, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location or building of said bridge.

Witness our hands and seals this _____ day of _____ A. D. 191



Assessment of Damages.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and building of said bridge in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof as follows:

To Harbison-Walker Refs. Co. the sum of \$ 25.00

To Wriglesworth the sum of \$ 40.00

To _____ the sum of _____

Witness our hands this Second day of May A. D. 19146

No. 2 May Sessions 19 46
In re: Proceedings to Construct
a Bridge in Penn Township, Clearfield
County, on ~~the~~ Route 472.

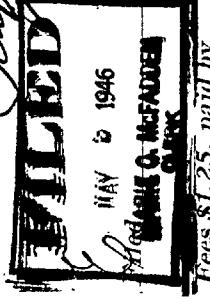
Notice.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.
N.B.—If the viewers believe the parties are not entitled to damages taking into consideration the advantages as well as the disadvantages of the bridge, they will report to that effect.

	AMOUNT
A. B. Shaw	Days 5. } \$0.00
	Miles .48 } \$2.40
Wm. W. Yost	Days 4. } \$0.00
	Miles .24 } \$1.20
E. T. Pooler	Days 3. } \$0.00
	Miles .24 } \$1.20
	Days
	Miles
	Days
	Miles

ORDER TO VIEW

BRIDGE.

May 1946
Signed and
Certified



May 1946
Proceedings having
been filed
Concurrently
by myself

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, on the 28th day of March, A.D., 1946 to view and lay out and establish a Bridge (now in existence but condemned) in Penn Township, Clearfield County, Pennsylvania, at a point approximately 300 feet South of the intersection of Township Road Route # 472 in said Township with Legislative Route # 59, where a small creek traverses said Township Road Route # 472, and generally known as the Township Road in Penn Township which leads from Grampian to the village of Stronach, will meet on the premises on Tuesday April 16, 1946 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, in order to give all parties interested in said Bridge an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, on Thursday the 18th day of April A.D., 1946, at 10:00 o'clock A.M., at which time and place all persons interested in said Bridge may attend and be heard, if they so desire.

A.B. Shaw

W.H. Yost

Edward Pooler

Viewer's

Now, April 1946, service of the above notice is hereby accepted on behalf of the County Commissioners of Clearfield County.

A. M. Lubhart

Clerk

To the Supervisors of the Road District of Penn Township, 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, on the 28th day of March, A.D., 1946 to view and lay out and establish a Bridge (now in existence but condemned) in Penn Township, Clearfield County, Pennsylvania, at a point approximately 300 feet South of the intersection of Township Road Route # 472 in said Township with Legislative Route # 59, where a small creek traverses said Township Road Route # 472, and generally known as the Township Road in Penn Township which leads from Grampian to the village of Stronach, will meet on the premises on Tuesday April 16, 1946 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, in order to give all parties interested in said Bridge an opportunity to be heard will be held in the Grand Jury Room in the Court House at Clearfield, on Thursday the 18th day of April A.D., 1946, at 10:00 o'clock A.M., at which time and place all persons interested in said Bridge may attend and be heard, if they so desire.

A.B. Shaw

W.H. Yost

Edward Pooler

Viewer's

Now, April 6, 1946, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Penn Township, Clearfield County, Penna.

Mrs. Frances Petty
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 ~~xxRoadxx~~ ~~damages, including xx~~ and lay out and establish a Bridge (now in existence but condemned) in Penn Township, Clearfield County, Pennsylvania, at a point approximately 300 feet south of the intersection of Township Road Route #472 in said Township with Legislative Route #59, where a small creek traverses said Township Road Route #472, and generally known as Township Road in Penn Township which leads from Grampian to the village of Stronach.

~~xx~~..... ~~shipshiptox~~.....

in Penn Township, in the County aforesaid, will meet ~~xxthe house of~~ on the premises
in Penn Township, on ..Tuesday.....
the 16th day of April , A. D. 1946 .., 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 THE PUBLIC HEARING 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, IN ORDER TO GIVE ALL PARTIES INTERESTED IN SAID BRIDGE AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARTFIELD ON THURSDAY THE 18th DAY OF APRIL, A.D. 1946 AT 10:00 O'CLOCK A.M., AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID BRIDGE MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

..... A.B.SHAW.....

..... M.H.YOST.....

..... EDWARD POOLER.....

VIEWERS.

..... April 5, 1946 19.....