

ROAD
DOCKET No. &7

Number	Term	Page	Year
<u>3</u>	<u>MAY SESSIONS</u>		<u>1946</u>

PETITION FOR A BRIDGE IN HUSTON TWP.

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Proceedings to Construct No.
a Bridge in Huston Township,
Clearfield County, on Route 526. May Sessions 1946

*** * ***

*
*

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

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

1. There is a bridge existing on Township route 526, in the Township of Huston, County of Clearfield and State of Pennsylvania, at a point approximately one quarter of a mile Southeast of the intersection of said Township Route 526 with State Highway Route 255, over Bennetts Branch, said Route 526 being known as the road leading from Highway Route 255 to the Village of Tyler.

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 526 is necessary as aforesaid, and will require more expense than it is reasonable for said Huston Township to bear, said expense will be approximately Seventy-five Hundred Dollars (\$7500.00), 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 fix the said locality and after hearing thereon to report to your honorable Court as in such case made and provided.

Patsy Georgine
McAdams McShoy
Harold P. Woodward
Supervisors of Huston Township

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

Personally appeared H. B. WOODWARD, NICODEMUS MAHOLTZ and PATSY GEORGINO, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Petition are true and correct and that they are the Supervisors of Huston Township, Clearfield County, Pennsylvania.

Patsy Georgino
Nicodemus Maholtz
Harold B. Woodward

Sworn and subscribed before me
this 2nd day of April, 1946.

Harold B. Woodward
HAROLD B. WOODWARD, Justice of the Peace
Huston Twp., Clearfield Co., Pa.
My Commission Expires 1st Mon. in Jan., 1948.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Proceedings to Construct I No.
a Bridge in Huston Township, I
Clearfield County, on Route 526 I May Sessions 1946

O R D E R

NOW, 4.. day of April, 1946, within Petition having been 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, Leo R Brockbank, Wm yet, AND Ben Blenheis 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.

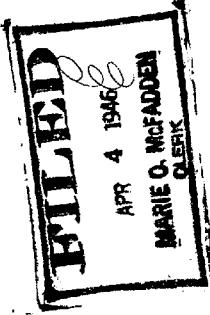
BY THE COURT

J. C. Bell P.J.

IN THE COURT OF QUARTER SESS
OF CLEARFIELD COUNTY
No. 3 May Sessions, 1946

In re: Proceedings to
Construct a Bridge in
Huston Township, Clear-
field County, on Route 526

P E T I T I O N



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

232
1.5-2

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 _____
4th day of April, A. D. 19 46
before Judge of said Court, upon a petition of sundry inhabitants of the town-
ship of Huston in said County, setting forth
that

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

whereupon the Court upon due consideration had of the premises, do order and appoint

Leo R. Brockbank, Wm. Yost and Ben Hughes

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 _____ of them, view the same, and any _____ of the actual viewers agree that there is occasion for such a bridge, and that the erecting of the said bridge would require more expense than it would be reasonable the said townships should bear, they are to make report accordingly:

and a map or plot thereof to be made, which shall accompany said report; the report aforesaid to be made to the next 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 O'Madden 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 Huston 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 20th day of August A. D. 19146 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 Abutment Room, in the Court House in Clearfield, Pa., on Wednesday the 21st day of August A. D. 19146 at 10:00 o'clock A. M. Daylight Saving Time

And that the said viewers met at the premises the site or proposed location of said bridge, where the public road leading from Route 255 in Huston Township to the village of Tyler in Huston Township on Tuesday the 20th day of August A. D. 19146 at 10:00 o'clock A. M. and that there were present at the view Leo R. Brockbank, William Yost and Benjamin Hughes, Viewers, and Patsy Georgino, one of the Supervisors of Huston Township

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 necessity for said bridge.

That according to the testimony offered before the viewers by R. J. Lewis, of the Highway Department, Township Division, also by H. B. Woodward and Patsy Georgino, Huston Township Supervisors, the present bridge (now condemned) on Township route 526 in Huston Township, Clearfield County, Pennsylvania, between highway route 255 and the village of Tyler, the subject of these proceedings, is used considerably more than any bridge in this vicinity and an average of 150 to 200 cars per day pass over said bridge. That to dispense with said bridge would require the routing of traffic by way of Parker Dam, a distance of about 8 miles to the main highway, while over this bridge the distance is one-fourth of one mile; that the village of Tyler has a population of over 50 families and except as above noted it is their only means of getting out; that the Post Office is located in Tyler and the mail truck travels this route regularly. That all children commencing with the 6th grade and higher are hauled by bus to Penfield and that the children from the 1st to 6th grade in surrounding territories are hauled to Tyler, thereby making the busses travel both ways loaded over this bridge, and that since the present bridge has been condemned all children are required to walk to the bridge as the busses do not go over it. That this bridge was condemned some time ago by F. K. Witherow, District Township Engineer and 4 ton capacity notices are posted on it at the present time. That your viewers have personally inspected the bridge and aided by the testimony are all of the opinion that the bridge is not safe and that its condemnation was proper. That the present abutments are usable and safe and according to the testimony a new bridge can be erected for \$6,000.00, which will include any repairs needed to the abutments and that this will meet the requirements of the Highway Department. Supervisor Woodward testified that the County Commissioners agreed to supply \$3,500.00 of this money and that they, the Supervisors, would supply \$2,500.00 of this money. That the new bridge can be erected on the present abutments and it will not require any change of the right of way and no change in the grades, and there would be no property damages involved. The testimony also showed that the span should be 65 feet with a 90° skew. The roadway is 14 feet and the clearance of the bridge would be 10 feet, which would leave the new bridge in approximately the same position the old bridge now occupies. Wherefore, your undersigned viewers recommend that a new bridge be constructed at public expense at the aforementioned point in Huston Township, Clearfield County, Pennsylvania, 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

SEAL

SEAL

SEAL

SEAL

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 _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

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

John Rockwell
W. H. Foot
Ben Dugay

No. 3 May Sessions 1946
Petition for a Bridge
in
Huston Township.

NOTE.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.
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
Benjamin Hughes	Days 2 \$ 20.00
	Miles 108 5.40
William Yost	Days 2... 20.00
	Miles 40. 2.00
Leo R. Brockbank	Days 3... 30.00
	Miles .76 .3.80
	Days ...
	Miles ...
	Days ...
	Miles ...

ORDER TO VIEW

BRIDGE
Now *of 8 1/4*
Confined me &
and myself.

FILED	19
Filed	SFP 3 6
MARIE O. MCFARLAND	
Fees \$1.25. Check by	

Pentz & Silberblatt
Attorney.

*Marie O. McFarland
Attorney
for Plaintiff
John A. Pentz*

1. There is a bridge existing on Township route 526, in the Township of Huston, County of Clearfield and State of Pennsylvania, at a point approximately one quarter of a mile Southeast of the intersection of said Township Route 526 with State Highway Route 255, over Bennetts Branch, said Route 526 being known as the road leading from Highway Route 255 to the Village of Tyler.

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 526 is necessary as aforesaid, and will require more expense than it is reasonable for said Huston Township to bear, said expense will be approximately Seventy-five Hundred Dollars (\$7500.00), 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.

To the County Commissioners of Clearfield County, Pennsylvania

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 4th day of April, 1946, to view and lay out and establish a bridge (now in existence but condemned) in Huston Township, Clearfield County, Pennsylvania, at a point approximately one quarter of a mile Southeast of the intersection of said Township Route 526 with State Highway Route 255, over Bennett's Branch, said Route 526 being known as the road leading from Highway Route 255 to the village of Tyler, in Huston Township, in the County aforesaid, will meet on the premises in Huston Township, on Tuesday, the 20th day of August, A. D., 1946, at 10:00 o'clock A. M., Daylight Saving Time, to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice and that the 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 bridge an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield on Wednesday, the 21st day of August, A. D., 1946, at 10:00 o'clock A. M., Daylight Saving Time, at which time and place all parties interested in said bridge may attend and be heard, if they so desire.

LEO R. BROCKBANK

WILLIAM YOST

BENJAMIN HUGHES

Viewers

Now, August 12, 1946, service of the above notice is hereby accepted on behalf of the County Commissioners of Clearfield County.

Gantehart
Clerk.

Perfatty

To the Supervisors of the Road District of Huston Township,
Clearfield County, Pennsylvania:

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 4th day of April, 1946, to view and lay out and establish a bridge (now in existence but condemned) in Huston Township, Clearfield County, Pennsylvania, at a point approximately one quarter of a mile Southeast of the intersection of said Township Route 526 with State Highway Route 255, over Bennett's Branch, said Route 526 being known as the road leading from Highway Route 255 to the village of Tyler, in Huston Township, in the County aforesaid, will meet on the premises in Huston Township, on Tuesday, the 20th day of August, A. D., 1946, at 10:00 o'clock A. M., Daylight Saving Time, to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice and that the 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 bridge an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield on Wednesday, the 21st day of August, A. D., 1946, at 10:00 o'clock A. M., Daylight Saving Time, at which time and place all parties interested in said bridge may attend and be heard, if they so desire.

LEO R. BROCKBANK

WILLIAM YOST

BENJAMIN HUGHES

Viewers

Now, August 8, 1946, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Huston Township, Clearfield County, Penna.

Harold B. Woodward
Secretary.

Read Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the
Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~the Road or causeway~~
~~damages leading from~~ and lay out and establish a Bridge (now in existence but
condemned) in Huston Township, Clearfield County, Pennsylvania, at a point ap-
proximately one quarter of a mile Southeast of the intersection of said Town-
ship Route 526 with State Highway Route 255, over Bennett's Branch, said Route
526 being known as the road leading from Highway Route 255 to the village of
Tyler

in Huston Township, in the County aforesaid, will
meet at the house of on the premises
in Huston Township, on Tuesday.....
the 20th day of August....., A. D. 1946, at 10:00.....
Daylight Saving Time
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 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 BRIDGE AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD ON WEDNESDAY, THE 21st DAY OF AUGUST, A. D., 1946, at 10:00 O'CLOCK A. M.; DAYLIGHT SAVING TIME; AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID BRIDGE MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

LEO R. BROCKBANK

WILLIAM YOST

BENJAMIN HUGHES

VIEWERS.

August 5, 1946.

Road
DOCKET NO. 7

Number Term Year

1 December SS 1947

Petition to Lay a Road for Public
use in Sandy Township

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In the matter of ::
Petition for a road ::
in Sandy Township, ::
Clearfield County, ::
Pennsylvania.

P E T I T I O N

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

The petition of the undersigned subscribers, all of whom are residents of Sandy Township, Clearfield County, Pennsylvania, respectfully represents:

That a certain road, formerly a portion of State Highway Route #255, exists and is laid out in Sandy Township, Clearfield County, Pennsylvania, being portion of said road which commences at the East end of Morningside Cemetery and running in an Easterly direction a distance of 1.4 miles, more or less to a point where it intersects with township road known as Park Road.

Your petitioners, some of whom are owners of adjoining lands, and others being lessees of other properties, the sole ingress to and egress from which are provided by said road, labor under great difficulty and inconvenience by reason of the condition of said road.

Your petitioners further aver that said road would not only be convenient to the use of their premises but is wholly necessary therefor.

WHEREFORE, your petitioners pray your Honorable Court to appoint viewers to view and lay out the said road as a public road or street, according to law, and they will ever pray, etc.

NAME

ADDRESS

NAME

ADDRESS

<u>C. J. Lewis</u>	<u>Dubois Pa Rd #2, (Narrow Creek)</u>
<u>Mrs. D. J. Lewis</u>	<u>DuBois Pa Rd #2 (Narrow Creek)</u>
<u>Daniel S. Kinter</u>	<u>DuBois Pa Rd #2 Box 107</u>
<u>Mrs. Daniel S. Kinter</u>	<u>DuBois Pa. P. D. #2. Box 107</u>
<u>Mr. John E. Royer</u>	<u>R.D. #1 Narrow Creek</u>
<u>Mrs. Janet Royer</u>	<u>Narrow Creek. P.D. 2</u>
<u>5. Rose Styler</u>	<u>R.D. #2 DuBois Pa (Narrow Creek)</u>
<u>Mrs. G. Rose Styler</u>	<u>DuBois Narrow Creek Pa.</u>
<u>Phoe. Tingley</u>	<u>R.D. #2 DuBois Narrow Creek Pa</u>
<u>James H. Henniger</u>	<u>R.D. #2 DuBois Narrow Creek Pa</u>
<u>Mrs. H. H. Henniger</u>	<u>R.D. #2 DuBois Narrow Creek Pa</u>
<u>Mr. G. V. Gustafson</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. H. V. Gustafson</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. John Royer</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mr. Gordon M. Place</u>	<u>R.D. #1 DuBois, Pa.</u>
<u>Mrs. Gordon M. Place</u>	<u>R.D. #2 DuBois, Pa.</u>
<u>Jos. A. Schenk</u>	<u>R.D. #2 DuBois, Pa</u>
<u>Mrs. Jos. A. Schenk</u>	<u>R.D. #2 DuBois, Pa</u>
<u>Mrs. H. C. Davis</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Emma Brach</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Toward J. Head</u>	<u>R.D. #2 DuBois Pa.</u>
<u>May & Freda DuBois</u>	<u>R.D. #2 DuBois Pa.</u>
<u>William J. Warner</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. Wm. C. Warner</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. Blanche Crawford</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Clara Beach</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. Blaine Crawford</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mr. Blaine Crawford</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mr. H. C. Davis</u>	<u>R.D. #2 DuBois Pa.</u>
<u>G. F. Moloney</u>	<u>R.D. #2 DuBois Pa.</u>
<u>Mrs. Ruth M. Moloney</u>	<u>R.D. #2 DuBois Pa.</u>
<u>James W. Wren Jr.</u>	<u>211 East Wren's Creek. DuBois Pa.</u>
<u>Mrs. Ernest Panchio</u>	
<u>Mr. Ernest C. Panchio</u>	

Lloyd Solada R.D. 2 DuBois Pa.
Mrs. Lloyd Solada R.D. 2 DuBois Pa.
Mrs. Estella McDonald R.D. 2 DuBois Pa.
Francis J. Place R.D. 2 DuBois Pa.
Mrs. Francis Place R.D. 2 DuBois Pa.
Howard Yale R.D. 2 DuBois Pa.
Mrs. Howard Yale R.D. 2 DuBois Pa.
Harry Rugh R.D. 2 DuBois Pa.
Mrs. Harry Rugh R.D. 2 DuBois Pa.
Mr. Henry Hawry R.D. 2 DuBois Pa.
Mrs. Henry Hawry R.D. 2 DuBois Pa.

COMMONWEALTH OF PENNSYLVANIA : SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, a notary public in the
County and State aforesaid, *Howard J. Hess*
who being duly sworn according to law; deposes and says that the
facts set forth in the foregoing Petition are true and correct.

Howard J. Hess

Sworn to and subscribed before me
this 4th day of September,
1947.

Josephine M. Cherry
NOTARY PUBLIC
My Commission Expires Jan. 7, 1951

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In the matter of :
Petition for a road :
in Sandy Township, :
Clearfield County, :
Pennsylvania. :
:

D E C R E E

NOW, to wit, this 16 day of Sept, 1947,
the foregoing petition having been read and considered, on motion
of Gleason & Cherry, attorneys for the petitioners, the Court
hereby appoints Lee R. Brookbank, Edward Poirer
and Wm. Yost as a Board of Viewers to view and
lay out a public road as prayed for by the Petitioners and report
their findings to the next Court of Quarter Sessions of Clearfield
County, Pennsylvania.

BY THE COURT,

W. H. Gandy
President Judge

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY
PENNSYLVANIA

No. 1 Dec. 1947

In the matter of
Petition for a road
in Sandy Township,
Clearfield County,
Pennsylvania.

P E T I T I O N

SEARCHED
FILED

SEP 10 1947

B
LAW OFFICES
GLEASON & CHERRY
DANUS BUILDING
DU BOIS, PENNSYLVANIA

To the County Commissioners of Clearfield County, Pennsylvania:

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 16th day of September, A. D., 1947, to lay out and establish a certain road, formerly a portion of State Highway Route #255, which exists and is laid out in Sandy Township, Clearfield County, Pennsylvania, being portion of said road which commences at the east end of Morningside Cemetery and running in an Easterly direction a distance of 1.4 miles more or less to a point where it intersects with Township Road known as Park Road, will meet on the premises in Sandy Township, Clearfield County, Pennsylvania, on Friday, November 21, 1947, at 10:00 o'clock A. M., to attend to the duties assigned them, of which time and place aforesaid, all parties interested will take notice, and that the public hearing required by the 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 persons interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pa., on Monday, November 24, 1947, 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 desire.

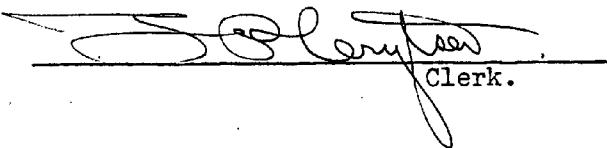
LEO R. BROCKBANK

EDWARD POOLER

WILLIAM YOST

Viewers.

Now, November 8, 1947, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County, Pennsylvania.


Clerk.

NOTICE OF VIEW

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 16th day of September, A. D., 1947, to lay out and establish a certain road, formerly a portion of State Highway Route #255, which exists and is laid out in Sandy Township, Clearfield County, Pennsylvania, being portion of said road which commences at the east end of Morningside Cemetery and running in an Easterly direction a distance of 1.4 miles more or less to a point where it intersects with Township Road known as Park Road, will meet on the premises in Sandy Township, Clearfield County, Pennsylvania, on Friday, November 21, 1947, at 10:00 o'clock A. M., to attend to the duties assigned them, of which time and place aforesaid, all parties interested will take notice, and that the public hearing required by the 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 persons interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pa., on Monday, November 24, 1947, 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 desire.

LEO R. BROCKBANK

EDWARD POOLER

WILLIAM YOST

Viewers.

Now, November 8, 1947, service of the above notice is hereby accepted by copy.

GLEASON & CHERRY

By GLEASON & CHERRY
Attorneys for petitioners.

Josephine M. Cherry

To the Supervisors of Sandy Township, Clearfield County, Pennsylvania:

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 16th day of September, A. D., 1947, to lay out and establish a certain road, formerly a portion of State Highway Route #255, which exists and is laid out in Sandy Township, Clearfield County, Pennsylvania, being portion of said road which commences at the east end of Morningside Cemetery and running in an Easterly direction a distance of 1.4 miles more or less to a point where it intersects with Township Road known as Park Road, will meet on the premises in Sandy Township, Clearfield County, Pennsylvania, on Friday, November 21, 1947, at 10:00 o'clock A. M., to attend to the duties assigned them, of which time and place aforesaid, all parties interested will take notice, and that the public hearing required by the 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 persons interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pa., on Monday, November 24, 1947, 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 desire.

LEO R. BROCKBANK

EDWARD POOLER

WILLIAM YOST

Viewers.

Now, November 8, 1947, service of the above notice is hereby accepted on behalf of the Supervisors of the Township of Sandy, Clearfield County, Pennsylvania.

William J. Salada,
Secretary.

May 21 - 22. 1905 PRE

Nov. 22, 1949

ପାଦାର୍ଥରୁ ପାଦାର୍ଥରୁ ପାଦାର୍ଥରୁ ପାଦାର୍ଥରୁ

Clearfield County Court of Quarter Sessions
P. W. M. 1911

Old Poor Farm (Abandoned)

New Poor Farm

Court House

Police Station

Municipal Garage

Paved Street

Unpaved Street

Residence

Business

Public Building

Private Property

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~and assess~~ ~~damages leading from~~ formerly a portion of State Highway Route #255, which exists and is laid out in Sandy Township, Clearfield County, Pennsylvania, being portion of said road which commences at the east end of Morningside Cemetery and running in an Easterly direction a distance of 1.4 miles, more or less, to a point where it intersects with Township Road known as Park Road.

in Township, in the County aforesaid, will

in Sandy Township, on Friday....
meet ~~at the house of~~ on the premises

in Sandy Township, on Friday....

the 21st day of November....., A. D. 19. 47., 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 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 PERSONS INTERESTED IN SAID ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD, ON MONDAY, the 24th DAY OF NOVEMBER, A. D., 1947, 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 DESIRE.

LEO R. BROCKBANK

EDWARD POOLER

WILLIAM YOST

VIEWERS.

November 8, 19. 47.

ORDER

To view and lay out a road for public use in the township of Sandy, Clearfield County,

Marshall Sessions, 1947.
Marshall Sessions, 1947.

Road Reopened

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

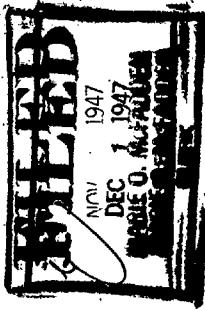
Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Reviewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewees.

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	A.M.T.
Leo R. Brockbank	3	56	\$32.80
William Yost	3	56	\$32.80
Edward Fooler	2	56	\$22.80

19
Fees \$1.25 paid by
Gleason & Cherry, Atty's.



RELEASE OF DAMAGES

Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by _____

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 respectfully by reason of the location and opening of the said road, 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 and opening of the road aforesaid.

Witness our hands and seals this _____ day of _____
A. D. 192 _____

Seal

Seal

Seal

Seal

temporary repairs to this road, and two of the Supervisors were of the opinion that it would take \$3,000.00 to put the road in good condition.

The viewers are of the opinion that there is no occasion for such a road and the same is not necessary for a public road.

Acceptance of service of this hearing by the County Commissioners, Supervisors of Sandy Township and attorney for the petitioners is hereto attached, also a blue print of the cement road and the abandoned macadam road under consideration is attached hereto.

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

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:

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

WITNESS our hands and seals this 24 day of November
A. D. 1927

R. R. Rockbank *Seal*
E. T. Posler *Seal*
J. H. Yet *Seal*

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 16th day of September in the year of our Lord one thousand nine hundred and forty-seven

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Sandy in said County, setting forth that a certain road, formerly formerly a portion of State Highway Route #255, exists and is laid out in Sandy Township, being portion of said road which commences at the East end of Morning-side Cemetery and running in an Easterly direction a distance of 1.4 miles, more or less to a point where it intersects with township road known as Park Road. Your petitioners further aver that said road would not only be convenient to the use of their premises but is wholly necessary therefor.

and therefore, praying the Court to appoint proper persons to 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 Leo R. Brockbank, Edward Pooler and Wm. Yost

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. F. Cortez Bell, P. J.

Marie O'Maddon, Clerk.

RETURN OF VIEWERS

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

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, be leave to report as follows:

That notice of the time of 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 Sandy and that six (6) notices thereof were posted along the route of the proposed road, that the said view would be held on the 21st day of November Grand Jury A. D. 1947 and the hearing to be held in the ~~Anteroom~~ Room, at the Court House, in Clearfield, Pa., on the 24th day of November, 1947 at 10:00 o'clock A. M. That three (3) viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Joshua Hoover and James Kilmer, two of the Supervisors of Sandy Township, and the viewers talked with several persons along the road

Grand Jury parties in interest. That the hearing was held in the ~~Anteroom~~ Room, in the Court House, at Clearfield, Pa., on the 24th day of November A. D. 1947, when the following appearances were noted: John A. Cherry, Esq., attorney for petitioners; thirteen (13) persons appeared, part of whom testified; all of the Sandy Township Supervisors, namely, Joshua Hoover, James Kilmer and William H. Salada, appeared.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a new road: ~~and having had respect to the~~ ~~supervisors~~ ~~the~~ ~~best~~ ~~ground~~ ~~for~~ ~~such~~ ~~road~~ ~~as~~ ~~should~~ ~~be~~ ~~the~~ ~~best~~ ~~way~~ ~~to~~ ~~private~~ ~~property~~ ~~and~~ ~~farm~~ ~~property~~ ~~near~~ ~~the~~ ~~line~~ ~~of~~ ~~the~~ ~~petitioner~~ ~~and~~ ~~the~~ ~~road~~ ~~to~~ ~~the~~ ~~same~~ ~~use~~ ~~the~~ ~~following~~ ~~described~~ ~~road~~, ~~to~~ ~~the~~ ~~place~~ ~~where~~ ~~the~~ ~~old~~ ~~road~~ ~~was~~ ~~located~~.
Beginningx The testimony showed that the proposed road was formerly the old macadam road formerly known as state highway route #255; that seven or eight years ago the State of Pennsylvania constructed a new road going East from DuBois toward Sabula, Penfield and points East consisting of concrete, and that this new concrete highway approximately 20 feet in width, which is a very fine road, has been in operation and constant use since that time; that this new concrete road was approximately over the lines of the old road and at some portions was straightened out a little and curves and grades were eliminated, thereby leaving the old road either on or very close to the cement road; that in the construction of the new cement road damages were paid to the property owners where land was taken. That as to the piece involved in this proceeding it runs along very near the new road, its maximum distance away from the new road being probably 400 feet, and its nearest distance being approximately 75 feet. That after the new cement road was constructed a petition was presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania and a hearing was held and the piece of road under discussion at this time, was then abandoned. That nothing, as far as the viewers know, has been done from that time until this proceeding was instituted to have the Supervisors of Sandy Township take this piece of abandoned macadam road over and maintain it. The testimony shows that those living in the Narrows Creek Park territory now have a Township road which gives them access to the cement road. The testimony also shows Mr. Hess on the Eastern end, is now on a Township road and has ample access. The greater part of the other people on the abandoned road have access to the cement road and there was some testimony that there were at least six private roads running through the various persons' property giving them access to the cement road. The testimony of the supervisors was to the effect that it would cost them \$500.00 to \$1,000.00 to make