

ROAD

DOCKET NO. 7

Number	Term	Year
6	Sept. SS	1948

Petition for Public Road in

LAWRENCE TOWNSHIP

Versus

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

In Re: Petition for Public ::
Road in Lawrence Township :: No. 6 September Term, 1948

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

The petition of the undersigned petitioners of the Township of Lawrence, Clearfield County, Pennsylvania, respectfully represent:

1. That your petitioners are all residents of Lawrence Township, Clearfield County, Pennsylvania and they get into their residences by a road that goes to Thompson's line over Turnpike Avenue, Clearfield.

2. That your petitioners labor under great inconvenience in that this road is not maintained by the township supervisors, and they have difficulty getting in and out from their homes and if the road was maintained for a distance of approximately one-eighth of a mile, and taken over by the township, all of their difficulties would be eliminated.

3. This present existing road that begins at Turnpike Avenue near the twin school houses and goes out as far as the Daisy Thompson and Dr. Shaffer line, becomes impassable and dangerous at various times to the traveling public and the upkeep of the same is burdensome to the property owners abounding along the same.

4. That your petitioners are of the opinion that a public road between the termini of Turnpike Avenue and Thompson's line is necessary for the convenience of the traveling public and should be constructed and maintained at public expense.

5. That there are approximately thirty (30) people and five (5) homes involved in this request and these people maintain

about approximately six (6) automobiles and trucks in getting in and out from their homes.

WHEREFORE, your petitioners pray that your Honorable Court will appoint a Board of Viewers to view and lay out a public road in the termini above described, according to law.

And they will ever pray, etc.

Name	Address
Homer H. McDowell	Clearfield Pa. R.D. 4.
Charles Schnars	Clearfield P.A. R.I.
Alma Schnars	" " "
Mont. R. Henry	Clearfield Pa. R.I.
Mabel Henry	" " "
Harry H. Shaffer MD	Clearfield Pa
Mrs H. G. Shaffer	Clearfield Pa.
Daisy Thompson	Clearfield, Pa.
Albert J. Jurg	Clearfield Pa
Mrs Albert J. Jurg	Clearfield Pa
E. R. Williams	Clearfield Pa
Doris L. Williams	Clearfield Pa
Lex B. Jurg	Clearfield Pa R.I.
Charles Owens	R.D. 1 Clearfield, Pa
Thomas Duff	R.D. Clearfield, Pa
Edward G. Brady	R.D. Clearfield, Pa
Melvin C. Owens	R.D. 3 Clearfield Pa
Albert R. Ogden	R.D. Clearfield Penna
Sadie M. Ogden	" " "
Lee Carter	R.D. #1 Clearfield, Pa.
Arthur Carter ***	R.D. #1 Clearfield, Pa.
Yung F. Lepton	Township Ext Clearfield Pa
Arnold Swales	Township Ext Clearfield Pa
Howard Schnars	R.D. 3. Clearfield Pa
Lawrence Conyer	R.D. #1 Clearfield Pa
Frank S. Carter	R.D. #1 Clearfield Pa

Notice of the within petition has been received by
the supervisors of Lawrence Township, as follows:

Joe M Young
W W Cline

Joe B Thompson

STATE OF PENNSYLVANIA :
SS
COUNTY OF CLEARFIELD :

Before me, the subscriber, personally appeared
Mont R Henry, one of the within named petitioners,
who being duly sworn according to law, deposes and says that the
facts set forth in the foregoing petition are true and correct
to the best of his knowledge, information and belief.

Mont. R. Henry.

Sworn and subscribed to before me
this 9th day of June, A.D., 1948.

R P Neal
Justice of the Peace

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY, 1952

ORDER OF COURT

Now, to wit, this 12 day of August A.D. 1948

the within petition having been read and considered, ~~it is hereby~~
Wm. Yeast & C. B. Khan are appointed to
~~ordered and decreed that a Board of Viewers, view and lay out~~

with
a public road in the termini within described, according to
author a heavy
law, said Board of Viewers to be ~~composed of~~ *report the result of their*

investigation to the Court by next Court.

BY THE COURT,

Hutzselle
P.J.

No. 6 Sept. 22 1948

B.

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

In Re: Petition for
Public Road in Lawrence
Township

Petition

2
69

EDWARD T. KELLEY
ATTORNEY AT LAW
CLEARFIELD, PA.

4.50

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:

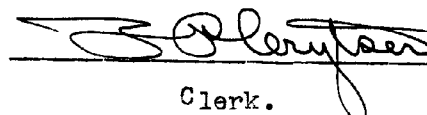
NOTICE OF VIEW.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County on the 12th day of August, A. D., 1948, to view and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same to have its beginning at the point of intersection of Turnpike Avenue Extension leading from Clearfield to Penfield and private road leading from said Turnpike Avenue Extension at or near the twin school houses in Lawrence Township; thence extending over said private road in an Easterly direction approximately one-eighth (1/8) of a mile to the property line of Daisy Thompson and Dr. H. G. Shaffer, will meet on the premises in the Township of Lawrence on Tuesday the 24th day of August, A. D., 1948, at 10:00 o'clock A. M. (Daylight Saving Time), to attend the duties assigned them, at which time and place all parties interested in said proposed public road 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 proposed road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Thursday the 26th day of August, A. D., 1948, at 10:00 o'clock A. M. (Daylight Saving Time), at which time and place all parties interested in said proposed road may attend and be heard if they so desire.

August 13th, 1948.

A. B. Shaw.
William W. Vost.
Edward Pooler.

NOW, this 14th day of August, A. D., 1948, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County, Pennsylvania.


Clerk.

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

NOTICE OF VIEW.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County on the 12th day of August, A. D., 1948, to view and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same to have its beginning at a point of intersection of Turnpike Avenue Extension leading from Clearfield to Penfield and private road leaving from said Turnpike/^{Avenue} Extension at or near the twin school houses in Lawrence Township; thence extending over said private road in an easterly direction approximately one-eighth (1/8) of a mile to the property line of Daisy Thompson and Dr. H. G. Shaffer, will meet on the premises in the Township of Lawrence on Tuesday the 24th day of August, A. D., 1948, at 10:00 o'clock A. M. (Daylight Saving Time), to attend the duties assigned them, at which time and place all parties interested in said proposed public road 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 proposed road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Thursday the 26th day of August, A. D., 1948, at 10:00 o'clock A. M. (Daylight Saving Time); at which time and place all parties interested in said proposed road may attend and be heard if they so desire.

August 13th, 1948.

A. B. Shaw
William W. Vost.
Edward Pooler.

NOW, the 14th day of August, 1948, service by copy of the above notice of View is hereby accepted on behalf of the Supervisors of Lawrence Township, Clearfield County, Pennsylvania.

Sign Here
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 ~~the road to be laid out~~ ~~and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same to have its beginning at a point of intersection of Turnpike Avenue Extension leading from Clearfield To Penfield and private road leading from said Turnpike Avenue Extension at or near the twin school houses in Lawrence Township; thence extending over said private road in an Easterly direction approximately one-eighth (1/8) of a mile to the property line of Daisy Thompson and Dr. H. G. Shaffer.~~

~~the road to be laid out~~ ~~and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same to have its beginning at a point of intersection of Turnpike Avenue Extension leading from Clearfield To Penfield and private road leading from said Turnpike Avenue Extension at or near the twin school houses in Lawrence Township; thence extending over said private road in an Easterly direction approximately one-eighth (1/8) of a mile to the property line of Daisy Thompson and Dr. H. G. Shaffer.~~

in Lawrence Township, in the County aforesaid, will

meet ~~at the house of~~ on the premises

in Lawrence Township, on Tuesday

the 24th day of August, A. D. 1948, at 10:00 o'clock (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 the Act of before the filing of their report in Court, in order to give all parties interested in said road to be laid out, an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Thursday the 26th day of August, A. D., 1948, at 10:00 o'clock A. M. (Daylight Saving Time), at which time and place all parties interested in said road may attend and be heard if they so desire.

A. B. Shaw

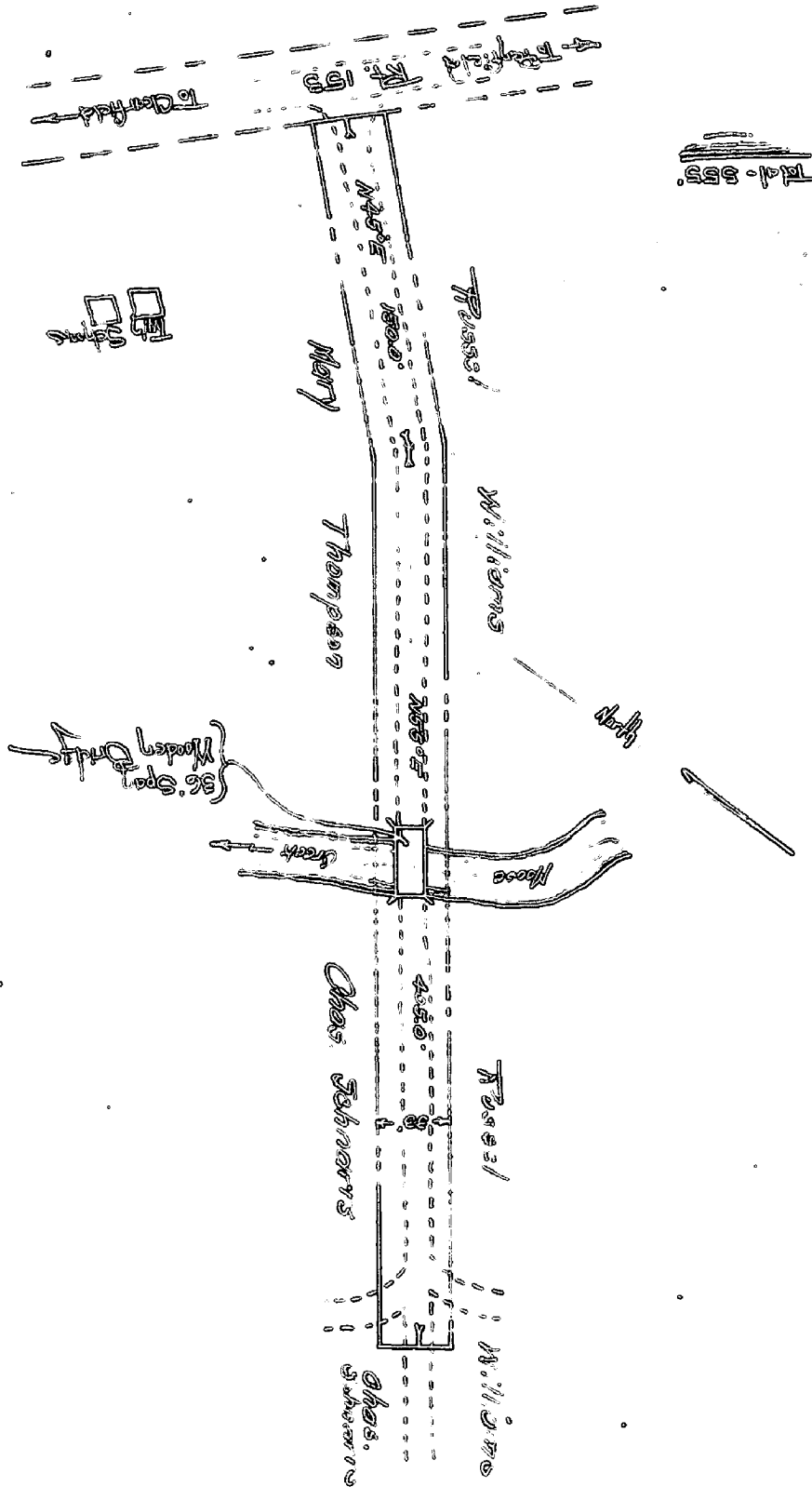
William W. Yost

Edward Pooler

VIEWERS.

August 13th 1948.

Clearfield County Court of Quarter Sessions, Aug 12, 1943
 Map of
 Road in Lawrence Township
 Seal of Pa. 50
 By the Court, Judge
 August 25, 1943



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 12th day of August
in the year of our Lord one thousand nine hundred
and Forty-eight

Judge of the same Court: Upon the petition of sundry in-
habitants of the Township of Lawrence

in said County, setting forth that they get into their
residences by a road that goes to Thompson's line over Turnpike Avenue,
Clearfield, Pa. That they labor under great inconvenience in that this
road is not maintained by the township supervisors and if the road was
maintained for a distance of approximately one-eighth of a mile, and taken
over by the township, all of their difficulties would be eliminated.
The present existing road begins at Turnpike Avenue near the twin school
houses and goes out as far as the Daisy Thompson and Dr. Shaffer line.
Petitioners are of the opinion that a public road between the termini of
Turnpike Avenue and Thompson's line is necessary for the convenience of
the traveling public and should be constructed and maintained at public
expense, 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 A. B. Shaw, Esq.,
Edward Pooler and Wm. Yost

who have been duly appointed by the Court and filed their oaths of office and are duly quali-
fied 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.

Maria O. McTadden, 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 Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 24th day of August ^{Grand Jury} ~~XXXXXXX~~ A. D. 1948, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 24th day of August, 1948, at 10:00 o'clock A. M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Joseph W. Young, Jos B. Thompson, Supervisors of Lawrence Township, Chas D. Schnarrs, Mount R. Henry, Russell Williams and others.

^{Grand Jury} ~~XXXXXXX~~ parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 26th day of August A. D. 1948, when the following appearances were noted: Edward T. Kelley, Esq, Attorney for the petitioners, Wm C. Chase, Esq, Attorney for Lawrence Township Supervisors, Joseph W. Young and Jos B. Thompson, Supervisors, Chas D. Schnarrs, Mount R. Henry, Dr Harry G. Shaffer, Daisy Thompson, Albert Jury, E.R. Williams and others.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is very necessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to wit Beginning at the point of intersection of Turnpike Extension, State Highway Route #153, leading from Clearfield to Penfield, and private road leading from said Highway at or near the twin school houses in Lawrence Township; thence extending over said private road in a north-easterly direction and crossing a wooden bridge which traverses Moose Creek, for a distance of Five hundred and fifty-five (555) feet to point where private road leads to E.R. Williams Camp at residence of Chas D. Schnarrs.

The proposed road is laid out over a private road, long since set apart, established and used by the abutting property owners and others residing in this community; said private road calling for a uniform width of thirty-three (33) feet, and for a number of years the individual property owners served by said private road have maintained and kept the same in repair to the best of their ability, including the small bridge thereon which traverses Moose Creek.

That during certain seasons of the year said road not being hard surfaced becomes impassable due to lack of grading and improper drainage, and as said newly proposed road is necessary for the convenience of the traveling public, the same should be taken over and maintained at public expense.

That the taking over of said private road as part of the general road system of the Township of Lawrence is agreeable to the Supervisors of said Township, and according to the great number of petitioners requesting the same, the newly proposed road appears to be necessary for

the accomodation of the traveling public, as well as, for the convenience and accomodation of those families living along said road, and in view of these facts, your Board recommends that the same be taken over by the Lawrence Township Road District and maintained as a part of the public road system of said Township.

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 Chas D. Schners, and Alme O. Schners, his wife, E. Russell Williams and Doris T. Williams, his wife, and Mary J. Thompson

~~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, view, and having considered the same, have derived therefrom to assess them damages and make record thereof as follows:~~

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

WITNESS our hands and seals this 26th day of August

A. D. 1946.

Am H. Foot Seal
E. T. Osler Seal
W. J. Ham Seal
Seal

6 September Sessions, 19 48

ORDER

To view and lay out a
road for public use in the
township of Lawrence

Clearfield County

Nov 21st 1948

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.

[Handwritten signatures and notes]
Dec 6 1948
Confirmed
Attest
Edward T. Kelley

Filed 19

Passes by road by

Edward T. Kelley, Attorney

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

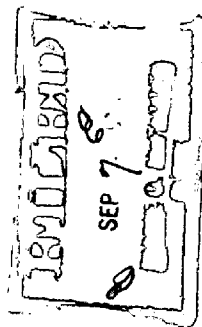
Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

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.
Wm W. Vost	3	2	30.10
Edward Pooler	2	3	30.15
A.B. Shaw	3	2	30.10

Certified to Department of Highways Apr 10-49



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 ensembling 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

[Handwritten signatures and seals]
Charles D. Schnars Seal
Alma O. Schnars Seal
Russell Williams Seal
Doris L. Williams Seal
Mary J. Thompson Seal