

ROADS

DOCKET NO. 7

Number	Term	Year
1	Nov. SS	1950

IN RE: Petition for appointment of
Viewers for vacation of road
in Boggs, Township, Clearfield
County, Pa ~~Versus~~

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

In Re: Petition for appointment :
of Viewers for vacation of public : No. /
road in Boggs Township, Clearfield : November Term, 1950.
County, Pennsylvania. :

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

The petition of the undersigned Supervisors of the Township of Boggs, Clearfield County, Pennsylvania, respectfully represent:

1. That a road has been long since layed out from the John Haney farm to what is known as the Ira Haney famr in said Township, known and designated as Township Road Route No. 587.

2. That said Township road has become worthless for the purpose intended, beginning at the intersection of said Township road with Township Road Route 600 in said Township of Boggs; thence extending in a Westerly direction over said Township Route No. 587, for a distance of approximately one-half (1/2) mile, to the Ira Haney farm, now owned by Sherman T. Cowdrick.

3. That the John G. Haney farm and the Ira Haney farm over which said Township road passes, is now owned by Sherman T. Cowdrick, and since said road is not necessary for the convenience of the traveling public, the said Sherman T. Cowdrick is desirous of having said road vacated for public use, and has jointed in the prayer of this petition.

WHEREFORE your petitioners pray that the said road may be vacated agreeable to the Act of Assembly in such case made and provided.

And they will ever pray.

Burtin Davis
Leonard Anson
Earl W. Smeal
Supervisors of Boggs Township.

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

Before me, the subscriber, personally appeared Burton Davis, Leonard Meas and Earl Smeal, who being duly sworn according to law, depose and say that the facts contained in the foregoing petition are true and correct to the best of their knowledge, information and belief.

Burton Davis

Leonard Meas

Earl W Smeal

Sworn and subscribed before me this
23rd day of October, A. D., 1950.

Wm T. Hagerty

PROTHONOTARY

My Commission Expires
First Monday in Jan. 1954

J O I N D E R

I, Sherman T. Cowdrick, hereby certify that I have read the foregoing petition, and understand the contents thereof, and join in the prayer of said petition.

Sherman T. Cowdrick

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

In Re: Petition for appointment of :
Viewers for vacation of public road : No.
in Boggs Township, Clearfield County, : November Term, 1950.
Pennsylvania. :

O R D E R

NOW, October 26, 1950, the within petition
having been presented, ~~Edward W. Yost~~, John Scollins
, and Benjamin Hughes, are appointed
Viewers to go upon and view the Township road Route 587 in Boggs
Township, to be vacated, and to make report of the same at the
next term of Court, to wit: the Fourth Monday of November, A. D.,
1950.

By the Court,



P. J.

Docket No 7-

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA. No. 1 November Term, 1950.	In Re: Petition for appoint- ment of Viewers for vaca- tion of public road in Boggs Township, Clearfield County, Pennsylvania.	P E T I T I O N	<div><div>FILED</div><div><i>W</i> OCT 26 1950 WM. T. HAGERTY PROTHONOTARY</div></div> <div>A. B. SHAW ATTORNEY AT LAW CLEARFIELD, PA.</div>
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Pre. by atty. \$00

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 26th day of October in the year of our Lord, one
thousand nine hundred and Fifty

Cortez F. Bell
By the Honorable ~~SKY~~ ~~XXXX~~ Bell, President Judge of the said Court: Upon the petition of ~~XXXX~~

Supervisors of the
Inhabitants of the Township of Boggs, in the County aforesaid setting forth that

1. A road has been long since layed out from the John Haney Farm to what is known as the Ira Haney Farm in said Township, known and designated as Township Road Route No. 587
 2. That said Township road has become worthless for the purpose intended, beginning at the intersection of said Township road with Township Road Route 600 in said Township of Boggs; thence extending in a Westerly direction over said Township Route No. 587, for a distance of approximately one-half (1/2) mile to the Ira Haney farm, now owned by Sherman T. Cowdrick.
 3. That the John G. Haney farm and the Ira Haney farm over which said Township road passes, is now owned by Sherman T. Cowdrick, and since said road is not necessary for the convenience of the traveling public, the said Sherman T. Cowdrick is desirous of having said road vacated for public use, and has jointed in the prayer of this petition.
- Wherefore your petitioners pray that the said road may be vacated agreeable to the Act of Assembly in such case made and provided. And they will ever pray

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 ap-

point from and among the County Board of Viewers William Yost, John Scollins and

Benjamin Hughes 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 damages they sustain by the vacation of said road; and in case the owners of such lands, or persons affected, 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 said 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. ~~need a d~~

RETURN DATE THE FOURTH DAY OF NOVEMBER, A.D. 1955

Wm J. Hagerthy 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 Boggs, 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

16th day of November, A. D. 1950, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the ~~Administration~~ ^{Grand Jury} Room in the Court House, in Clearfield,

Pa., on the 20th day of November A. D., 1950, at 11.00 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 Burton Davis, Leonard Meas and Earl Smeal, Supervisors of Boggs Township; Wm. T. Meas, Secretary of the Board; also, Sherman Cowdrick petitioner, and Fred Royer.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the ~~Administration~~ ^{Grand Jury} Room in the Court House, in Clearfield, Pa., on the 20th day of November,

A. D. 1950, when the parties interested in the said road were in attendance: Burton Davis, Leonard Meas and Earl Smeal, Supervisors, and Wm. T. Meas, Secretary-Treasurer, of the Road District of Boggs Township; and their Solicitor, A. B. Shaw, Esq.

All of whom were sworn and examined.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has, become useless, inconvenient and burdensome to wit: Beginning at the intersection of Township Road, Rt. No. 587, with Township Road, Rt. No. 600, leading to Litz Bridge; in Boggs Township; thence North 80° 30' West, along lands of Sherman Cowdrick (formerly the John Haney farm), five hundred and twelve (512) feet to post on same; thence still thereby, North 73° 30' West, four hundred (400) feet to post on same; thence still thereby, North 79° 45' West, two hundred (200) feet to post on same; thence still thereby, North 52° 30' West, one hundred (100) feet to post on same; thence still thereby North 85° 30' West, one hundred (100) feet to post on same; thence still thereby, South 76° 15' West, four hundred (400) feet to post on same; and thence still thereby and land of Sherman Cowdrick, (formerly the Ira Haney farm) North 82° 30' West, crossing right-of-way of N.Y.C.R.R., six hundred and thirty-nine (639) feet, and ending at abandoned fording on Clearfield Creek, at the residence of Sherman T. Cowdrick aforesaid.

Since the fording over Clearfield Creek has been abandoned, the said Township Road has become a cul de sac; and used only by the Cowdricks, their employees and visitors. It now serves no public use, and burdensome of

upkeep, and there being no objections the same is recommended for vacation in accordance with the prayer of the petitioners.

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: Sherman T. Cowdrick, owner of the land over which this road passes is one of the petitioners for its vacation dis-
claims any damage.

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 damages claimed or assessed.

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

Witness our hands and seals this 24th

day of November, A. D. 1950

John Stelling [SEAL.]

John Stelling [SEAL.]

Berry T. Hughes [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
Wm. W. Yost	2	4	\$20.20
John Scollins	3	80	\$34.00
Benj. Hughes	2	85	\$24.25

No. 1 NOV. Term 19 50

ORDER TO VACATE

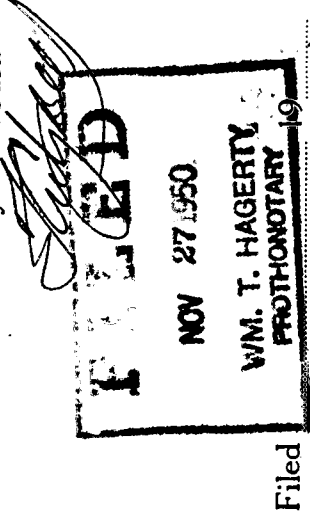
To view and vacate road situate
in the Township of Boggs
Clearfield County.

Now *Nov* Sessions 19 *50*

read and confirmed Ni. Si.

By the Court
[Signature]
Now *Mar 5* Sessions 19 *51*
confirmed absolute.

By the Court.



Atty. A. B. Shaw

~~Exhibit~~ *[initials]*

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A

In re: Vacation of Township
Road, Route No. 587,
in Boggs Township.

No. 1, November Sess., 1950.

To:

County Commissioners of Clearfield County:

You are hereby notified that the undersigned Viewers, appointed by the Court at the above number and term, to view and vacate a Road, leading from the John Haney Farm to what is known as the Ira Haney Farm, known and designated as Township Road Route No. 587, beginning at the intersection of said Township Road with Township Road Route 600 in said Township of Boggs; thence extending in a Westerly direction over said Route No. 587 for a distance of approximately one-half mile to the Ira Haney farm, now owned by Sherman T. Cowdrick, will meet at the house of Sherman T. Cowdrick in Boggs Township, on Thursday, the 16th day of November, 1950, at 10:30 A.M. to attend to the duty 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 will be held in the Grand Jury Room in the Court House in Clearfield on Monday, the 20th day of November, 1950, at 11:00 o'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all interested parties may attend and be heard.

William West
Orin Scollins
Benjamin Hughes
Viewers.

Dated: November 3rd, 1950.
CLEARFIELD COUNTY, SS:

Now, this 6th day of November, 1950, Notice of the View and Hearing in the above captioned proceeding accepted for the County Commissioners of Clearfield County.

W. R. R. R.
Clerk.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In re: Vacation of Township
Road, Route No. 587
in Boggs Township.

No. 1, November Sess., 1950

To: Burton Davis, Leonard Meas and Earl Smeal, Supervisors
of Boggs Township, West Decatur, Pa.

You are hereby notified that the undersigned Viewers, appointed by the Court at the above number and term, to view and vacate a Road, leading from the John Haney Farm to what is known as the Ira Haney Farm, known and designated as Township Road Route No. 587, beginning at the intersection of said Township Road with Township Road Route 600 in said Township of Boggs; thence extending in a Westerly direction over said Route No. 587 for a distance of approximately one-half mile to the Ira Haney farm, now owned by Sherman T. Cowdriek, will meet at the house of Sherman T. Cowdriek in Boggs Township, on Thursday, the 16th day of November, 1950, at 10:30 A.M. to attend to the duty 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 will be held in the Grand Jury Room in the court House in Clearfield on Monday, the 20th day of November, 1950, at 11:00 O'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all interested parties may attend and be heard.

W. T. [Signature] Secretary, Treas

Nov. 10 - 19 - 1950

Dated: November 3rd, 1950.

William Yosh
John Sebelina
Benjamin Hughes
Viewers.

