

ROAD DOCKET #7

DOCKET NO. 7

NUMBER	TERM	YEAR
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5	February SS	1950
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IN RE: PETITION OF RESIDENCES
OF LAWRENCE TOWNSHIP FOR PUBLIC ROAD

VERSUS

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

IN RE: PETITION OF RESIDENTS OF :
LAWRENCE TWP.

: No. 5 Feb SS 1950

PETITION

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

+ The petition of the undersigned, inhabitants of the Township of Lawrence, in said County, respectfully showeth:

+ 1. That your petitioners are all residents ^{of owners} of the area known as Kerr Addition, Lawrence Township, Clearfield County, Pa.

+ 2. That in the enjoyment of their residences, they make use of a part of a road or street, known as Welch Street as shown on a map or plot of Kerr Addition recorded in the Office for the Recording of Deeds in and for Clearfield County, in Miscellaneous Book , at Page ; said street running in a generally North - South direction, having its Southern terminus on the street or avenue known sometimes as Riverside Avenue, said avenue also being a public road running from Clearfield to Shawsville and being already under jurisdiction; and having its Northern terminus on the street or avenue known as Mapes Avenue, both Northern and Southern termini as shown on the map or plot of Kerr Addition abovementioned.

3. That your petitioners labor under great inconvenience in that the above said Welch Street is not maintained by the Township Supervisors and that if this road was maintained for a distance of approximately 500 feet, and taken over by the township, the difficulties would be eliminated.

4. That the present condition of the road is such that your petitioners have great difficulty in getting to and from their homes and that said street becomes impassable and dangerous at certain times to the traveling public. Further, that

although your petitioners have at various times attempted to maintain this road in a useable condition, as best they could, still they are not able to do so, and the upkeep of the same is burdensome to your petitioners.

5. That your petitioners are of the opinion that a public road between the terminii of Riverside Avenue and Mapes Avenue as above mentioned is necessary for the convenience of the traveling public and should be constructed and maintained at public expense.

6. That there are approximately people and homes involved in this request and that these people maintain approximately automobiles in getting in and out from their homes.

7. That if said road is taken under the jurisdiction of the Lawrence Township Supervisors and maintained by them as a public road, your petitioners will waive and release all trespass claims and/or claims for damages resulting therefrom.

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

And they will ever pray, etc.

Name

Robert H. Culgen
Nadine N. Lyon
Ethel McLaughlin
Blair M. Condor
Victor Belinski
Edward Rothrock
Wester Laoutier

Howard T. Kelley
Sam Collio

Address

R.D. #2, Clearfield, Pa.
P.O. #2 Clearfield, Pa.
R.D. #2 Clearfield Pa
P.A. #2 Clearfield Pa
P.O. Box 377 Clearfield, Pa.
P.O. #2 Clearfield Pa
R.D. 2. Clearfield Pa.

Crampies

Clearfield

Carl a Heickel

RD#2 Clearfield

Lease B. Heickel

RD#2 Clearfield

Pola M. Best

RD 2 Clearfield

Benjamin J. Barnett

RD 2 Clearfield

Gussie D. Barnett

RD 2 Clearfield

Cynthia Condon

RD 2 Clearfield

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

STATE OF PENNSYLVANIA : SS
COUNTY OF CLEARFIELD :

Before me, the subscriber, personally appeared Edward C Rothrock, one of the withinnamed 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.

Sworn and subscribed to before me
this 30th day of January, A.D. 1950.

R P Neal
Justice of the Peace

MY COMMISSION EXPIRES
FIRST SUNDAY IN MARCH 1956

Notice of the mining permit
as follows: as follows:

STATE OF PENNSYLVANIA:

22

COUNTY OF CLERICKFIELD:

Before me, the subscriber, personally appeared
one of the mining permit holders,
who being duly sworn and does and says that the
facts set forth in the foregoing permit are true and correct
to the best of his knowledge, information, and belief.

Sworn and subscribed to before me
this 30th day of January A.D. 1850.

W.C.

ORDER OF COURT

X NOW, to wit, this 30 day of January, A.D. 1950, the within petition having been read and considered, it is hereby ordered and decreed that a Board of Viewers view and lay out a public road in the termini within described, according to law, said Board of Viewers to be composed of A B Shaw, Robert Pooler, and Wm Gost. Edward Pooler

BY THE COURT

P.J.

No 5 Feb 22 1950

IN RE: PETITION OF ROBERT
O'BRIEN, JR., PETITIONER
OPPOSED.

E

EDWARD T. KELLEY
ATTORNEY AT LAW
CLEARFIELD, PA.

Op 400 by Edward C. Rothrock

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 20th. day of January in the year of our Lord one thousand nine hundred fifty

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence in said County, setting forth that

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, Wm. Yost and Edward Pooler

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.

Wm. T. Hagerty, 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 (3) notices thereof were posted along the route of the proposed road, that the said view would be held on the 21st day of February A. D. 1925 and the hearing to be held in the ^{Grand Jury} ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 23rd day of February, 1925 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 Boyd L. Rothrock

Grand Jury

parties in interest. That the hearing was held in the ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 23rd day of February A. D. 1925, when the following appearances were noted: Edward T. Kelley, Esq. Attorney for the petitioners, together with Boyd L. Rothrock, party in interest.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is _____ occasion for a road as desired by the petitioners and that the same is _____ 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 State Highway Route 17052 leading from Clearfield to Shawville, Pa. and public street known as Welch Street in the Kerr Addition, Lawrence Township, Clearfield County, Pennsylvania; thence extending in a Northerly direction over Welch Street for a distance of two hundred and thirty-four (234) feet to a sixteen (16) foot alley.

The proposed road is layed out over a dedicated street in what is known as the Kerr Addition, Lawrence Township, Clearfield County, Pennsylvania, the same having a width of forty (40) feet and for a great number of years the individual abutting property owners served by said street have maintained and kept the same in repair for themselves as well as the travelling public, to the best of their ability.

The abutting property owners, however, are unable individually to adequately maintain said street or proposed road by giving it the proper grading and drainage required, and as said street or newly proposed road is necessary for the convenience of the travelling public, the same should be taken over and maintained at public expense.

That the taking over of said street as a part of the public road system of Lawrence Township is unopposed by the Supervisors of said Township, and since the newly proposed road appears to be necessary for the accommodation for the travelling public, as well as for the convenience of those families living along the same, your undersigned Viewers recommend the same be taken over by the Supervisors of the

Township of Lawrence and maintained at public expense.

That your petitioners are all residents and owners of the area known as Kerr Addition, Lawrence Township, Clearfield County, Pa.

That in the enjoyment of their residences, they make use of a part of a road or street, known as Welch Street as shown on a map or plot of Kerr Addition recorded in the Office for the Recording of Deeds in and for Clearfield County, in Miscellaneous Book , at Page ; said street running in a generally North-South direction, having its Southern terminus on the street or avenue known sometimes as Riverside Avenue, said Avenue also being a public road running from Clearfield to Shawsville and being already under jurisdiction; and having its Northern terminus on the street or avenue known as Mapes Avenue, both Northern and Southern termini as shown on the map or plot of Kerr Addition above mentioned.

That your petitioners labor under great inconvenience in that the above said Welch Street is not maintained by the Township Supervisors and that if this road was maintained for a distance of approximately 500 feet, and taken over by the Township, the difficulties would be eliminated.

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 _____

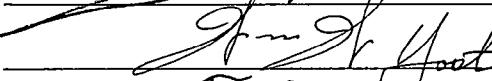
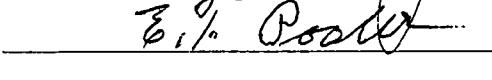
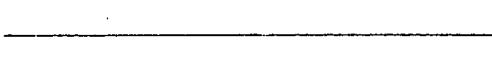
when it was not practical to preserve it within that limit.

XXXXXundersigned further report that they endeavored to procure from all the owners of XXXXXland over which XXXXXsaid XXXXXXXXXreleases 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 respectively may be entitled by reason of the location and opening of the said road, we the undersigned view this after having considered the advantages to be derived to them do assess them damages and make report thereon as follows

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

WITNESS our hands and seals this 27th day of February
A. D. 1950

 John D. Hays Seal
 John D. Foot Seal
 E. T. Cook Seal
 John D. Foot Seal

ORDER

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	Amt.
A. B. Shaw	3		\$30.00
William Yost	3		\$30.00
Edward Pooler	2	6	\$20.30

To view a road for public use in the township of Lawrence, Clearfield County

Feb Sessions, 1950

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.

Edward T. Kelley
February 20, 1950
On behalf of the Board
W.M. T. HALL, CLERK

Edward T. Kelley, Attorney
Filed 19

Fees \$1.25 paid by

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

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

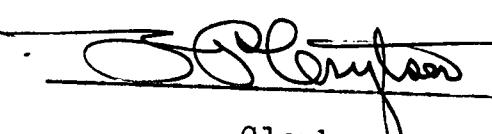
NOTICE OF VIEW.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 20th day of January, A. D., 1950, to view and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same having its beginning at the point of intersection of State Highway Route 17052 leading from Clearfield to Shawville, Pennsylvania, and public street known as Welch Street in the Kerr Addition, Lawrence Township, Clearfield County, Pennsylvania; thence extending over said Welch Street in a North-easterly direction for a distance of approximately five hundred (500) feet more or less to what is known as Mapes Avenue in the plan or plot of the Kerr Addition to the Borough of Clearfield, Pennsylvania, will meet on the premises in the Township of Lawrence, on Tuesday, the 21st day of February, A. D., 1950, at 10:00 o'clock A. M. (EST) to attend the duties assigned them, at which time and place all parties interested in said proposed public road will take notice, and that a public hearing as required by Act of Assembly and Rules of Court, to be held by the Viewers before the filing of their report in Court, in order to give all parties interested in said 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 23rd day of February, A. D., 1950, at 10:00 o'clock A. M. (EST), at which time and place all parties interested in said proposed road may attend and be heard if they so desire.

February 6th, 1950.

A. B. Shaw.
William Yost.
Edward Pooler.

NOW, this 7th day of February, A. D., 1950, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County.


Clerk.

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

NOTICE OF VIEW.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 20th day of January, A. D., 1950, to view and lay out a public road in the Township of Lawrence, Clearfield County, Pennsylvania, the same having its beginning at the point of intersection of State Highway Route 17052 leading from Clearfield to Shawville, Pennsylvania, and public street known as Welch Street in the Kerr Addition, Lawrence Township, Clearfield County, Pennsylvania; thence extending over said Welch Street in a Northerly direction for a distance of approximately five hundred (500) feet more or less to what is known as Mapes Avenue in the plan or plot of the Kerr Addition to the Borough of Clearfield, Pennsylvania, will meet on the premises in the Township of Lawrence, on Tuesday, the 21st day of February, A. D., 1950, at 10:00 o'clock A. M. (EST), to attend the duties assigned them, at which time and place all parties interested in said proposed public road will take notice, and that a public hearing as 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 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 23rd day of February, A. D., 1950, at 10:00 o'clock A. M. (EST), at which time and place all parties interested in said proposed road may attend and be heard if they so desire.

February 6th, 1950.

A. B. Shaw.
William Yost.
Edward Pooler.

NOW, this 7th day of February, A. D., 1950, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Lawrence Township, Clearfield County, Pennsylvania.


R. B. Shaw

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 a Road ~~or assesses~~ ~~damages~~ leading from and lay out a public road situate in the Township of Lawrence, Clearfield County, Pennsylvania, the same having its beginning at the point of intersection of State Highway Route 17052 leading from Clearfield to Shamville, Pennsylvania, and public street known as Welch Street in the Kerr Addition, Lawrence Township, Clearfield County, Pennsylvania; thence extending over said Welch Street in a Northerly direction for a distance of approximately five hundred (500) feet more or less to what is known as Mapes Avenue in the plan or plot of the Kerr Addition to the Borough of Clearfield, Pennsylvania, ~~shipshape~~.

in Lawrence Township, in the County aforesaid, will meet ~~at the house of~~ on the premises
in Lawrence Township, on Tuesday
the 21st day of February A. D. 1950. at 10:00 .. o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all

THAT THE PUBLIC HEARING AS REQUIRED BY THE ACT OF parties interested will take notice. 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 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 TUESDAY, THE 21st DAY OF FEBRUARY, A.D. 1950, AT 10:00 O'CLOCK A.M. (EST), AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROAD MAY ATTEND AND BE HEARD IF THEY SO DESIRE.

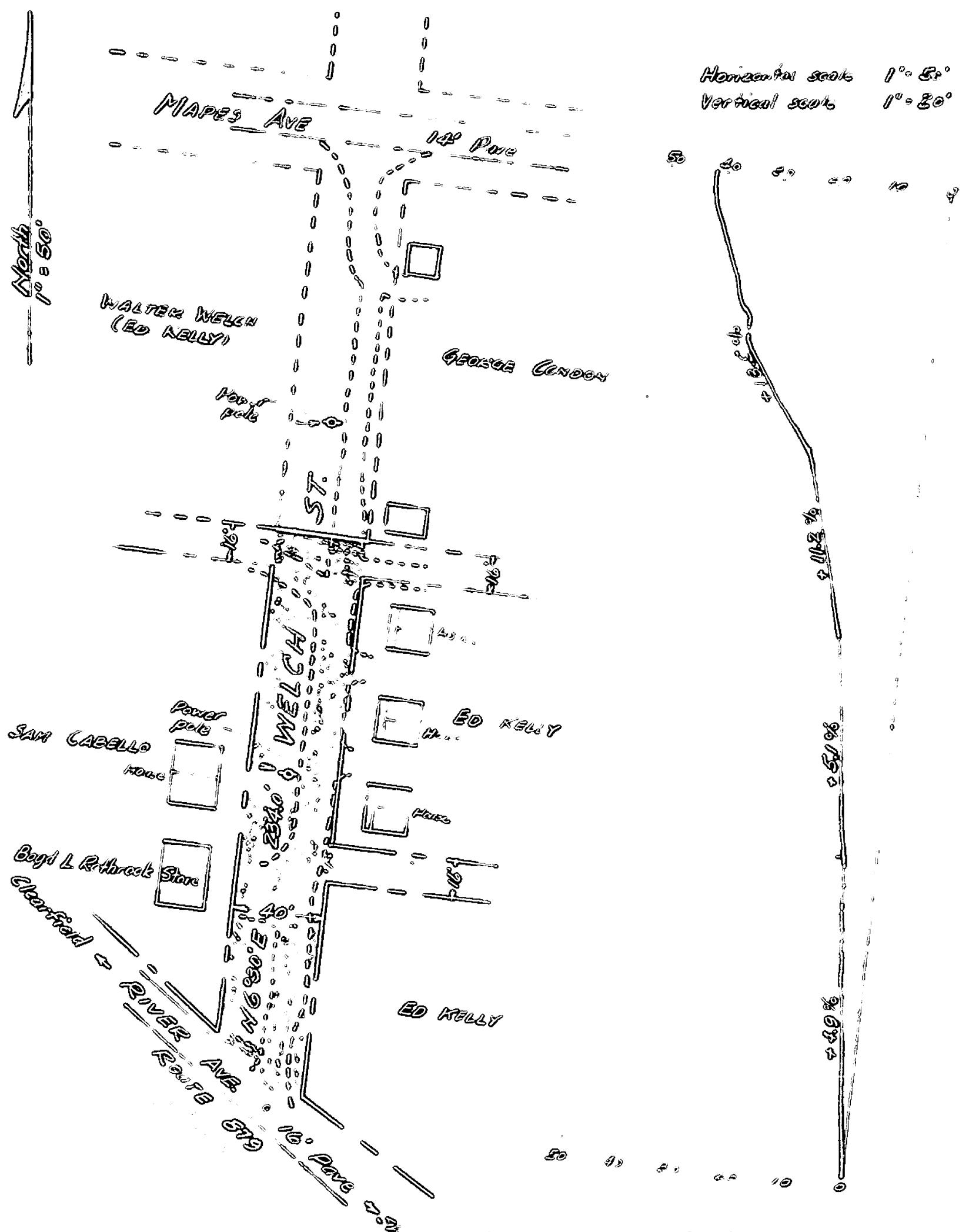
..... A. B. Shaw

..... William Yost

..... Edward Pooler

VIEWERS.

..... FEBRUARY 6th 1950.



Cle. River County Court of Quarter Sessions
Road View of February 21, 1950.
Road in Lawrence Twp., Cle. River Co., Pa.
SCALE 1" = 50'
February 22, 1950. By J. F. E. Gage
FILE LF 105