

ROADS

DOCKET NO. 7

NUMBER	TERM	YEAR
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1	August SS	1952
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PETITION TO LAY OUT PUBLIC ROAD

BIGLER TOWNSHIP.

VERSUS

PURPOSED

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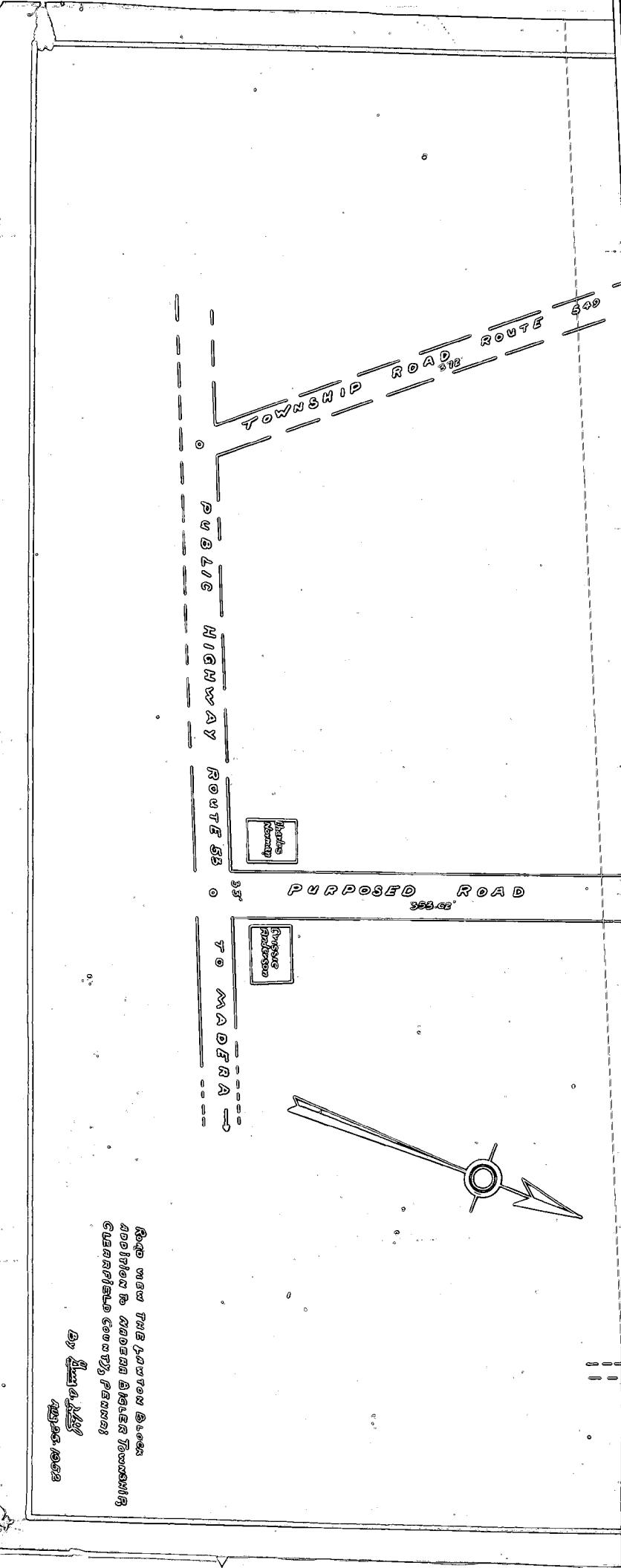
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TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 28th day of July, A.D., 1952, to view and lay out a public road in the Lawton Blocks Addition to the village of Madera in Bigler Township, Clearfield County, Pennsylvania; said road to have its beginning on State Highway # 234 (Route 53) at corner of land of Charles Norman in the village, Township, County and State aforesaid; thence extending in a Northwesterly direction Five hundred and twenty (520) feet, more or less, to point of intersection with a proposed road Four hundred and twenty (420) feet in length, extending in an easterly direction from Township Route # 549 at a point 320 feet distant from the intersection of State Highway Route # 234 (Route # 53) and Township Route # 549, leading from Madera to Corona School, will meet on the premises in the Township of Bigler on Monday August 25, 1952 at 10:00 o'clock A.M. (DST) to attend the duties assigned them, 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 No. 2 Court Room in the Court House at Clearfield, Pennsylvania, on Wednesday the 27th day of August, A.D., 1952 at 10:00 o'clock A.M. (DST), at which time and place all parties interested in said proposed road may attend and be heard, if they so desire.

A. B. Shaw

Guy A. Heil

August 11, 1952

Benjamin Hughes

Viewers

Now, this 11th day of August, A.D., 1952, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County, Pennsylvania.

N. R. Griffith
Clerk

TO THE BOARD OF SUPERVISORE OF THE ROAD DISTRICT OF THE TOWNSHIP OF BIGLER, 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 28th day of July, A.D., 1952, to view and lay out a public road in the Lawton Blocks Addition to the village of Madera in Bigler Township, Clearfield County, Pennsylvania; said road to have its beginning on State Highway # 234 (Route 53) at corner of land of Charles Norman in the village, Township, County and State aforesaid; thence extending in a Northwesterly direction five hundred and twenty (520) feet, more or less, to point of intersection with a proposed road Four hundred and twenty (420) feet in length, extending in an easterly direction from Township Route # 549 at a point 320 feet distant from the intersection of State Highway Route # 234 (Route # 53) and Township Route # 549, leading from Madera to Corona School, will meet on the premises in the Township of Bigler on Monday August 25, 1952 at 10:00 o'clock A.M. (DST) to attend the duties assigned them, 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 No. 2 Court Room in the Court house at Clearfield, Pennsylvania, on Wednesday the 27th day of August, A.D., 1952 at 10:00 o'clock A.M. (DST), at which time and place all parties interested in said proposed road may attend and be heard, if they so desire.

A. B. Shaw

Guy A. Heil

August 11, 1952

Benjamin Hughes

Viewers

Now, this 16' day of August, A.D., 1952, service of the above notice is hereby accepted by copy on behalf of the Board of Supervisors of the Road District of the Township of Bigler, Clearfield County, Pennsylvania.

Raymond Shiford
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 ~~xx~~^{and lay out}

~~damages leading from~~ in the Lawton Blocks Addition to the village of Madera in Bigler Township, Clearfield County, Pennsylvania; said road to have its beginning on State Highway Route # 234 (Route 53), at corner of land of Charles Norman in the village, Township, County and State aforesaid; thence extending in a Northwesterly direction Five hundred and twenty (520) feet, more or less, to point of intersection with/proposed road Four hundred and fifty (450) feet in length, extending in an Easterly direction from Township Route # 549 at a point 320 feet distant from the intersection of State Highway Route # 234 (Route # 53) with Township Route # 549, leading from Madera to Corona School, ~~with~~

inx township

in Bigler Township, in the County aforesaid, will meet at the house of Charles Norman.

in Bigler Township, on Monday
the 25th day of August, A. D. 1952, at 10:00
(DST)
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 PROPOSED ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN NO. 2 COURT ROOM IN THE COURT HOUSE AT CLEARFIELD, PENNSYLVANIA, ON WEDNESDAY THE 27th DAY OF AUGUST A.D., 1952 AT 10:00 O'CLOCK A.M. (DST), AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID PROPOSED ROAD MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

✓

A. B. SHAW

GUY A. HEIL

BENJAMIN HUGHES

V I E W E R S .

August 12, 1952

of the Supervisors of the Road District of the Township of Bigler, its construction seems to be necessary for the accomodation and convenience of the traveling public, as well as, for the convenience and accomodation of the eight or more families living along said proposed road, who must use the same as the only means of access to and from their homes to the main highway, so in view of these facts your undersigned Board of Viewers recommend the taking over and improvement of the aforesaid proposed road, as laid out, by the Bigler Township Road District, for the use of the traveling public.

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, a written waiver of all claims to damages that may arise from opening the same, and that they procured such releases from

The following persons having signed to release the damages to which they respectfully may be entitled by reason of the location and opening of the said road over the undersigned viewers, after having considered the advantages to be derived to them, to assess the damages and make report thereof as follows:

No private property will be taken or appropriated in the construction and maintenance of the aforementioned proposed road.

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

WITNESS our hands and seals this 29th day of August
A. D. 1952.

Guy A. Ziegel

Seal

D. Pham

Seal

Ben J. Hughes

Seal

Seal

No. 1 August Sessions, 1952

ORDER

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

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.

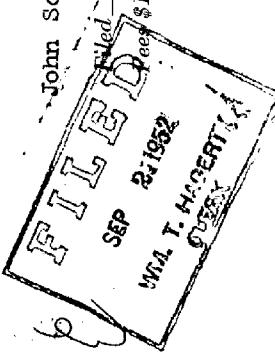
Viewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

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	44	32.20
Guy A. Heil	3	100	35.00
Benjamin Hughes	2	80	24.00

Aug Sessions, 1952
John Scollins, Atty.
M. B. 1952
Anselmo J. Stoltz

19
\$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

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

In re: Petition to Appoint a Board : No. 1
of Viewers to view and lay out a :
Public Road in Bigler Township, : August Sess., 1952.
Clearfield County, Pennsylvania. :

To the Honorable F. Cortez Bell, President Judge of said Court:

The petition of the subscribers, residents and citizens of the Township of Bigler, County of Clearfield and State of Pennsylvania, respectfully represents:

1. That they labor under great inconvenience by the lack of, and are in need of, a public road in the Lawton Blocks addition to the village of Madera, in Bigler Township, Clearfield County, Pennsylvania.

2. That the proposed road begin^{ning} on State Highway #234 (Route 53) at corner of land of Charles Norman, and running in a northwesterly direction 520 feet, more or less; and intersecting with a proposed road 450 feet in length extending eastwardly from Township Route 549, at a point 320 feet, more or less, ~~from~~ from the intersection of State Highway Route #234 and Township Route #549, leading from Madera to Corona School.

Wherefore your petitioners respectfully pray your Honorable Court to appoint a Board of View to view and lay out a public road as herein proposed; and make report thereof to your Honorable Court, as provided by the Act of Assembly, and Rules of Court.

And they will ever pray.

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

Bigler and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 25th day of August No. 1 Court A. D. 1952, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 27th day of August 1952, at 10:00 o'clock A. M. That three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Roy Jordin, one of the Supervisors of Bigler Township, also Charles Norman, James Hawkins and Richard Hawkins, parties in interest.

No. 1 Court parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 28th day of August A. D. 1952, when the following appearances were noted: James Hawkins, Richard Hawkins, William Hawkins, W.H. Pooler & Clair Sweeney, parties in interest.

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 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 # 53 and dedicated Street, at residence of Charles Norman, in what is known as the Lawton Blocks Addition to the village of Madera; thence along said Street in a northerly direction 353.62 feet to point of intersection with another dedicated Street in said Lawton Blocks Addition to the village of Madera; thence extending from said point of intersection in two directions, first in an easterly direction along said dedicated Street 333 feet and ending at an Alley, and secondly extending along said dedicated Street from the aforementioned point of intersection in a westerly direction 453 feet and ending at point of intersection of said Street or proposed road with Township Road Route # 549, leading from Madera to Corona School.

The proposed road hereinabove described forms a T and is laid out over dedicated, but unrecorded Streets in the Lawton Blocks Addition to the village of Madera, Bigler Township, Clearfield County, Pennsylvania, having a width of approximately fifty (50) feet. That for many years the individual property owners served by said Streets have kept the same in repair at their own cost and expense, and during certain seasons of the year the same become impassible, due to lack of grading and proper drainage, and in the opinion of your undersigned Viewers, the newly proposed road that has been laid out over said Streets is necessary for the convenience and accommodation of the traveling public and should be kept up and maintained as a public road at public expense.

There are no objections to the proposed road and according to the great number of petitioners requesting the same, including a majority

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 "28th day of July in the year of our Lord one thousand nine hundred fifty-two.

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Bigler in said County, setting forth that they labor under great inconvenience by the lack of, and are in need of, a public road in the Lawton Blocks addition to the village of Madera, in Bigler Township, Clearfield County, Pa.

That the proposed road beginning on State Highway #234 (Route 53) at corner of land of Charles Norman, and running in a northwesterly direction 520 feet, more or less; and intersecting with a proposed road 450 feet in length extending eastwardly from Township Route 549, at a point 320 feet, more or less, from the intersection of State Highway Route #234 and Township Route #549, leading from Madera to Corona School.

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.

Benjamin Hughes and Guy A. Heil

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 J Hagerty, Clerk.

William J. Ackley	Madera Pa
Fay Ackley	
William H. Ackley	
Elizabeth Ackley	
William L. Swope	Madera Pa
R. H. Swope	Madera Pa
R. K. Bloom	Madera Pa
Mary Sweeney	Madera Pa
W. J. Poole	Madera Pa
Robert Shoff	Madera Pa
Bernice Shoff	Madera Pa
Clair Sweeney	Madera Pa
Mrs H. H. Poole	Madera Pa
Mrs Edith Hawkins	Madera Pa
Mr Ed Hawkins	Madera Pa
Mr Steve W. Swope	Madera Pa
Richard C. Hawkins	Madera Pa
Katherine Vrabel	Madera Pa
C. Z. Shoff	Madera Pa
Mr F. J. Moore	Madera Pa
John P. Swope	Madera Pa
S. C. Webb	"
Mary Hawkins	Madera Pa
Chloe Kline	Madera Pa
Mrs H. Hawkins	Madera Pa
Roy Jordan	Ramsey Pa
Raymond Siford	Madera Pa

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

Wm. Ackley, one of the petitioners, being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are true and correct.

And further saith not.

William H. Ackley

Sworn and subscribed to before me, this 26 day of July, A.D. 1952.

Wm. Ackley, A. D. Duffee

NOTARY PUBLIC
My Commission Expires Feb. 1, 1953

ORDER.

AND NOW, to wit: this 28 day of July, 1952,
the within foregoing petition having been read and considered,
the Court appoints A. B. Shaw, Benjamin Hughes
John Neal

as a Board of View to view and lay out a public road as prayed for by the petitioners, and assess such damages as they may find due to persons living along the proposed road and report their findings to the next Court of Quarter Sessions of Clearfield County.

BY THE COURT

J. A. C. Russell
President Judge.

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

No. 1 August Sess., 1952

In re:

Petition to appoint a Board of Viewers to view and lay out a public road in Bigler Township, Clearfield County, Penna.

Petition and Order of Court

FILED

JUL 28 1952

WM. T. HAGERTY

CLERK

JOHN SCOLLINS
ATTORNEY AT LAW
HOUTZDALE, PA.

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