

ROAD

**DOCKET NO. 87**

Number	Term	Year
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2	August	1952
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Vacation of Public Road in Village of  
Ginter, Gulich Township, Pa.

**Versus**

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Clearfield County Court Of Quarter Sessions  
Record Book of August 26, 1906  
Solved Twp. Clearfield Co., Pa.  
Solved by  
August 26, 1906  
A. J. H. 128

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 4th day of August in the year of our Lord, one thousand nine hundred and Fifty-Two.  
F. Cortez Bell

By the Honorable ~~Sabastas~~ Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Gulich, in the County aforesaid setting forth that .....

The road is 33 feet in width, and is on the North side of a triangular plot, the base of the triangle being Highway Route No. 253 leading from Houtzdale to the Tyrone Pike; the other side being the highway Route No. 17944 leading from Ramey to the aforesaid highway, both of which are improved and macadamized roads, and the road proposed for vacation is the third side of the triangle leading from Ginter to Morann and is earth, approximately 60 to 65 feet in length.

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 Ben Hughes, Wm. Yost and A. B. Shaw  
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 damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby 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 such 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.

*Wm. J. Agency*  
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 Gulich, 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

26th day of August, A. D. 1952, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in ~~the courtroom~~ No. 1 Court Room in the Court House, in Clearfield, Pa., on the 28th day of August, A. D., 1952, 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 C.R.Hainsey, ~~and no other~~ and no other

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in ~~the courtroom~~ No. 1 Court Room in the Court House, in Clearfield, Pa., on the 28th day of August, A. D. 1952, when the parties interested in the said road were in attendance: C.R.Hainsey and no others

E And that after the view and hearing above mentioned, the undersigned Viewers do agree that said section of road as set forth in the petition ~~road has~~ become useless, inconvenient and burdensome and is of no use whatsoever to the traveling public and your undersigned Viewers recommend the vacation for public use, the following described section of public road in Gulich Township, which said section of road once formed a part of Legislative Route # 669, leading from Ginter to Morann and has long since been abandoned as a part of the State Highway Road System between these two points and as a result of the change of location of said State Highway Road System, the section of road that is herein recommended for vacation, reverted back to the Township of Gulich and presently forms a part of its general road system,

Beginning at point of intersection of said abandoned portion of Legislative Route # 669 with State Highway Route # 17044, leading from Ginter to Ramey; thence extending in a northeasterly direction a distance of 157 feet to point where said abandoned portion of Legislative Route # 669, intersects with State Highway Route # 353, leading from Soutzdale to Tyrone, Pennsylvania.

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.

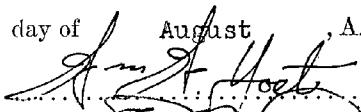
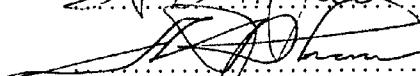
The undersigned Viewers further report that they endeavor to protect from all claims arising by the vacating of said road over whose properties said road passes, in any way damaged by the vacating of said road, a release in writing of all claims to damages that may arise from the vacating thereof, and that they, prior to such release from:

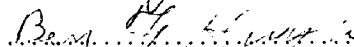
And that the following persons, having in the opinion of the Viewers, been damaged by the vacating of said road, and having refused to release the damages to which they may be respectively entitled by reason of the vacating, and closing up of the said road, we the undersigned Viewers, after having considered the same, agree to be derelict in our duty to assess them damages and to work the same as follows:

No damages resulted to the abutting property owners by reason of the vacation and abandonment of the above described section of road in Gulich Township.

and we herewith return ~~recessed~~ and copy of the notices.

Witness our hands and seals this 30th day of August, A. D. 1952

  
John H. Hock ..... [SEAL]  
  
R. J. Thom ..... [SEAL]

  
B. A. G. G. Hock ..... [SEAL]

Viewers.

No. 2 Aug. Term 1952

## ORDER TO VACATE

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 viewer, 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
A. B. Shaw	3		30.00
Wm Yost	3	50	32.50
Benjamin Hughes	2	80	24.00

To view and vacate road situate  
Village of Ginter  
in the Township of Gulich

Clearfield County.

Now Aug. 25 Sessions 1952

read and confirmed Ni. Si.

*T. Hager*  
By Court.

Now Aug. 25 Sessions 1952

confirmed absolute.

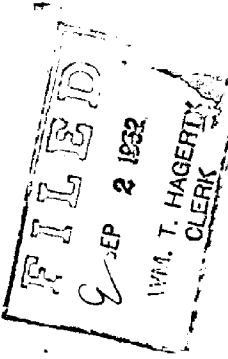
By the Court.

*Shattuck*

Filed 19

Atty, John Scollins

Fees \$1.25 paid by



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

In re: Vacation of Public Road  
in the Village of Ginter, Gulich  
Township, Clearfield County, Pa. NO. 2 August SS, 1952.

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

The petition of the undersigned inhabitants of the Village of Ginter, in the Township of Gulich, County of Clearfield and State of Pennsylvania, respectfully represents:

1. That your petitioners are free-holders who reside in the vicinity of the said Road.
2. The road is 33 feet in width, and is on the North side of a triangular plot, the base of the triangle being Highway Route No. 253 leading from Houtzdale to the Tyrone Pike; the other side being the highway <sup>Route No. 17044</sup> leading from Ramey to the aforesaid highway, both of which are improved and macadamized roads, and the road proposed for vacation is the third side of the triangle leading from Ginter to Morann and is earth, approximately 60 to 65 feet in length.
3. That the public road proposed for vacation has become useless, inconvenient and burdensome to those having lands abutting thereon and to the general public.
4. That the adjoining owners who abutt upon the public road heretofore described have received notice of this petition.

Wherefore your petitioners pray your Honorable Court to appoint a Board of View, in accordance with the provisions of the Act of Assembly in such case made and provided.

Raymond Baits  
Kernan Lee elve  
John Kandlach  
William R. Hainsey

Albert Srock  
John R. Polancik  
Frank J. McCloskey  
Walter Jones  
Frederick K. Jones  
William C. Hainsey  
Walter Soule  
Leonell Hainsey

State of Pennsylvania : : ss.  
County of Clearfield :

C. R. Hainsey, one of the petitioners within named,  
being duly sworn according to law, deposes and says that the  
facts set forth in the foregoing petition are true and correct.

C. R. Hainsey

Sworn and subscribed before me,  
this 23<sup>rd</sup> day of Aug. 1952.

L. L. Scollins

IN FAITH PUBLIC  
My Commission Expires March 9, 1955

ORDER AND NOW, Aug 4 1952  
The within petition having been presented, read and  
considered, Ben Hughes, Wm Yost  
and A. B. Shan are appointed to view the premises  
and make return to the Court of Quarter Sessions in accordance  
with the provisions of the Act of Assembly in such case made  
and provided. Returnable to next Court.

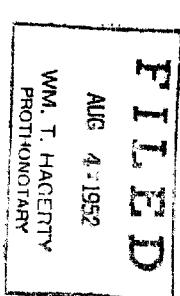
BY THE COURT,

Hartell  
P. J.

IN THE COURT OF COMMON SE-  
SORS OF CLEARFIELD COUNTY, PA.  
No. August Sess., 1952

In re: Vacation of public  
road in the Village of  
Ginter, Gulich Township,  
Clearfield County, Pa.

Petition for appointment  
of a Board of Viewers  
-----  
Order inside.



JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PA.

1. 64 130 4747

Accidental Testimony

Police Notes

PC

C. B. Kloss  
D. J. Kloss

Rock 302

Clearfield County Court of Common Pleas  
Road View of (Redacted) Road  
Gulich Twp. Clearfield Co., Pa.

Scale 1" = 40

August 21, 1952

X A. C. Kloss

F 103

Route 17044 Macdonald Rd. to Economy

Route 17044

150

C.R. Hinsley

NS 1° 30' E  
Dirt 570.

Route 353

Macdonald Rd. 70' Haul Roads

North

Clearfield County Court Of Quarter Sessions

Road View Of August 26, 1952

Gulich Twp. Clearfield Co., Pa.

Scale 1" = 40'

August 27, 1952

Arch. Dept. Engg

LF 188

to Town

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 August, A.D., 1952, to view for vacation the following described public road in the Township of Gulich, Clearfield County, Pennsylvania, the same being an abandoned portion or section of Legislative Highway Route # 669, leading from Ginter to Morann, beginning at point of intersection of said abandoned portion of Legislative Route # 669 with Highway Route # 253, leading from Houtzdale to Tyrone; thence extending in a westerly direction a distance of about sixty-five (65) feet, to point where said abandoned portion of Legislative Route # 669 intersects with Highway Route # 17044, leading from Ramey to Ginter, will meet on the premises on Tuesday the 26th day of August, A.D., 1952 at 11:00 o'clock A. M. (DST) to attend the duties assigned them, and 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 parties interested in said road an opportunity to be heard, will be held in No. 2 Court Room in the Court House at Clearfield, Pennsylvania, on Thursday the 28th day of August, A.D., 1952, at 11:00 o'clock A. M. (DST), 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

August 12, 1952

Benjamin Hughes

Viewers

Now, this 13<sup>th</sup> 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.

W.C. Breyfuss  
Clerk

TO THE SUPERVISORS OF THE ROAD DISTRICT OF THE TOWNSHIP OF GULICH  
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 August, A.D., 1952, to view for vacation the following described public road in the Township of Gulich, Clearfield County, Pennsylvania, the same being an abandoned portion or section of Legislative Highway Route # 669, leading from Ginter to Morann, beginning at point of intersection of said abandoned portion of Legislative Route # 669 with Highway Route # 253, leading from Houtzdale to Tyrone; thence extending in a westerly direction a distance of about sixty-five (65) feet, to point where said abandoned portion of Legislative Route # 669 intersects with Highway Route # 17044, leading from Ramey to Ginter, will meet on the premises on Tuesday the 26th day of August, A.D., 1952 at 11:00 o'clock A. M. (DST) to attend the duties assigned them, and 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 parties interested in said road an opportunity to be heard, will be held in No. 2 Court Room in the Court House at Clearfield, Pennsylvania, on Thursday the 28th day of August, A.D., 1952, at 11:00 o'clock A. M. (DST), 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

August 12, 1952

Benjamin Hughes

Viewers

Now, this 15 day of August, 1952, service of the above notice is hereby accepted by copy on behalf of the Supervisors of the Road District of the Township of Gulich, Clearfield County, Pennsylvania.

*John Kandach*  
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 assess~~ <sup>for vacation</sup>

~~or assess~~, leading ~~or frank~~ a portion or section of Legislative Highway Route # 669, hereto abandoned by the Department of Highways, leading from Ginter to Morann, beginning at point of intersection of said abandoned portion of Legislative Route # 669 with Highway Route # 253, leading from Houtzdale to Tyrone; thence extending in a westerly direction a distance of about sixty-five (65) feet, to point where said abandoned portion of Legislative Route # 669 intersects with Highway Route # 17044, leading from Ramey to Ginter

in inx township

in Gulich Township, in the County aforesaid, will

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

in Gulich Township, on Tuesday

the 26th day of August, A. D. 19 52, at 11:00

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 PARTIES INTERESTED IN SAID ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN NO. 2 COURT ROOM IN THE COURT HOUSE AT CLEARFIELD, PENNSYLVANIA, ON THURSDAY THE 28th DAY OF AUGUST, A.D., 1952 AT 11:00 O'CLOCK A.M. (DST), 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

BENJAMIN HUGHES

V I E W E R S .

AUGUST 12, 1952