

DOCKET NO. 7 ROAD

NUMBER

TERM

YEAR

2

NOVEMBER

1953

Laying out and Opening of Two Private
ROADS into Public Roads in the
Village of Karthaus. Pa.

VERSUS

No. 2 May Term 1955

ORDER TO VACATE

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

Now Nov Sessions 1955

read and confirmed Ni. Si.

By the Court.

Now To Sessions 1956

confirmed absolute.

By the Court.

Filed 19

Atty, John Scollins

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 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	5	54	52.70
William Yost	9	135	96.75
Benjamin Hughes	5	215	60.75

FILED JUL 19 1955 WM. T. HAGER CLERK

thence extending over said Township Route No. 584 in a northeasterly direction .0723 miles to its point of intersection with Township Road Route No. 575, leading from the Burnt Corner to Clearfield.

THE FOURTH THEREOF: Being Township Road Route No. 661, beginning at its intersection with Township Road Route No. 659; thence extending over Township Road Route No. 661 in an easterly direction .0634 miles and ending at the right-of-way of the Henderson Branch of the Pennsylvania Railroad Company.

THE FIFTH THEREOF: Being a part of Township Road Route 580 in Woodward Township, beginning at its intersection with Township Road Route No. 569 leading to Kellytown; thence extending over Township Road Route No. 580 in a northeasterly direction 4,823 feet or .0913 miles and ending at the Southern property line of Walter Jarrett in said Township of Woodward. The petition requests the vacation of Township Road Route No. 580 from its point of intersection with Township Road Route No. 569 to the Property of Milfred Holman in Woodward Township being a total distance of 1.102 miles. However, your undersigned Viewers after the view and hearings held in this matter and upon taking into consideration the objections raised by Peter Swistock, who has a clay mining operation on the Josephine Lytle property, which adjoins Township Road Route No. 580 and if said road should be vacated as a whole and particularly on the southern property line of Walter Jarrett to the property line of Milfred Holman, he would be denied all means of access to and from the Lytle property to the main highway for the purpose of transporting said clay to market. Wherefore your undersigned Viewers after the view and hearings in this matter and upon making further investigation of the northern 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 depair that they endeavored to procure from all parties affected by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof and~~
~~that no such release was obtained and that the undersigned Viewers are therefore unable to make a report thereon as required by law.~~

~~And the undersigned Viewers further depair that they endeavored to procure from all parties affected by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof and that no such release was obtained and that the undersigned Viewers are therefore unable to make a report thereon as required by law.~~

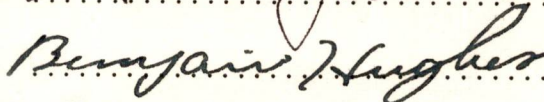
No damages resulted to the abutting property owners by reason of the vacation and abandonment of the above described Township Roads or sections thereof in Woodward Township.

and we herewith return ~~Release of Damages~~ copies of the notices.

Witness our hands and seals this 13th day of May, A. D. 1955

 (SEAL.)

 (SEAL.)

 (SEAL.)
Viewers.

portion of Township Road Route No. 580 would have upon the means of access to and from the Josephine Lytle property to the main highway, your undersigned Viewers recommend that the portion of Township Road Route No. 580, beginning at the southern property line of Walter Jarrett, thence extending in a northerly direction over said Township Route for a distance of 1,000 feet through the property of Milfred Holman to Township Road Route No. 577, be not vacated, but instead returned as a private road to be kept up and maintained at private expense.

That the following described road petitioned for vacation has not become useless, inconvenient and burdensome and that a majority of your undersigned Viewers do agree, that the same should be continued for public use; said road being specifically described as follows:

BEING Township Road Route No. 582 in the Township of Woodward, beginning at its intersection with Township Road Route No. 565; thence extending in a northerly direction 1.8 miles in length and ending at Township Road Route No. 569.

The vacation of the above described Township Road has been objected by Peter Swistock, who has a stripping operation nearby on Lewis Rowles property, and if said Township Road should be vacated you would have no outlet to the main highway. Objections to the vacation of said Township Road were also raised by Peck Barnett, Trustee of the John M. Chase Estate, and by Kelly and Stine, both of whom have valuable mineral resources in this area, some of which is presently under lease, and if said Township Road should be vacated or abandoned they would be denied an outlet to the main highway for the transportation and marketing of said minerals. That the aforementioned road is not traveled extensively by the traveling public and the cost of the maintainance thereof nominal. Your undersigned Viewers or a majority thereof recommend that said road be continued as a Township Road and maintained at public expense.

John J. Peterson, Gordon Fowler and Carl Schwartz, Supervisors of Woodward Township, also Peter Swistock and Peck Barnett, Trustee of the John M. Chase Estate, all of whom were sworn and examined and cross-examined by your Board of Viewers. The surveys of certain of said roads not being completed and some of the abutting property owners unknown the hearing was continued until Friday, May 13, 1955, 10:30 o'clock A.M., when the following appearances were noted, namely: John J. Peterson, Gordon Fowler and Carl Schwartz, Supervisors of Woodward Township, also Peter Swistock and Peck Barnett, Trustee of the John M. Chase Estate.

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, Pennsylvania, on the 14th day of March, A.D., 1955, to view and vacate the following described public roads in the Township of Woodward, Clearfield County, Pennsylvania, which serve no public need and have become useless, inconvenient, and burdensome for the road district of the Township of Woodward to keep up and maintain as part of the general road system of the Township of Woodward, Clearfield County, Pennsylvania.

THE FIRST ROAD TO BE VACATED AND ABANDONED: Being Township Road 582, beginning at its intersection with Township Road 565, and extending in a northerly direction 1.8 miles in length, and ending in Township Road 569, leading from Happy Valley to Jeffries.

THE SECOND ROAD TO BE VACATED AND ABANDONED: Being Township Road 760, beginning at its intersection with Township Road 569, aforesaid, and extending from the property of Leonard Phillips, in a northerly direction 0.4 miles in length, and ending in a cul de sac.

THE THIRD ROAD TO BE VACATED AND ABANDONED: Being Township Road 829, beginning at the intersection with Legislative Rt. 17047, at the Yarger Gas station, and extending in a south-eastwardly direction 0.2 miles, and ending in the improved road leading to Clearfield.

THE FOURTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 584, beginning at its intersection with Legislative Rt. 17078, near the Sanborn School House, and extending in a northerly direction 0.7 miles, to its intersection with Township Road 575, leading from the Burnt Corner to Clearfield, via said Road 575.

THE FIFTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 580, beginning at its intersection with Township Road 569, and extending in a northerly direction 1.3 miles to the property of Milford Holman.

THE SIXTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 661, beginning at its intersection with Township Road 659, and extending therefrom in an easterly direction 0.6 miles, and ending at the right-of-way of the Henderson Branch of the Pennsylvania Railroad.

will meet on the premises at the intersection of the aforementioned Township Road, Route 582, where the same intersects with Township Road 565 in the Township of Woodward on Wednesday, the 27th day of April, A.D., 1955, at 10:30 o'clock A.M., to attend the duties assigned them and that a public hearing as required by Act of Assembly in 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 roads to be vacated and abandoned an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday, the 29th day of April, A.D., 1955, at 10:30 o'clock A.M., at which time and place all parties interested in said roads may attend and be heard, if so desired.

A. B. Shaw

William Yost

Benjamin Hughes

Viewer's

A. B. SHAW
LAW OFFICES
CLEARFIELD, PENNA.

And now, April 14, 1955 service of the above notice of view is hereby excepted by copy on behalf of the County Commissioners of Clearfield County.

HR Buppert
Clerk

TO THE SUPERVISORS OF THE ROAD DISTRICT
OF THE TOWNSHIP OF WOODWARD

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 14th day of March, A.D., 1955, to view and vacate the following described public roads in the Township of Woodward, Clearfield County, Pennsylvania, which serve no public need and have become useless, inconvenient, and burdensome for the road district of the Township of Woodward to keep up and maintain as part of the general road system of the Township of Woodward, Clearfield County, Pennsylvania.

THE FIRST ROAD TO BE VACATED AND ABANDONED: Being Township Road 582, beginning at its intersection with Township Road 565, and extending in a northerly direction 1.8 miles in length, and ending in Township Road 569, leading from Happy Valley to Jeffries.

THE SECOND ROAD TO BE VACATED AND ABANDONED: Being Township Road 760, beginning at its intersection with Township Road 569, aforesaid, and extending from the property of Leonard Phillips, in a northerly direction 0.4 miles in length, and ending in a cul de sac.

THE THIRD ROAD TO BE VACATED AND ABANDONED: Being Township Road 829, beginning at the intersection with Legislative Rt. 17047, at the Yarger Gas Station, and extending in a south-eastwardly direction 0.2 miles, and ending in the improved road leading to Clearfield.

THE FOURTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 584, beginning at its intersection with Legislative Rt. 17078, near the Sanborn School House, and extending in a northerly direction 0.7 miles, to its intersection with Township Road 575, leading from the Burnt Corner to Clearfield, via said Road 575.

THE FIFTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 580, beginning at its intersection with Township Road 569, and extending in a northerly direction 1.3 miles to the property of Milford Holman.

THE SIXTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 661, beginning at its intersection with Township Road 659, and extending therefrom in an easterly direction 0.6 miles, and ending at the right-of-way of the Henderson Branch of the Pennsylvania Railroad.

will meet on the premises at the intersection of the aforementioned Township Road, Route 582, where the same intersects with Township Road 565 in the Township of Woodward on Wednesday, the 27th day of April, A.D., 1955, at 10:30 o'clock A.M., to attend the duties assigned them and that a public hearing as required by Act of Assembly in 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 roads to be vacated and abandoned an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday, the 29th day of April, A.D., 1955, at 10:30 o'clock A.M., at which time and place all parties interested in said roads may attend and be heard, if so desired.

A. B. Shaw

William Yost

Benjamin Hughes

Viewer's

A. B. SHAW
LAW OFFICES
CLEARFIELD, PENNA.

And now, April 14, 1955 service of the above notice of view is hereby excepted by copy on behalf of the County Commissioners of Clearfield County.

Gordon Fowler
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 FOR VACATION, A PORTION OF THE FOLLOWING DESCRIBED ROADS IN WOODWARD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA:

THE FIRST ROAD TO BE VACATED AND ABANDONED: Being Township Road 582, beginning at its intersection with Township Road 565, and extending in a northerly direction 1.8 miles in length, and ending in Township Road 569, leading from Happy Valley to Jeffries.

THE SECOND ROAD TO BE VACATED AND ABANDONED: Being Township Road 760, beginning at its intersection with Township Road 569, aforesaid, and extending from the property of Leonard Phillips, in a northerly direction 0.4 miles in length, and ending in a cul de sac.

THE THIRD ROAD TO BE VACATED AND ABANDONED: Being Township Road 829, beginning at the intersection with Legislative Rt. 17047, at the Yarger Gas Station, and extending in a south-eastwardly direction 0.2 miles, and ending in the improved road leading to Clearfield.

THE FOURTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 584, beginning at its intersection with Legislative Rt. 17078, near the Sanborn School House, and extending in a northerly direction 0.7 miles, to its intersection with Township Road 575, leading from the Burnt Corner to Clearfield, via said Road 575.

THE FIFTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 580, beginning at its intersection with Township Road 569, and extending in a northerly direction 1.3 miles to the property of Milford Holman.

THE SIXTH ROAD TO BE VACATED AND ABANDONED: Being Township Road 661, beginning at its intersection with Township Road 659, and extending therefrom in an eastwardly direction 0.6 miles, and ending at the right-of-way of the Henderson Branch of the Pennsylvania Railroad.

in.....WOODWARD.....Township, in the County aforesaid,
will meet.....ON TOWNSHIP ROAD ROUTE 760 AT THE PREMISES OF LEONARD.....
in.....WOODWARD.....Township, on.....WEDNESDAY.....PHILLIPS
the.....27TH.....day of.....APRIL....., A.D., 1955, at...10:30..... o'
clock...A.M.:...to attend the duty assigned them at which time and
place aforesaid, all parties 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 ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD ON FRIDAY, THE 29TH DAY OF APRIL, A.D., 1955, AT 10:30 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A. B. SHAW

WILLIAM YOST

BENJAMIN HUGHES

VIEWSERS

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 Woodward

, 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 27th day of April, A. D. 1955, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, in the Court House, in Clearfield, Pa., on the 29th day of April A. D., 1955, at 10:30 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 John J. Peterson, Gordon Fowler and Carl Schwartz, Supervisors of Woodward Township, also Peck Barnett, Trustee of the John M. Chase Estate.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Court House, in Clearfield, Pa., on the 29th day of April, A. D. 1955, when the parties interested in the said road were in attendance:

And that after the view and hearing above mentioned, the undersigned Viewers do agree that ~~some~~ ^{cer-}tain petitioned for vacation roads have become useless, inconvenient and burdensome and your undersigned Viewers recommend there vacation for public use; said roads or sections thereof situate in Woodward Township, Clearfield County, Pennsylvania, which are recommended for vacation are specifically described as follows:

THE FIRST THEREOF: Being Township Road Route No. 760, beginning at its intersection with Township Road Route No. 569; thence extending from the property of Leonard Phillips in a northerly direction 0.447 miles in length and ending in a cul de sac, on property of the Harbison Walker Refractories Company.

THE SECOND THEREOF: Being Township Road Route 829, Beginning at the intersection of Legislative Route No. 17047 at the Yarger Gasoline Service Station; thence extending in a southerly direction over Township Road Route No. 829 in a southeasterly direction .0143 miles and ending at its point of intersection with Legislative Route No. 17050 in said Township of Woodward, County of Clearfield, Pennsylvania.

THE THIRD THEREOF: Being Township Road Route No. 584, beginning at its intersection with Legislative Route No. 17078 near the Sanborn School House;

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 14th day of March in the year of our Lord, one thousand nine hundred and fifty five.

By the Honorable John J. Pentz, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Woodward, in the County aforesaid setting forth that the following public roads situate within the Township of Woodward, County of Clearfield and Commonwealth of Pennsylvania, have become useless, burdensome and inconvenient for the use of the traveling public and should therefore be vacated and abandoned:

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 appoint from and among the County Board of Viewers... William Yost, Benjamin Hughes and ...

A. B. Shaw, Attorney 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.

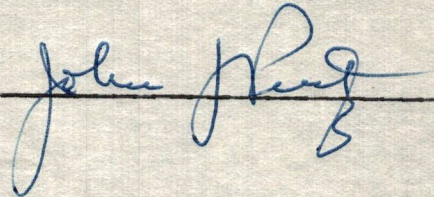
By order of the Court.

Thos T. Hagerty Clerk.

ORDER OF COURT

AND NOW, this 17 day of July, A.D., 1955, the foregoing Petition having been read and considered the time for the filing of the Viewer's Report in the foregoing proceedings is hereby extended to the September Term of Quarter Sessions to be held for Clearfield County.

BY THE COURT

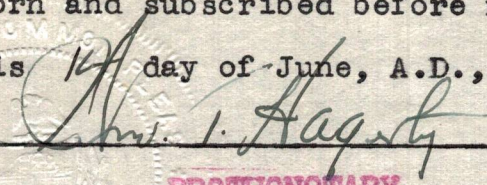
A handwritten signature in blue ink, appearing to read "John H. King", is written over a horizontal line.

STATE OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Before me, the subscriber, personally appeared A. B. Shaw, one of the members of the Board of View of Clearfield County, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct.



Sworn and subscribed before me
this 14 day of June, A.D., 1955.



PROTHONOTARY

My Commission Expires
January 4, 1958

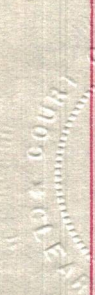


EXHIBIT "E"

ORDINANCE NO.

AN ORDINANCE TO LAY OUT AND OPEN UP TWO ROADS WITHIN THE
VILLAGE OF KARTHAUS, KARTHAUS TOWNSHIP,
CLEARFIELD COUNTY, PENNSYLVANIA

WHEREAS, a majority in interest of the owners of property have petitioned to lay out and open up two (2) roads in the village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania, hereinafter described.

NOW THEREFORE, be it ordained and enacted by the Supervisors of Karthaus Township, Clearfield County, Pennsylvania and it is hereby ordained and enacted by the authority of the same;

SECTION 1. That pursuant to the petitions aforesaid, the following described roads be and the same are hereby laid out and opened as public roads:

COMMENCING at a point on Pennsylvania Highway Route No. 879 at the northeast corner of the Norman Rougeux property and the northwest corner of the W. I. Flegal property; thence extending south $7^{\circ} 33'$ east along the private road which is known as Hurxthal Street in the Village of Karthaus to a point at the intersection of said Hurxthal Street and a private street which is known as Thomas Street; thence along said Thomas Street north $82^{\circ} 15'$ east to a point in the Pennsylvania Highway Route No. 879, said route being at distance of 802.85 feet.

COMMENCING at a point on Township Road No. 17068 at the northeast corner of the Roy Fullington property and the southeast corner of the Robert Potter property; thence along a private street in the Village of Karthaus known as Market Street south $81^{\circ} 59'$ west to a point at the Hugh Hoover property where the said Market Street curves to the left; thence still along said Market Street north $48^{\circ} 45'$ west to a point at the southwest corner of the Robert Kolboski property and the road which leads to Township Road No. 17068, said road being a distance of 825 feet.

SECTION 2. That the above described roads shall be of the width of thirty-three (33) feet as provided in the drafts of said roads.

SECTION 3. That the Township solicitor is directed to file a certified copy of this ordinance along with the report of the findings in the office of the Clerk of the Court of Quarter Sessions.

SECTION 4. All ordinances or parts of ordinances consistant herewith are hereby repealed.

ORDAINED AND ENACTED this 2d day of November, 1953.

ATTEST:

Mrs. Irene Potter
SECRETARY

H. E. Stroup
PRESIDENT

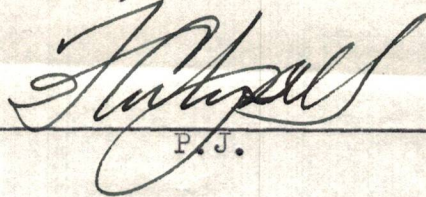
IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: LAYING OUT AND OPENING OF TWO :
PRIVATE ROADS INTO PUBLIC ROADS:
WITHIN THE VILLAGE OF KARTHAUS, NO. , DECEMBER TERM, 1953
KARTHAUS TOWNSHIP, CLEARFIELD :
COUNTY, PENNSYLVANIA. :

ORDER OR DECREE NI. SI.

AND NOW this 16 day of November, 1953, the report of the Road Supervisors of Karthaus Township, Clearfield County, Pennsylvania, relative to the laying out and opening of two (2) roads in the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania having been submitted to the Court and the proceedings having been examined and having been found according to law and the matter having been considered, the report of the Supervisors is hereby confirmed Ni. Si., the Prothonotary to enter upon the record an absolute confirmation thereof upon the expiration of thirty (30) days from this date unless exceptions are filed as allowed by law.

By the Court,


P.J.

	NAME	ADDRESS	FOOT FRONTAGE
36.	George A. Shadeck	Karthaus, Pa.	
37.	Ross L. Shoup	Karthaus, Pa.	
38.	Graydon Tests	Karthaus, Pa.	
39.	Delee Reiter	Karthaus, Pa.	
40.	Charles Miller	Karthaus, Pa.	
41.	Hary W. (illegible)	Karthaus, Pa.	
42.	David Rees	Karthaus, Pa.	
43.	Ross Rolley	Karthaus, Pa.	
44.	Donald Potter	Karthaus, Pa.	
45.	Robert Guenot	Karthaus, Pa.	

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: LAYING OUT AND OPENING OF
TWO PRIVATE ROADS INTO
PUBLIC ROADS WITHIN THE
VILLAGE OF KARTHAUS, KARTHAUS
TOWNSHIP, CLEARFIELD COUNTY,
PENNSYLVANIA.

:
:
: NO. 2, ^{Nov} DECEMBER TERM, 1953
:
:

REPORT OF THE BOARD OF SUPERVISORS OF
KARTHAUS TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA

TO: The Honorable F. Cortez Bell, President Judge of said Court:

The report of the Board of Supervisors of Karthaus Township, Clearfield County, Pennsylvania, setting as a board of viewers under and by virtue of the authority of the Act of May 1, 1933, P.L. 113, Article 2 as amended by the Act of July 10, 1947, P.L. 1481 as further amended by the Act of May 2, 1949, P.L. 189, No. 216 as further amended by the Act of May 24, 1951, P.L. 370, with respect to the laying out and opening of two (2) private roads situate within the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania, respectfully represents:

1. That the undersigned are duly elected, qualified and acting road supervisors of Karthaus Township, Clearfield County, Pennsylvania.

2. That there was presented to the undersigned, as Road Supervisors of Karthaus Township, Clearfield County, Pennsylvania, pursuant to the provisions of the Act of Assembly above recited, two (2) petitions for the laying out and opening of two (2) roads in the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania. The first petition being by William I. Flegel, et al, a true and correct copy of which said petition is attached hereto, made a part hereof and marked Exhibit "A". The second petition being a petition of Hugh Hoover, et al, a true and correct copy of which said petition is attached hereto, made a part hereof and marked Exhibit "B".

3. That the road provided for in the petition marked Exhibit "A" commences at a point on Pennsylvania Highway Route No. 879 at the northeast corner of the Norman Rougeux property and the northwest corner of the W. I. Flegal property; thence extending south $7^{\circ} 33'$ east along the private road which is known as Hurxthal Street in the Village of Karthaus to a point at the intersection of said hurxthal Street and a private street which is known as Thomas Street; thence along said Thomas Street north $82^{\circ} 15'$ east to a point in the Pennsylvania Highway Route No. 879, said route being a distance of 802.85 feet. A draft or plan of said road being attached hereto, made a part hereof and marked Exhibit "C".

4. That the road provided for in the petition marked Exhibit "B" commences at a point on Township Road No. 17068 at the northeast corner of the Roy Fullington property and the southeast corner of the Robert Potter property; thence along a private street in the Village of Karthaus known as Market Street south $81^{\circ} 59'$ west to a point at the Hugh Hoover property where the said Market Street curves to the left; thence still along said Market Street north $48^{\circ} 45'$ west to a point at the southwest corner of the Robert Kolboski property and the road which leads to Township Road No. 17068, said road being a distance of 825 feet. A draft or plan of said road is attached hereto, made a part hereof and marked Exhibit "D".

5. Upon presentation of the petitions, the undersigned caused written notice to be given to all property owners effected by the laying out and opening of said roads of a hearing to be held on said petitions on Monday, November 2, 1953 at 7:00 p.m. at the home of R. J. Potter in the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania, which notice was mailed

and received by the property owners effected, at least ten (10) days prior to the date set for hearing, and in addition to written notice as aforesaid, caused copies of said notice to be posted in conspicuous places along said purposed roads at least ten (10) days prior to the date set for hearing.

6. That on the 2d day of November, 1953 at 7:00 p.m. at the home of R. J. Potter, the undersigned met as a Board of Road Supervisors of Karthaus Township, to hear and determine the matter presented by said petitions.

7. That at such hearing, parties for and against said laying out and opening of the purposed roads were heard by the Board of Supervisors.

8. That from the evidence presented at said hearing, the undersigned finds the following facts:

(a) That the purposed roads to be laid out and opened lie wholly within the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania.

(b) That said purposed roads are private roads which have been in existence and used by the public in excess of twenty-one (21) years.

(c) That the petitioners constitute a majority in interest of the property owners through whose land said purposed roads pass or abute.

(d) The petitioners seek to have laid out and opened the purposed roads as described hereinbefore in said report and which are shown upon drafts attached hereto, made a part hereof and marked Exhibits "C" and "D".

(e) That the purposed roads have not been maintained by the Road Supervisors of Karthaus Township and as a result, have fallen into disrepair.

(f) That the purposed roads to be laid out and opened by this proceedings are of great convenience and benefit to the public and the property owners adjoining or abutting the same.

(g) That there are no other roads in Karthaus Township which can be used by the public or the property owners adjoining or abutting said purposed roads to reach said properties.

(h) That the laying out and opening of said purposed roads as hereinbefore described are necessary to the public convenience and benefit.

(i) That due and proper notice, as required by the Act of Assembly covering this proceedings of the date, time and place set for hearing on the petition, was given to all parties in interest and the cause general has been proceeded with, in compliance with the provisions of the Act of Assembly above recited.

9. Pursuant to the proceedings had in this matter, after hearing and based upon the evidence submitted to the undersigned, the Board of Road Supervisors of Karthaus Township, Clearfield County, Pennsylvania, adopted an ordinance at a meeting of said Board held on the 2d day of November, 1953 at 8:00 p.m. at the home of R. J. Potter in the Village of Karthaus, Karthaus Township, Clearfield County, Pennsylvania, laying out and opening the two (2) streets as set forth in Exhibits "C" and "D" to the width of thirty-three (33) feet. A true and correct copy of said ordinance is attached hereto, made a part hereof and marked Exhibit "E".

10. That no damage or benefits to the property owners, through whose lands said roads pass or upon whose land the same abutes, have resulted from the laying out and opening of said roads hereinbefore described and there is no reason or necessity for damages or benefits.

WHEREFORE, the undersigned Board of Road Supervisors of Karthaus Township, Clearfield County, Pennsylvania respectfully requests the Court to confirm this report Ni. Si., confirmation absolute to be made by the Clerk of the Court of Quarter Sessions of Clearfield County, Pennsylvania, as of course, unless exceptions thereto are filed within thirty (30) days of the confirmation Ni. Si. as allowed by law.

Respectfully submitted,

A. E. Stroup

M. J. Cole

R. J. Potter

Board of Supervisors of Karthaus Township,
Clearfield County, Pennsylvania.

EXHIBIT "A"

PETITION

TO THE HONORABLE
BOARD OF SUPERVISORS OF KARTHAUS TOWNSHIP, CLEARFIELD CO., PA.

WHEREAS, the southern end of Hurxthal Street and the eastern end of Thomas Streets, extending from the Norman Rougeux corner at Penna Route #879, via Shadecks Hotel, the Karthaus Volunteer Fire Building, and Grange Hall to Penna Route #879 at the James Hoffman Storage Building, in the Village of Karthaus, has never heretofore been properly graded and place in paasable condition at all times of the year, and

Whereas, Two service organizations and one other business place is located on the said Street, and particularly the Fire Company must depend on the public for their very existence and continued service to the public and the other Hall and place of business, together with the residents along the said streets, to enable patrons of the business and residents to conveniently get to and from their places.

THEREFORE We, the undersigned freeholders hereby respectfully the Honorable Board of Supervisors to grade and drain the said two parts of streets, and place then in passible condition for use at all times of the year, as provided in Sec, 1101 Of The Township Coade. and we will ever pray, etc.,

- | | |
|--------------------------------------|----------------------------------|
| 1. William I. Flegal, Karthaus | 19. A. J. Mopre, Karthaus |
| 2. Inez E. Thrasher, Karthaus | 20. Graydon Teats, Karthaus |
| 3. Fred C. Miller, Karthaus | 21. Arthur C. Lewis, Karthaus |
| 4. Irwin Rougeux, Karthaus | 22. Reese Miller, Karthaus |
| 5. Robert D. Manor, Karthaus | 23. Paul Shadeck, Karthaus |
| 6. J. C. Miller, Karthaus | 24. Raymond Rauch, Karthaus |
| 7. Edward Jury, Karthaus | 25. Guy Teats, Pottersdale |
| 8. June Jury, Karthaus | 26. L. A. Renaud, Karthaus |
| 9. Ed Rowney, Karthaus | 27. Robert Potter, Karthaus |
| 10. K. K. Bradford, Master of Grange | 28. James F. Rolley, Karthaus |
| 11. Cyrus R. Lanager, Pres. Fire Co. | 29. Richard Reiter, Karthaus |
| 12. N. B. Rougeux, Karthaus | 30. Lloyd Rolley, Karthaus |
| 13. John Shadeck, Karthaus | 31. Harry I. McCloskey, Karthaus |
| 14. Wm. Boyd Shadeck, Karthaus | 32. L. F. Verbuck, Karthaus |
| 15. Wm. F. Renard, Karthaus | 33. Irwin Rauch, Karthaus |
| 16. Russell C. Norton, Karthaus | 34. H. M. McDowell, Karthaus |
| 17. Chas Shadeck, Karthaus | 35. Ross L. Stroup, Karthaus |
| 18. George A. Shadeck | 36. George B. Stroup, Karthaus |

EXHIBIT "B"

PETITION

To the Board of Supervisors of Karthaus Township,

GREETING; Whereas the undersigned petitioners reside in a part of the village of Karthaus, without our properties being adjoined by an adequate Public Highway, and our only facility for ingress and egress is over a Private Road, slightly improved many years ago, by the Trustees of the P. A. Karthaus Estate, and

Whereas the said private road is not adequately constructed or drained and becomes impassible frequently.

THEREFORE in order that we may be provided with a Public Road over which we can travel, and transport supplies to or from our homes we hereby respectfully petition the Honorable Board of Supervisors of Karthaus Township, to take over the said private road by resolution as provided in Sec 1101 of the current Road law. and thereafter place and keep the said road, to extend from the corner near the Robert Potter property, to the west side of the Street near the residence of Frank Moore, occupied by James L. Moore, a distance of about 900 feet. in reasonably good and passable condition.

NAME	ADDRESS	FOOT FRONTAGE
1. Hugh Hoover	Karthaus, Pa.	100
2. John Couteret, Jr.	Karthaus, Pa.	100
3. George G. Stroup	Karthaus, Pa.	
4. Jas. F. Rolley	Karthaus, Pa.	140
5. Pat Bamat	Karthaus, Pa.	
6. Lester Wooster	Karthaus, Pa.	
7. Phil Reese	Karthaus, Pa.	
8. Robert Potter	Karthaus, Pa.	70 ft.
9. A. P. Solomon	Karthaus, Pa.	
10. W. P. Rolley	Karthaus, Pa.	100 ft.
11. Raymond Rauch	Karthaus, Pa.	
12. Mrs. Frank Schnars	Karthaus, Pa.	100 ft.
13. Frank Schnars	Karthaus, Pa.	100 ft.
14. A. J. Moore	Karthaus, Pa.	
15. Cyrus R. Lanager	Karthaus, Pa.	100 ft.
16. John Teats	Karthaus, Pa.	
17. L. H. Hahn	Karthaus, Pa.	
18. Robert Kalwoski	Karthaus, Pa.	100 ft.
19. Lloyd Hoover	Karthaus, Pa.	
20. Edward Rowssey	Karthaus, Pa.	
21. H. E. McGovern	Karthaus, Pa.	
22. James L. Moore	Karthaus, Pa.	50 ft.
23. John Burfield	Karthaus, Pa.	
24. Hilary Picard	Karthaus, Pa.	
25. Kenneth Paul	Karthaus, Pa.	100 ft.
26. Lawrence E. Leigey	Karthaus, Pa.	
27. Dolly C. Leigey	Karthaus, Pa.	100 ft.
28. Isabelle Rolley	Karthaus, Pa.	
29. Laverre Wooster	Karthaus, Pa.	
30. Norman A. Stiner	Karthaus, Pa.	100 ft.
31. Chas Shadeck	Karthaus, Pa.	
32. George Trimpey	Karthaus, Pa.	
33. N. B. Rougeux	Karthaus, Pa.	
34. Boyd Shadeck	Karthaus, Pa.	
35. George J. Shadeck	Karthaus, Pa.	