

DOCKET NO. 7

NUMBER	TERM	YEAR
2	NOV. SS.	1955.

In Re: Petition to View and Lay
Out a private Road in Beccaria
Township for Public Use.

VERSUS

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

IN RE: Petition to View and Lay : No.
Out a Public Road in the Town- :
ship of Beccaria. : November Sessions, 1955.

To the Honorable John J. Pentz, President Judge of said Court:

The petition of Carl Weakland, J. J. Kachelries and
Merl E. Myers respectfully represents:

1. That your petitioners are the duly elected and
qualified Supervisors of the Township of Beccaria, Clearfield
County, Pennsylvania, a township of the second class.

2. That the subscribers to the petition hereto annexed
dated May 23, 1953, are the owners of abutting properties
along the private road, proposed for public use and maintain-
ance as a part of the Beccaria Township road system.

3. Your petitioners aver that at No. 3, February Sess-
ions, 1911 of your Honorable Court, a 32-foot wide land
extending from Station "B" to Station "C" on the attached
plan was laid out, upon the ground, as a private road, the
damages occasioned thereby having been duly assessed and paid,
to wit:

BEGINNING at a point "B", at the intersection of
the proposed road and the macadam Route, Township
Route 17112, leading to Rosebud, bearing South
1080.03 feet from the intersection of Main and Mill
Streets, point "A" in the Borough of Coalport:
(State Highway Route 53): thence running South
64 degrees 04 minutes West, 137.05 feet to a post;
thence South 78 degrees 29 minutes West, 297.57
feet to a post; thence South 78 degrees 29 minutes
286.55 feet to a post; thence South 67 degrees
22 minutes West 297.57 feet to a stake; thence
South 67 degrees 22 minutes West, 297.05 feet to
a post; thence South 67 degrees 22 minutes West,
296.09 feet to a post; thence South 57 degrees
35 minutes West, 288.85 feet to a post; thence
South 57 degrees 35 minutes West, 111.42 feet
to a post "C", and ending opposite lane to the
George Westover Farm, approximately 2012 feet
in length, as shown on the plan thereof hereunto
attached and made a part hereof.

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

IN RE: Petition to View and Lay : No.
Out a Public Road in the Town- :
ship of Beccaria. : November Sessions, 1955

ORDER OF COURT.

AND NOW, Oct 31 1955, on motion of John Scollins, Esq., Solicitor of the Township of Beccaria, the Court do grant the prayer thereof, and do appoint the following: AB Shaw; Hey Heel and Bru Hughes; as Viewers to view the road in said petition prayed for as necessary for public use; and report to the next Court of Quarter Sessions in and for the County of Clearfield, as provided by the Act of Assembly and Rules of Court.

BY THE COURT

John Peag
President Judge.

Coalport, Pa.
May 23, 1953

We, the under signed property owners living on or connected with the one-half mile of road leading from the highway at Mrs. Crooks to R. C. Westover's do petition and request of the Supervisors of Beccaria Township to take the road over and maintain the same as a Township road.

Property owners
C. M. Fulton, George J. Westover
Frances Fulton, Marjorie Westover
Stanley Dennis, Elmer Lester
Catherine Dennis, R. C. Westover
Bette Sunkala, Jim Jonash, Jr.
John Sunkala, Henry Pomer

John Linder, Charles Conrad
Mrs. Sara Ginter, Leo Kriese
Mr. & Mrs. U. A. Williams, Sam & Remmington
Merle L. Myers, Mark Kriese
Anella Myers, Grel Bloom
John Remminger, Mr. Robert Shank Jr.
Mrs. John Remminger, Howard J. Brady
Mr. and Mrs. Jesse Fulton, Edna Brady
Bernard Keenan, Edgar Estregate

Robert L Brown
Claire C Packoocki
Mrs. G. Swasing
Rich Swasing
Francesca Morrison
Meryl Morrison
Freida Swasing
Fred Swasing
Mrs. Jean Guday
James Snedden
J. E. Fitch
Joy Gallichie
Marshall Tyfer
Sam Bugar
Jim P. Gaseck
Zapher Sorotto
John Dryden
W. Z. Brumbaugh
Geo. Harrick
Frank Bono
John E. Gens
Mrs. E. Gens
Mrs. E. Gens

Joe Keith
Mrs. Lender
Russell Cavaner
John S Cavaner
Mrs. James McGill
Mrs. J. S. McGill
John McGee
Mrs. John McGill
Mrs. Jessie Johns
Clair Harber
John McGill
Edward Zupick
Imogene Zupick
Laura Harber
Steve Reiter
Rich Reiter
John Anchrum
Ellis H. Dillon
Sarahy Dillon

Charles Payton
Joe Sivire
Greene Reeger
Malcolm Kitchell

Emma Taphart

Willie M. MacEachen

Robert Gogolla

Alfred Somosky
Jack Kuttruff

John Marquis

Walter Goraelsky

Carl E. Heit

Eugene S. Bleit

Lorraine Somosky

Dorothy Kuttruff

of

Levi D. Sherrill

Melvin Burchill

Mrs Carl Sinclair

Mrs H. Kellion
Harry Kellion
Robert Burchill
Frederick W. Somosky, Jr.

Jennie Ferguson

E. B. Williamson

George Kuttruff

Leonard Kuttruff

Bessie Kuttruff

Martin Kuttruff

Mrs. Gablikson

Robert Gablikson

Nina Gablikson

Perry Glass

Elizabeth Glass

Joe — Glass

A. Trulander

Mrs A. S. Cullen

Mrs H. older Glass

Charles Conrad

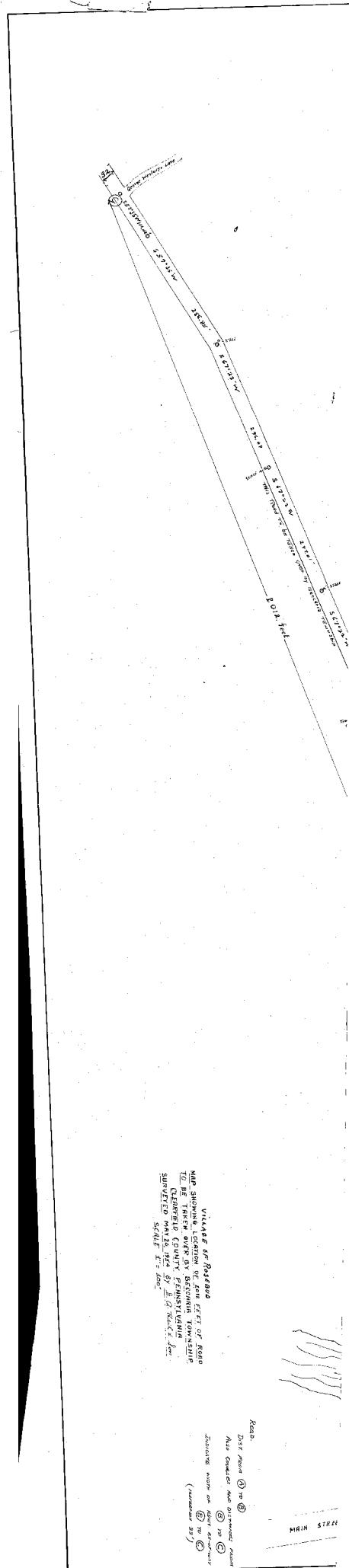
Colitta Sherry

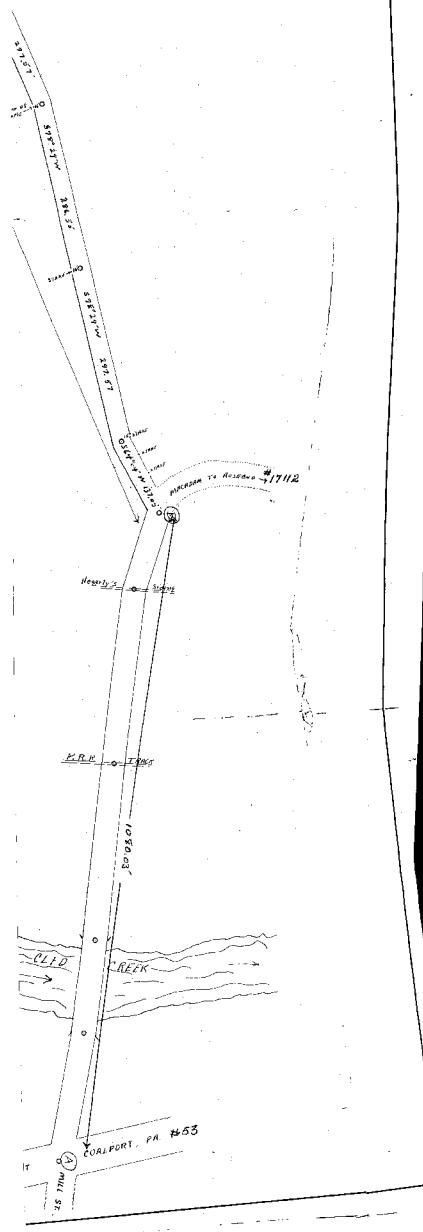
Geraldine Schremer

Pete Gibbons

J. Leonard Adams

Edna Sherry





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

NO. 1 NOVEMBER SESS., 1955

IN RE: Petition of the Board
of Supervisors of Beccaria
Township, to View and lay
out a private road in said
Township for public use.

- 1.-Petition.
- 2.-Petition of subscribing
abutting property owners
et al.
- 3.-Plan of Proposed Road.

~~4.-Order of Court.~~

OCT 31 1955

W.H. T. HACHTY

CLERK

JOHN SCOLLINS
ATTORNEY AT LAW
HOUTZDALE, PA.

BEGINNING at a point "B", at the intersection of the proposed road and the macadam Route, Township Route 17112, leading to Rosebud, bearing South 1080.03 feet from the intersection of Main and Mill streets, point "A" in the Borough of Coalport: (State Highway Route 53; thence running South 64 degrees 04 minutes West 137.05 feet to a post; thence South 78 degrees 29 minutes West, 297.57 feet to a post; thence South 78 degrees 29 minutes, 286.55 ft. to a post; thence South 67 degrees 22 minutes West, 297.05 feet to a post thence South 67 degrees 22 minutes West, 296.09 feet to a post; thence South 57 degrees 35 minutes West, 286.85 feet to a post; thence South 57 degrees 35 minutes West, 111.42 feet to a post "#C", and ending opposite land to the George Westover Farm, approximately 2012 feet in length, as shown on the plan thereof, hereunto attached and made a part hereof.

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 9th day of May in the year of our Lord one thousand nine hundred fifty-five

Judge of the same C^o Upon the petition of ~~some~~ ^{inhabitants} in-habitants of the To~~wn~~ of Beccaria 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, Ben Hughes, Guy 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.

Wm T. Hegerty 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 Beccaria and that three notices thereof were posted along the route of the proposed road, that the said view was held on the 16th day of November A. D. 1935, and the hearing to be held in the No. 1 Court Arbitration Room, at the Court House, in Clearfield, Pa., on the 18th day of November 1935, at 2:30 o'clock P.M. That the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. J. Kachelries, Carl Weakland, Merele L. Myers, Supervisors of the Road District of the Township of Beccaria.

parties in interest. That the hearing was held in the No. 1 Court Arbitration Room, in the Court House, at Clearfield, Pa., on the 18th day of November A. D. 1935, when the following appearances were noted: J. J. Kachelries, Carl Weakland, Merele L. Myers

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 the use the following described road, to wit Beginning at the point of intersection of proposed road with State Highway Route No. 17112 leading from Coalport to Rosebud; said point being 1080.03 feet West of Main Street in the Borough of Coalport (State Highway Route No. 53); thence extending along said proposed road South 64 degrees .04 minutes West 137.05 feet to a stake; thence South 78 degrees 29 minutes West 297.57 feet to a stake; thence South 78 degrees 29 minutes West 286.55 feet to a stake; thence South 67 degrees 22 minutes West 297.57 feet to a stake; thence South 67 degrees 22 minutes West 297.05 feet to a stake; thence South 67 degrees 22 minutes West 296.09 feet to a stake; thence South 57 degrees 35 minutes West 288.85 feet to a stake; thence South 57 degrees 35 minutes West 111.42 feet and ending at private lane leading to the George Westover Farm; said proposed road being approximately 2012 feet in length.

The proposed road herein above described is laid out over a private road, long since in existence and for many years the individual property owners served by said road have kept the same in repair at their own cost and expense, and during certain seasons of the year the same becomes impassable 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 private road 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 the supervisors of the Road District of the Township of Beccaria, 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 six 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 part of the general road system of the Road District of the Township of Beccaria, and that the same be kept up and maintained as a public road at public expense.

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 _____

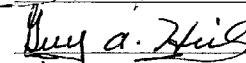
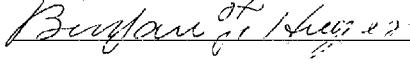
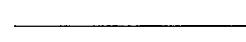
when it was not practical to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases 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 respectfully may be entitled by reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows: The advantages to be derived by the property owners through which said proposed road passes or abuts far exceed the disadvantages to the property owners affected thereby and therefore no damages can be awarded to said proposed owners.

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

WITNESS our hands and seals this _____ day of _____
A. D. 192____.

Dec 1 7/205

No. 2 November Sessions, 1955

ORDER

To view and lay out a
private Public road for use in the
towmship of Beccaria
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.

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

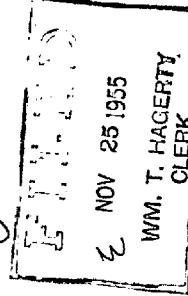
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DAYS	MILES	AMT.
3	60	33.
3	100	35.
2	100	25.

Feb Sessions, 1952,

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.

join



CLERK
Minor Way Sessions
1956 Confirmed Absent
By The Court
June 1956
19 P.M.

Filed 8

Fees \$1.25 paid by _____

RELEASE OF DAMAGES

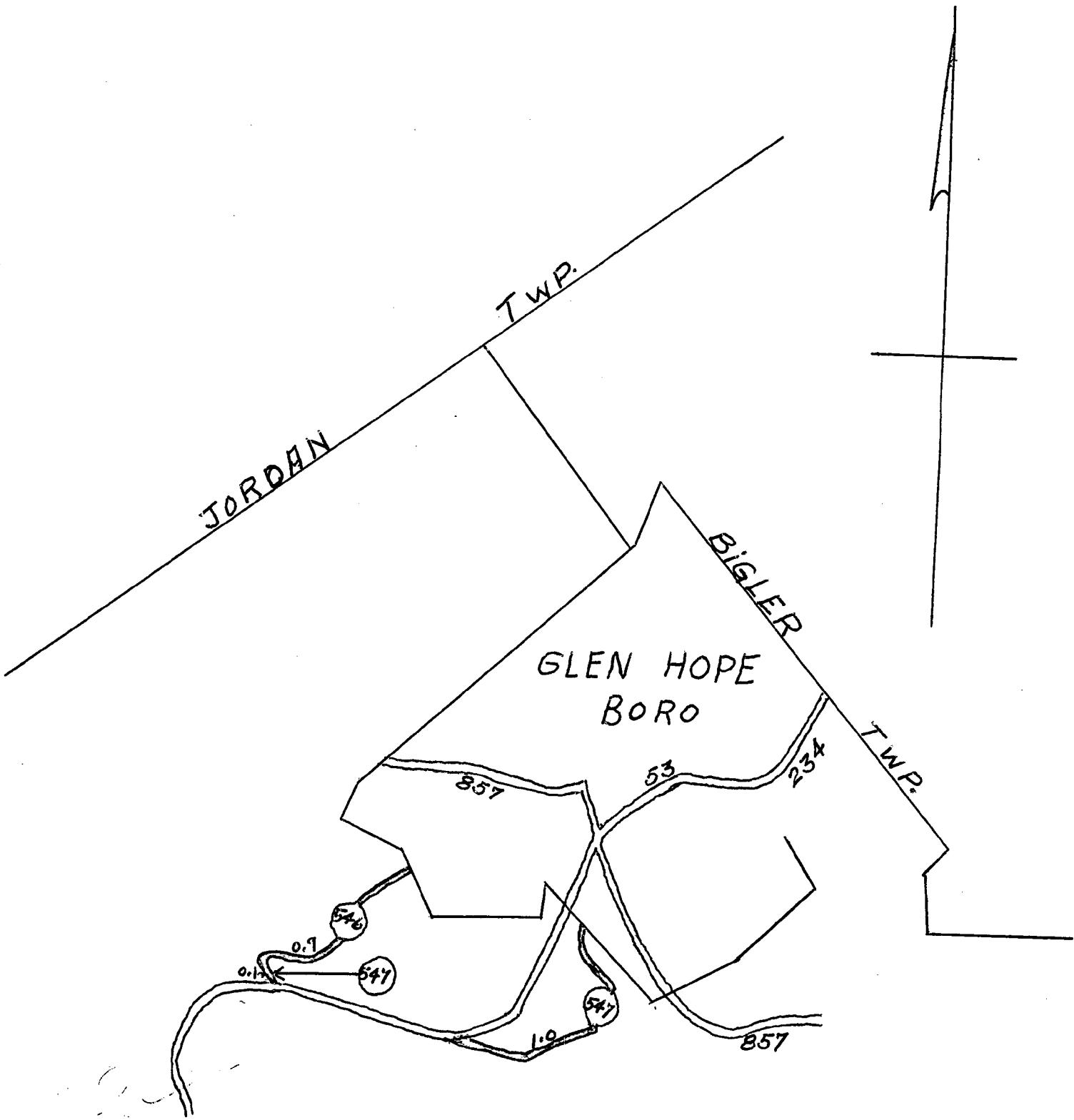
Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by _____

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



MAP

Showing 1.8 Miles Of Township Roads
To be Vacated and Abandoned In
Beccaria Township Clearfield Co, PA.
Abandoned June 24, 1918

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 31st day of October, A.D., 1955, to view and lay out a public road in the Township of Beccaria, Clearfield County, Pennsylvania, the same to have its beginning at the point of intersection of proposed road with State Highway Route No. 17112 leading from Coalport to Rosebud; said point being 1080.03 feet West of Main Street in the Borough of Coalport (State Highway Route Number 53); thence extending along said proposed road South 64 degrees .04 minutes West 137.05 feet to a stake; thence South 78 degrees 29 minutes West 297.57 feet to a stake; thence South 78 degrees 29 minutes West 286.55 feet to a stake; thence South 67 degrees 22 minutes West 297.57 feet to a stake; thence South 67 degrees 22 minutes West 297.05 feet to a stake; thence South 67 degrees 22 minutes West 296.09 feet to a stake; thence South 57 degrees 35 minutes West 288.85 feet to a stake; thence South 57 degrees 35 minutes West 111.42 feet and ending at private lane leading to the George Westover Farm; said proposed road being approximately 2012 feet in length.

will meet on the premises in said Township of Beccaria on Wednesday November 16 at 2:30 P.M., to attend the duties assigned them, at which time and place all parties interested in said road will take notice, 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 proposed road an opportunity to be heard, will be held in No. 2 Court Room in the Court House at Clearfield, Pennsylvania, on Friday, the 18th day of November A.D., 1955, at 10:30 o'clock A.M. 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 Heil

Benjamin Hughes Viewers

NOW, November 2, 1955, service of the above
Notice of View is hereby accepted by copy on behalf of the County
Commissioners of Clearfield County.

MR Breyer
Clerk

TO THE SUPERVISORS OF THE ROAD DISTRICT OF THE TOWNSHIP OF BECCARIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 31st day of October, A.D., 1955, to view and lay out a public road in the Township of Beccaria, Clearfield County, Pennsylvania, the same to have its beginning at the point of intersection of proposed road with State Highway Route No. 17112 leading from Coalport to Rosebud; said point being 1080.03 feet West of Main Street in the Borough of Coalport (State Highway Route Number 53); thence extending along said proposed road South 64 degrees .04 minutes West 137.05 feet to a stake; thence South 78 degrees 29 minutes West 297.57 feet to a stake; thence South 78 degrees 29 minutes West 286.55 feet to a stake; thence South 67 degrees 22 minutes West 297.57 feet to a stake; thence South 67 degrees 22 minutes West 297.05 feet to a stake; thence South 67 degrees 22 minutes West 296.09 feet to a stake; thence South 57 degrees 35 minutes West 288.85 feet to a stake; thence South 57 degrees 35 minutes West 111.42 feet and ending at private lane leading to the George Westover Farm; said proposed road being approximately 2012 feet in length.

Will meet on the premises in said Township of Beccaria on Wednesday November 16 at 2:30 P.M., to attend the duties assigned them, at which time and place all parties interested in said road will take notice, 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 proposed road an opportunity to be heard, will be held in No. 2 Court Room in the Court House at Clearfield, Pennsylvania, on Friday, the 18th day of November A.D., 1955, at 10:30 o'clock A.M. 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 Heil

Benjamin Hughes, Viewers

NOW, November 3, 1955, service of the above
Notice of View is hereby accepted be copy on behalf of the Super-
visors of the Road District of the Township of Beccaria.

H. J. Estright
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 ~~and assess~~ out a public road in the Township of Beccaria, the same to have its beginning ~~damages leading from~~ at the point of intersection of proposed road with State Highway Route No. 17112 leading from Coalport to Rosebud, 1080.03 feet West of Main Street in the Borough of Coalport, Pennsylvania (State Highway Route No. 53), thence extending along said proposed road South 64 degrees .04 minutes West 137.05 feet to a stake; thence South 78 degrees 29 minutes West 297.57 feet to a stake; thence South 78 degrees 29 minutes West 286.55 feet to a stake; thence South 67 degrees 22 minutes West 297.57 feet to a stake; thence South 67 degrees 22 minutes West 296.09 feet to a stake; thence South 57 degrees 35 minutes West 288.85 feet to a stake; thence South 57 degrees 35 minutes West 111.42 feet and ending at private lane leading to the George Westover Farm; said proposed road being approximately 2012 feet in length.

in township

in Beccaria Township, in the County aforesaid, will
on the premises
meet ~~at the house of~~

in Beccaria Township, on Wednesday

the 16th day of November , A. D. 1955 , at 2:30
o'clock P. 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 PROPOSED ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN NO. 2 COURT ROOM IN THE COURT HOUSE AT CLEARFIELD, PENNSYLVANIA, ON FRIDAY, THE 18th DAY OF NOVEMBER A.D., 1955, AT 10:30 O'CLOCK A.M. 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 Heidl

..... Benjamin Hughs

V I E W E R S .