

ROAD

DOCKET NO. 7

NUMBER	TERM	YEAR
1	Feb. SS.	1956

In Re: Petition for vacation of
road in the Township of Goshen,
Clearfield County, Pennsylvania.

VERSUS

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Petition for vacation :
of road in the Township of : No. / *February*
Goshen, Clearfield County, : ~~November~~ Sessions 1956
Pennsylvania. :
:

P E T I T I O N

TO THE HON. JOHN J. PENTZ, PRESENT JUDGE OF SAID COURT;

The petition of George L. Read, Glen Amon, and Leo Clark, Supervisors of the Road District of the Township of Goshen, Clearfield County, Penna., respectfully represent;

(1) That the said George L. Read, Glen Amon, and Leo Clark are duly qualified Supervisors of the said Township of Goshen, Clearfield County, Pennsylvania.

(2) That in the said Township of Goshen, there is a certain portion of Township Road, Route No. 621, beginning at the intersection of said Township Road with Legislative Route No. 17051, at or near the Goshen M. E. Church; thence extending in a southerly direction to the point of intersection of said Township Road, Route No. 621 with Township Road, Route No. 623 in said township of Goshen, which said township road being approximately 3000 feet in length, has become useless, inconvenient and burdensome, and should, therefore, be vacated and abandoned, a sketch of which is hereto attached and made a part of this petition.

Wherefore your unsigned petitioners respectfully pray that the above described portion of Township Road Route No. 621 in the

Township of Goshen be vacated and abandoned and that viewers be appointed by your HONORABLE COURT for that purpose.

And they will ever pray,

John Cross

George J Read

Lee Clark

Supervisors of the Road District
of the Township of Goshen

STATE OF PENNSYLVANIA : SS:
COUNTY OF CLEARFIELD : :

Before me the subscriber personally appeared, Clyde G. Sankey, Secretary for the Supervisors of the Road District of the Township of Goshen, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are true and correct.

Clyde G. Sankey
Secretary of the Road District of
the Township of Goshen

Sworn and subscribed before
me this 9th day of November,
1955

John J. Hagerty

PROTHONOTARY My Commission Expires
January 4, 1958

ORDER OF COURT

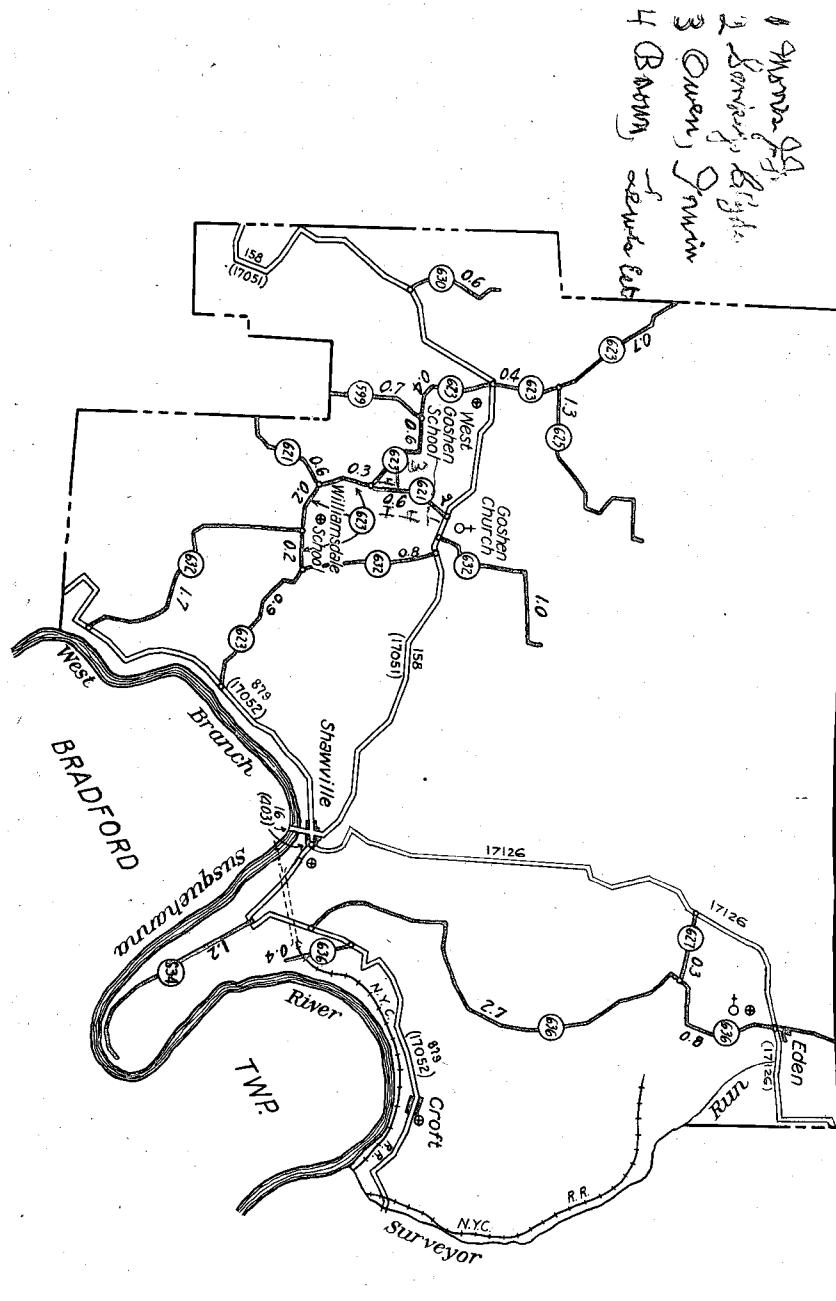
And now this 10 day of November A.D., 1955, the foregoing petition having been read and considered, the Court appoints

John Scolley Wm. Yost & John Fetter

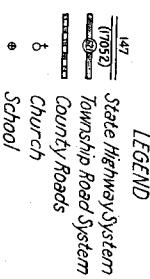
as a Board of Viewers to view for vacation the forementioned described road in Goshen Township, as prayed for by the petitioners and assess such damages as they may find due the persons affected thereby and report their findings to the next Court of Quarter Sessions of Clearfield County.

BY THE COURT

John Fetter
P. J.



**TOWNSHIP ROAD MAP
GOSHEN TOWNSHIP
CLEARFIELD COUNTY
County Code No. 17**

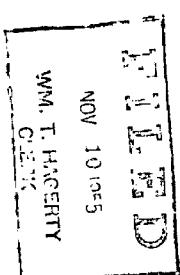


IN THE COURT OF CHARTER SESSIONS OF CLEARFIELD COUNTY,
PENNSYLVANIA.
No. ~~November~~ Sessions 1956

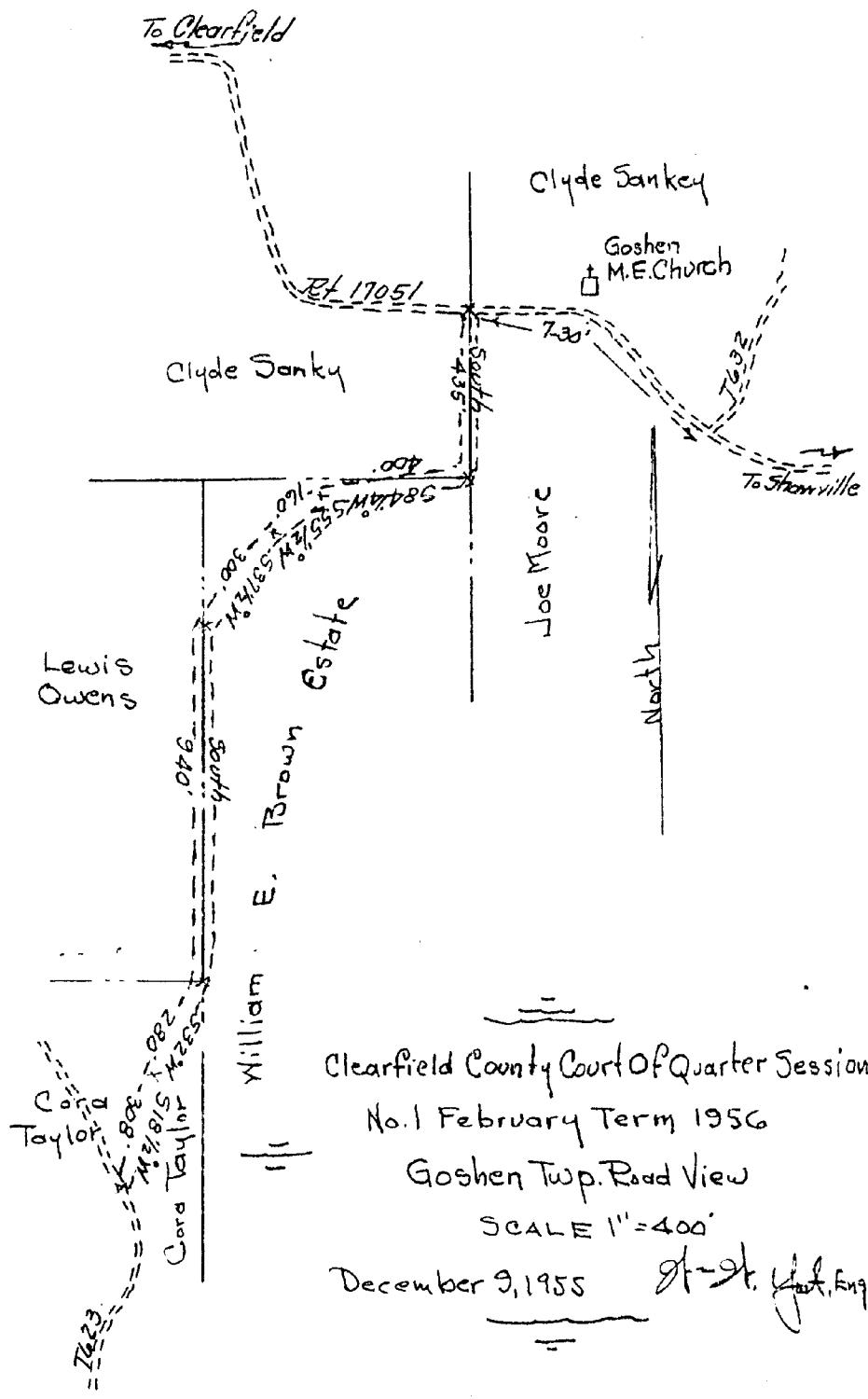
February Page 206

In re: Petition for vacation
of road in the Township of
Goshen, Clearfield County,
Pennsylvania

PETITION



A. B. SHAW
ATTORNEY AT LAW
CLEARFIELD, PA.
Attn: the Atty.



Total Road 2823 ft.

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

In re: Order to View and Vacate
Road situate in the Township of [redacted] No. 1, February Term, 1956.
Goshen, Clearfield County.

To: The County Commissioners of Clearfield County:

You are hereby notified that the undersigned Viewers, appointed by the Court to the above number and term, to view and vacate a certain portion of Township Road, Route No. 621, beginning at the intersection of said Township Road with Legislative Route No. 17051, at or near the Goshen M.E. Church; thence extending in a southerly direction to the point of intersection of said Township Road, Route No. 621 with Township Road, Route No. 623 in said Township of Goshen, approximately 3000 feet in length, will meet at the Goshen M.E. Church in said Township on Thursday, the 8th day of December, 1955, at 2:00 o'clock P.M., to attend to the duties assigned them: of which time and place aforesaid all parties interest will take notice.

And that the public hearing required by the Act of Assembly and the Rule of Court to be held by the Viewers before the filing of their report in Court, in order to give all parties interest an opportunity to be heard, will be held in the Grand Jury Room in the Court House in Clearfield on Monday, the 12th day of December, 1955 at 10:00 o'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

Dated: November 23, 1955.

JOHN SCOLLINS
WM. W. YOST
JOHN BUTLIN,

Clearfield County, ss:

VIEWERS.

And Now, November 25, 1955, service of the above Notice accepted for the Board of County Commissioners, and I hereby acknowledge receipt of a copy thereof.

Witness my hand and seal.

JHR Briggitt
Clerk.

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

In re: Order to View and Vacate |
Road situate in the Township of | No. 1, February Term, 1956.
Goshen, Clearfield County. |

To: George J. Reed, Supervisor, Clearfield R.D. 2, Pa.
Glen Amon, Supervisor, Lecontes Mills R.D. Pa.
Leo Clark, Supervisor, Clearfield R.D. 2, Pa.

You are hereby notified that the undersigned Viewers appointed by the Court to the above number and term, to view and vacate a certain portion of Township Road, Route No. 621, beginning at the intersection of said Township Road with Legislative Route No. 17051, at or near the Goshen M.E. Church; thence extending in a southerly direction to the point of intersection of said Township Road, Route No. 621 with Township Road, Route No. 623 in said Township of Goshen, approximately 3000 feet in length, will meet at the Goshen M.E. Church in said Township on Thursday, the 8th day of December, 1955, at 2:00 O'clock P.M., to attend to the duties assigned them: of which time and place aforesaid all parties interested will take notice.

And that the public hearing required by the Act of Assembly and the Rule of Court to be held by the Viewers before the filing of their report in Court, in order to give all parties interested an opportunity to be heard, will be held in the Grand Jury Room in the Court House in Clearfield on Monday, the 12th day of December, 1955 at 10:00 o'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

Dated: November 23, 1955.

JOHN SCOLLINS

WM. W. YOST

JOHN BUTLIN,

VIEWERS.

Clearfield County, ss:

And Now, November , 1955 service of the above notice accepted for the Board of Supervisors of Goshen Township, and I hereby acknowledge receipt of copies hereof for George J. Reed, Glen Amon and Leo Clark, individually.
Witness my hand and official seal.

Blythe G. Lankey
Secretary.

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 10th day of Nov. 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 Goshen, in the County aforesaid setting forth that a certain portion of Township Road, Route No. 621, beginning at the intersection of said Township Road with Legislative Route No. 17051, at or near the Goshen M. E. Church; thence extending in a southerly direction to the point of intersection of said Township Road, Route No. 621 with Township Road, Route No. 623 in said township of Goshen, which said Township road being approximately 3000 feet in length, has become useless, inconvenient and burdensome, and should, therefore, be vacated and abandoned, a sketch of which is hereto attached and made part of this petition.

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, wherupon the said Court, upon due consideration had of the premises, do order and appoint from

and among the County Board of Viewers.... John Scollins, Wm. Yost & John Butlin.....

..... 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. H. Hogen
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 Goshen

, 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 8th day of December , 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 12th day of December A. D., 1955 at 10.00 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 John Scollins, Wm. W. Yost and John Butlin, of the Board of Viewers; Clyde G. Sankey, Secretary of the Board of Supervisors of Goshen Township, and A. B. Shaw, Esq., Attorney for the petitioners;

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 12th day of December , A. D. 1955, when the parties interested in the said road were in attendance: Leo Clark and Glen Amon, Supervisors of Goshen Township, with their Counsel, A. B. Shaw, Esq., and the Board of Viewers. Leo Clark and Glen Amon, sworn, examined and cross-examined, by Counsel and your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome, to wit: Beginning at its intersection Legislative Route No. 17051, near the Goshen M.E. Church; thence over Township Road, Route No. 621, along the division line between the properties of Clyde Sankey and Joe Moore, in a southerly direction, four hundred and thirty five (435) feet, corner of William E. Brown Estate, and lands of Clyde Sankey and Joe Moore aforesaid; thence South $84\frac{1}{4}$ ° West, along the division line between the properties of William E. Brown Estate and Clyde Sankey, four hundred (400) feet to a post; thence South $55\frac{1}{2}$ ° West, over land of the William E. Brown Estate, one hundred and sixty (160) feet to a post on same; thence South $37\frac{1}{2}$ ° West, still thereby, three hundred (300) feet to post on division line between the properties of William E. Brown Estate and Lewis Owens, nine hundred and forty (940) feet to post, corner of lands of the William E. Brown Estate, Lewis and Owens and Cora Taylor; thence South $32\frac{1}{2}$ ° West, along lands of Cora Taylor, two hundred and eighty (280) feet to a post on same; and thence still thereby South $18\frac{1}{2}$ ° West, three hundred and eight (308) feet and ending with its intersection with Township Route No. 623.

The aforesaid Township Road, between the points aforesaid, is 2823 feet in length; and the land on either side thereof has been stripped and despoiled, with spoil and piles of over-burden, cast over the original road; that the natural grade of the road is steep and declining, and is no longer in use; the properties abutting thereon being served by other routes. We find that the road has become useless, inconvenient and burdensome, and recommend its vacation as a public road;

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 endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacating of said road, a release in writing of all claims to damage that may arise from the vacation thereof, and that they procured such release from: No damages claimed, and no damages resulting to any of the properties affected by the vacation.

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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: No damages assessed.

and we herewith return release obtained, and copy of the notices.

Witness our hands and seals this 15th day of December, A. D. 1955.

John Bellin (SEAL.)
John Bellin (SEAL.)
G. D. Foot (SEAL.)
Viewers.

Doc 7 Pg 208

No. 1 Feb. Term 1956.....

ORDER TO VACATE

To view and vacate road situate
in the Township of Goshen.....

Clearfield County.

Now July Sessions 1956.

read and confirmed Ni. Si.

	Days	Miles	Amt'
Wm. W. Yost	3	10.	\$31.00
John Butlin	2	76	\$23.80
John Scollins	3	120	\$36.00

By the Court *John H. Yost*

FILED

Atty. *E* DEC 19 1955

WM. T. HAGERTY
CLERK