

ROAD

7

DOCKET NO. \_\_\_\_\_

NUMBER	TERM	YEAR
2	Feb. Spec.	1956,

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In Re: Public Road in the  
Township of Gulich

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VERSUS

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In re: Public Road in the : In the Court of Quarter Sessions  
: of Clearfield County, Pennsylvania.  
Township of Gulich. : No. May Sess., 1956.

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

The petition of the undersigned, citizens and tax-payers  
of the Township of Gulich, respectfully represents:

1. That your petitioners reside in the Village of No. 8  
in the Township of Gulich aforesaid.

2. That your petitioners labor under great inconven-  
ience for want of a public road or highway, leading from the  
Village of No. 8 to Highway Route 353 leading from Houtzdale  
to Ginter, approximately one-quarter mile in length.

3. That the present outlets and existing roads leading  
to the improved highway, and traversed by persons going to and  
from business places, professional offices, schools and churches  
are unkept, muddy and impassable in wintry and inclement weather,  
and dangerous for public travel, by children on foot, and motor  
vehicle travel.

WHEREFORE, your petitioners pray your Honorable Court  
to appoint a Board of Viewers, to view and lay out a road for  
public use and travel, according to law.

And they will ever pray.

Raymond Barto  
Frank J. Gmerek,  
Victor Strzel

Ralph David Smith Mill Pa  
Mike Laupp Smith Mill Pa  
Mrs. Mary Deos Morann Pa  
Geo Deos Morann Pa  
Mrs. Frances Deos Morann, Pa.  
Michael Deos Morann, Pa.  
President Morann Citizens Club

Emilian A Gmeck Morann Pa  
Elizabeth Gmeck Morann Pa  
Mrs. Mary Dudak Morann, Pa  
Mr. Harry Dudak Morann, Pa  
~~John Deans Morann Pa~~  
Anabelle Deans Morann Pa  
Paul Balta Morann Pa  
John Toszczuk Morann Pa  
Joseph Sefcick Morann Pa  
Mary Sefcick Morann Pa  
Elizabeth Balta Morann Pa

~~John Deans~~ Mrs Anna Mae Cimickarick Morann Pa  
George Cimickarick Morann Pa  
Mrs Mary Cimickarick Ginter Pa  
George Ginter Pa  
Mr. John Bregina Morann Pa  
Mrs. John Bregina " "  
Thomas J Kasubick Morann Pa

Susan Kasubick

Moore F.

Anna Frankovich  
Lillian Frankovich  
John Rodek  
Robert Rodek  
Mrs. Mable Rodek

STATE OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :  
:

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

Michael Deao

Sworn and subscribed before me,  
this 11th day of April, 1956.

Kathryn L. Scollins

NOTARY PUBLIC  
My Commission Expires March 9, 1959

DECREE.

AND NOW, to wit: this 16<sup>th</sup> day of April, A. D. 1956,  
on motion of John Scollins, attorney for petitioners, the Court  
appoints AB Shaw, Henry Heil AND  
T. E. McElroy as a Board of View upon the foregoing  
petition, and further orders that the said Board of View shall  
perform their duties in accordance with the laws and /Acts of  
Assembly in such case made and provided, and report before or  
during the September Term of Court, 1956.

BY THE COURT,

John Reed  
President Judge

In the Court of Quarter Sessions of Clearfield County,  
Pennsylvania.  
No. 2  
July 16  
1956.

In re: public road in the  
Township of Dulich.

Petition.

10-17

JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PA.

400 Ryall

## ORDER

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

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 not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

		DAYS	MILES	AMT.
A. B. Shaw		2		20.00
Guy Heil		1		10.00
T. C. McGarvey		1		10.00

July, Sessions, 1957,

read and confirmed Ni. St. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

*John H. H. D.*

FILED
DEC 28 1956
MM. T. HAGERTY CLERK

Filed 19  
Fees \$1.25 paid by \_\_\_\_\_

May 6, 1957  
Concurrent  
Tennal  
County  
John H. H. D.  
P. J.

## RELEASE OF DAMAGES

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

at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said \_\_\_\_\_

all damages that may arise to us respectfully by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 192 \_\_\_\_\_.

*Seal*

*Seal*

*Seal*

*Seal*

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:

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

WITNESS our hands and seals this 27th day of December  
A. D. 1986.

John D. Pham  
J. C. McSweeney  
David Heis

## 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

and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 9th day of May A. D. 1921, and the hearing to be held in the Anteroom Room, at the Court House, in Clearfield, Pa., on the 11th day of May 1956, at 11:30o'clock A.M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Andrew Seman, Robert Rodkey, Annie Frankovich, Geo. Janocko, also Victor Strutzel, one of the Supervisors of Gulich Township Road District.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 11th day of May A. D. 1926, when the following appearances were noted: Victor Strutzel and Frank Gmerek, Supervisors of the Road District of the Township of Gulich.

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 \_\_\_\_\_ use the following described road, to wit Beginning \_\_\_\_\_

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 16th day of April in the year of our Lord one thousand nine hundred fifty Six.

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Gulich in said County, setting forth that petitioners labor under great inconvenience for want of a public road or highway leading from the Village of No. 8 to Highway Route 353 leading from Houtzdale to Ginter, approximately one-quarter mile in length.

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, Guy Heil and T. C. McGarvey 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. Baggett, Clerk.

TO THE SUPERVISORS OF THE ROAD DISTRICT OF THE TOWNSHIP OF GULICH  
CLEARFIELD COUNTY, PENNSYLVANIA

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Pa., on the 16th day of April, A.D., 1956, to view and lay out a public road in the Township of Gulich, Clearfield County, Pennsylvania, said proposed road to have its beginning at the village of Mine #8 in said Township of Gulich; thence extending in a southerly direction to Highway Route #353, leading from Houtzdale to Ginter; said proposed road having an overall length of approximately one-quarter of a mile, will meet on the premises in the Township of Gulich, on Wednesday the 9th day of May, A.D., 1956 at 1:00 o'clock P.M. (DST), to attend the duties assigned them, at which time and place, all parties interested in said proposed public road will take notice, and that a public hearing, as required by Act of Assembly and Rules of Court, to be held by the Viewer's 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 Courthouse at Clearfield, Pennsylvania, on Friday the 11th day of May, A.D., 1956, at 11:30 o'clock A.M. (DST), at which time and place all parties interested in said proposed road may attend and be heard, if they so desire.

A. B. Shaw

Guy Heil

T. C. McGarvey

Viewer's

Now, April 30<sup>th</sup> 1956, service of the above notice of view, is hereby accepted by copy on behalf of the Supervisors of the Road District of Gulich.

  
John Kandach  
Secretary

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNA.

VIEWER'S NOTICE

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Pa., on the 16th day of April, A.D., 1956, to view and lay out a public road in the Township of Gulich, Clearfield County, Pennsylvania, said proposed road to have its beginning at the village of Mine #8 in said Township of Gulich; thence extending in a southerly direction to Highway Route #353, leading from Houtzdale to Ginter; said proposed road having an overall length of approximately one-quarter of a mile, will meet on the premises in the Township of Gulich, on Wednesday the 9th day of May, A.D., 1956 at 1:00 o'clock P.M. (DST), to attend the duties assigned them, at which time and place, all parties interested in said proposed public road will take notice, and that a public hearing, as required by Act of Assembly and Rules of Court, to be held by the Viewer's 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 Courthouse at Clearfield, Pennsylvania, on Friday the 11th day of May, A.D., 1956, at 11:30 o'clock A.M. (DST), at which time and place all parties interested in said proposed road may attend and be heard, if they so desire.

A. B. Shaw

Guy Heil

T. E. McGarvey

Viewer's

Now, April 27 1956, service of the above notice of view is hereby accepted by copy

County Commissioners of Clearfield Co.

By Stanley M. Young  
Clerk

R O A D   V I E W E R ' S   N O T I C E

Notice is hereby Given that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and lay out a Road, leading from the Village of No. 8 in Gulich Township; thence extending in a southerly direction to Highway Route #363, leading from Houtsdale to Ginter; said proposed road having an overall length of approximately one-quarter of a mile in Gulich Township, in the County aforesaid, will meet on the premises in Gulich Township, on Wednesday the 9th day of May, A.D., 1956, at 1:00 o'clock P.M. <sup>(DST)</sup> to attend the duty assigned them, at which time and place aforesaid, all parties interested will take notice.

AND THAT A PUBLIC HEARING AS REQUIRED BY ACT OF ASSEMBLY AND RULES OF COURT, TO BE HELD BY THE VIEWER'S 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 11th DAY OF MAY, A.D., 1956, AT 11:30 O'CLOCK A.M. (DST), AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID PROPOSED ROAD MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A. B. Shaw

Guy Heil

T. C. McGarvey

Viewer's

April 28, 1956