

ROAD

7

DOCKET NO.

NUMBER

TERM

YEAR

2

Feb. Spec.

1956,

In Re: Public Road in the
Township of Gulich

VERSUS

In re: Public Road in the : In the Court of Quarter Sessions
Township of Gulich. : of Clearfield County, Pennsylvania.
: 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 inconvenience for want of a public road or highway, leading from the Village of No. 8 to Highway Route 353 leading from Houtzdale tp 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 Strutzel

Ralph David Smith mill Pa
Mike Lauff Smith mill Pa
Mrs. Mary Deo Morann Pa
Geo Deo Morann Pa
Mrs. Frances Deas Morann, Pa.
Michael Deas Morann, Pa.

President Morann Citizens Club

Emilian A Gmerek Morann Pa
Elizabeth Gmerek Morann Pa
Mrs. Mary Dudak Morann, Pa
Mr. Harry Dudak Morann, Pa
~~J. B. Seaman~~ Morann Pa
Emmett Seaman Morann Pa
Paul Balta Morann, Pa
John Tuszick Morann Pa
Joseph Sefchick Morann Pa
Mary Sefchick Morann Pa
Elizabeth Balta Morann Pa

~~James~~ Mrs Anna Mae C. Kucharick
Morann Pa

George C. Kucharick Morann Pa

Mrs Mary C. Kucharick Morann Pa

George Janock Morann Pa

Mr. John Bregina Morann Pa

Mrs John Bregina " "

Thomas J Kasubick Morann Pa

Susan Kasubick

Anna Frankovich

Lillian Frankovich

John Raker

Robert Raker

Mrs Mable Raker

Moran Pa.

Moran Pa.

Moran, Pa.

Moran Pa

Moran Pa

Moran Pa.

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 Deas

Sworn and subscribed before me,

this, 11th day of April, 1956.

Kathryn L. Collins

NOTARY PUBLIC
My Commission Expires **March 9, 1959**

DECREE.

AND NOW, to wit: this 16th day of April, A. D. 1956,
on motion of John Scollins, attorney for petitioners, the Court
appoints AB Shaw, Gary Hail AND
T. E. McFarvey 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.

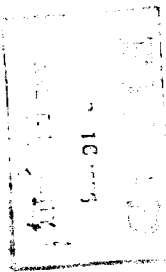
BY THE COURT.

President Judge

In the Court of Quarter Sessions of Clearfield County, Pennsylvania.
File 46
No. 2 *1st* Sess., 1956.

In re: Public Road in the Township of Ulrich.

Petition.



JOHN SCOLLINS
ATTORNEY AT LAW
HOUTZDALE, PA.

400 Royal

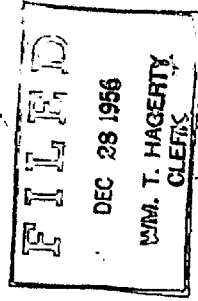
ORDER

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

Feb. Sessions, 1957.

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.

John P. D.



Filed 19
Fees \$1.25 paid by

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 |

May 6, 1957
Final
Confirmation
By the Court
John P. D.

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 _____

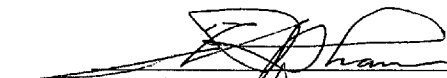

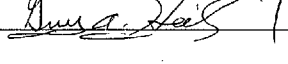
when it was not practical to preserve it within that limit.

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. 1936.

Seal
Seal
Seal
Seal

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. 1926, and the hearing to be held in the No. 2 Court Room, at the Court House, in Clearfield, Pa., on the 11th day of May, 1926, at 11:30 o'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 in-
habitants 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 quali-
fied 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. Hagersty, 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 #253, 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 30th 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 Kandrack
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. Jorg
Clerk

ROAD VIEWER'S NOTICE

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. ^(DST) 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