

ROAD

DOCKET NO. 7

NUMBER

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YEAR

3

Feb.

1956.

In Re: Laying out and opening of
Township Road in Boggs Township.
Clearfield County, Pennsylvania.

VERSUS

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

No. 3 ~~Set.~~ Sessions, 1956
HS

IN RE: LAYING OUT AND
OPENING OF TOWNSHIP ROAD IN
BOGGS TOWNSHIP, CLEARFIELD
COUNTY, PENNSYLVANIA.

REPORT OF SUPERVISORS

*Conferred
Feb 2/1956
Wm. T. Hagerty*

FILED

FEB 2 1956

WM. T. HAGERTY
PROTHONOTARY

*1444
B11*

A. B. SHAW
ATTORNEY AT LAW
CLEARFIELD, PA.

400 Bg atty-

JOINDER

We, the undersigned abutting property owners, or parties in interest affected by the laying out and opening of the foregoing proposed road, as part of the general road system of the Township of Boggs, join in the prayer of this report, hereby waiving all errors in said proceedings together with notices and the time limitation for the filing thereof as provided by Act of Assembly of July 20, 1953, P.L. 511 (P.S. 53, Sec. 19093-1102), in such case made and provided.

Mrs Rosa Millinder (SEAL)
Rosa Millinder

Leonard Kyler (SEAL)
Leonard Kyler

Mary E. Kyler (SEAL)
Mary E. Kyler

Goldie E. Eckley (SEAL)
Goldie E. Eckley

David Godissart (SEAL)
David Godissart

Jean Godissart (SEAL)
Jean Godissart

John Bordas (SEAL)
John Bordas

Edna Bordas (SEAL)
Edna Bordas

Deceased (SEAL)
Raymond Smeal

Adeline Smeal (SEAL)
Adeline Smeal

Hettie Goss (SEAL)
Mrs. Hettie Goss

Walter Shaw (SEAL)
Walter Shaw

Walter Smeal (SEAL)
Walter Smeal

Anna Smeal (SEAL)
Anna Smeal

x General Refractories Co.

By _____ (SEAL)
President

Attest:

G. H. Hittner
Asst. Secretary

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

IN RE: LAYING OUT AND OPENING :
A TOWNSHIP ROAD IN BOGGS :
TOWNSHIP, CLEARFIELD : NO. SEPTEMBER SESSIONS, 1955
COUNTY, PENNSYLVANIA. :

DE C R E E

AND NOW, this ^{2nd} day of ~~May~~^{February} A.D., 195~~5~~⁶, the report of the Road Supervisors of the Road District of the Township of Boggs, Clearfield County, Pennsylvania, for the laying out and opening of a Township Road in said Township and the proceedings appearing to be in accordance with the Acts of Assembly in such case made and provided, the report of the Supervisors is hereby confirmed ni si; the Prothonotary to enter upon the records an absolute confirmation thereof at the expiration of 30 days from the date of this Order of Confirmation, unless exceptions are filed there-
to as authorized by law.

BY THE COURT,

THE COURT,

John Heng
P. J.

RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned owners of land through which a public road now passes, long since in existence and used by the general public, leading from Township Route # 674 in the Township of Boggs to the Ball Park, for which a Petition has been presented to the Board of Supervisors of Boggs Township, requesting that the same be taken over as part of the general road system of the Township of Boggs, for and in consideration of the sum of One(\$1.00) Dollar to us respectfully paid by the Supervisors of the road district of the Township of Boggs 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 Supervisors of the road district of the Township of Boggs, all damages that may arise to us respectfully by reason of the location and opening of the said road as a public road, having a width of approximately 22 feet 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
March A.D. 1954.

Rosa Millinger (SEAL)

Elmer J. Tyler
Mary E. Tyler (SEAL)

Goddie E. Eckley (SEAL)

David Goddard (SEAL)

Jean Goddard (SEAL)

John Bordas (SEAL)

Edna Bordas (SEAL)

Raymond Smeal (SEAL)

Cedline Smeal (SEAL)

Mrs Hettie Goss (SEAL)

Walter Shaw (SEAL)

n Walter Smeal (SEAL)

Anna Smeal (SEAL)

GENERAL REFRACTORIES COMPANY (SEAL)

By Ly Green (SEAL) President

Attest:

[Signature]

Asst. Secretary.



Mrs John Ammerman
Mr. John Ammerman
Charlotte Wood
Matthew Wood
Mrs Adeline Smeal

Rm 674 2

Decator School Building, West Decator, Pennsylvania, on Saturday, the 7th day of May, A.D., 1955, 7:30 o'clock P.M., for the purpose of determining the advisability and necessity of taking over said proposed road as a part of the general road system of the Township of Boggs, a copy of said notice being hereto attached and made a part hereof and marked Exhibit "A".

(2) That pursuant to said notice a meeting was held at the West Decator School Building, West Decator, on Saturday, May 7, 1955 at 7:30 o'clock P.M., when the following appearances were noted: Earl W. Smeal, Burton Davis, Williard R. Millner, Supervisors of the Road District of the Township of Boggs, together with Lorraine Hinchliffe, Secretary of the Boggs Township Road District, also Heddy Goss, David Godisart, John Bordas, George Mease, Raymond Smeal, Leonard Kyler, Walter Shaw, Goldie Eckely and Rosa Millinder, Petitioners and parties in interest, all of whom were sworn and examined by the Board of Supervisors of the Township of Boggs. There being but one objection to said proposed road by one of the abutting property owners, namely: that on the part of George Mease of West Decator, Pennsylvania.

(3) That said proposed road lies wholly within the Township of Boggs, Clearfield County, Pennsylvania, and extends over a private road which has long since been in existence and used by the general public, the same being described as follows:

Beginning at the intersection of Township Road Route 674 in the Township of Boggs and proposed road at the General Refractories Company Property in West Decator, Pennsylvania; thence extending in a southerly direction along the course of said proposed road which abutts the Tyrone-Clearfield Branch of the Pennsylvania Railroad Company on the West and the lands of the General Refractories Company, Heddy Goss, David Godisart, John Bordas, George Mease, Raymond Smeal, Leonard Kyler, Walter Smeal, Goldie Eckely, David Millinder and Walter Shaw on the East, said proposed road having a total length of nine hundred thirty-two (932) feet and twenty (20) feet in width and ending at the southern property line of Walter Shaw.

(4) That your undersigned Board of Supervisors, after hearing on said Petition and investigation made of this matter and said Board being of the opinion that said proposed road is necessary

for the accommodation and convenience of the traveling public, by virtue of the powers vested in them under the aforementioned acts of assembly, by resolution of your undersigned Board of Supervisors unanimously adopted at a special meeting held on the 20th day of May, 1955, passed an Ordinance for the laying out, opening and taking over of the aforementioned proposed road as part of the general road system of the Township of Boggs, a copy of said Ordinance being hereto annexed and made a part hereof and marked Exhibit "B". Also attached and made a part hereof is a copy of the hand bills posted at conspicuous places along said proposed road within ten (10) days after the passage of said Ordinance as required by law, marked Exhibit "C".

(5) That attached hereto and made a part hereof is a draft or survey of said proposed road that has been passed and accepted by resolution and Ordinance, duly adopted by your undersigned Supervisors of Boggs Township as a part of the general road system of said Township, showing the location of said proposed road, its over all length to be 932 feet and the width 20 feet as authorized by law, the fixed termini thereof and the property owners affected thereby.

(6) That attached hereto and made a part hereof is the Petition presented to your undersigned Supervisors of Boggs Township, requesting that the above described road be taken over as a part of the general road system of the Township of Boggs; together with releases obtained from the owners or abutting property owners of the land through which said proposed road will pass, as shown by the accompanying blue print or sketch of said proposed road hereto attached.

WHEREFORE, your undersigned Board of Supervisors of the Road District of the Township of Boggs respectfully prays to your Honorable Court to confirm this report ni. si. and that confirmation thereof be made absolute by the Clerk of the Court of Quarter Sessions of Clearfield County, Pennsylvania, as of course, unless

exceptions are filed to this report within thirty (30) days from
the ni. si. confirmation thereof, as authorized by law.

Respectfully submitted,

BOARD OF SUPERVISORS OF THE ROAD
DISTRICT OF THE TOWNSHIP OF BOGGS

BY: Willard Millner
Chairman

ATTEST:

Lorraine Hinchliffe
Secretary

Carl W. Smeal

Burtin Davis

N O T I C E

TO THE FOLLOWING PROPERTY OWNERS:

General Refractories Company
West Decator, Pennsylvania

Heddy Goss
West Decator, Pennsylvania

David Godisart
West Decator, Pennsylvania

John Bordas
West Decator, Pennsylvania

George Mease
West Decator, Pennsylvania

Raymond Smeal
West Decator, Pennsylvania

Leonard Kyler
West Decator, Pennsylvania

Walter Smeal
West Decator, Pennsylvania

Goldie Eckely
West Decator, Pennsylvania

David Millinder
West Decator, Pennsylvania

Walter Shaw
West Decator, Pennsylvania

You are hereby notified that a Petition has been presented to the Board of Supervisors of the Road District of the Township of Boggs by a majority of the property owners affected, requesting the taking over, as a part of the general road system of the Township of Boggs, a private road, long since in existence and used by the general public leading from Township Road Route 674, in the Township of Boggs to the property of Walter Shaw; said proposed road being approximately nine hundred thirty-two (932) feet in length, and that a hearing will be held in the West Decator School Building, West Decator, Pennsylvania, the customary meeting place of the Board of Supervisors of the Township of Boggs on Saturday, the 7th day of May, A.D., 1955, at 7:30 o'clock P.M., for the purpose of determining the advisability and necessity of taking over said proposed section of road as part of the general road system of the Township of Boggs, when and where you may attend with your witnesses and be heard, if they so desire.

BOARD OF SUPERVISORS OF THE ROAD
DISTRICT OF THE TOWNSHIP OF BOGGS

BY: L. Lorraine Hinchliffe
Secretary

EXHIBIT "B"

ORDINANCE NO. 1

AN ORDINANCE ESTABLISHING AND OPENING A PUBLIC ROAD IN THE
TOWNSHIP OF BOGGS, COUNTY OF CLEARFIELD AND
STATE OF PENNSYLVANIA

BE IT ORDAINED, and it is hereby enacted and ordained
by the Board of Supervisors of the Township of Boggs, County of
Clearfield and State of Pennsylvania, as follows:

SECTION 1. A Township Road is hereby established and
opened and made a part of the general road system of the Township
of Boggs.

Beginning at the intersection of Township Road
Route 674 in the Township of Boggs and proposed
road at the General Refractories Company Property
in West Decator, Pennsylvania; thence extending
in a southerly direction along the course of
said proposed road which abutts the Tyrone-
Clearfield Branch of the Pennsylvania Railroad
Company on the West and the lands of the General
Refractories Company, Heddy Goss, David Godisart,
John Bordas, George Mease, Raymond Smeal, Leonard
Kyler, Walter Smeal, Goldie Eckely, David Millin-
der and Walter Shaw on the East, said proposed
road having a total length of nine hundred thirty-
two (932) feet and a width of twenty (20) feet and
ending at the southern property line of Walter Shaw.

SECTION 2. This Ordinance shall become and hereby is
in effect upon the date hereof.

ORDAINED AND ENACTED, this 20th day of May A.D., 1955.

BOGGS TOWNSHIP BOARD OF SUPERVISORS

BY: Willard Miller
Chairman

ATTEST:

L. Lorraine Hinchliffe
Secretary

EXHIBIT "C"

N O T I C E

Notice is hereby given by the Board of Supervisors of the Road District of the Township of Boggs, Clearfield County, Pennsylvania, of the passage of an Ordinance establishing and opening the following described public road as a part of the general road system of the Township of Boggs:

Beginning at the intersection of Township Road Route 674 in the Township of Boggs and proposed road at the General Refractories Company Property in West Decator, Pennsylvania; thence extending in a southerly direction along the course of said proposed road which abutts the Tyrone-Clearfield Branch of the Pennsylvania Railroad Company on the West and the lands of the General Refractories Company, Heddy Goss, David Godisart, John Bordas, George Mease, Raymond Smeal, Leonard Kyler, Walter Smeal, Goldie Eckely, David Millinder and Walter Shaw on the East, said proposed road having a total length of nine hundred thirty-two (932) feet and a width of twenty (20) feet and ending at the southern property line of Walter Shaw.

The foregoing Ordinance establishing the public road hereinabove described as a part of the general road system of Boggs Township, was enacted by the Board of Supervisors of the Road District of the Township of Boggs on the 20th day of May A.D., 1955.

BOARD OF SUPERVISORS OF BOGGS TOWNSHIP

BY: Willard Mullner
Earl W. Smeal
Burton Harris
Supervisors

WEST DECATUR, IN BOGGS TOWNSHIP,
CLEARFIELD COUNTY----- PENNSYLVANIA,

TO THE BOARD OF SUPERVISORS,
BOGGS TOWNSHIP, CLEARFIELD COUNTY,
STATE OF PENNSYLVANIA,

WE THE UNDERSIGNED: All voters of the Township of Boggs,
hereby petition the board of SUPERVISORS, to take over and keep
and maintain as a public road, The present private road now known
as Rail Road Street, in the Village of WEST DECATUR, in said Town
ship, SAID ROAD leading from the old road to Clearfield to the
Base Ball Field, in said Village,

Raymond Sygal
Willie Eckley Jr.
David Goddard
Leonard E. Sygal
Arnold Smeal
Thomas Smeal
Walter Smeal
John Bordas
Wayton Goss
Clifford Baughman
T. L. Baughman
Leonard Smeal
Robert Smeal
Francis C. McClure
Goldie Eckley
Oliver R. Smeal
Leonard R. Smeal
Max Leonard Kyle
Wayne R. Shaw
William B. Dixon
Clair Ritchey
Emma M. Eckley
Alfred Goddard
Murray Drake
Meriel Altonbraker
Clair Fleck

Leo M. Thompson
Alvy Turner
James F. McClure
Russell Droll
Melvin Mason
W. J. Kelley
Harold Innes
Melvin Kimmel
William Wolfe
Norman Spitzer
Bernie Spitzer
James Weaver
Wesley Michaels
Albert Kester
C. B. Page
Carl L. Shwarts
William Sygal
Born Michaels
James D. Kyle
Harry Hurst
Lester L. Bryan
G. E. McClure
Russell Hurst
Darwin Mease
Charles Seimeling
Irving Weaver
Eleanor L. McClure

NOTICE OF THE TAKING OVER OF PRIVATE ROAD AS
PART OF THE GENERAL ROAD SYSTEM BY A
RESOLUTION OF THE SUPERVISORS OF
THE TOWNSHIP OF BOGGS

You are hereby notified that the report of the Supervisors of the Road District of the Township of Boggs was filed and confirmed n.i.s.i. by the Court of Quarter Sessions of Clearfield County, Penna., on February 2, 1956, in conformity with the provisions of the Act of Assembly of July 20, 1953, P.E. 511., Sec. 1102 (a) in such case made and provided, authorizing the taking over as a part of the general road system of the Township of Boggs, a certain private road in Boggs Township:-

Beginning at the intersection of Township Road Route 674 with proposed road, on property of the General Refractories Company in West Decator; thence extending in a southerly direction along the courses and distances of said proposed road which abutts the Tyrone-Clearfield Branch of the Pennsylvania Railroad Co., on the West and the lands of the General Refractories Co, Heddy Goss, David Godisart, John Bordas, George Mease, Raymond Smeal, Leonard Kyler, Walter Smeal, Goldie Eckley, David Millinder and Walter Shaw on the East; said proposed road being 932 feet in length and 20 feet in width and ending at the southern property line of Walter Shaw.

And unless exceptions are filed to the aforementioned report of the Supervisors of the Road District of the Township of Boggs within 30 days from the date of the filing thereof, the same will be confirmed absolutely by the Court.

Supervisors of the Road District
of the Township of Boggs

By A. B. Shaw Solicitor

STATE OF PENNSYLVANIA : SS
COUNTY OF CLEARFIELD :

Before me, the subscriber, personally appeared A.B. Shaw, Solicitor for the Boggs Township Road District, who being duly sworn according to law deposes and says that he served a copy of the above notice on George Mease, one of the property owners affected by the taking over of the above mentioned private road as part of the general road system of the Township of Boggs, by mailing a true and attested copy thereof by registered mail to George B. Mease, West Decator, Pa, return receipt requested, which said notice was duly served upon George B. Mease by the postal authorities on Feb. 7, 1956, as evidenced by the return receipt, hereto attached and made a part hereof.

Sworn and subscribed before me
this 11th day of March, A.D., 1956.

A. B. Shaw
Solicitor for Boggs Township
Road District

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

IN RE: LAYING OUT AND OPENING :
OF TOWNSHIP ROAD IN BOGGS: No. 3 ~~SEPTEMBER~~ SESSIONS, 1955
TOWNSHIP, CLEARFIELD :
COUNTY, PENNSYLVANIA. :

REPORT OF BOARD OF SUPERVISORS OF THE
ROAD DISTRICT OF THE TOWNSHIP OF
BOGGS, CLEARFIELD COUNTY, PENNSYLVANIA

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

We, the undersigned duly elected and qualified Supervisors of the Road District of the Township of Boggs, Clearfield County, Pennsylvania, upon the Petition of the property owners affected and other parties in interest, requesting that the Supervisors of Boggs Township take over, as a part of the general road system of the Township of Boggs, a private road long since in existence and used by the general public, the said road being hereinafter more specifically described, and in conformity with the provisions of the Act of Assembly of July twentieth, 1953, P.L. 511, (P.S. 53, Section 19093-1101 and 1102) in such case made and provided, do hereby make a report as follows:

(1) That your undersigned Board of Supervisors of the Road District of the Township of Boggs, Clearfield County, Pennsylvania, pursuant to the provisions of the Act of Assembly of 1953, P.L. 511, Section 1102 (a) (53 P.S. 19093-1102) (a), gave ten (10) days written notice to the property owners affected thereby, namely: General Refractories Company, West Decator, Pennsylvania, Heddy Goss, West Decator, Pennsylvania, David Godisart, West Decator, Pennsylvania, John Bordas, West Decator, Pennsylvania, George Mease, West Decator, Pennsylvania, Raymond Smeal, West Decator, Pennsylvania, Leonard Kyler, West Decator, Pennsylvania, Walter Smeal, West Decator, Pennsylvania, Goldie Eckely, West Decator, Pennsylvania, David Millinder, West Decator, Pennsylvania, and Walter Shaw, West Decator, Pennsylvania, that a meeting or hearing would be held at the West