

ROAD DOCKET

DOCKET NO. 7

| NUMBER | TERM | YEAR |
|--------|------------|------|
| 1 | Feb. Spec. | 1956 |

To view and Lay out a Road for Public
use in the Township of Gulich, Clear-
field County.

VERSUS

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 19th day of March, A.D., 1956, to view and lay out, in the alternative, a public road in the Township of Gulich, Clearfield County, Pennsylvania, the one proposed route having its beginning in the village of Almaden in said Township of Gulich; thence extending in a southerly direction to Highway Route #353, leading from Ginter to the Triangle, the other proposed route to likewise have its beginning in the village of Almaden in said Township of Gulich; thence extending in a northerly direction to Highway Route #253, leading from the Gonder residence to the village of Almaden in the Township of Gulich, aforesaid, whichever route would be the most practical and advantageous, either of said proposed routes having an overall length of approximately one-half mile, will meet in the village of Almaden in the Township of Gulich, on Wednesday the 9th day of May, A.D., 1956, at 10:30 o'clock A.M. (DST) to attend the duties assigned them, at which time and place all parties interested in said proposed 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 Court House at Clearfield, Pennsylvania, on Friday the 11th day of May, A.D., 1956, at 10:30 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. Gery
Clerk

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

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 19th day of March, A.D., 1956, to view and lay out, in the alternative, a public road in the Township of Gulich, Clearfield County, Pennsylvania, the one proposed route having its beginning in the village of Almaden in said Township of Gulich; thence extending in a southerly direction to Highway Route #353, leading from Ginter to the Triangle, the other proposed route to likewise have its beginning in the village of Almaden in said Township of Gulich; thence extending in a northerly direction to Highway Route #253, leading from the Gonder residence to the village of Almaden in the Township of Gulich, aforesaid, whichever route would be the most practical and advantageous, either of said proposed routes having an overall length of approximately one-half mile, will meet in the village of Almaden in the Township of Gulich, on Wednesday the 9th day of May, A.D., 1956, at 10:30 o'clock A.M. (DST) to attend the duties assigned them, at which time and place all parties interested in said proposed 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 Court House at Clearfield, Pennsylvania, on Friday the 11th day of May, A.D., 1956, at 10:30 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 the Township of Gulich.

John Kandrach
Secretary

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, in the alternative, a public road in the Township of Gulich, Clearfield County, Pennsylvania, the one proposed route having its beginning in the Village of Almaden in said Township of Gulich; thence extending in a southerly direction to Highway Route #353, leading from Ginter to the triangle; the other proposed route to likewise have its beginning in the Village of Almaden in said Township of Gulich; thence extending in a northerly direction to Highway Route #253, leading from the Gonder residence to the Village of Almaden in Gulich Township, aforesaid, whichever route would be the most practical and advantageous, either route having an overall length of approximately one-half mile, will meet in the Village of Almaden in the Township of Gulich, on Wednesday the 9th day of May, A.D., 1956, at 10:30 o'clock A.M. (DST), to attend the duties assigned them, at which time and place all parties interested in said proposed 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 COURT HOUSE AT CLEARFIELD, PENNSYLVANIA, ON FRIDAY THE 11th DAY OF MAY, A.D., 1956, at 10:30 O'CLOCK A.M. (DST) AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID ROAD MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A. B. SHAW

GUY HEIL

T. C. McGARVEY

VIEWER'S

April 28, 1956

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

Gulich and that three 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 Arbitration Room, at the Court House, in Clearfield, Pa., on the 11th day of May, 1926, at 10:30 o'clock A M. ^(DST) 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 Wasco Garbinsky, John Witosky, Alex Betza, Frank Gemerek and Victor Strutzel, Supervisors of Gulich Township.

Grand Jury
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: John Harrington, John Saupp, Wasco Betza, Wm Smith, Mike Saupp, also Victor Strutzel and Frank Gemerick, Supervisors of Gulich Township

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is 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 Public use the following described road, to wit Beginning Beginning at point of intersection of State Highway Route No. 353, leading from Ginter to the Triangle, with private road leading to the village of Almaden, at or near the Schrock residence; thence extending along said private its several courses and distances in a general northeasterly direction a distance of 2779 feet and ending on improved Township Road in the village of Almaden, Gulich Township, Clearfield County, Pennsylvania.

The proposed road is laid out over a private road, having a width of 24 feet and over dedicated streets, having widths of 24 to 50 feet, long since in existance and used by the petitioners and residents of this area. That for the past 30 years or more the individual property owners served by said private road and dedicated streets which lead from their residences in the village or vicinity of Almaden to the main highway, have maintained and kept the same in repair for themselves, as well as, for the traveling public, to the best of their ability.

That ten or more families living in the village of Almaden or vicinity thereof, find said private road impassible during certain seasons of the year, because of its bad state of repair and lack of proper drainage.

That the abutting property owners and others served by said private road and dedicated streets which comprises a part thereof, are unable individually to adequately maintain said private road by giving it the proper grading and drainage required and since the aforementioned proposed road is necessary for the persons living in this area who will be specially benefited thereby, as well as, for the accomodation and

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 19th day of March 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 your petitioners~~
under great inconvenience for want of a public road or highway, leading from the Village of Almaden to either Route 353 leading from Ginter to the Triangle, or the alternative Route 253 leading from the Gonder residence to the Village of Almaden, in Gulich Township aforesaid each of said roads being approximately one-half 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 & T.E. 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, ~~by~~ 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. Hogearty, Clerk.

ORDER

To view and Lay out a
road for public use in the
township of Gulich
Clearfield County

Feb. Spec. Sessions, 19 56

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. H. H.
5/12/57 Final
confirmed by the Court
John P. H. H.
P. J.

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 | AM'T. |
|----------------|------|-------|-------|
| A. B. Shaw | 3 | 64 | 33.20 |
| Huy Heil | 3 | 100 | 35.00 |
| T. B. McGarvey | 2 | 130 | 26.50 |
| | | | |
| | | | |



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 aforesaid.

Witness our hands and seals this day of

Seal
Seal
Seal
Seal

opening of the road
Witness our hands and seals

convenience of the traveling public, the same should be taken over as a part of the general road system of the township of Gulich.

That the taking over of said private road and dedicated streets which make up said newly proposed road, as laid out by your undersigned Viewer's is agreeable to the Supervisors of the Road District of the Township of Gulich and according to the petitioners and testimony offered before your Board of Viewer's, said proposed road is necessary for the accomodation and convenience of the travel public and in view of these facts, your undersigned Viewer's that the same be taken over as a part of the general road system of the Township of Gulich and maintained 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~~ ^{excepting} ~~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

Proposed road is laid out over a private road or dedicated streets, long since in existance and used by the residents of this community, and since the benefits to the abutting property owners would exceed ~~exceed~~ and damages caused by the construction of said road, no releases were necessary.

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~~ ^{releases obtained} and copy of the n

WITNESS our hands and seals this 27th

A. D. 1936.

Day of December
Location and

In re: Public Road in the : In the Court of Quarter Sessions
Township of Gulich. : of Clearfield County, Pennsylvania.
: NO. 1 MAY 25, 1956.
: Feb. Special

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 Almaden 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 Almaden to either Route 353 leading from Ginter to the Triangle, or the alternative Route 253 leading from the Gonder residence to the Village of Almaden, in Gulich Township aforesaid: each of said roads being approximately one-half mile in length.

3. That the present outlets, existing roads and paths traversed in going to and from the improved roads leading to schools, churches, professional offices and business places are unkept, muddy and impassable during 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.

Victor Struthel
Frank J. Gmerek
Raymond Barts

| | |
|---------------------------------|--------------------|
| John Saupp | Leonard J. Slipko |
| William M. Smith | George Coval |
| John B. Harington | Wasco C. Betza |
| John ^{Roberts} Robello | Wasco Loshinsky |
| John Finch | Benben Tot |
| John Wytosky | Robert Rosewicz |
| Michael Seruch | Elmer S. Glinisky |
| Wasco Garbinsky | Ralph David |
| Gene Lutz | John Rusnok |
| Charles H. Gardner | Mike Fallick |
| Alex Betza | Peter Bungo |
| Matthew Belin | Michael Bergonsky |
| Karl Schriener | Wasco Selon |
| Camille Morroni | James McHugh |
| George Dupena | Steve Krasa |
| William M. Kobosko | Mike Strongosky |
| Wasco Mihalcko | Michael Hochman |
| Anna M. Hillman | John Bergonsky |
| Andrew Kost | John Temchack |
| Alex Kislack | Catherine E. Kozak |
| Dr. R. L. Williams | |
| Val Murawski | |
| Metro Moskel | |
| Lester Murawski | |
| Thomas Brennan | |
| Thomas A. Rabal | |
| Tony Cocoa | |
| Mike Lucas | |
| Stanley Frankrich | |
| Douglas Chenchovich | |

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS,

On this 14th day of March, 1956, personally appeared before me, the subscriber, a Notary Public in and for said County and State, John Saupp, one of the within named petitioners, who being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct.

John Saupp

Sworn and subscribed before me,
this 14th day of March, 1956.

Kathryn L. Scollins

NOTARY PUBLIC
My Commission Expires March 9, 1959

DECREE.

AND NOW, to-wit: this 19 day of March A.D. 1956, on motion of John Scollins, Attorney for petitioners, the Court appoint AR Shaw, Guy Neil, J. W. Harvey 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 at the next Term of Court.

BY THE COURT

John King
President Judge.