

ROAD
DOCKET NO. 7

NUMBER	TERM	YEAR
1	NOVEMBER	1957

COOPER TOWNSHIP. PETITION OF
GEORGE WILLIAMS TO ASSESS DAMAGES

VERSUS

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

In re:

No.

Acceptance of Dedicated Streets, : Sessions, 1957.
Lanes and Alleys in the Village :
of "Almaden", as Public Roads :
in Gulich Township. :
✓

PETITION.

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

The petition of Raymond Barto, Frank Gmerek and
Victor Strutzel respectfully represents:

1. That your petitioners are the duly qualified Supervisors of Gulich Township, Clearfield County, Pennsylvania, a township of the second class.

2. That on the first day of October, 1901, the Kittanning Coal Company, laid out the Village of Almaden in town lots, abutting streets and alleys dedicated to public use, a blue print thereof, marked Exhibit "A", is hereto attached and made a part hereof.

3. That the lately developed section of the Eureka No. 28 section of the Village of Almaden has become populated as a residential community and the residents thereof have petitioned the Board of Supervisors to accept as part of the public road system of Gulich Township, the following described sections thereof, to wit:

Beginning at a point in the Southern line of Fourth (4th) Avenue extended: thence running North 45 degrees 17 minutes East, 33 feet in width, two hundred and thirty-eight and five-tenths (238.5) feet to a post in the centre line thereof; thence by a 31-degree curve to the right with a radius of 187.13 feet, two hundred fifty-two and three-tenths (252.3) feet to a post and ending in Township Road running South 56 degrees 30 minutes East, laid out at No. 1, February Sess., Special, 1956, in the Court of Quarter Sessions of Clearfield County, (formerly a private road leading from Chestnut Street, now State Improved Highway No. 353, at Eureka No. 28 School House) in the Village of Almaden, aforesaid,

according to the plan of said road as surveyed by Roy C. Kindig, Engineer, marked Exhibit "B" hereto attached and made a part hereof.

4. That all of the said public road is located wholly within Gulich Township.

5. That the acceptance of said road would be of benefit to Gulich Township and necessary for the accomodation of the traveling public; that the proposed public road is within the confines of dedicated streets and alleys, and have long since been opened for public use; and that the benefits accruing to the abutting property owners exceed any disadvantages to the users thereof, and the petitioners agreed to waive, re-lease, quit-claim and discharge the Township of Gulich, the County of Clearfield and Commonwealth of Pennsylvania, of and from all manner of damages, actions or accounts, for or on account of ordaining and accepting said streets, lanes and alleys as part of the public system of highways of the Township of Gulich.

6. Attached hereto and made a part hereof is a certified copy of a resolution adopted by the Board of Supervisors of Gulich Township, accepting 33 feet in width, $16\frac{1}{2}$ feet on either side of the centre lines of said streets, lanes and alleys as part of the public road system of Gulich Township.

WHEREFORE, your petitioners request that your Honorable Court consent to the acceptance of rights of way, 33 feet in width, beginning at a point in the Southern line of Fourth (4th) Avenue extended: thence running North 45 degrees 17 minutes East, two hundred and thirty-eight and five-tenths (238.5) feet to a post in the centre line thereof; thence by a 31-degree curve to the right with a radius of 187.13 feet, two hundred fifty-two and three-tenths (252.3) feet to a post and ending

in Township Road running South 56 degrees 30 minutes East,
laid out at No. 1, February Sess., Special, 1956, in the Court
of Quarter Sessions of Clearfield County, as shown on the
attached plan thereof, marked Exhibit "B", by endorsing your
consent thereto. as provided by the Second Class Township
Code (53 P.S. 19093-1147) as amended.

And they will ever pray.



Attest:

John Kandach
Secretary.

Raymond Barto
Chairman
Victor Strzel
Frank J. Gmerek
Supervisors of the Township of Gulich.

AFFIDAVIT.

State of Pennsylvania:

: ss:

County of Clearfield :

John Kandach, one of the within
named petitioners, being duly sworn according to law, deposes
and says that the facts and averments in the within petition
are true and correct.

And further saith not.

Sworn and subscribed to before me, this 7th day
of December, 1957.

Kathryn L. Collins
NOTARY PUBLIC
My Commission Expires March 9, 1959

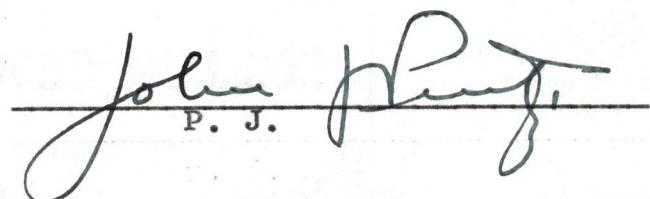
IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: ASSESSMENT OF DAMAGES :
TO PROPERTY OF GEORGE WILLIAMS OF :
COOPER TOWNSHIP, CLEARFIELD COUNTY, :
PENNSYLVANIA : No. November Session,
: 1957

O R D E R

NOW, February 21st, 1958, a stipulation having been agreed upon and executed by and between John B. Gates, attorney for George Williams and Eugene G. Kitko, attorney for the Department of Highways of the Commonwealth of Pennsylvania, approving the award of the Viewers appointed in the said proceedings, avering that no appeal is contemplated and waiving the time for appeal on the part of the said George Williams and the Department of Highways of the Commonwealth of Pennsylvania and requesting that the Viewers' report and award of damages be confirmed absolutely by this COURT; it is therefore ordered and decreed that the stipulation be approved and that in accordance with the said stipulation the Viewers' report and award of damages in these proceedings be and is hereby confirmed absolutely.

BY THE COURT


John B. Gates
P. J.

FILED
FEB 21 1958
W.M. T. HAGERTY CLERK

The TOWNSHIP OF GULICH, SS:

I HEREBY CERTIFY that the following is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Gulich Township, Clearfield County, Pennsylvania, at a regular meeting of said Board held *Dec. 2, 1957*

WHEREAS, the residents and property owners of the lately populated section of Almaden have petitioned the Board of Supervisors to accept as part of the public road system of Gulich Township, the hereinafter described dedicated streets, lanes and alleys; and

WHEREAS, the following described Streets and Alleys were dedicated for public use as streets, lanes, roads and alleys of the Village of "Almaden" (Ginter, P.O.) located in the Township of Gulich by the Kittanning Coal Company, original grantor, a blue print thereof, marked Exhibit "A" is hereto attached and made a part hereof: Now therefore

BE IT RESOLVED that beginning at a point in the Southern line of Fourth (4th) Avenue extended: thence running North 45 degrees 17 minutes East, 33 feet in width, two hundred and thirty-eight and five-tenths (238.5) feet to a post in the centre line thereof; thence by a 31-degree curve to the right with a radius of 187.13 feet, two hundred fifty-two and three-tenths (252.3) feet to a post and ending in Township Road running South 56 degrees 30 minutes East, laid out at No. 1, February Sess., Special, 1956, in the Court of Quarter Sessions of Clearfield County, (formerly a private road leading from Chestnut Street, now State Improved Highway No. 353, at Eureka No. 28 School House) in the Village of Almaden, aforesaid, according to the plan of said road as surveyed by Roy C. Kindig, Engineer, marked Exhibit "B" hereto attached and made a part hereof, be and the same is accepted and incorporated into the system of Township Roads of the Township of Gulich: subject to the consent of the Court of Quarter Sessions of Clearfield County, Pennsylvania, to be endorsed thereon.

Certified from the records, this

John Kandach
Secretary of the Board of
Supervisors of the Township
of Gulich.

(SEAL)



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

In re:

No.

Acceptance of dedicated streets, : Sessions, 1957.
lanes and alleys in the Village :
of "Almaden" as a Public Road :
in the Township of Gulich. :

ORDER OF COURT.

AND NOW, to wit: this 9th day of February,

1957, the within petition and exhibits of the Board of Supervisors of Gulich Township having been presented, read and considered; and it appearing that on October 1, 1901, the Kittanning Coal Company laid out the Village of Almaden in town lots, with abutting streets and alleys dedicated to public use, according to a blue-print thereof marked Exhibit "A" and hereto attached; that the lately developed section of Eureka No. 28 of the said Village has become populated as a residential community and the residents thereof have petitioned the Board of Supervisors to accept as part of the public road system of Gulich Township, to wit: Beginning at a point in the Southern line of Fourth (4th) Avenue extended: thence running North 45 degrees 17 minutes East, 33 feet in width, two hundred and thirty-eight and five-tenths (238.5) feet to a post in the centre line thereof; thence by a 31-degree curve to the right with a radius of 187.13 feet, two hundred fifty-two and three-tenths (252.3) feet to a post and ending in Township Road running South 56 degrees 30 minutes East, laid out at No. 1, February Sess., Special, 1956 in the Court of Quarter Sessions of Clearfield County, (formerly a private road leading from Chestnut Street, now State Highway No. 353, at Eureka No. 28 School House) in the Village of Almaden aforesaid, according to the plan of the proposed township road, as surveyed by Roy C. Kindig, Engineer, marked Exhibit

"B" as a Township Road, the consent of the Court of Quarter Sessions of Clearfield County is hereby given, and shall be so recorded in the Office of the Clerk of Quarter Sessions of Clearfield County.

BY THE COURT

John Peet
President Judge.

✓

3. After the View and Hearing aforesaid, your Board makes the following findings of fact:

A.- That the Petitioner is the owner of a 10-acre tract of land, situate in Cooper Township, Clearfield County, improved with a Gas Service, Station, Fruit Stand, Strawberry Beds and Fruit Trees, and a Dwelling-house.

B.- That State Highway Route 53 which in part extends from the Village of Kylertown to the Centre County Line was re-located, re-constructed and improved following condemnation and Survey in 1955, as shown on the Map thereof hereto attached and made a part hereof.

C.- That in the re-construction and improvement of said Highway, one and one-tenths (1.1) acres of Petitioner's land cultivated for the production of strawberries and fruit was taken; and the relocating of said Highway has changed the grades and approaches to Petitioner's dwelling-house and business locations, requiring enlargement of culverts, and the concentration of surface waters on and over Petitioner's fruit-producing land lying to the South of said Highway.

D.- Petitioner claims damage for the taking of his land cultivated for the production of fruit and strawberries, and interruption and loss of business, as well as inconvenience in the approaches to his property, and alleges a loss of \$5500. in the depreciated value of his property, based at \$10,000 prior to the condemnation and \$4,500 after condemnation, or a loss of \$5500.00.

E.- Robert M. Hershey, Realtor, of Clearfield, Pa., witness in behalf of the Petitioner, appraised Petitioner's damage at \$4,638.00.

F.- On behalf of the Department of Highways of the Commonwealth Charles Woodring, a Licensed Real Estate Broker of State College, Pa., and Herman C. McCloud, Realtor, of Clearfield, Pa., appeared and testified to the value of the property, both before and after re-construction of said Highway Route 53; the former, Mr. Woodring, being of the opinion that the property was damaged to the extent of \$2155.00; and the latter, Mr. McCloud gave like testimony, being of the opinion that the damages suffered was \$2175.00.

G.- Robert S. Kepner, in the Engineering Department of the District Office was examined as to the changes in the elevation of the Highway, and the provisions for drainage, as well as the angles of the approaches to the property, averring that it was not necessary to move Petitioner's Gas Service Station to the new location, except for the benefit of Petitioner's business.

H.- H. F. Bigler, Jr., on direct- and Hugh Milligan as of cross- examination, testified to the location of Petitioner's Gas Pumps within the ultimate right-of-way lines of Route 53.

4. After viewing the premises and exhibits and hearing proofs and allegations, on behalf of both the Petitioner and the Department of Highways, and taking into consideration the benefits accruing to Petitioner's property your Board of Viewers concludes that Petitioner has been damaged in the amount of \$2450.00, which amount is awarded to the petitioner, George Williams, and assessed against the Pennsylvania Department of Highways.

Witness our hands and seals, this 25th day of January, A.D. 1958.

John Scallion (SEAL)

Ben J. Lough (SEAL)

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: ASSESSMENT OF DAMAGES :
TO PROPERTY OF GEORGE WILLIAMS OF
COOPER TOWNSHIP, CLEARFIELD COUNTY, :
PENNSYLVANIA :
: No. 1 November Session, 1957

S T I P U L A T I O N

It is stipulated by and between John B. Gates, attorney for George Williams, and Eugene Kitko, attorney for the Department of Highways of the Commonwealth of Pennsylvania, as follows:

1. That the above captioned proceedings for assessment of damages was filed in the Court of Quarter Sessions of Clearfield County, Pennsylvania by George Williams.

2. That by Order of Court dated November 7, 1957, John Scollins, Esquire, Guy A. Heil and Benjamin Hughes were appointed Viewers to go upon the premises described in the said action and after view and hearing to determine and to assess any damages sustained by reason of the construction and improvement of State Highway Route No. 53 through the premises in question of George Williams.

3. That the Viewers appointed by the Order of Court, dated November 7, 1957 held a view on the premises on Friday, January 3, 1958 at 2:30 P. M. and in addition held a public hearing in accordance with the Act of Assembly in the Grand Jury room on Monday, January 6, 1958 at 10:30 A. M.

4. That proper notice of the view and hearing were given by the Viewers in accordance with the rules of Court and the Act of Assembly.

5. That the Viewers filed with the Court of Quarter Sessions of Clearfield County their report and award, assessing damages to the property of George Williams situate in the Township of Cooper, Clearfield County, Pennsylvania, in the sum of Two thousand four hundred fifty (\$2,450.00) Dollars.

6. That no appeal is contemplated by George Williams or the Department of Highways of the Commonwealth of Pennsylvania to the report and award of the Viewers mentioned above.

7. The purpose of this stipulation is to waive the time for appeal of the said George Williams and the Department of Highways of the Commonwealth of Pennsylvania and request that the Viewers report and award of damages be confirmed absolutely by the Court of Quarter Sessions of Clearfield County.

8. That John B. Gates, attorney at law, is the attorney appearing of record in the above proceedings for George Williams and that Eugene G. Kitko is the attorney appearing of record for the Department of Highways of the Commonwealth of Pennsylvania.

9. That attached to this stipulation is a copy of the award of the Viewers appointed in the above captioned proceedings.

John B. Gates
John B. Gates, attorney for
George Williams

Eugene G. Kitko
Eugene G. Kitko, attorney for
Department of Highways of the
Commonwealth of Pennsylvania

February , 1958.

RETURN OF VIEWERS.

To the Honorable John J. Pentz, President Judge of the Court of Quarter Sessions in and for the County of Clearfield:

We, the undersigned Viewers, duly appointed by your Honorable Court by the attached 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:

1. That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, the Board of Supervisors of the Township of Cooper, and the District Office of the Pennsylvania Department of Highways, Clearfield, Pa., and that three notices thereof were posted upon the property that the said view would be held on the 3rd day of January, A.D. 1958 at 2:30 P.M., That the three Viewers appointed by said order viewed the ground, and that there were present at the view: George Williams, Petitioner; John B. Gates, his Counsel; Harry Fred Bigler, Jr., Hugh Milligan, Robert Kepner of the District Office of the Department of Highways, and Eugene Kitko, Esq., Counsel; and Charles Simcox, George Marcinko and John Kovash, Supervisors of Cooper Township, parties in interest.

2. That the hearing was held in the Grand Jury Room, in the Court House, at Clearfield, Pa., on Monday, January 6th, 1958 at 10:30 o'clock, A.M., when the following appearances were noted: George Williams, Petitioner; John B. Gates, Esq., Counsel; and Robert M. Hershey, witness in behalf of Petitioner.

Eugene Kitko, Esq., Counsel; Harry F. Kepner, Hugh Milligan, of the District Office of Highways; and Charles Woodring and C. McCloud, witnesses in behalf of the Commonwealth. C. McCloud, witness examined and cross-examined by Counsel for whom were present Bigler, Jr., Robert S. S. Horn, Board.

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 12th day of November in the year of our Lord one thousand nine hundred and Fifty seven.

George Williams,

Judge of the same Court: Upon the petition of ~~sundry in~~ ~~habitants~~ of the Township of Cooper

in said County, setting forth that by reason of a recently constructed said highway has reduced the value of the land of George Williams and prays that Viewers be appointed to ascertain the extent of the damage sustained by him according to law, BOUNDED on the North by lands of Victor Rydberg; on the East by lands of Arthur Brown; on the South by lands of James and William Pearce; and on the West by lands of Julia Thompson and Alfred Brown, Containing ten acres, more or less and being the same premises recorded in Deed Book 6, page 99 and Deed Book 11, page 140, and the same premises which D. P. Yocum and wife by deed dated July 9, 1931 and recorded book 299, pg 107 conveyed to Geo. Williams and Clarence Brown.

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 John Scollins,

Guy A. Heil and Benjamin Hughes

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.

John J. Pentz,

John J. Hagerty, Clerk.

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 _____ notices thereof were posted along the route ~~of the proposed road~~, that the said view would be held on the _____ day of _____ A. D. 192____, and the hearing to be held in the ~~Arbitration Room~~, at the Court House, in Clearfield, Pa., on the _____ day of _____, 192____, at _____ o'clock M. That _____ viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view _____

parties in interest. That the hearing was held in the ~~Arbitration Room~~, in the Court House, at Clearfield, Pa., on the _____ day of _____ A. D. 192____, when the following appearances were noted: _____

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, ~~do agree that there is~~ occasion for a road as desired by the petitioner; and that the same is ~~not~~ necessary for a ~~shortest~~ 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 _____



No. 1 November Sessions, 1

ORDER

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.
John Scollins	4	21	44.55
Guy C. Heil	2	121	26.05
Benj. Hughes	2	21	24.55

To view and assess Damag
road star
township of Cooper
Clearfield County to George
Williams. *A. E. W. Sessions, J.*

road star
township of Cooper
Clearfield County to George
Williams. *J. W. Williams*

road star
township of Cooper
Clearfield County to George
Williams. *J. W. Williams*



W.M. T. HAGERTY
CLERK

John B. Gates, Attorney

Filed

Fees \$1.25 paid by

Feb 10, 1958 Notice of filing received
by the B. S. C.
Reviewers
Guy C. Heil
Benj. Hughes
Not for filing.

Feb 21, 1958

Confirmed absolutely
By Order of Court
filed.

Wm. T. Hagerthy
Clerk of Courts

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 af 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*

© 22

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: To George Williams, \$2450.00, as herein stated

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

WITNESS our hands and seals this 25th day of January
A. D. 1928.

John Scollar *Seal*
Aug. 7/19 *Seal*
Ben Hough *Seal*
Seal

NOW, November 7th, 1957, the within petition having been read and considered and it appearing that the petitioner is seized of real estate in the Township of Cooper and that the Pennsylvania Department of Highways are improving and constructing a highway through the petitioners' land, it is on motion of John B. Gates, Esq., attorney for the petitioner, ordered and decreed that John Scollins, Guy A. Heil and Benjamin Hughes are hereby appointed Viewers to go upon the premises mentioned and described in the said petition and after view and hearing to determine and to assess any damages sustained by reason of the construction and improvement of the highway as herein averred and to make a report thereof.

BY THE COURT

s/ John S. PENTZ
P. J.

4. That the said road or highway extends through your petitioner's property and being a distance of five hundred forty five (545) feet, more or less on the northern side of the highway and approximately one thousand seventy five (1,075) feet on the southern side of said highway at various and diverse depths, taking approximately one and one tenth (1.1) acres of the petitioners land for right of way, and also causing the damage hereinafter complained of.

5. That the property of your petitioner has been damaged by reason of the construction of the said highway and its value lessened in the following respects:

a. By the taking of one and one tenth (1.1) acres as described in paragraph 4, above.

b. By the taking of valuable strawberry beds located on the southern part of the right of way condemned by the State Highway Department.

c. By the destruction and removal of ~~3~~ or more fruit and shade trees.

d. By construction of a ravine between the property of your petitioner and the travel portion of the state highway.

e. By the relocation and grading of approaches to the dwelling of the petitioner and which deprives your petitioner of valuable frontage along the said highway.

f. That the taking of the petitioners property has deprived him of valuable income from the strawberry business which he has conducted for a period of fifteen or more years and which beds have been destroyed and taken for right of way by the said State Highway Department.

g. That the said taking by the said State Highway Department and the grading of the said highway has reduced the value of the lands to the south of the said right of way for building lots.

h. That the said taking has reduced the value of the dwelling house and home of the petitioner.

i. That the land lying south of the right of way will be damaged and lessened in value by virtue of the drains concentrating the force of surface water on and over lots lying south of the right of way.

6. That no compensation has been paid or given to your petitioner by reason of said damage, nor has your petitioner secured any compensation for the same.

WHEREFORE, your petitioner prays that Viewers be appointed to ascertain and determine the extent of the damage sustained by him according to law.

And he ~~as~~ will ever pray.

George Williams
George Williams

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS :
:

Personally appeared before me, a
in the County and State aforesaid, George Williams, who,
being duly sworn according to law, deposes and says that the
facts set forth in the foregoing petition are true and
correct to the best of my knowledge, information and belief.

George Williams
George Williams

Sworn to and subscribed
before me this 2 day
of November 1957.

Wm T. HAGERTY
PROTHONOTARY

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: ASSESSMENT OF DAMAGES :
TO PROPERTY OF GEORGE WILLIAMS OF : No./ November Session 1957
COOPER TOWNSHIP, CLEARFIELD COUNTY, :
PENNSYLVANIA. :
:

P E T I T I O N

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

The petition of George Williams, resident of Cooper Township, Clearfield County, Pennsylvania, respectfully represents:

1. That your petitioner is the owner of a certain tract of land situate in Cooper Township, Clearfield County, Pennsylvania, with improvements thereon, conveyed to him and his deceased wife, Ruth Williams, by the deed of Clarence Brown et al, said deed being dated June 13, 1936 and recorded in Clearfield, Pennsylvania, in Deed Book 313, page 65, and described as follows:

BOUNDED on the North by lands of Victor Rydberg; on the East by lands of Arthur Brown; on the South by lands of James and William Pearce; and on the West by lands of Julia Thompson and Alfred Brown, Containing ten acres, more or less and being the same premises recorded in Deed Book 6, page 99 and Deed Book 11, page 140, and the same premises which D. P. Yocum and wife by deed dated July 9th, 1931 and recorded in Deed Book 299, page 107 conveyed to George Williams and Clarence Brown.

2. That Ruth Williams died June 7, 1956 and the premises described above did thereby vest in George Williams, the surviving spouse and petitioner herein.

3. That the Highway Department of the Commonwealth of Pennsylvania has recently constructed and improved the Highway, known as State Highway Route No. 539 and which Highway in part extends from the Village of Kylertown to the Village of Black Moshannon through the Township of Cooper to the Centre County line.

AT THE END OF THE DAY, THE COUPLES TO ENJOYED SPENDING TIME WITH THEIR LOVED ONES.

RECORDED AND INDEXED
NOVEMBER TWENTY-THREE, ONE THOUSAND EIGHTY-THREE
BY THE LIBRARY OF THE STATE OF CALIFORNIA
AT SACRAMENTO

癸卯正月次夜