

No. 1 February SS. 1958

~~COMMONWEALTH~~

~~STATE~~

In Re: Vacation of Abandoned
State Highways in Huston Township,
Clearfield County, Pennsylvania

Charge

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

In Re: Vacation of abandoned :
State Highways in Huston Township, : No. February Sessions, 1958
Clearfield County, Pennsylvania :

P E T I T I O N

The Petition of the Huston Township Supervisors respectfully represents:

(1). That the undersigned are the duly elected Supervisors of Huston Township, Clearfield County, Pennsylvania.

(2). That in the year 1940 The Pennsylvania Department of Highways abandoned certain sections of State Highway Route 17092, within Huston Township, between Station 172.87 and 191.77, the same being curves that were eliminated in the improvement of the said State Highway.

(3). That the said abandoned sections of State Highway reverted to the care of the Huston Township Supervisors.

(4). That two sections of ~~said abandoned State Highway~~, containing approximately eight hundred feet of roadway in the two sections, lie on the property of the Whitney Realty Corporation located approximately one-half way between Home Camp and Johnston's Nursery.

(5). That the Supervisors of Huston Township deem it advisable to vacate said sections of abandoned State Highway, as the same is unnecessary for the convenience of the public and the upkeep is a needless expense to the citizens of Huston Township.

(6). That the Supervisors of Huston Township have agreed with the Whitney Realty Corporation, the only property owner affected, that the aforesaid sections of abandoned State Highway shall be vacated and a joinder in the prayer of this Petition executed by Frank J. Hahne, Jr., as president of Whitney Realty Corporation, is attached hereto and made a part hereof.

WHEREFORE, the Supervisors of Huston Township respectfully pray your Honorable Court that the aforesaid abandoned sections of State Highway Route 17092 be vacated in accordance with 1933, May 1, P. L. 103, art. XI, sec. 1115; 1947, July 10, P. L. 1481, sec. 17; 1956, June 1, P. L. (1955) 2021, sec. 16 (53 P. S. 66115).

And they will ever pray.

Herbert Walker

Mcademus Maholz

Pete Bungard

Huston Township Supervisors

STATE OF PENNSYLVANIA: SS:
COUNTY OF CLEARFIELD :

Personally appeared before the undersigned,

Mcademus Maholz, who, being duly sworn, deposes and says that he is one of the Supervisors of Huston Township, and that the facts set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Mcademus Maholz

Sworn and subscribed to
before me this ~~10th~~ day
of Feb, January, A. D., 1958

John E. Boyer

My Commission Expires Jan. 4, 1964

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

In Re: Vacation of abandoned :
State Highways in Huston Township, : No. February Sessions, 1958
Clearfield County, Pennsylvania :

R E L E A S E

TO THE HONORABLE JUDGE OF THE ABOVE NAMED COURT:

WHITNEY REALTY CORPORATION, by its president Frank J. Hahne, Jr., does hereby join in the prayer of the Supervisors of Huston Township, for the vacation of the sections of the abandoned State Highway Route 17092 set forth in the within Petition, as the owner of all the land through the sections of abandoned State Highway to be vacated pass and the only property owner affected by such vacation, and does hereby release, discharge and quit-claim the Township of Huston from any and all claims for damages to the said land by reason of the vacation of the sections of abandoned State Highway.

IN WITNESS WHEREOF, Frank J. Hahne, Jr., as president of Whitney Realty Corporation, has executed this release this day of January, A. D. 1958, intending to be legally bound thereby.

ATTEST:

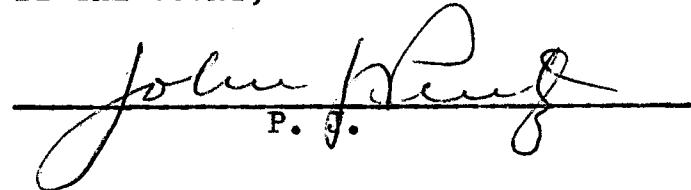
WHITNEY REALTY CORPORATION

Frank J. Hahne
Secretary

By: Frank J. Hahne
President

1947, July 10, P. L. 1401, sec. 17; 1956, June 1, P. L. (1955) 2021, sec. 16 (53 P. S. 66115), NOW, THEREFORE, it is hereby ordered and decreed that so much of abandoned State Highway Route 17092 as lies on the land of Whitney Realty Corporation located half-way between Home Camp and Johnston's Nursery in Huston Township, Clearfield County, Pennsylvania, containing in all approximately eight hundred feet of roadway be and is hereby vacated.

BY THE COURT,


John F. Reng
P. J.

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

In Re: Vacation of abandoned :

State Highways in Huston Township, No. February Sessions, 1958

Clearfield County, Pennsylvania :

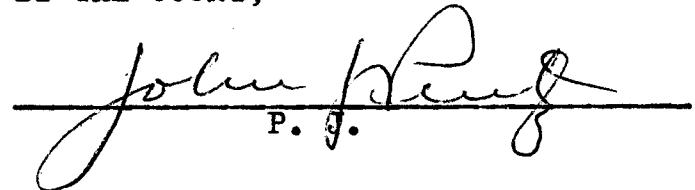
ORDER OF COURT

NOW, this 17 day of February, 1958, the within Petition having been read and considered and it appearing that The Pennsylvania Department of Highways did in the year 1940 abandon approximately eight hundred feet of curves of State Highway Route 17092 lying on the land of the Whitney Realty Corporation in Huston Township, Clearfield County, Pennsylvania, located approximately half-way between Home Camp and Johnston's Nursery, and it further appearing that the Supervisors of Huston Township and the Whitney Realty Corporation have agreed to the vacation of said sections of abandoned State Highway, the said Supervisors having deemed such vacation advisable, and Petition having been presented to this Court under the Act of 1933. May 1 P. T. 102 8pt v+ -oo- 111

fm

1947, July 10, P. L. 1401, sec. 17; 1956, June 1, P. L. (1955) 2021, sec. 16 (53 P. S. 66115), NOW, THEREFORE, it is hereby ordered and decreed that so much of abandoned State Highway Route 17092 as lies on the land of Whitney Realty Corporation located half-way between Home Camp and Johnston's Nursery in Huston Township, Clearfield County, Pennsylvania, containing in all approximately eight hundred feet of roadway be and is hereby vacated.

BY THE COURT,


John R. King
P. J.