

ROAD:

DOCKET NO. 7

NUMBER 2 ~~TERM~~ YEAR
February S.S., 1958

In Re: Public Road in West Houtzdale,
Woodward Township:

VERSUS

IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY, PENN'A.

No. 2 Feb Sess., 1958

In Re:

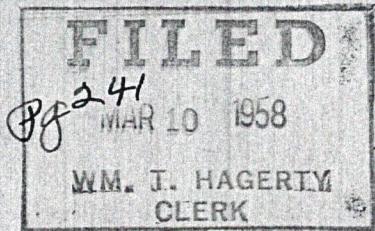
Public Road in West Houtz-
dale, Woodward Township.

Petition.

AND NOW,
on motion of John Scollins,
attorney for petitioners,
the Court appoints:

*AB Shaw Ben Hesley
and Guy Neal*
as a Board of View, and
further orders that the said
Board of View shall perform
their duties in accordance
with the Act of Assembly in
such case made and provided,
and report at next term of Court.

*By the Court
John Scollins
P. J. S.*



400 *By John Scollins, atty*

John W. Thomas 954 Clara St. Houtzdale Pa. 2/24/58
Wm J. Jones 951 Clara St. Houtzdale Pa. 2/24/58
Mrs. Wm. J. Jones 951 Clara St. Houtzdale Pa. 2/24/58
Alvin Anderson 810 Sue St. Houtzdale 2/24/58
Samuel Brungo Houtzdale 2/25/58
Betty Craig Houtzdale 2/25/58
Mrs. Mildred Norman Houtzdale 2/25/58
Mr. Geo. Belin. Coal Deliverer - Houtzdale 2/25/58
Mr. Earl Albright Houtzdale 2/25/58
Mr. Wm. R. Love Houtzdale R.D. Pa. 2/25/58
Henry Glazier Houtzdale 2/25/58
Joseph Doan Houtzdale 2/25/58
James Reed Houtzdale Pa 2/25/58
Frederick B. Kaval Houtzdale Pa 2/25/58
George Covale Runy man Philipsburg, Pa. 4/2/58
Mrs Lucy Tompkins Tax Collector Houtzdale Pa. 2/25/58
Edward Tompkins Houtzdale Pa 4/2/58
John Yeaslaw 968 W. Clara St. Houtzdale 2/25/58
Am Yeaslaw 968 W. Clara St. Houtzdale 2/25/58
Albert W. Petrusky Brisbin, Pa 2/24/58
John Higgins Houtzdale Pa 2/24/58
Rev. Bernard L. Murphy Houtzdale, Pa. 2/26/58

Carl Swartz Hantzdale, Pa 2-26-58
Charles J Burns Hantzdale Pa 2-26-58
Helen Burns Hantzdale, Pa 2-26-58
Margaret Cornell, Hantzdale, Pa. 2-26-58
~~Alex~~ Dufour Hantzdale Pa 3-1-58
Belle Johnson 3-1-58
Hantzdale Pa

In re: Petition to View and Lay out : In the Court of Quarter Sessions a Township Road on Clara Street, and: on the Alley connecting Clara Street: of Clearfield County, Penn'a. with State Highway Route 53, in West: Houtzdale, Township of Woodward. : No. 2, February Sess., 1958.

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

The petition of the undersigned, citizens, residents and tax-payers respectfully represent:

1. That they labor under great inconvenience for want of an improved public highway on Clara Street in the Village of West Houtzdale, Township of Woodward: (1) beginning at its intersection with Braddock Street, adjoining Houtzdale Borough line, and extending in a westerly direction a distance of approximately one mile to its intersection with the Township Road leading from Pacific #1 to the Woodward Township High School; and (2) the intersecting Alley leading from Clara Street to State Highway Route 53, connecting with the improved West Moshannon-McCally highway at the old Swan Hotel, approximately 150 feet in length.

2. That there are approximately 22 family residence fronting on said Clara Street, running parallel with said Route 53, at an elevation of approximately 50 feet within the intervening distance of 150 feet with only convenient approaches at its eastern and western extremities, except at the proposed (2) intersecting Alley.

3. That the said Street and Alley are surfaced with earth and shale materials and in dry weather become dusty and is windswept into their homes; and in wet and wintry weather become muddy, slippery and dangerous for public travel, and are in need of hard-surfacing to withstand automobile and truck traffic.

WHEREFORE, your petitioners pray your Honorable Court to appoint a Board of Viewers, to view and lay out as part of the public highway system of Woodward Township, public roads (1) over Clara Street and (2) over the Alley connecting said Clara Street with State Highway Route 53.

And they will ever pray.

Name	Residence	Date
Joseph J Craig	Hautzdale, Pa	2-24-58
Frank Saupp	Hautzdale Clara St	2-24-58
George Martin	Hautzdale clara st	2-24-58
Joseph Francis	W Clara St Hautzdale	2-24-58
Edward Reifer	988 Clara St Hautzdale Pa.	2-24-58
Anna Mae Reifer	988 Clara St. Hautzdale	2-24-58
Sarah Reifer	986 clara st Hautzdale	2-24-58
Alex Gregal	Hautzdale Pa.	2-24-58
Steve Marchin	970 Clara St Hautzdale	2-24-58
James Mc Dermott	Hautzdale Pa	2-24-58
Vera Mc Dermott	Hautzdale	2-24-58
Robert Vogl	Hautzdale, Pa	2-24-58

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.

To view a road for Public use in the township of Woodward West Houtzdale, Clearfield County.

	DAY	MILES	AM'T.
Guy A. Heil	3	100	35.00
Benjamin Hughes	2	100	25.00
A. B. Shaw	3	60	33.00

May Sessions, 19 58,



19
Filed
Fees \$1.25 paid by

Clara and Braddock Streets in the Village of West Houtzdale, Woodward Township, adjacent to the Houtzdale Borough line; thence, extending in a Westerly direction along the course of Clara Street for a distance of approximately one (1) mile to point of intersection of Clara Street with township road leading from Pacific No. 1 to the Woodward Township High School, has already become a part of the general road system of the Township of Woodward, as shown by the records of Clearfield County and it is, therefore, unnecessary that the same be recommended and returned for public use

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

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

Seal

Seal

Seal

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 proposed road is laid out over a dedicated public street or alley long since in existence and used by the residents of this community, and since the benefits to the abutting property owners would exceed any damages, if any, caused by the construction and improvement 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~~ and copy of the notices.

WITNESS our hands and seals this 20th day of February

A. D. 19259.

John D. Ham Seal
Ben Fugher Seal
Sam A. Hill 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 Woodward and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 18th day of June Grand Jury A. D. 19258 and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 20th day of June, 19258 at 10:30 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 Carl Swartz, John Higgins, Albert Patrusky, Supervisors of Woodward Township and others whose names were not noted.

Grand Jury
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 20th day of June A. D. 19258, when the following appearances were noted: Carl Swartz, John Higgins, Albert Patrusky, Supervisors of Woodward Township, also William Jones and Joe Francisco

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 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 at point on intersection of a public alley with State Highway Route 55, connecting with the approved West Moshannon-McCalley Highway, at Old Swan Hotel in the Village of West Houtzdale, Woodward Township; thence extending in a Northerly direction along the course of said public alley for a distance of one hundred fifty (150) feet to point of intersection with Clara Street in the Village of West Houtzdale, Woodward Township, Clearfield County, Pennsylvania. The proposed road is laid out over a dedicated public street or alley, long since in existence and used by the petitioners and the general public. That for a great number of years the individual property owners served by said dedicated street or alley have maintained and kept the same in repair for themselves as well as for the traveling public to the best of their ability.

That the abutting property owners are unable individually to adequately maintain said public street or alley by giving it the proper grading and drainage required, and since the aforementioned proposed road is necessary for the persons living in this immediate area, who will be especially benefited thereby, as well as, for the accommodation and convenience of the traveling public, the same should be taken over as part of the general road system of the Township of Woodward.

The taking over of said public alley or street as laid out by your undersigned viewers is agreeable to the supervisors of the road district of the Township of Woodward and according to the great number of petitioners and the testimony offered in this case before your Board of Viewers, said proposed road would appear to be necessary for the accommodation and convenience of the traveling public and your undersigned Viewers do hereby recommend that the same be taken over as part of the general road system of the Township of Woodward and maintained at public expense. The additional proposed road requested by the petitioners to be laid out and opened by your undersigned Board of Viewers, beginning at the point of intersection of

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 10th day of March in the year of our Lord one thousand nine hundred fifty eight

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Woodward in said County, setting forth that

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,

Ben Hughes and Guy Heil

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, President Judge.

, Clerk.

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 10th day of March, A.D., 1958, to view and lay out two public roads in the Township of Woodward, Clearfield County, Pennsylvania,

THE FIRST THEREOF: Beginning at the point of intersection of Clara and Braddock Streets in Woodward Township, adjacent to the Houtzdale Borough line; thence extending in a westerly direction along the course of said Clara Street for a distance of approximately one (1) mile to point of intersection of Clara Street with Township Road leading from Pacific No. 1 to the Woodward Township High School.

THE SECOND THEREOF: Beginning at point of intersection of a public alley with State Highway Route No. 53, connecting with the improved West Moshannon-McCalley highway, at the Old Swan Hotel, in the village of West Houtzdale, Woodward Township; thence extending in a northerly direction along the course of said public alley for a distance of about 150 feet to point of intersection with Clara Street, in the village of West Houtzdale, as aforesaid, will meet at the intersection of Clara and Braddock Streets in the village of West Houtzdale, Woodward Township, on Wednesday June 18, 1958, 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 roads, will take notice, and that the public hearing, as required by Act of Assembly and Rules of Court, to be held by the Viewers before the filing of their report in Court, in order to give all parties interested in either or both of said proposed roads an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday June 20th 1958, 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

Benjamin Hughes

Viewers

Now, June 5th 1958, service of the above Viewers Notice, is hereby accepted by copy, on behalf of County Commissioners

Stanley M. Gobig Clerk

TO THE SUPERVISORS OF THE WOODWARD TOWNSHIP ROAD DISTRICT

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, on the 10th day of March, A.D., 1958, to view and lay out two public roads in the Township of Woodward, Clearfield County, Pennsylvania,

THE FIRST THEREOF: Beginning at the point of intersection of Clara and Braddock Streets in Woodward Township, adjacent to the Houtzdale Borough line; thence extending in a westerly direction along the course of said Clara Street for a distance of approximately one (1) mile to point of intersection of Clara Street with Township Road leading from Pacific No. 1 to the Woodward Township High School.

THE SECOND THEREOF: Beginning at point of intersection of a public alley with State Highway Route No. 53, connecting with the improved West Moshannon-McCalley highway, at the Old Swan Hotel, in the village of West Houtzdale, Woodward Township; thence extending in a northerly direction along the course of said public alley for a distance of about 150 feet to point of intersection with Clara Street, in the village of West Houtzdale, as aforesaid, will meet at the intersection of Clara and Braddock Streets in the village of West Houtzdale, Woodward Township, on Wednesday June 18, 1958, 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 roads, will take notice, and that the public hearing, as required by Act of Assembly and Rules of Court, to be held by the Viewers before the filing of their report in Court, in order to give all parties interested in either or both of said proposed roads an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Friday June 20th 1958, 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

Benjamin Hughes

Viewers

Now, June 7th 1958, service of the above Viewers Notice, is hereby accepted by copy on behalf of the Supervisors of Woodward Township.

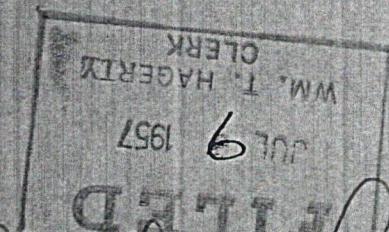
John Higgins, Secretary

1. That they labor under great inconvenience for want of an improved public highway on Clara Street in the village of West Houtzdale, Township of Woodward; (1) beginning at its intersection with Braddock Street, adjoining Houtzdale Borough line, and extending in a westerly direction a distance of approximately one mile to its intersection with the Township Road leading from Pacific #1 to the Woodward Township High School; and (2) the intersecting Alley leading from Clara Street to State Highway Route 53, connecting with the improved West Moshannon-McCalley highway at the old Swan Hotel, approximately 150 feet in length.

2. That there are approximately 22 family residence fronting on said Clara Street, running parallel with said Route 53, at an elevation of approximately 50 feet within the intervening distance of 150 feet with only convenient approaches at its eastern and western extremities except at the proposed (2) intersecting Alley.

3. That the said Street and Alley are surfaced with earth and shale materials and in dry weather become dusty and is windswept and dangerous for public travel, and are in need of hard-surfacing to withstand automobile and truck traffic.

WHEREFORE, your petitioners pray your Honorable Court to appoint a Board of Viewers, to view and lay out as part of the public highway system of Woodward Township, public roads (1) over Clara Street and (2) over the Alley connecting said Clara Street with State Highway Route 53.



BY THE COURT

next Term of Court.

premises, and report at the

are appointed to view the

of the County Board of Viewers

Within petition, ABSTAIN

upon presentation of the

And Now, *July 8* 1957,

Order of Court.

Woodward Township.

Lay out a Township road, in

In Re: Petition to view and

No. / *May* September Sess., 1957

In the Court of Quarter Sess-
tions of Clearfield County, Pa.

Road Viewers' Notice

2 Blk 52
NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~the Roads~~ ~~and lay out two~~ ~~damages~~ ~~leading from~~ in the Township of Woodward, Clearfield County, Pennsylvania:-

THE FIRST THEREOF: Beginning at the point of intersection of Clara and Braddock Streets in the village of West Houtzdale, Woodward Township, adjacent to the Houtzdale Borough line; thence extending in a westerly direction along the course of said Clara Street for a distance of approximately one (1) mile to point of intersection of Clara Street with Township Road leading from Pacific No. 1, to the Woodward Township High School.

THE SECOND THEREOF: Beginning at point of intersection of a public alley with State Highway Route No. 53, connecting with the improved West Moshannon-McCalley highway, at the Old Swan Hotel in the Village of West Houtzdale, Woodward Township; thence extending in a northerly direction along the course of said public alley for a distance of about 150 feet to point of intersection with Clara Street in the village of West Houtzdale, ~~and for a distance~~

in Woodward Township, in the County aforesaid, will meet at the ~~house~~ of intersection of Clara and Braddock Streets in the village of West Houtzdale

in Woodward Township, on Wednesday

the 18th day of June, A. D. 1958, at 10:30 (DST)

o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all

parties interested will take notice. AND THAT THE PUBLIC HEARING, AS REQUIRED BY ACT OF ASSEMBLY AND RULES OF COURT, TO BE HELD BY THE VIEWERS BEFORE THE FILING OF THEIR REPORT IN COURT, IN ORDER TO GIVE ALL PARTIES INTERESTED IN EITHER OR BOTH OF SAID PROPOSED PUBLIC ROADS AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD, PA., ON FRIDAY JUNE 20th 1958, AT 10:30 O'CLOCK A.M. (DST), AT WHICH TIME AND PLACE ALL PARTIES INTERESTED IN SAID PROPOSED ROADS, MAY ATTEND AND BE HEARD, IF THEY SO DESIRE.

A. B. SHAW

GUY HEIL

BENJAMIN HUGHES

V I E W E R S .

June 5, 1958

In re: Petition to View and ; In the Court of Quarter Sessions
lay out a Township Road, in : of Clearfield County, Penn'a.
Woodward Township. : No. 1 ~~Sept~~ ^{Sept} Sess., 1957.

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

The petition of the undersigned, citizens, inhabitants
and tax-payers of the Township of Woodward, respectfully
represent:

1. That your petitioners labor under great inconvenience
for want of a township road or highway, beginning at the inter-
section of Girard Street in the Village of West Houtzdale,
with Clara Street in said Township, terminating at Braddock
Street, via Deer Alley.
2. That the present existing streets and alleys
traversed in going to and from improved roads, are narrow,
and muddy and impassable during the winter and sprigg seasons,
and dangerous for public travel.

Wherefore, your petitioners pray your Honorable Court
to appoint a Board of Viewers, to view and lay out for public
use and travel a Township Road, according to law.

And they will ever pray.

John J Higgins Supervisor
Carl Dwarz Supervisor
Kenneth Irvin
Mrs. Frances Drivon.
Bugs Freeberg.
John M. Carlin
Mary L. Carlin
Howard Kephart
Henry Malin
Mrs Bertha Malin
Mrs. Dorothy Wilks
Robert A. Wilks
Mary Irvin
Gordon Fowler Supervisor

STATE OF PENNSYLVANIA:

: SS:

COUNTY OF CLEARFIELD :

Kenneth Irvin, petitioner within named, being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct.

And further saith not.

July
June, A.D. 1957.

Sworn and subscribed to before me, this 2nd day of

Kathryn L. Scellino

NOTARY PUBLIC
My Commission Expires March 9, 1979