

ROAD  
DOCKET NO. 7

NUMBER	TERM	YEAR
<u>1</u>	<u>May SS</u>	<u>1959</u>

Re: Union Township; Laying out  
and opening one Road and vacating  
another Township Road.

VERSUS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In re: Laying out and opening one  
Township Road and Vacating another  
Township Road in the Township of  
VERSUS  
Union, Clearfield County, Penna.

102<sup>nd</sup> Term Session 3  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PA.

No. 1 Term May SS 1959

To Wm. T. Hagerty

Prothonotary.

Sir: Enter xxxxxxxxxx an absolute confirmation  
of the report of the Board of Supervisors of the Township of Union  
in the above, 30 days having expired from the date of the decree of  
N1.S1. confirmations and no exceptions having been filed thereto.

in above case.

David E. Blakley  
David E. Blakley  
Attorney for Union Township

No. \_\_\_\_\_ Term \_\_\_\_\_ 19 \_\_\_\_\_

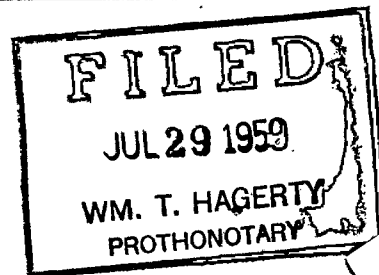
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPEARANCE

For \_\_\_\_\_



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Laying out and opening one :  
Township Road and Vacating another :  
Township Road in the Township of : No. 1, May Sessions  
Union, Clearfield County, Pennsyl- :  
vania. : 1959.

REPORT OF THE BOARD OF SUPERVISORS OF UNION  
TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA

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

The Board of Supervisors of Union Township, Clearfield County, Pennsylvania, respectfully represents as follows:

1. That the undersigned are the duly elected Supervisors of Union Township, Clearfield County, Pennsylvania.
2. That the Supervisors as aforesaid, pursuant to the provisions of the Act of 1933 P.L. 103, Art. XI par. 1102 as last amended by the Act of 1953 P.L. 511 Sec. 1102 (a), 53 P.S. 19093 - 1102 (a), gave ten days written notice by registered mail to the property owners affected thereby, of the proposed passage of an ordinance for the laying out and opening of one Township road, and vacating a portion of another township road, a copy of the notice and the return receipts are hereunto attached and made a part of this report and marked as Exhibit "A" and "B" respectively.

3. That pursuant to the notices as aforesaid a meeting was held at the Township building in Rockton, Pennsylvania, on Friday, May 1st, 1959 at 7:30 P.M.

That at the meeting as aforesaid the following persons were present:

J. M. Hollopeter, Supervisor  
Reuben H. Kirk, Supervisor  
Lawrence O. Shaffer, Supervisor  
D. W. Hollopeter, Secretary of Board of Supervisors  
David E. Blakley, Solicitor, Union Township

C. W. Spicher, Owner of Property across which  
the new road will go  
William E. Werner, Pittsburgh, Penna., Owner  
of property on the present route  
that is to be relocated  
Velma Lies, Rockton, Pa., Owner of property along  
the route to be relocated  
Floyd Brown, Rockton, Pa., Owner of property along  
the route to be relocated

A letter was presented and read from William T. Davis, Esquire of Clearfield, Pennsylvania, attorney for Violet Sheeser, owner of property across which the relocated road will go.

4. That at such hearing, parties for and against said laying out and opening of the one road and vacating the other road were heard by the Board of Supervisors.

5. That the proposed Township road to be opened is designated as Township Route 372, and is described as follows:

BEGINNING at a point at the intersection of the right-of-way of Pennsylvania State Highway Route 862 and the Baltimore & Ohio Railroad right-of-way, said point being 50 feet at right angles from the center line of the Baltimore & Ohio Railroad main tracks and the right-of-way of State Highway Route 862; thence North  $59^{\circ} 08'$  West 469 feet more or less to P.C. of curve to left with a radius 2267.0 for a distance of 619 feet, more or less, to lands of the Baltimore & Ohio Railroad; thence along lands of the Baltimore & Ohio Railroad North  $9^{\circ} 56'$  East 56 feet more or less to a point 25 feet from the center line of  $2^{\circ} 30'$  curve; thence Southeasterly with a curve radius of 2317.0 for a distance of 662 feet more or less to the end of a curve; thence South  $59^{\circ} 08'$  East 386 feet more or less to the right-of-way of the present Pennsylvania State Highway Route 862 as it is now located; thence Southwesterly along the right-of-way of present State Highway Route 862, 55 feet more or less to the place of beginning.

6. That portion of said township road to be vacated is described as follows:

That portion of the present Township Route 372, located upon present land of the Baltimore & Ohio Railroad, and being 175 feet north of the center line of the Baltimore & Ohio Railroad main tracks, shall be closed and that portion of present Township Route 372 upon the present land of the Baltimore & Ohio Railroad extending 100 feet to the South from the present center line of the Baltimore & Ohio Railroad main tracks.

7. That attached hereto, made a part hereof and marked Exhibit "C" is a draft or survey of the road proposed to be vacated and the road proposed to be opened. The road to be opened shall be approximately fifty (50) feet in width. The improvements along the road to be opened and vacated are also noted on the survey draft.

8. That in the opinion of the undersigned Supervisors, the laying out of the one street and the vacating of the other street is necessary to public convenience and safety.

9. That pursuant thereto, the Union Township Supervisors, did, after advertisement according to law, pass an Ordinance for the said relocating of Route 372 in said Township on the 5th day of June, 1959, copy of which is hereto attached and marked as Exhibit "D".

WHEREFORE, the undersigned Board of Road Supervisors of Union Township, Clearfield County, Pennsylvania, respectfully request the Court to confirm this report Ni. Si. Confirmation absolute to be made by the Clerk of the Court of Quarter Sessions of Clearfield County, Pennsylvania, as of course, unless exceptions thereto are filed within thirty days of the Ni. Si. Confirmation as allowed by law.

Respectfully submitted,

UNION TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

D. M. Maccofieri  
Secretary

Reuben H. Kirk  
J. M. Maccofieri  
L. O. Shaffer

Commonwealth of Pennsylvania :  
: SS.  
County of Clearfield :

Before me, the undersigned authority in and for the above County and State, came J. M. HOLLOPETER, REUBEN H. KIRK and LAWRENCE O. SHAFFER, who acknowledged themselves to be all of the members of the Board of Union Township in said County, and further deposing and saying that the facts set forth in the foregoing Report are true and correct.

Reuben H. Kirk  
J. M. Hollopeter  
L. O. Shaffer

Sworn to and subscribed before me this 11<sup>th</sup> day of June, 1959.

Mrs. Della W. Egan

MRS. DELLA W. EGAN, Notary Public  
DU BOIS, CLEARFIELD CO., PA.  
My Commission expires Sept. 30, 1962

EXHIBIT "A"

NOTICE OF PROPOSED ROAD OPENING

The Board of Supervisors of Union Township, Clearfield County, Pennsylvania, propose to enact an ordinance in accordance with powers vested in them, by virtue of the Act of 1933, May 1st P.L. 103, Article XI, Section 1102, as amended. Said ordinance will be enacted for the relocation of Township Route 372 in said Township, the proposed relocation being as follows:

BEGINNING at a point at the intersection of the right-of-way of Pennsylvania State Highway Route 862 and the Baltimore & Ohio Railroad right-of-way, said point being 50 feet at right angles from the center line of the Baltimore & Ohio Railroad main tracks and the right-of-way of State Highway Route 862; thence North 59° 08' West 469 feet more or less to P.C. of curve to left with a radius 2267.0 for a distance of 619 feet, more or less, to lands of the Baltimore & Ohio Railroad; thence along lands of the Baltimore & Ohio Railroad North 9° 56' East 56 feet more or less to a point 25 feet from the center line of 2° 30' curve; thence Southeasterly with a curve radius of 2317.0 for a distance of 662 feet more or less to the end of a curve; thence South 59° 08' East 386 feet more or less to the right-of-way of the present Pennsylvania State Highway Route 862 as it is now located; thence Southwesterly along the right-of-way of present State Highway Route 62, 55 feet more or less to the place of beginning. That portion of the present Township Route 372, located upon present land of the Baltimore & Ohio Railroad, and being 175 feet north of the center line of the Baltimore & Ohio Railroad main tracks, shall be closed and that portion of present Township Route 372 upon the present land of the Baltimore & Ohio Railroad extending 100 feet to the South from the present center line of the Baltimore & Ohio Railroad main tracks, to be closed.

According to available records in Clearfield County, you are the record owner of real estate situate in Union Township, Clearfield County, Pennsylvania, across which a portion of the proposed road to be opened will cross, or the record owner of real estate situate in Union Township, Clearfield County, Pennsylvania, which will be affected by the proposed road opening and road closing.

The Board of Supervisors of Union Township will conduct a hearing on the proposed ordinance and road opening at the township hall located in the Village of Rockton, Union Township, Clearfield County, Pennsylvania, at 7:30 o'clock, P.M., Eastern Daylight Saving Time, Monday, the 1st day of May, 1959, at which time and place all parties interested may meet and be heard.

UNION TOWNSHIP BOARD OF SUPERVISORS

BY

D. M. Haddock  
Secretary

Dated April 9, 1959



EXHIBIT "B"

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered  
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item #1)

apr 10/59

CSS-16-71548-4 GPO

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered  
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item #1)

apr 10/59

CSS-16-71548-4 GPO

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered  
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item #1)

apr 10/59

CSS-16-71548-4 GPO

EXHIBIT "B" (cont)

<b>#1-INSTRUCTIONS TO DELIVERING EMPLOYEE</b> <input type="checkbox"/> Deliver <i>ONLY</i> to addressee <input type="checkbox"/> Show address where delivered <i>(Additional charges required for these services)</i>	
<b>RETURN RECEIPT</b> Received the numbered article described on other side.	
SIGNATURE OR NAME OF ADDRESSEE (must always be filled in) <i>Flora E. ...</i>	
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY <i>...</i>	
DATE DELIVERED <i>Apr 10/59</i>	ADDRESS WHERE DELIVERED (only if requested in item #1)  
CSS-16-71548-4 GPO	

<b>#1-INSTRUCTIONS TO DELIVERING EMPLOYEE</b> <input type="checkbox"/> Deliver <i>ONLY</i> to addressee <input type="checkbox"/> Show address where delivered <i>(Additional charges required for these services)</i>	
<b>RETURN RECEIPT</b> Received the numbered article described on other side.	
SIGNATURE OR NAME OF ADDRESSEE (must always be filled in) <i>W. P. R. WILLIAM E. ...</i>	
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY  	
DATE DELIVERED <i>5/12</i>	ADDRESS WHERE DELIVERED (only if requested in item #1) <i>512 ...</i>
CSS-16-71548-4 GPO	

DELIVERING EMPLOYEE <input type="checkbox"/> Deliver <i>ONLY</i> to addressee. <input type="checkbox"/> Show address where delivered.	 Received from the postmaster the registered, certified, or insured article, the number of which appears on the face of this return receipt.
1. _____ (Signature or name of addressee)	 2. _____ (Signature of addressee's agent—Agent should enter addressee's name on line ONE above)
Date of Delivery <i>Apr 16/59</i>	
☆ U. S. GOVERNMENT PRINTING OFFICE : 1959 16-71548-1	

# EXHIBIT "B" (cont)

3200

3 DELIVERING EMPLOYEE ☐ Deliver ONLY to addressee. ☐ Show address where delivered.

Received from the postmaster the registered, certified, or insured article, the number of which appears on the face of this return receipt.

1. JB Hollander  
(Signature or name of addressee)

2. \_\_\_\_\_  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of Delivery April 9, 1959

★ U. S. GOVERNMENT PRINTING OFFICE : 1955 10-71548-1

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee ☐ Show address where delivered  
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)  
John S. Schaeffer

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY  
DA Beighley

DATE DELIVERED 4-10-59 ADDRESS WHERE DELIVERED (only if requested in item #1)

C55-18-71548-4 GPO

EXHIBIT  
"C"

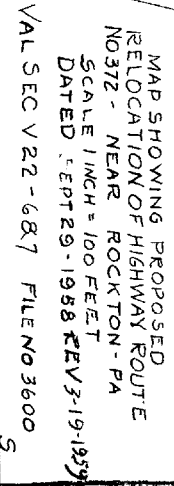


EXHIBIT "C"

EXHIBIT "D"

AN ORDINANCE

AN ORDINANCE TO LAY OUT AND TO OPEN ONE ROAD AND  
TO VACATE A PORTION OF ANOTHER ROAD ENTIRELY WITHIN  
THE TOWNSHIP OF UNION, CLEARFIELD COUNTY, PENNSYLVANIA

BE IT ORDAINED AND ENACTED by the Supervisors of the  
Township of Union, Clearfield County, Pennsylvania, and it is  
hereby ordained and enacted by the authority of the same.

SECTION 1. The following described road is hereby laid out and opened as a township road of Union Township, Clearfield County, Pennsylvania: BEGINNING at a point at the intersection of the right-of-way of Pennsylvania State Highway Route 862 and the Baltimore & Ohio Railroad right-of-way, said point being 50 feet at right angles from the center line of the Baltimore & Ohio Railroad main tracks and the right-of-way of State Highway Route 862; thence North 59° 08' West 469 feet more or less to P.C. of curve to left with a radius 2267.0 for a distance of 619 feet, more or less to lands of the Baltimore and Ohio Railroad; thence along lands of the Baltimore & Ohio Railroad North 9° 56' East 56 feet more or less to a point 25 feet from the center line of 2° 30' curve; thence Southeasterly with a curve radius of 2317.0 for a distance of 662 feet more or less to the end of a curve; thence South 59° 08' East 386 feet more or less to the right-of-way of the present Pennsylvania State Highway Route 862 as it is now located; thence Southeasterly along the right-of-way of present State Highway Route 862, 55 feet more or less to the place of beginning.

SECTION 2. The following described portion of Township Route 372 is hereby vacated: That portion of the present Township Route 372, located upon present land of the Baltimore and Ohio Railroad, and being 175 feet north of the center line of the Baltimore & Ohio Railroad main tracks is vacated, and that portion of present Township Route 372 upon the present land of the Baltimore & Ohio Railroad extending 100 feet to the South from the present center line of the Baltimore & Ohio Railroad main tracks, is hereby vacated.

SECTION 3. This Ordinance shall become and is hereby in effect upon the date hereof.

Ordained and enacted this 5th day of June, 1959.

UNION TOWNSHIP BOARD OF SUPERVISORS

ATTEST:

Don Maccohetter  
Secretary

BY J. W. Maccohetter  
President

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Laying out and opening one :  
Township Road and Vacating another :  
Township Road in the Township of : No. 1, May Sessions  
Union, Clearfield County, Pennsyl- :  
vania : 1959

D E C R E E

And now, this 8 day of Sept, 1959, the foregoing Report of the Board of Supervisors of the Township of Union, Clearfield County, Pennsylvania, having been submitted to the Court and the same having been found regular and according to law, the report as aforesaid is hereby confirmed. Ni. Si., the Clerk of Courts to enter upon the record an absolute confirmation thereof upon the expiration of thirty days from date of this Decree unless exceptions are filed as allowed by law.

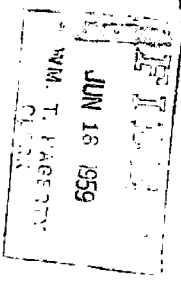
BY THE COURT,

John H. H. H.  
President Judge

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD  
COUNTY, PENNSYLVANIA  
NO. 1, May SESSIONS, 1959

In re: Laying out and  
opening one Township Road,  
and vacating another Town-  
ship Road in the Township  
of Union, Clearfield  
County, Pennsylvania

Report of the Board of  
Supervisors of Union  
Township, Clearfield  
County, Penna.



LAW OFFICES  
PENTZ, AMMERMAN & BLAKLEY  
DUBOIS, PENNSYLVANIA

4.00 by atty.