

ROAD DOCKET

No. 5 May 1961 SS.

## COMMONWEALTH

### Versus

In Re: Ordinance to Lay out and Ordain as  
Township Roads, two certain roads in Goshen  
Township the first thereof known as Benjamin  
Hainsey Road, and the second thereof as Liver  
good Road.

.....

.....

.....

RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned owners of land through which a private road now passes long since in existence and used by the general public, leading from Township Road T-632, through lands of Charles T. Kurtz Estate, to line of Benjamin Hainney, for which a Petition has been presented to the Board of Supervisors of Goshen Township, requesting that the same be taken over as part of the general road system of the Township of Goshen, for and in consideration of the sum of One (\$1.00) Dollar to us respectfully paid by the Supervisors of the road district of the Township of Goshen at and before the ensealing and delivery hereof, have remised, released and forever quitclaimed, and do hereby remise, release and forever quitclaim to the said Supervisors of the road district of the Township of Goshen, all damages that may arise to us respectfully by reason of the location and opening of the said road as a public road, having a width of 33 feet as required by law, 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 location and opening of the road aforesaid. And we further agree that said road is necessary for the convenience of the public, and acknowledge having received notice of hearing held June 28, 1961, for the purpose of determining the advisability and necessity of taking over said proposed section of road.

WITNESS our hand and seal this 28th day of July, 1961.

CHARLES T. KURTZ ESTATE

By Pauline L. Kurtz (SEAL)

By Chas. T. Kurtz, Jr. (SEAL)

By Robert M. Kurtz (SEAL)

By John L. Kurtz (SEAL)  
Executors

RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned owners of land through which a private road now passes long since in existenco and used by the general public, leading from Legislative Route 17126, also known as Township Road T-634, to a private road leading to the house now or formerly of John Livergood, for which a Petition has been presented to the Board of Supervisors of Goshen Township, requesting that the same be taken over as part of the general road system of the Township of Goshen, for and in consideration of the sum of One (\$1.00) Dollar to us respectfully paid by the Supervisors of the road district of the Township of Goshen at and before the ensealing and delivery hereof, have remised, released and forever quitclaimed, and do hereby remise, release and forever quitclaim to the said Supervisors of the road district of the Township of Goshen, all damages that may arise to us respectfully by reason of the location and opening of the said road as a public road, having a width of 33 feet as required by law 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 location and opening, of the road aforesaid. And we further agree that said road is necessary for the convenience of the public, and acknowledge having received notice of hearing held June 28, 1961, for the purpose of determining the advisability and necessity of taking over said proposed section of road.

WITNESS our hands and seals this 28th day of July,

A. D., 1961

Eugene Livergood (SEAL)

Lewis A. Livergood (SEAL)

Ralph L. Neff

(SEAL)

Mrs. Madileen V. Neff

(SEAL)

Harold L. Owens

(SEAL)

John Livergood

(SEAL)

Mrs. Lewis Livergood

(SEAL)

Glen Amon

(SEAL)

Mrs. Glen Amon

(SEAL)

(SEAL)

(SEAL)

(SEAL)

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: AN ORDINANCE TO TAKE OVER, LAY  
OUT, AND ORDAIN AS TOWNSHIP  
ROADS, TWO CERTAIN ROADS IN  
GOSHEN TOWNSHIP, CLEARFIELD  
COUNTY, PENNSYLVANIA, THE FIRST  
THEREOF KNOWN AS BENJAMIN HAINSEY  
ROAD, AND THE SECOND THEREOF KNOWN:  
AS LIVERGOOD ROAD.

*5 May SS 1961*

WHEREAS, upon the petition of interested citizens and in the judgment of the supervisors of Goshen Township, the laying out, opening and taking over as public or township roads two (2) certain now existing private roads in Goshen Township, Clearfield County, Pennsylvania, hereinafter described, was deemed necessary. In conformity with the provisions of the Act of Assembly of May 1, 1933, P. L. 103, Article XI, §1101, as amended (53 P. S. 66101) said supervisors do hereby accompany this filing with the following report, to wit:

1. That the undersigned Board of Supervisors of the Road District of the Township of Goshen, Clearfield County, Pennsylvania, pursuant to the provisions of said Act of Assembly, as last amended, did give ten (10) days written notice to all of the property owners affected thereby, that a meeting or hearing would be held at the law offices of W. Albert Ramey, Esq., situate at 12 North Second Street, Clearfield, Pennsylvania, on June 28, 1961, at 10:00 o'clock a. m., for the purpose of determining the advisability and necessity of taking over said proposed roads as a part of the general road system of the Township of Goshen. A copy of said notice is hereto attached and made a part hereof and marked Exhibit "A".

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

2. That pursuant to said notice a meeting was held at said time and place where all interested parties did meet and

were heard. There were no objections to the taking over of said proposed roads.

3. Said proposed roads lie wholly within the Township of Goshen, Clearfield County, Pennsylvania, and for the most part extend over presently existing private roads which have been long since in existence and are described in the Ordinance enacted and attached hereto.

4. That the Board of Supervisors, after said hearing and further investigation made of this matter, being of the opinion that said proposed roads are necessary for the accommodation and convenience of the traveling public, decided in favor of exercising the power so conferred upon them by the aforementioned Act of Assembly and did, in accordance with the provisions of Article VII §702 of the aforementioned Act of Assembly (53 P. S. 65741) cause the proposed Ordinance to be published, prior to its passage, at least once in one newspaper circulating generally in the Township, to wit, Thursday, June 29, 1961, in The Clearfield Progress. A copy of same is hereto attached, made a part hereof and marked Exhibit "B".

5. At the regular meeting of said Board of Supervisors, held July 5, 1961, said Board did enact the necessary Ordinance, a copy of which is hereto attached, made a part hereof, and marked Exhibit "C".

6. Also attached and made a part hereof is a draft or survey of said proposed roads, showing the location and width thereof to be 33 feet, the fixed termini thereof.

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

7. Also attached hereto and made a part hereof are  
copies of releases signed by all of the property owners affected  
thereby.

Respectfully submitted,

BOARD OF SUPERVISORS OF THE ROAD  
DISTRICT OF THE TOWNSHIP OF GOSHEN

BY George J. Read  
Chairman  
Leo Clark  
Supervisor  
Jack Hill  
Supervisor

ATTEST:

Clyde G. Lankey  
Secretary

NOTICE

TO THE FOLLOWING PROPERTY OWNERS:

Mr. and Mrs Harold Owens  
R. D., Lecontes Mills, Pennsylvania

Mr and Mrs Glenn Amon  
R. D., Lecontes Mills, Pennsylvania

Mr and Mrs Eugene Livergood  
R. D., Lecontes Mills, Pennsylvania

Mr. and Mrs Lewis Livergood  
R. D., Lecontes Mills, Pennsylvania

Mr and Mrs John Livergood  
R. D., Lecontes Mills, Pennsylvania

Mr and Mrs Ralph Neff  
R. D., Lecontes Mills, Pennsylvania

You are hereby notified that a Petition has been presented to the Board of Supervisors of the Road District of the Township of Goshen by a majority of the property owners affected and other parties in interest, requesting the taking over, as a part of the general road system of the Township of Goshen, a private road, long since in existence and used by the general public leading from a point on Legislative Route 17126, also known as Township Road T634, at the corner of the S. F. Owens and Glenn Amon lands southwardly and thence eastwardly to a private road leading to the house now or formerly of John Livergood, said private road being approximately 1623.5 feet in length, and that a hearing will be held at the law offices of W. Albert Ramey, Esquire, situate at 12 North Second Street, Clearfield, Pennsylvania, on Wednesday, June 28, 1961, at 10:00 o'clock a.m., for the purpose of determining the advisability and necessity of taking over said proposed section of road as part of the general road system of the Township of Goshen, when and where you may attend with your witnesses and be heard if you so desire.

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

EXHIBIT "A"

BOARD OF SUPERVISORS OF THE ROAD  
DISTRICT OF THE TOWNSHIP OF GOSHEN

*W. Albert Ramey*  
Secretary



NOTICE

TO:

Estate of Charles T. Kurtz, Sr.  
Clearfield, Pennsylvania

You are hereby notified that a Petition has been presented to the Board of Supervisors of the Road District of the Township of Goshen, requesting the taking over, as a part of the general road system of the Township of Goshen, a private road, long since in existence and used by the general public leading from existing Township Road T632, and beginning at the George Reed property line, thence in an easterly direction to the Benjamin Hainsey line, said private road being approximately 641.2 feet in length; and that a hearing will be held at the Law Offices of W. Albert Ramey, Esquire, situate at 12 North Second Street, Clearfield, Pennsylvania, on Wednesday, June 28, 1961, at 10:00 o'clock a. m., for the purpose of determining the advisability and necessity of taking over said proposed section of road as part of the general road system of the Township of Goshen, when and where you may attend with your witnesses and be heard if you so desire.

BOARD OF SUPERVISORS OF THE ROAD  
DISTRICT OF THE TOWNSHIP OF GOSHEN

  
Secretary

EXHIBIT "A"

Phillipsburg, Moshannon Valley, Pa., Thursday, June 29, 1961

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of Goshen Township intend, at its next regular meeting to be held July 5, 1961, to enact the following Ordinance:

AN ORDINANCE TO TAKE OVER, LAY OUT, AND ORDAIN AS TOWNSHIP ROADS, TWO CERTAIN ROADS IN GOSHEN TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, THE FIRST THEREOF KNOWN AS BENJAMIN HAINSEY ROAD, AND THE SECOND THEREOF KNOWN AS LIVERGOOD ROAD.

BE IT ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of the Township of Goshen, County of Clearfield, and State of Pennsylvania, as follows:

SECTION 1. Upon the petition of interested citizens, a township road having been surveyed is hereby laid out, opened, and established and made a part of the general road system of the Township of Goshen, being 33 feet in width, the center line of which is described as follows:

Beginning at the intersection of presently existing Benjamin Hainsey private road and existing Township Road T-632; thence, extending eastwardly through lands of Charles T. Kurtz Estate, 641.2 feet to Kurtz-Hainsey line.

SECTION 2. Upon the petition of interested citizens, a township road having been surveyed is hereby laid out, opened, and established and made a part of the general road system of the Township of Goshen, being 33 feet in width, the center line of which is described as follows:

Beginning at a point on Legislative Route 17126, also known as Township Road T-634, at the corner of the S. F. Owens and Glenn Amon lands southwardly and thence eastwardly to a private road leading to the house now or formerly of John Livergood, being 1623.5 feet in length.

SECTION 3. This Ordinance to be recorded in the Ordinance Book of the Township and to become effective five (5) days after its adoption.

A map, plan or drawing of said roads to be taken over under this Ordinance is on file with the Secretary of Goshen Township Supervisors, where the same may be examined.

CLYDE C. SANKER, Secretary.

EXHIBIT "B"

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO TAKE OVER, LAY OUT, AND ORDAIN AS TOWNSHIP ROADS, TWO CERTAIN ROADS IN GOSHEN TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, THE FIRST THEREOF KNOWN AS BENJAMIN HAINSEY ROAD, AND THE SECOND THEREOF KNOWN AS LIVERGOOD ROAD.

BE IT ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of the Township of Goshen, County of Clearfield, and State of Pennsylvania, as follows:

SECTION 1. Upon the petition of interested citizens, a township road having been surveyed is hereby laid out, opened, and established and made a part of the general road system of the Township of Goshen, being thirty three (33) feet in width, the center line of which is described as follows:

Beginning at the intersection of presently existing Benjamin Hainsey private road and existing Township Road T-632; thence extending eastwardly through lands of Charles T. Kurtz Estate, 641.2 feet to Kurtz-Hainsey line.

SECTION 2. Upon the petition of interested citizens, a township road having been surveyed is hereby laid out, opened, and established and made a part of the general road system of the Township of Goshen, being thirty three (33) feet in width, the center line of which is described as follows:

Beginning at a point on Legislative Route 17126, also known as Township Road T-634, at the corner of the S. F. Owens and Glenn Amon lands southwardly and thence eastwardly to a private road leading to the house now or formerly of John Livergood, being 1623.5 feet in length.

SECTION 3. This Ordinance to be recorded in the Ordinance Book of the Township and to become effective five (5) days after its adoption.

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

EXHIBIT "C"

ORDAINED AND ENACTED, this 5th day of July, 1961.

GOSHEN TOWNSHIP BOARD OF  
SUPERVISORS

ATTEST:

Alyde H. Lankey  
Secretary

By George J. Head  
Chairman

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.

GLENN AMON

S F OWENS

R.R.  
1712 1/2

APPRX. 1500 FT.  
INSTR. T. 634 & T. 636

Existing Township Road T. 634

To  
Gilligheim

To  
Eden

2 RT of way  
Begin  
New Road

GOSHEN TOWNSHIP SUPERVISORS  
CLEARFIELD, PA. RD.  
MAP SHOWING  
PROPOSED NEW ROAD  
GOSHEN TWP, CLFD. CO., PA.  
SCALE 1" = 100'  
CLEARFIELD, PA.  
MAY 26, 1961  
ROY C. KINDIG  
REG. ENGR.

HAROLD OWENS

GLENN AMON

JOHN LIVERGOOD

Proposed New Township Road  
5.5° 39' W. 597.0'  
5.6° 55' W. 543.0'  
RT of way

RIGHT OF WAY (33') wide  
Roadway (16') wide

$\Delta = 88^{\circ} 23'$   
D. 36° 26' on 50 CHORD  
T: 77.8'  
L: 121.2 on 50 CHORD  
R: 80.0'

RALPH L. NEFF

Proposed New Township Road

S. 81° 28' E. 481.9'

2 RT of way

SPRING  
R.R.

House  
6.10'  
6.10'

End  
New Road

JOHN LIVERGOOD

CLEARFIELD, PA. RD

MAP SHOWING

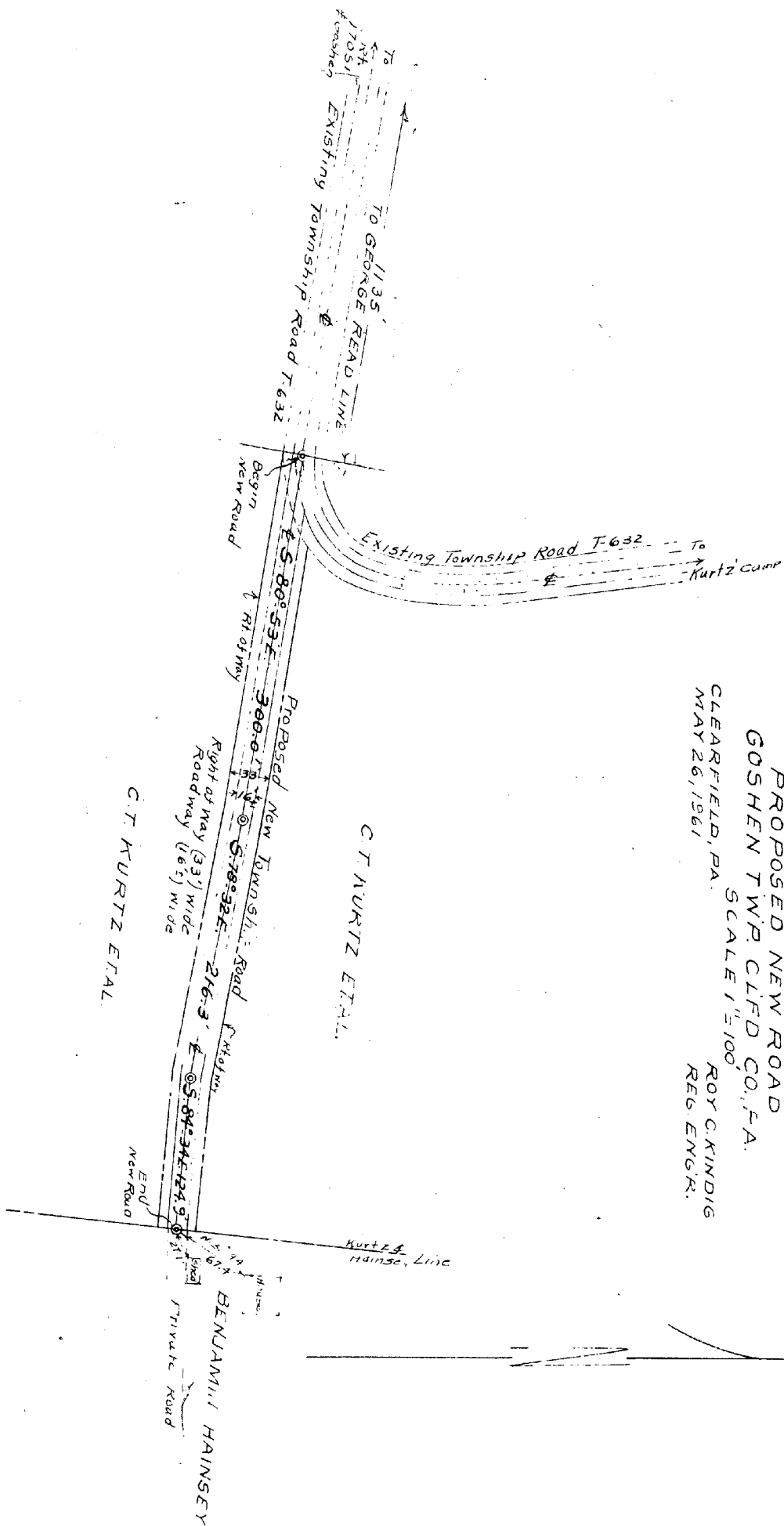
PROPOSED NEW ROAD

GOSHEN TWP. CLIFD CO., I.A.

SCALE 1" = 100'

CLEARFIELD, PA.  
MAY 26, 1961

ROY C. KINDIG  
REG. ENG'G.



W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PA.



5 May 1961

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

IN RE: AN ORDINANCE TO TAKE  
OVER, LAY OUT, AND ORDAIN AS  
TOWNSHIP ROADS, TWO CERTAIN  
ROADS IN GOSHEN TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYL-  
VANIA, THE FIRST THEREOF  
KNOWN AS BENJAMIN HAINSEY  
ROAD, AND THE SECOND THEREOF  
AS LIVERGOOD ROAD.

ORDINANCE  
AND  
REPORT OF HEARING

FILED  
MAY 2 1961  
WM. T. HAGERTY  
(PROSECUTOR)

400  
Wag

W. ALBERT RAMEY  
ATTORNEY AT LAW  
CLEARFIELD, PENNA.