

DOCKET NO. 175

NUMBER	TERM	YEAR
360	November	1961

School District of Lawrence Township,

Clearfield County, Pennsylvania

VERSUS

Winifred M. Aughinbaugh, Trustee

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCHOOL DISTRICT OF :
LAWRENCE TOWNSHIP, :
CLEARFIELD COUNTY, PENNSYLVANIA : No. 360 *November*
vs : *December* Term, 1961
: CONDEMNATION PROCEEDINGS
WINIFRED M. AUGHINBAUGH, Trustee :

PETITION

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

The Petition of the School District of Lawrence Township, Clearfield County, Pennsylvania, a political sub-division, respectfully represents:

1. That your Petitioner is a political sub-division of Clearfield County, and of the Commonwealth of Pennsylvania, and pursuant to lawful authority and for any and all uses and purposes of your Petitioner, has entered upon, taken and appropriated all that certain lot or parcel of ground situate in the Township of Lawrence, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin on the Northwest corner of Highview Village plot plan; thence by lands of William J. Hoover Estate North Three (03°) degrees Forty-nine (49') minutes East Two Hundred Eighty (280) feet to an iron pin; thence by lands of Thomas H. and Winifred N. Aughinbaugh North Eighty-three (83°) degrees Fifty (50') minutes West Three Hundred Forty and Eight tenths (340.8) feet to an iron pin; thence by land of Thomas H. Jr., and Winifred N. Aughinbaugh South Twenty-seven (27°) degrees Forty (40') minutes West for a distance of Six Hundred Eighteen (618) feet to an iron pin on the North Right-of-Way line of Township Road No. 517; thence along Right-of-Way of said road South Fifty-seven (57°) degrees Nineteen (19') minutes East for a distance of Two Hundred Fifty-four and Three tenths (254.3) feet to an iron pin; thence along the land formerly of Robert Burns North Seventy-three (73°) degrees Thirty (30') minutes East for a distance of Three Hundred Ninety-two and Four tenths (392.4) feet to an iron pin; thence along the west boundary of Highview Village plot North Three (03°) degrees Forty-nine (49') minutes East for a distance of Two Hundred Fifty-eight (258) feet to the iron pin the place of beginning. Containing Six and Eight tenths (6.8) acres.

2. That Winifred M. Aughinbaugh, Trustee, is the owner or reputed owner of said land, and resides at 507 Ogden Avenue, Clearfield, Pennsylvania.

3. That your Petitioner has selected the said premises as a part of the school site upon which is to be erected an elementary school and that the inclusion of the above described premises is necessary part of the site.

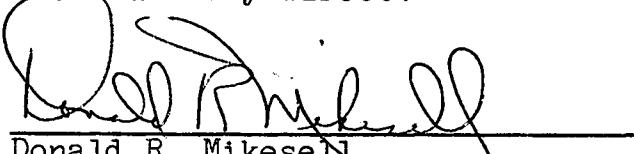
4. The Board of School Directors of the Township of Lawrence and Winifred M. Aughinbaugh, Trustee, are not able to agree on the terms of purchase of said land, which is described herein.

5. That by Resolution of the Board of School Directors of the School District of the Township of Lawrence, three school directors, counsel for the said school district and their engineer entered upon, took possession and occupied the premises described herein and designated and marked the boundary lines thereof in accordance with the description in this Petition.

6. That attached herewith is the plot or plan showing the location and dimensions of the said described land.

7. That the school funds raised by your Petitioner by taxation are security to the Defendant, Winifred M. Aughinbaugh, Trustee, or any other parties interested in the said premises, or any owners or reputed owners, for the premises taken for school purposes.

WHEREFORE, your Petitioner prays your Honorable Court to appoint a jury of viewers from the County Board of Viewers and they shall thereafter fix a time for hearing when they shall view the premises in accordance with the Act of Assembly of 1949, May 10, P. L. 30 Article 7, Section 723, 24 P. S. 7-723 of the Public School Code, and further to make any necessary Order pertaining to service of notice to the Defendant, or the owners, or any other parties interested in the said premises or any owners or reputed owners, as the Court may direct.



Donald R. Mikesell
Attorney for Petitioner
Board of School Directors of the
School District of the
Township of Lawrence.

STATE OF PENNSYLVANIA : : SS.
COUNTY OF CLEARFIELD : :

On this, the 29th day of December, 1961, before me,
A. Prothonotary, the undersigned officer,
personally appeared Stanley R. Thompson, who acknowledged
himself to be the Secretary of the Board of School Directors of
the School District of the Township of Lawrence, a political
sub-division, and that he as such Secretary being authorized to
do so, executed the foregoing instrument for the purpose therein
contained for and on behalf of the School District of the
Township of Lawrence and that the facts set forth in the
foregoing Petition are true and correct to the best of his
knowledge and belief.

Stanley R. Thompson
Secretary of the Board of School
Directors of the Township of
Lawrence

Sworn and subscribed to
before me this 29th day
of December, 1961

Wm T. Hegerty
PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCHOOL DISTRICT OF
LAWRENCE TOWNSHIP,
CLEARFIELD COUNTY, PENNSYLVANIA : : No. 360 December Term, 1961
vs : : CONDEMNATION PROCEEDINGS
WINIFRED M. AUGHINBAUGH, Trustee : :

ORDER

NOW, *Dec 29* 1961, Petition for Condemnation having
been presented by the Board of School Directors of the School
District of the Township of Lawrence and it appearing from the
Petition that they have entered upon and occupied lands
described in the said Petition and have set forth facts including
a description by metes and bounds and the names of the owners, it
is on motion of Donald R. Mikesell, Attorney for the School

District of the Township of Lawrence, ORDERED AND DECREED that.

John Scollins, *John D. Hayes*,
and *Barry Fugles* are hereby appointed a Jury of
Viewers from the County Board of Viewers and within thirty (30)
days shall fix a time for hearing when they shall view the
premises provided, however, that the Petitioner shall give five
(5) days' notice of the time and place for the first meeting and
that the said notice to Winifred M. Aughinbaugh, Trustee, shall
be by Certified Mail, Return Receipt Requested to her last
known address.

On completion of the hearing and view, the Jury of Viewers
shall make a true report to the Court, taking into consideration
the quality and location of the improvements upon the lands
taken and occupied for school purposes, and also taking into
consideration the damages sustained and the benefits accruing and
further shall estimate and determine what amount of damages, if
any, have been sustained by the owners of such premises by reason
of the taking of the said lands by the School District, and to
whom said amount or amounts is payable.

BY THE COURT

John Fugles

P. J.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 360 ^{Decem}ber Term, 1961
CONDEMNATION PROCEEDINGS

SCHOOL DISTRICT OF
LAWRENCE TOWNSHIP,
CLEARFIELD COUNTY,
PENNSYLVANIA

vs
WINIFRED M. AUGHINBAUGH,
Trustee

PETITION

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1/16/62 - Copy marked
to receiver

1/16/62

W.M. T. MCGOWAN
PROTHONOTARY

UREY & MIKESELL
ATTORNEYS AT LAW
CLEARFIELD TRUST COMPANY BUILDING
CLEARFIELD, PA.