

In the Court of Quarter Ses-
sions of Cambria County, Pa.,
No. 3 *Sept* Sessions, 1925

IN RE; PETITION FOR AP-
POINTMENT OF VIEWERS TO
VACATE ROAD IN CLEARFIELD
TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA.

B O N D

ORDER.

Now, *Nov. 16* 1925,
the within bond presented
and the Bond and Sureties
approved and directed to be
filed.

By the Court
L

Filed 16 November 1925

IVAN J. MCKENRICK
LAWYER
EBENSBURG, CAMBRIA COUNTY, PA.
MCKENRICK BLDG.

IN RE; PETITION FOR APPOINTMENT OF VIEWERS TO VACATE ROAD IN
CLEARFIELD TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

B O N D.

KNOW ALL MEN BY THESE PRESENTS, that we, J. S. Sprout, Ed Storm and Harvey W. Sutton, all of the Township of Clearfield, County of Cambria and State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of One Hundred (\$100.00) Dollars, lawful money of the United States, to be paid to the said Commonwealth, her certain attorney or assigns, to which payment well and truly to be made and done, we do bind ourselves our heirs, administrators and executors, jointly and severally firmly by these presents.

Sealed with our seals, and dated the Tenth day of November 1925.

The condition of this obligation is such that whereas, a petition has been presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, to No. December Sessions 1925, praying for the appointment of Viewers to view the premises and vacate a certain road in Clearfield Township; now if the above bounden J. S. Sprout, Ed Storm and Harvey W. Sutton,

or any of them shall pay or cause to be paid, such costs as the Court of Quarter Sessions of Cambria County may order and decree on account of the said petition and view, then this obligation to be void; otherwise to be and remain in full force and effect.

Witness:

Mrs. Ed Storm.

J. S. Sprout (SEAL)

Ed Storm (SEAL)

Harvey W. Sutton (SEAL)

State of Pennsylvania)
County of Cambria)

SS:

Before me, the undersigned authority personally appeared Ivan J. McKenrick, who being by me duly sworn according to law deposes and says, that the sureties above named are owners of real estate, worth the penalty expressed therein, over and above their just debts, liabilities and all legal exemptions.

Sworn to and subscribed before
me this 10th day of November,
A. D. 1925.

Ivan J. McKenrick

Anna Byrne Notary Public.

My commission expires April 15, 1929.

No. 3, September SESSIONS, 1925

Order to view and vacate road in

Clearfield Township

and

Report of Viewers.

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

Filed 22 Dec 1925
J. M. Roth

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk Robb X90X613X

8 March 1926 Approved.

~~By [Signature]~~
[Signature]

14 June 1926 Confirmed absolutely.

Frank to. Robt.
Clark



NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge. They shall endeavor to procure from the person or persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report at the next term of said Court, and in the said report shall state particularly: First, who of them were present at the view, second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees (except at the crossing of ravines and streams), where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

Commonwealth of Pennsylvania, }
County of Cambria. } SS.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the 16th day of November A. D. 1925, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Clearfield, in the said County, setting forth that ~~they have a right of way~~ ~~vacation for a road~~ ~~over the highway~~ ~~road from~~

a public road was long since laid out and opened leading from Patton to Chest Springs through Clearfield Township. That the said road was thereafter taken over by the Department of Highways of the Commonwealth of Pennsylvania, as a State Highway Route No. 221. That the State Highway Commissioner with the approval of the Governor of the Commonwealth, relocated the said State Highway Route No. 221 and a permanent road has been constructed on the relocated route. That a part of the original road which begins at a point where the original road intersects the new State Highway, 2455 feet South from the line between Patton Borough and Clearfield Township, and extends in a Northerly direction 1400 feet to a point where the brick road between Patton and St. Augustine intersects the original Highway, has become inconvenient, impracticable and burdensome by reason of the fact that there is an improved State Highway running almost parallel with the road desired to be vacated and the said road is no longer necessary for the traveling public.

and therefore praying the Court to appoint proper persons to view and ~~improve~~ ^{vacate} the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker

surveyor, and

J. D. Ritter and Adam Shuman

viewers, to view the ground proposed for said ~~road~~ ^{vacation}, and if they agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to lay out the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private property, and also be as far as practicable, agreeable to the desires of the petitioners, and that they make a report of their proceedings to the next Court of Quarter Sessions to be held for said County, 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 it may pass.

By the Court.

Attest:

Frank B. Roff

Clerk.

REPORT OF VIEWERS.

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the board of viewers of Cambria County appointed by your honorable Court to view and determine as to the propriety of vacating a certain piece of public road in the township of Clearfield, Cambria County, Pennsylvania, between the terminal points particularly described in the attached order of the Court ; respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, the Supervisors of the Township of Clearfield; and having them accept service of notices hereto attached; and to the traveling public by printed hand bills posted in public and conspicuous places along the route and near the termini of the piece of road petitioned to be vacated: having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability, all of us met in accord with the notices so given and posted, as aforesaid, and having gone over and carefully viewed the piece of road in question and are unanimously of the opinion that the piece of road between the termini referred to in said attached order and as indicated on the plot or draft hereto attached and made a part of this report should be vacated.

The piece of road in question and desired to be vacated begins at a point 2455 feet Southward, along the Patton-Chest Springs road, from the line between Patton Borough and the Township of Clearfield; where the original road intersects the new State Highway and extends thence the following courses and distances, viz: North 9° East 303 feet, North 24° 30' East 122 feet, North 26° East 206 feet, North 10° 20' East 135 feet, North 25° 30' East 222 feet, North 24° West 145 feet, North 55° West 177 feet and North 38° 45' West 98 feet to where said original road intersects with the brick road leading from Patton to St. Augustine; passing the properties of Matt. Cohler, John Christoff the

Cemetery,
attached draft.

and others, as indicated of the

The parties living along the piece of road proposed to be vacated, by reason of the new lay out and construction of the improved highway have easy access to the new State Highway from their own properties and the value of their said properties, in the minds of the viewers, having been enhanced by reason of the change, are not entitled to any damages.

Witness our hands this 21st. day of December, A. D., 1925.

Adam Shuman

A. M. Shoemaker

J. D. Ritter

Viewers.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of .. Quarter.....
... Sessions..... of Cambria County, Pa., to view and determine as to ..
the propriety of vacating a certain piece of public road in.....
Clearfield Twp., said county and state: Beginning at a point where ..
the old road from Patton to Chest Springs intersects the new State ..
Highway 2455 ft.; Southward from the line between Patton Boro. and ..
Clearfield Twp., and extending in a Northerly direction 1400 ft. ...
to a point where the brick road between Patton and St. Augustine ..
intersects the original highway:

will meet .. at the Northerly end of piece of road to be viewed, in the ..
..... Township..... of Clearfield..... aforesaid,
on the .. 19th... day of December..... 1925, at .. 11:15 o'clock A. M., ..
for the purpose of performing the duties of their appointment:

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Ebensburg, Pa. 12/9/1925.

Now, Dec., 17, 1925, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

A. J. Kunkel

clerk

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of ...Quarter.....
...Sessions..... of Cambria County, Pa., to view and determine as to
the propriety of vacating a certain piece of public road in Clear-
field Township, said county and state; Beginning at a point wherex
the old road - from Patton to Chest Springs - intersects the new...
state highway 2455 ft. Southward from the line between Patton Boro.
and Clearfield Twp. and extending in a Northerly direction 1400 ft.
to a point where the brick road between Patton and St. Augustine
intersects the original highway:

will meet at Northerly end of piece of road to be viewed,..... in the
..... Township..... of Clearfield..... aforesaid,
on the 19th.... day of ... December..... 1925, at 11:15 o'clock A. M.,
for the purpose of performing the duties of their appointment.

..... A. M. Shoemaker,.....

..... J. D. Ritter and.....

..... Adam Shuman.....

Viewers.

Ebensburg, Pa., 12/9/1925.

Costs of View.

A. M. Shoemaker.

Preparing notices of View	\$7.50
Stenographer	5.00
Posting notices	7.50
Auto hire	5.00
Serving notices	3.75
View	7.50
Auto hire	4.00
Discussing & determining as to report and going over report with viewers	7.50
Preparing report	7.50
Stenographer	4
Having report signed assembling and filing	15.00
Surveying drafting and tracing 4 1/2 Days at 7.50	33.75
2 Helpers day at 4 each	8.00
Auto hire	5.00
Tracing cloth	.50
	<u>\$121.50</u>

J. D. Bitter

4 Days	\$30.00
6 miles @ 5¢	2.30
Auto hire 3 trips	6.00
	<u>\$38.30</u>

Adam Shuman

4 Days	30.00
88 mi Home to City 3 trips	4.40
Auto hire	8.00
	<u>\$42.40</u>

[Handwritten signatures and stamps]

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania. No. 3. Sept.
Sessions, 1925.

IN RE:

ROAD IN CLEARFIELD
TOWNSHIP.

MOTION TO CONTINUE APPOINT-
MENT OF VIEWERS.

Filed 18 December 1925.

IVAN J. MCKENRICK
LAWYER
EBENSBURG, CAMBRIA COUNTY, PA.
MCKENRICK BLDG.



In Re: ROAD IN CLEARFIELD TOWNSHIP) In the Court of Quarter
) Sessions of Cambria County,
) Pennsylvania,
) No. 3 September Sessions
) 1925.

MOTION TO CONTINUE APPOINTMENT OF VIEWERS.

Now *Dec 18* 1925, on motion of
Ivan J. McKenrick, Attorney for the Petitioners, the
appointment of the Viewers heretofore made, is continued
until the next term of court.

By the Court

In the Court of Quarter Ses-
sions of Cambria County, Pa.,
No. 3 *Sept.* Sessions.
1925

In Re: ROAD IN
CLEARFIELD TWP.

PETITION FOR APPOINTMENT OF
VIEWERS TO VACATE ROAD IN
CLEARFIELD TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

ORDER.

Now, *Nov-16th* 1925, the
within petition presented and
upon due consideration the
Court do appoint

Adam Shuman

J. D. Sutton

Chas. Shuman Esq. Viewers
to view the premises and make
report thereon according to
law.

By the Court

Filed 16 November 1925.

IVAN J. MCKENRICK
LAWYER
EBENSBURG, CAMBRIA COUNTY, PA.
MCKENRICK BLDG.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

Petition for appointment of
viewers to vacate road in
Clearfield Township.

} No. December Sessions
} 1925.

TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS:

The Petition of the undersigned inhabitants of Clearfield Township, Cambria County, Pennsylvania, respectfully represents:

That a public road was long since laid out and opened leading from Patton to Chest Springs through Clearfield Township. That the said road was thereafter taken over by the Department of Highways of the Commonwealth of Pennsylvania, as a State Highway Route No. 221. That the State Highway Commissioner with the approval of the Governor of the Commonwealth, relocated the said State Highway Route No. 221 and a permanent road has been constructed on the relocated route.

That a part of the original road which begins at a point where the original road intersects the new State Highway, 2455 feet South from the line between Patton Borough and Clearfield Township, and extends in a Northerly direction 1400 feet to a point where the brick road between Patton and St. Augustine intersects the original Highway, has become inconvenient, impracticable and burdensome by reason of the fact that there is an improved State Highway running almost parallel with the road desired to be vacated, and the said road is no longer necessary for the traveling public.

Your petitioners therefore pray your Honorable Court to appoint qualified persons to view the premises and vacate said road in whole or in part, as directed by the Act of Assembly in such case made and provided. And your Petitioners will ever pray, etc.

STATE OF PENNSYLVANIA

County of Cambria

} SS:

J. S. Sprout

being duly sworn

according to law, deposes and says that the matters set forth in the foregoing Petition, are true to the best of his knowledge, information and belief.

Sworn to and subscribed before
me this 10th day of November
1925.

Anna Byrne, Notary Public.

J. S. Sprout

FILED NOV 15 1925

J. S. Sprout Supervisor
G. B. P. Linnet Supervisor
J. A. Pectin Supervisor
J. L. M.
J. B. G. Ryan
Lewis Thale
Charles J. Pina
John Verbee
Phos Vlasen
Thomas H. Baker
Isadore Horne
M. J. Holl
Ed. Storm
Harvey M. Sutton

Plat or draft showing the location and line of a piece of public
 road in Clearfield Township, Cambria County, Pennsylvania,
 viewed upon the attached order of the Court of Quarter Sessions
 of said county and state, dated the 16 day of November, A. D. 1925.
 and recommended to be vacated.
 A. M. Shoemaker, J. D. Riller and Adam Shumway, Viewers.

