

No. 1 March Sessions 1927

In the Court of Quarter Sessions,
Cambria County, Pa.;
No. June Sessions, 1927

PETITION FOR APPOINTMENT
OF VIEWERS TO VACATE ROAD
IN CLEARFIELD TOWNSHIP.

Filed: 10 March 1927.

Order

Now March 10 1927
the within Petition presented
and upon due consideration
the Court do appoint

Sam Shum
Joe Kull

and Al Shum
to view the premises and make
report as provided by law.

By the Court
E

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

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

PETITION FOR APPOINTMENT OF : NO. JUNE, SESSIONS
VIEWERS TO VACATE ROAD IN :
CLEARFIELD TOWNSHIP. : 1927.

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 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 new State Highway intersects the original road leading from Patton to Chest Springs, which point is 450 feet northeast of the intersection of the original road with a Township Road leading in a northerly direction to the Patton and Dysart Road; thence extending from the New State Highway in a South easterly direction to a point where the original road intersects the Township Road leading to the Patton and Dysart Road; the part to be vacated being about 450 feet in length, 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: L. A. Cretin 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 5 day of March
1927.

H. W. Delozer J.P.

My Commission expires Jan 1 1928

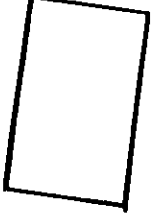
L. A. Cretin

L. A. Cretin
 John Lection
 Maria Cretin
 Mrs Chas Bender
 Mrs Wilfred Conrad
 Wilfred Conrad
 L. A. Bureaux
 Mrs J. Bureaux
 Martin Bakale
 Mary Bakale
 S. A. Collins
 Chas Nail
 Thomas H. Baker
 Mary E. Baker
 Bernhard Baker
 Norman E. Sutton
 Irene Sutton
 Chas Bender
 D. F. Horne
 Mrs D. F. Horne
 T. M. Sheehan
 Mrs M. Sheehan
 G. L. Farnon
 D. L. Koch
 H. E. M. Kelly
 Lewis Nagle
 W. Sheehan
 John A. Harris
 G. J. Harris
 J. Davis
 J. K. Brown
 J. S. Sprunt

D. J. Hart Pa
 D. J. Hart Pa
 Patton

D. J. Hart Pa
 Patton

Clark's School.



← To Patton-Dysart Road
Dirt road. ending. To Patton-Chest Springs Road. To Chest Springs

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Improved State Highway

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Sketch showing the location of a piece of public road, in Clearfield Township, Cambria County, Pennsylvania, viewed upon an order of the Court of Quarter Sessions of said county and state dated 10th March, A. D., 1927.

A. M. Shoemaker, J. D. Ritter and Adam Shuman,
(Viewers.)

Dec: 1 - March: Sessions - 1927 -

In the Court of Quarter Ses-
sions, Cambria County, Penna.
No June Sessions 1927.

IN RE: PETITION FOR AP-
POINTMENT FOR VIEWERS TO
VACATE ROAD IN CLEARFIELD
TOWNSHIP.

B O N D.

Order

Now: *March 10* 1927

the within Bond presented
approved and directed to be
filed.

By the Court
L

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, L. A. Cretin,
J. S. Sprout and V. M. Sheehan, all of Cambria County, 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 5th day of March 1927.

The condition of this obligation is such that whereas, a
petition has been presented to the Court of Quarter Sessions of Cam-
bria County, Pennsylvania, to No. June Sessions, 1927, praying
for the appointment of Viewers to view the premises and vacate a
certain road in Clearfield Township; now if the above bounden

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; other-
wise to be and remain in full force and effect.

WITNESS:

L. A. Cretin

L. A. Cretin (SEAL)

J. S. Sprout (SEAL)

V. M. Sheehan (SEAL)

STATE OF PENNSYLVANIA :

COUNTY OF CAMBRIA : SS: L. A. Cretin one of the princi-

and says that the sureties named therein
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 5th day of March 1927.

L. A. Cretin

R. W. Delozier J. S.

My Commission expires Jan. 1/1928

R E P O R T O F V I E W E R S .

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

We, the undersigned members of the permanent Board of Viewers of Cambria County, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road in Clearfield Township, said county and state, between the termini therein specified; 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, and 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 at the termini and along the piece of road proposed to be vacated; and having been each 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, the roads adjacent thereto and the situation as a whole and are unanimously of the opinion that the piece of road as specified in the order of the Court, hereto attached, has become inconvenient and burdensome to the taxpayers of the Township of Clearfield and should be vacated.

The piece of road proposed to be vacated, a plot or draft of which is hereto attached and made a part of this report, begins at a point where the new state highway intersects the original township road, leading from Patton to Chest Springs and extends thence North forty two degrees East ^{three} ~~two~~ hundred ninety feet to where the piece of road proposed to be vacated adjoins the public road leading from the new state highway, leading from Patton to Chest Springs, to the Patton - Dysart road, near the - - - Clark School House, on the Patton Chest Springs road. The termini of the said piece of road being the same as are more particularly described in the attached order of the Court of Quarter Sessions.

Witness our hands this 13th day of April, A. D., 1927.

Adam Shuman

J. D. Ritten

A. M. Shoemaker

Viewers.

Notice of View!

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 new State Highway intersects the original road leading from Patton to Chest Springs, which point is 450 ft. North East of the intersection of the original road with a township road leading in a Northerly direction to the Patton - Dysart road; thence extending from the new State Highway in a South Easterly direction to the point where the original road intersects the township road leading to the Patton - Dysart road :

will meet at the point of beginning, above noted, in the Township of Clearfield aforesaid on the 9th. day April 1927, at 10:00 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. 3/29/'27.

Now, April 8, 1927, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pa.

A. S. Hinkley
Clerk.

Notice of View!

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 new State Highway intersects the original road leading from Patton to Chest Springs, which point is 480 ft. North East of the intersection of the original road with a township road leading in a Northerly direction to the Patton and Dysart road; thence extending from the new State Highway in a South Easterly direction to the point where the original road intersects the township road leading to the Patton - Dysart road:

will meet at the point of beginning, above noted, in the Township of Clearfield aforesaid on the 9th. day April 19 27, at 10:00 o'clock A. M., for the purpose of performing the duties of their appointment.

A. H. Shoemaker,

J. D. Ritter and

Adam Shuman

Viewers.

Ebensburg, Pa. 3/29/'27.

Now, *March 30* 1927, service of the within notice is hereby accepted by the undersigned Supervisors of the Township of Clearfield, Cambria County, Pennsylvania.

L. A. Retz
V M Sheehan

Supervisors.

Cost of View

A. M. Shoemaker

Preparing serving ^{and}
posting notices of view — \$18.75
Bus fare to Patton 1.30 and
20 miles @ 5¢ — 1.00 — 2.30
Day on View — 7.50
Bus fare — 2.90
Engineering work etc 18.00
Preparing having
signed assembly
& filing report — 15.00
\$64.45

J. D. Ritter

Day on View \$7.50
Auto fare 2.50
\$10.00

Adam Shuman

Day on View \$7.50
Bus fare 2.90
22 mi @ 5¢ 1.10
\$11.50

APPROVED FOR PAYMENT
J. D. Ritter
COMMISSIONER

Supplemental Bill
under Act Mar 29th 1927

A. M. Shoemaker
7 1/2 days
20 miles @ 10¢

33.75
1.00
34.75
COUNTY CONTROLLER
Jacob M. [unclear]

J. D. Bitter
1 day

4.50
COUNTY CONTROLLER
Jacob M. [unclear]

Adam Shuman
1 day Bal 4.50
2.2 miles 1.10

5.60
COUNTY CONTROLLER
Jacob M. [unclear]

Cent
4/27/27

RECEIVED FOR PAYMENT
Homer George
COMMISSIONER

No. 1, March SESSIONS, 1927.

Order to view and vacate road

in Clearfield Township.

and
Report of Viewers.

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

Filed 13 April 1927

A. M. Shoemaker

Adam Shuman

J. D. Ritter

Viewers

Clerk

90 cts.

McKenrick

13 June 1927 . Approved . . .

By the Court
Evans P.J.

112 Sept. 1927 confirmed absolutely
Frank B. Roth, Clerk

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, to 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 10th day of March A. D. 1927, 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 take under an~~
~~sentence for want of~~ ~~road or highway, laid out 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 State Highway Route No. 221. That the State Highway Commissioners, 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 re-located route.

That a part of the original road which begins at a point where the new State Highway intersects the original road leading from Patton to Chest Springs, which point is 450 feet northeast of the intersection of the original road with a Township Road leading in a northerly direction to the Patton and Dysart Road; thence extending from the New State Highway in a South easterly direction to a point where the original road intersects the Township Road leading to the Patton and Dysart Road; the part to be vacated being about 450 feet in length, 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 ~~lay out~~ ^{vacate} the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker ^{surveyor} and

Adam Shuman and J. D. Ritter ^{vacation}

viewers, to view the ground proposed for said ~~road~~ ^{vacation} and if they view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to ~~lay out~~ ^{vacate} 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 L. Ruff, Clerk.