

"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."

NO. 3 December 1929
SESSIONS, 1929

Order to view

Petition of the Supervisors
Portage township, Cambria County,
Penna. for the appointment of
Viewers to determine the neces-
sity for a public road as within
described.

Viewers
L.E. Kayler
S.H. Jencks and Wm J. McGrain

Clerk J. P. Shae

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 5th day of February A. D. 1940, before the Honorable Judge of the said Court: Upon the petition of ~~the~~ ^{Supervisors} ~~inhabitants~~ of the Township of Portage, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, ~~located from~~

Beginning on the township road, No. 406, leading from the Village of Jamestown to the Village of Munster; at or near the property of the Andrew Lesko Estate; at a point approximately one thousand two hundred feet northward from state Highway Route No. 53, and ending on land of Anthony Farren at a point at the northerly side of a private land, near the residence of said Farren: said point located approximately sixteen hundred feet south seventy degrees ten minutes west from the point of beginning above indicated.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law: The Court, upon due consideration had of the premises, do order and appoint

L. E. Kaylor, S. H. Jencks, surveyor, and Wm. J. McGrain

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such 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 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.

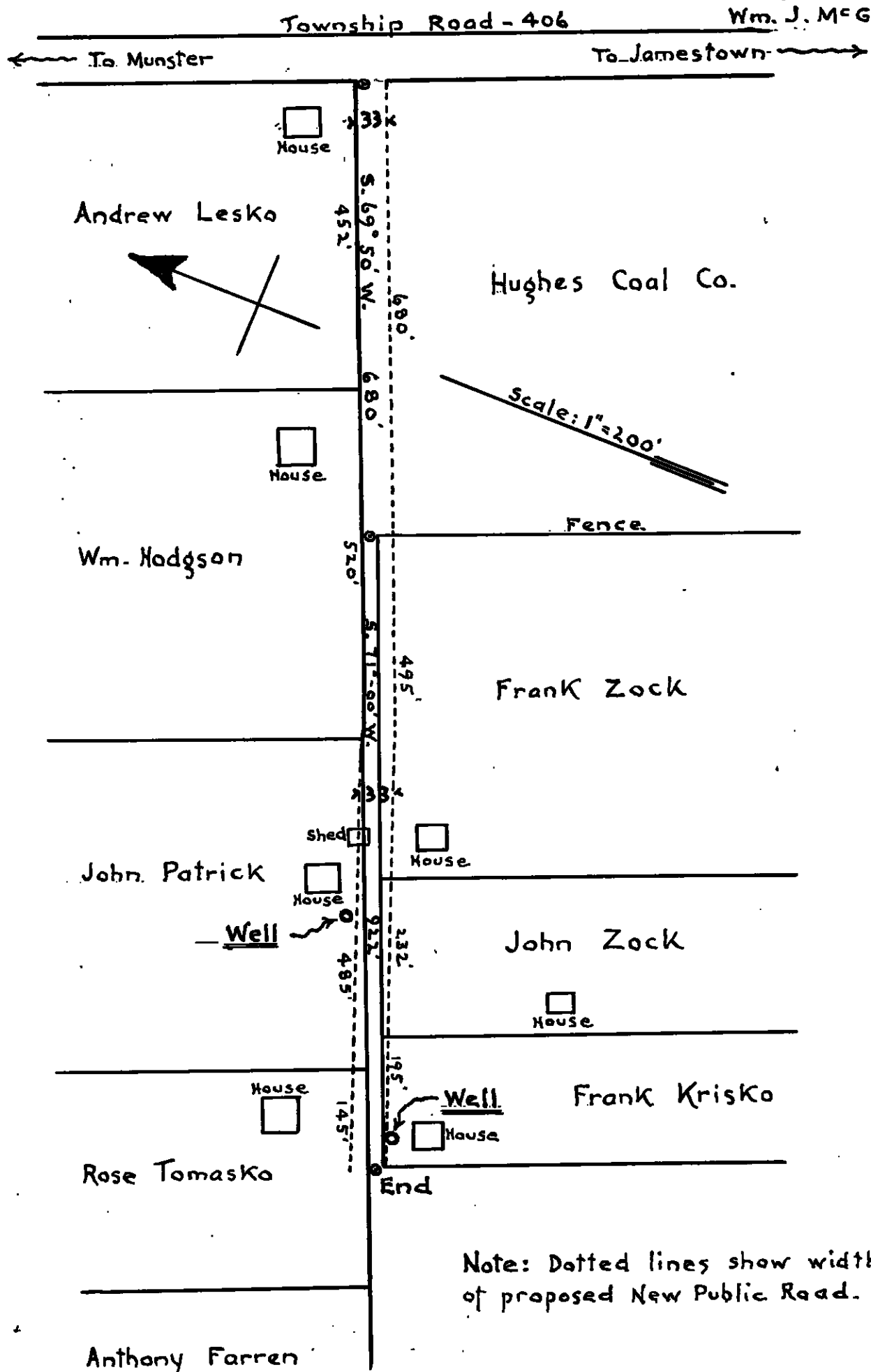
Attest:

Joseph C. Moore Clerk.

Plan Showing Location
of a
Proposed New Public Road in Portage Township
Cambria County, Pennsylvania

As laid out by Viewers between the termini specified
in attached Order of Court.
Viewers appointed by the Court of Quarter Sessions
of Cambria County, Pa., upon an Order entered to
No. 3 December Sessions, 1939.

S.H. Jencks
Louis E. Kaylor
Wm. J. McGrain



S.H. Jencks
3/27/40

In Re:- To supply a New Public
Road in the Township Of Portage,
in Cambria County, Pennsylvania.

In the Court of Quarter Session
of Cambria County and State of
Pennsylvania,
No 3 December Term, 1939.

NOTICE OF VIEW

THAT THE VIEWERS AS SET BY THE ABOVE NAMED COURT, to view the location and determine as to the necessity for a New Public Road in Portage Township, in Cambria County, as prayed for by the Supervisors of Portage Township, from a point on the Township Road, 406, leading from the Village of Jamestown to the Village of Dunster, at or near the property of Andrew Leake estate, at a point approximately one thousand two hundred feet northward from State Highway, Highway Route No. 83, and extending on land of Anthony Warren at a point on the northerly side of private land, near the residence of said Warren; said point located approximately sixteen hundred feet south, seventy degrees ten minutes west from the point of beginning above indicated, will meet at the place of beginning, as above outlined, on Saturday Morning, March / 6 / 1940, at ten o'clock for the purpose of making this view, as directed by the Court and at which time and place persons interested should be present.

Louis E. Kaylor,

S. H. Jencks,

M. J. McGrain,

VIEWERS

In Re:- To supply a New Public Road: In the Court of Quarter Sessions,
in the Township of Portage, in the : of the County of Cambria, and
County of Cambria and State of : State of Pennsylvania.
Pennsylvania. : No. 3 , December Sessions, 1939

NOTICE OF VIEW.

We, the undersigned Viewers, appointed by the above named Court, to view the location and determine as to the necessity for a new Public Road, in Portage Township, in Cambria County and State of Pennsylvania, as prayed for by the supervisors of Portage Township, from a point on on the township road No. 406, leading from the Village of Jamestown to the Village of Munster; at or near the property of the Andrew Lesko estate, at a point approximately one thousand two hundred feet northward from State Highway, Route No. 53, and ending on land of Anthony Farren at a point at the northerly side of private land , near the residence of said Farren; said point located approximately sixteen hundred feet south seventy degrees ten minutes west from the point of beginning as above indicated, will meet at the place of beginning, as above described on Saturday, the 16 day of March, 1940, at ten o'clock, A. M. for the purpose of performing our duties under the order of the Court and at which time and place all persons interested should be present.

Service of this notice of view
accepted on behalf of the Board Louis E. Kaylor,
of Supervisors of Portage Township S. H. Jencks,
by Terry Sharpe, Secretary of Board, Wm. J. McGrain,

VIEWERS.

X Terry Sharpe Secy.

In Re:- Petition of the
Supervisors of Portage Town-
ship for a New Public Road,
In Portage Township, Cambria
County, Pennsylvania.

In the Court of Common Pleas,
of Cambria County, Pennsylvania,
No. 3, November Sessions, 1939

The Commissioners of Cambria County

To

Louis E. Kaylor, Dr.

For View at Jamestown, Cambria County, March 16th, 1940.

To Preparing and posting and serving Notices of View, \$ 12.00
to mileage Ebensburg to Jamestown and return, 30 Miles, 3.00
To Day on View, 12.00
To Mileage, Ebensburg to Jamestown and return, 30 " 3.00
To one day meeting with citizens and property owners
to measure and lay out road, and agree on damages to be paid, 12.00
To mileage, Ebensburg to Jamestown and return, 30 miles, 3.00
To preparing data and report of viewers and Filing same, 12.00
To Typewriting and supplies, 3.00
\$60.00

Commissioners of Cambria County,

To

S. H. Jencks, Dr.

To day on View, \$12.00
Mileage, Ebensburg to Jamestown, 30 miles at 10 c nts, 3.00
To day on view to make measurements, bearings and estimate
damages allowed to property owners, 12.00
To mileage, Ebensburg to Jamestown and return, 30 miles, 3.00
To preparing map and Blue prints as required, 3.00
\$37.00

Commissioners of Cambria County

To

Wm. J. McGrain, Viewer.

To Day on View, \$12.00
To Mileage, Cresson to Jamestown and return, 14 miles, 1.40
To Day on view making property measurements and citing damage 12.00
To Mileage, Cresson to Jamestown and return, 14. miles, 1.40
\$26.80

APR 29 1940 CERTIFIED

APR 29 1940 CERTIFIED

APR 29 1940 CERTIFIED

No 3 Dec. term 1939
Portage twp

Report of Viewers
Filed April 5, 1940

APPROVED By the

Court this 10th OF

JUNE A.D. 1940

Breadth of as shown
thirty three (33) feet

By the Court

McGowan

In Re:- Petition of Supervisors of Portage Township, Cambria County, Pennsylvania, for the appointment of viewers to supply new road in Portage Township.

In the Court of Common Pleas of Cambria County State of Pennsylvania,
No. 3. December Term, 1939

REPORT OF VIEWERS

We, the viewers appointed by the above named Court to view the location and report as to the necessity for a new Public Road in Portage Township, in Cambria County, as prayed for by the Supervisors of Portage Township, beg to report as follows,

That we have been duly sworn and qualified as viewers as evidenced by the records of the Court and have complied with the requirements of the law by properly advertising the time and place of view, the date and hour of our meeting. These notices having been served on the Supervisors of Portage Township, on the Commissioners of Cambria County and public notices posted along the site of the proposed new road.

That we met at the time and place specified and were also met by the citizens of the community, the Supervisors and others interested and walked over the site of the proposed new road and that we found ample evidence of hardship and inconvenience of the people of the community and their actual need for a public road for ingress and egress. These people have maintained their own private road for many years and are reputable taxpayers and justly entitled to the new road as prayed for.

The Viewers unanimously agreed to grant the new road as prayed for

The New road as granted starts on Public Road, No. 406 leading from the Village of Jamestown to the Village of Munster at corner of property of Andrew Lesko, thence S. 69degrees 50 min. W. a distance of 452 feet along property of Andrew Lesko, thence along property of William Hoggson 520 feet to property of John Patrick, through patrick property a distance of 485 feet to property of Rose Tomasko and through the Rose Tomasko Property a distance of 145 feet to termini of road and a distance of 1602 feet. On the southern side of the new road it will pass through land of the Hughes Coal Co. beginning at the Township Road No. 406 a distance of 680 feet to property of Frank Zock, through the property of Frank Zock a distance of 495 feet to the property of John Zock and through the John Zock property a distance of 232 feet to the property of Frank Krisko and through the Frank Krisko property a distance of 195 feet to the termini of the road.

The Viewers established a land value of \$150.00 per acre for the land and the property owners agreed to accept settlement for damages for the amounts of land taken at this basis, the private road they have been using not to be included.

On this basis the amount of damages to be paid will be as follows:-
To John Patrick, \$18.00; To Rose Tomasko \$10.50; To John Zock, \$7.50;
To Frank Zock, \$34.50 and to Hughes Coal Co., \$46.50.

The Supervisors and the Viewers recommend that the road shall be of minimum width for the reason that if made wider it will destroy two wells, one on either side of location as shown on blue print.

We the viewers have given the duties of this view careful and deliberate attention and believe our disposition of it will meet with approval.
Witness our signatures this 3d day of
April, 1940,

This report has been delayed by the fact that the Court order was not cleared through the office of the new Clerk of Courts so that it was impossible to hold the view and report for the March Court. The Court then continued it for report and confirmation at June term.

Louis E. Taylor
A. H. Heuer
W. J. McGran
Viewers.

IN RE:- To supply a New Public Road: In the Court of Quarter Sessions,
in the Township of Portage, in the : of the County of Cambria, State
County of Cambria and State : of Pennsylvania,
of Pennsylvania. : No. 3 December Sessions, 1939

NOTICE OF VIEW

We, the Viewers appointed by the above named Court, to view the location and determine as to the necessity for a New Public Road in Portage Township, in Cambria County and State of Pennsylvania, as prayed for by the Supervisors of Portage Township, from a point on the Township Road, No. 406 leading from the Village of Jamestown to the Village of Munster, at or near the property of Andrew Lesko estate, at a point approximately one thousand two hundred northward from the State Highway, Route No. 53 and extending on land of Anthony Farren to the point at the northerly side of private land near the residence of said Farren; said point located approximately sixteen hundred feet south seventy degrees ten minutes west from the point of beginning above indicated, will meet at the place of beginning, above designated, on Saturday, the 16th day of March, 1940, at ten o'clock, A. M. for the purpose of performing our duties under the order of the Court and at which time and place all persons interested should be present.

Accepted by Board of Commissioners
Frank P. Dollen

Louis E. Kaylor,

S. H. Jencks,

Wm. J. McGrain,

VIEWERS.

NO. 3- Road 1.
December Sessions, 1939.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania

Petition of the Supervisors
of Portage Township, Cambria
County, Pa., for the appointment
of Viewers to determine the need
necessity for a public road as
within described.

5th Feb 1940

W. Lloyd Hibbs,

Atty - at - Law

Cresson, Pa.

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

To the Honorable, the Judges of said Court.

The Petition of the undersigned Supervisors of the Township of Portage, Cambria County, respectfully represent:

1. That they are the duly elected and qualified Supervisors of the Township of Portage, Cambria County, Pennsylvania.
2. That the citizens and tax payers of the said township of Portage and the traveling public generally labor under inconvenience for want of a public road in said township and state, between the termini indicated, viz:

Beginning on the township road, No. 406, leading from the Village of Jamestown to the Village of Munster; at or near the property of the Andrew Lesko Estate; at a point approximately one thousand two hundred feet northward from State Highway Route No. 53, and ending on land of Anthony Farren at a point at the northerly side of a private land, near the residence of said Farren: said point being located approximately sixteen hundred feet south seventy degrees ten minutes west from the point of beginning above indicated.

3. That the proposed road, if opened, will provide means of ingress and egress for a number of citizens and tax payers residing along and near to the proposed new road and for the public generally.

Your petitioners therefore pray your Honorable Court to appoint three members of the Permanent Board of Viewers of Cambria County, Pennsylvania, to view and determine as to the necessity for the proposed public road between the termini herein above designated, and to make report of their proceedings with a plot or draft thereof attached according to the Act of the General Assembly in such case made and provided.

And they will ever pray &c.

Charles Willy

John Timm

Thos McCabe

Supervisors of the Township of
Portage, Cambria County, Pa.

County of Cambria
SS.
State of Pennsylvania

Charles Wills, one of the
Supervisors of Portage Township, having been duly sworn accord-
ing to law, deposes and says that the facts set forth in the fore-
going petition are true and correct as he verily believes.

Charles Wills
Sworn and subscribed to be-
fore me this 28 day of
December, A. D., 1939.

Ed Nash
Justice of the Peace
My Commission Expires
First Monday in January, 1940

D - E - C - R - E - E.

Now, this 5 day of February, A. D., 1940, the within petition
having been read and considered the Court do appoint ---
R. E. Kaylar, P. H. Jewers, and
Wm J. McEneaney, three members of the Permanent
Board of Viewers, to view and determine as to the necessity for
a public road between the points of beginning and ending of the
proposed public road as above set forth, and to report their
findings in accord with the Act of the General Assembly in such
case made and provided.

By the Court
McKerrick
Y

And Now, January 1930, we hereby acknowledge the receipt of a copy of the within petition and notice of presentation thereof. We further waive the issuance of a rule and agree to the appointment of viewers as within prayed for.

Commissioners of Cambria County,

By

T. F. Jew

Chief Clerk.