

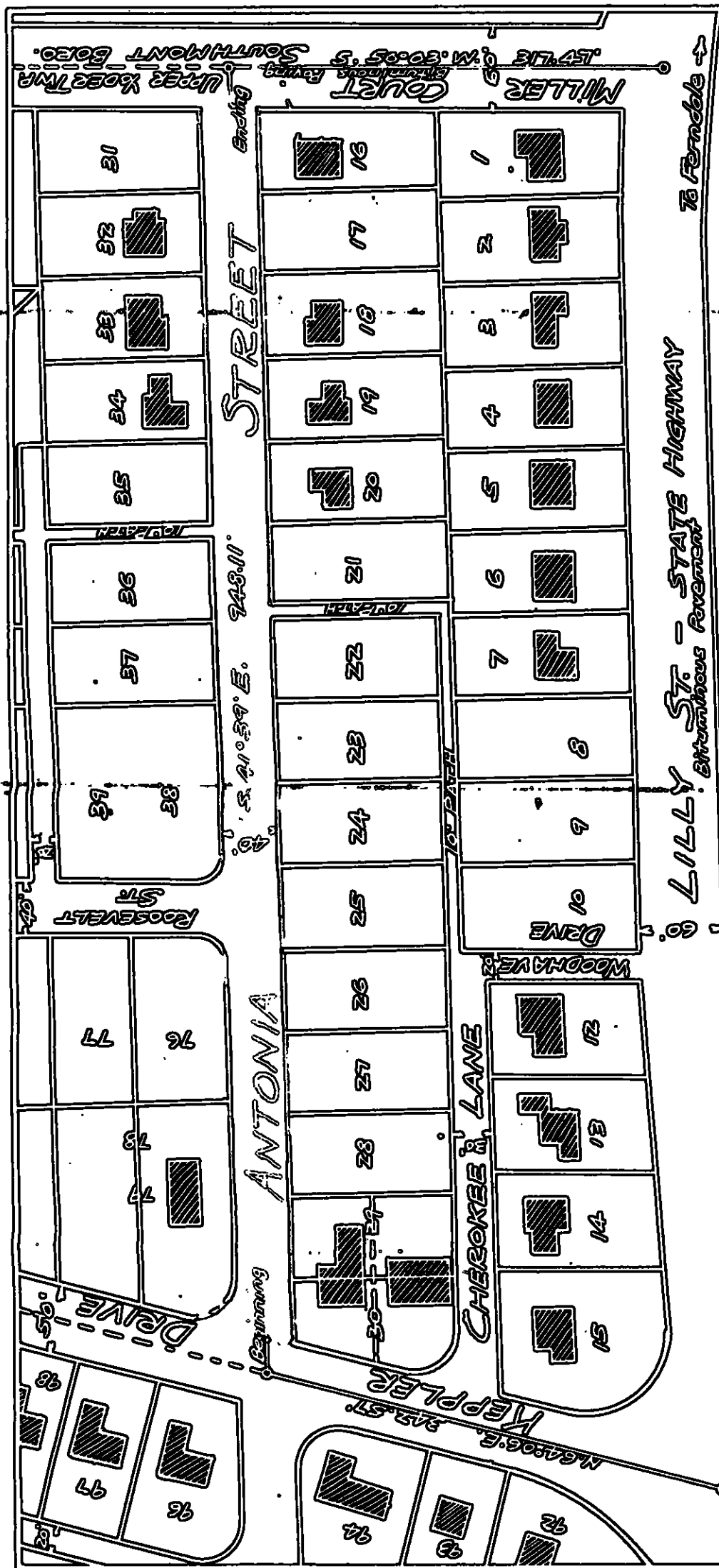
Rat microfilmed

RO#9 June 1938

Upper Yoder, Twp.

Layout of a Public Highway

map #1



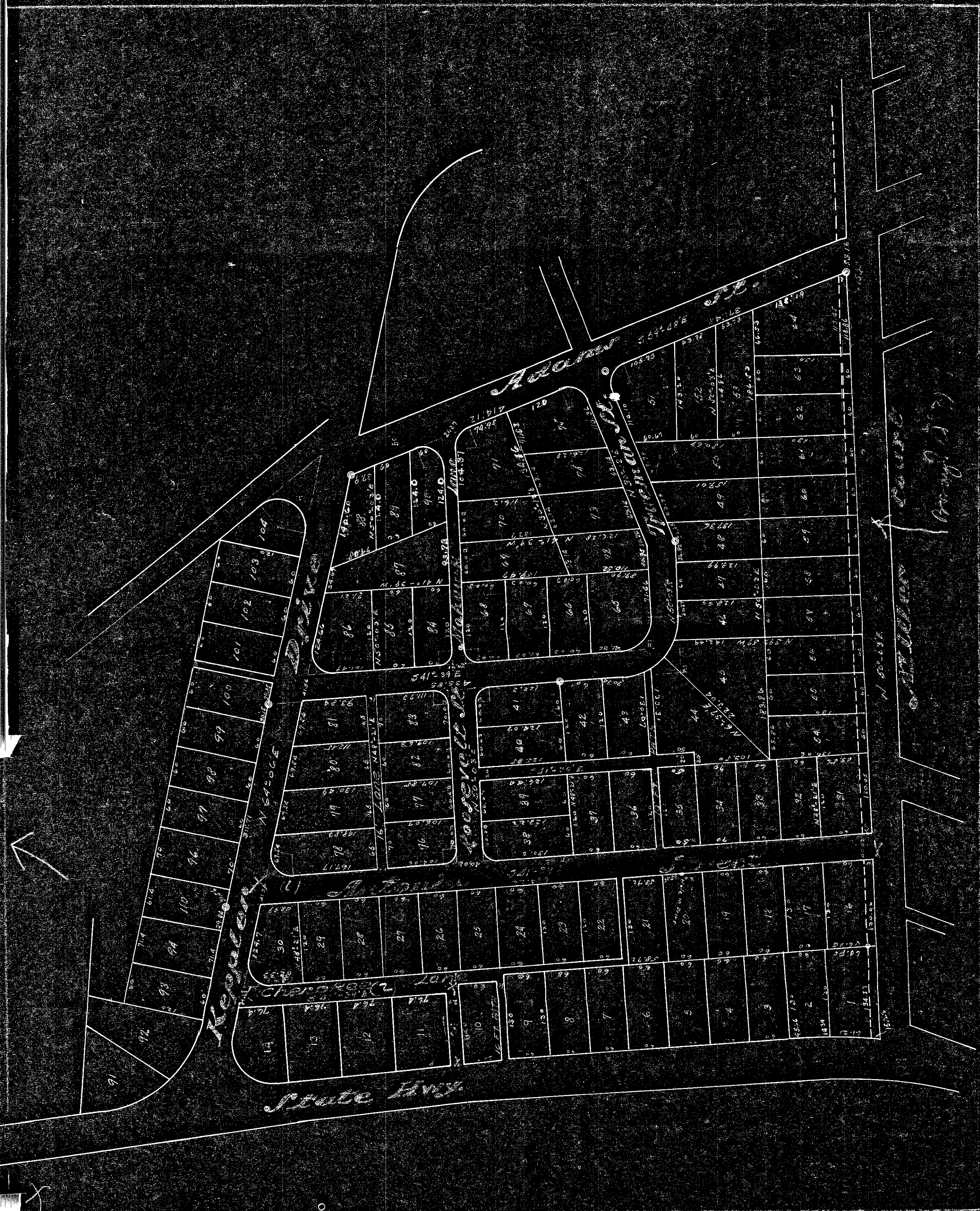
PROPOSED PUBLIC ROAD.
 SITUATE IN
 UPPER YODER TWP, CAMBRIA CO. PA.
 SCALE 1"=100' - S.E. DICKEY AND CO. - SEPT. 19, 1933.
 CIVIL AND MINING ENGINEERS.
 JOHNSTOWN - PA.

No. 9 JUNE SESSIONS 1933.
 S. E. DICKEY
 M. J. BAUMGARDNER
 JAMES McCANN
 VIEWERS

Rat Microfilm

R.D.#9 June 1938

mp#2



map #1
In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9, June Sessions, 1938.

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court,
we the undersigned Viewers, appointed by the annexed order of the
Court to view the proposed road within mentioned, respectfully
report:

That we have been duly sworn or affirmed as members of
the Permanent Board of Viewers of Cambria County, as shown by the
records of the Court; that having given due public notice of the
time and place of meeting, by posting notices as required by law
along the route and at the termini of the said proposed new road,
as evidenced by copy of said notice hereto attached, and by service
of such notice on the County Commissioners of Cambria County, the
Supervisors of Upper Yoder Township through their Solicitor, service
of said notice by the County Commissioners and the Solicitor for
the Supervisors of Upper Yoder Township being hereto attached; that
one of the Viewers, S. E. Dickey, met in accordance with the notice
given on the 9th day of September A. D. 1938 at 2:30 o'clock P. M.
(Eastern Standard Time); that several residents of the Township
were present, but on account of Messrs. Baumgardner and McCann, the
other two Viewers, being unable to be present, the view was con-
tinued to the 15th day of September A. D. 1938 at 2:00 o'clock P.M.
(Eastern Standard Time); that in accordance with said continuance,
we met on the 15th day of September A. D. 1938 at 2:00 o'clock
P. M. (Eastern Standard Time) and proceeded with the duties of
our appointment and viewed the premises and route of the proposed
new road; that said proposed new road follows a dedicated
highway known as Antonia Street, forty (40) feet in width, a
portion of which is now opened as a private road; that all the
abutting property on either side of said Antonia Street is laid
out in building lots, nine (9) of which are already occupied
with residents; that during the view the Viewers named
herein and representatives of the Board of Supervisors and

residents of the Township of Upper Yoder were present and heard; that no objections were made against the proposed road by the Supervisors or any resident of the Township of Upper Yoder; that the proposed road is situate in the Beechwood section, strictly a Residential section of Upper Yoder Township, which is rapidly developing with a large number of houses now completed and under construction; that after viewing the premises and the route of the proposed road, we are of the opinion that a necessity exists for the proposed new road, therefore, we proceeded to lay out same as follows: Beginning at a point in Keppler Drive N.64°06'E. 342.57 feet along the center line of Keppler Drive from its intersection with Lilly Street a public highway, being a State Road leading from Ferndale to Menoher Highway; thence by the center line of Antonia Street, a dedicated highway forty (40) feet in width, S.41°39'E. 948.11 feet to the center line of Miller Court; being the boundary line between the said Township of Upper Yoder and the Borough of Southmont, the place of ending, said Miller Court being a public highway in the Borough of Southmont; said ending being N.50°03'E. a distance of 317.47 feet measured along the center line of Miller Court from its intersection with Lilly Street, a public highway, being a State Road leading from Ferndale to Menoher Highway, all of which is shown colored green on the blue print attached hereto and made a part hereof.

That the route of the proposed road as hereinbefore mentioned follows a dedicated highway and is through a plan of building lots, nine (9) of which are occupied with residents.

That after taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient

and not burdensome to the taxpayers of Upper Yoder Township, therefore, we recommend that the prayer of the Petitioners be granted.

Inasmuch as the right of way required for said road is already dedicated as a highway and no additional width will be required from the adjoining property owners, we assess no benefits and no damages to any of the abutting property owners.

Witness our hands and seals this 22nd day of September
A. D. 1938.

S. E. Dickey
Walter J. Bumpstead
James McCarver

Viewers

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.

In the Court of Quarter Sessions,
of Cambria County, Penna.
No. 9, June Sessions, 1938

To S. E. DICKEY, MAHLON J. BAUMGARDNER & JAMES McCANN Dr.

To S. E. DICKEY Dr.

Assembling data and preparing notices of View	\$ 6.00	
Stenographer and stationery	1.50	
Posting and serving notices of view	6.00	
Mileage	.80	
Making View	6.00	
Mileage	.80	
Data on survey & preparing plan	12.00	
Drawing material & blue prints	.65	
Data & preparing report	12.00	
Stenographer and stationery	2.00	\$ 47.75

To MAHLON J. BAUMGARDNER Dr.

Making View	\$ 6.00	
Mileage	.80	\$ 6.80

To JAMES McCANN Dr.

Making View	\$ 6.00	
Mileage	.80	\$ 6.80

Total cost of View \$ 61.35

I, S. E. Dickey, do hereby certify that this is an
exact copy of the bill presented to the County Commissioners
for payment.

Sworn and subscribed to this
22nd day of September A. D.
1938.

Mary F. Willett
Notary Public
My Com. expires April 8, 1939

S. E. Dickey

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9, June Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above named Court, for the purpose of viewing for a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at the intersection of Keppler Drive, a public road in said Township of Upper Yoder, and Antonio Street, said place of beginning being an exact distance of 342.57 feet measured along the center line of Keppler Drive in a northeasterly direction from the intersection of a State Highway known as Lilly Street, a public highway; thence by Antonio Street S. 41° 39' E. a distance of 948.11 feet to the center line of Miller Court, a public highway, the place of ending, being the boundary line between said Township of Upper Yoder and the Borough of Southmont, the exact distance of the point of ending being 317.47 feet measured along the center line of Miller Court in a northeasterly direction from its intersection with the center line of a State Highway known as Lilly Street; a public highway; will meet at the place of beginning on the 9th day of September A. D. 1938 at 2:30 o'clock P. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
MAHLON J. BAUMGARDNER
JAMES McCANN

Aug. 29, 1938

Viewers

Now this 30th day of August A. D. 1938, service of the above notice is hereby accepted for the Supervisors of Upper Yoder Township, Cambria County, Pa.,

By Bearubant & Uddams
Solicitor

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9, June Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above named Court, for the purpose of viewing for a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at the intersection of Keppler Drive, a public road in said Township of Upper Yoder, and Antonio Street, said place of beginning being an exact distance of 342.57 feet measured along the center line of Keppler Drive in a northeasterly direction from the intersection of a State Highway known as Lilly Street, a public highway; thence by Antonio Street S. 41°39' E. a distance of 948.11 feet to the center line of Miller Court, a public highway, the place of ending, being the boundary line between said Township of Upper Yoder and the Borough of Southmont, the exact distance of the point of ending being 317.47 feet measured along the center line of Miller Court in a northeasterly direction from its intersection with the center line of a State Highway known as Lilly Street, a public highway; will meet at the place of beginning on the 9th day of September A. D. 1938 at 2:30 o'clock P. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
MAHLON J. BAUMGARDNER
JAMES McCANN

Aug. 29, 1938

Viewers

Now this 12th day of ~~September~~ September A. D. 1938, service of the above notice is hereby accepted for the County Commissioners of Cambria County, Pa.,

By

H. F. Jan
Clerk

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9, June Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above named Court, for the purpose of viewing for a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at the intersection of Keppler Drive, a public road in said Township of Upper Yoder, and Antonio Street, said place of beginning being an exact distance of 342.57 feet measured along the center line of Keppler Drive in a northeasterly direction from the intersection of a State Highway known as Lilly Street, a public highway; thence by Antonio Street S. $41^{\circ}39'$ E. a distance of 948.11 feet to the center line of Miller Court, a public highway, the place of ending, being the boundary line between said Township of Upper Yoder and the Borough of Southmont, the exact distance of the point of ending being 317.47 feet measured along the center line of Miller Court in a northeasterly direction from its intersection with the center line of a State Highway known as Lilly Street, a public highway; will meet at the place of beginning on the 9th day of September A. D. 1938 at 2:30 o'clock P. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
MAHLON J. BAUMGARDNER
JAMES MCCANN

Aug. 29, 1938

Viewers

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."

NO. 9 June SESSIONS, 1928

Order to view Proposed Public Road

in Upper Yoder Township, Cambria

County, Penna.

REPORT OF VIEWERS

Viewers

S. E. Dickey

M. J. Baumgardner

James McCann

Clerk 90 cts.

Filed: Sept. 28, 1938

12 Dec. 1938 Approved and breadth fixed at forty feet By the Court
13 March 1939 Confirmed Absolutely
Jm Jones
Clerk

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 22nd day of August A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Upper Yoder, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to ~~begin~~

begin at the intersection of Keppler Drive, a public road in the said Township of Upper Yoder, and Antonio Street; thence over and across said Antonio Street South 41° 39' East a distance of Nine hundred forty-eight and eleven hundredths (948.11) feet from the center line of said Keppler Drive to the center line of Miller Court, being the boundary line between the said Township of Upper Yoder and the Borough of Southmont, Cambria County, Penna.; said Miller Court within the boundary of the said Borough of Southmont being a public highway of the said Borough of Southmont.

The exact distance from the point of beginning of said proposed road, measured from the intersection of the center line of said Keppler Drive and the center line of said Antonio Street, from an intersecting public road or street, to-wit, the state highway known as Lilly Street, to the center line of said State Highway known as Lilly Street is three hundred forty-two and fifty-seven hundredths (342.57) feet; and the exact distance from the point of ending of said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said State Highway known as Lilly Street, measured from the point of intersection of said Antonio Street with the center line of said Miller Court, which said center line is the boundary line of Upper Yoder Township and Southmont Borough, to the center line of said State Highway known as Lilly Street, is three hundred seventeen and forty-seven hundredths (317.47) feet.

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

S. E. Dickey

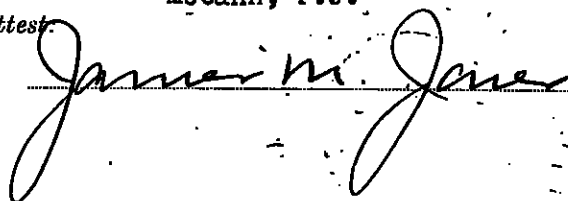
surveyor, and

M. J. Baumgardner and James McCann

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.
McCann, P.J.

Attest:

 Clerk.

No. 9 June Sessions, 1938.
In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
PETITION FOR APPOINTMENT OF VIEWERS

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA

B O N D

Aug. 22, 1938,
the within Bond approved.

McL...
P.O.
Filed: Aug. 22, 1938

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. 9 June Sessions, 1938
¶ PETITION FOR APPOINTMENT OF VIEWERS

B O N D

KNOW ALL MEN BY THESE PRESENTS THAT we C. C. McLean
and James R. Graham, both of Upper Yoder Township, Cambria
County, Pennsylvania, are held and firmly bound unto the County of Cambria,
aforesaid, in the sum of FIFTY (50) DOLLARS lawful money of the United States
to be paid to the said County of Cambria, to which payment well and truly to be
made, we bind ourselves, our heirs, executors and administrators, and every of
them, firmly by these presents. SEALED and dated the day of August,
1938.

WHEREAS, W. H. Walter, et al, have presented a Petition
to the Court of Quarter Sessions of Cambria County, Pennsylvania, praying for
the appointment of Viewers to view and locate the above mentioned road in the
said Township of Upper Yoder, to begin at the intersection of Keppler Drive, a
public road in the said Township of Upper Yoder, and Antonio Street, as shown
by blue print hereto attached and made part hereof; thence over and across said
Antonio Street South $41^{\circ} 39'$ East a distance of ~~nine hundred forty-eight and~~
~~eleven hundredths (948.1125)~~ 342.57 feet from
the center line of said Keppler Drive to the center line of Miller Court, being
the boundary line between the said Township of Upper Yoder and the Borough of
Southmont, Cambria County, Pennsylvania, said Miller Court within the boundary
of the said Borough of Southmont being a public highway of the said Borough of
Southmont.

The exact distance from the point of beginning of said proposed
road, measured from the intersection of the center line of said Keppler Drive
and the center line of said Antonio Street, from an intersecting public road
or street, to-wit, the State Highway known as Lilly Street, to the center line
of said State Highway known as Lilly Street is three hundred forty-two and
fifty-seven hundredths (342.57) feet - - - - -

feet; and the exact distance from the point of ending of said proposed road, as set forth in the said petition, from an intersecting public road or street, to-wit, said State Highway known as Lilly Street, measured from the point of intersection of said Antonio Street with the center line of said Miller Court, which said center line is the boundary line of Upper Yoder Township and Southmont Borough, to the center line of said State Highway known as Lilly Street is three hundred seventeen and forty-seven hundredths (317.47) feet.

WHEREAS, the said Court has appointed Viewers for the purpose aforesaid;

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if the above bounden C. C. McLesie and James R. Graham their heirs, executors, or administrators, or any of them, shall and do well and truly pay or cause to be paid unto the said County of Cambria a sufficient sum to pay for the purpose of viewing the above mentioned road, if the Court shall so direct, when the same is concluded, then this obligation to be void or else remain in full force and effect.

Signed, sealed and delivered
in the presence of:

Florence M. James

C. C. McLesie (SEAL)

James R. Graham (SEAL)

No. *9* June Sessions, 1938.
In the Court of Quarter Sessions
of Cambria County, Pennsylvania.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

PETITION FOR APPOINTMENT OF
VIEWERS and DECREE

Filed: Aug 22, 1938

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

11/20/38

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. 9 June Sessions, 1938.
¶ PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS IN AND FOR
CAMBRIA COUNTY, PENNSYLVANIA:

The petition of the undersigned inhabitants of the said Township
of Upper Yoder, in the County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience for want
of a public road or highway in the said Township of Upper Yoder, to begin at
the intersection of Keppler Drive, a public road in the said Township of Upper
Yoder, and Antonio Street, as shown by blue print hereto attached and made
part hereof; thence over and across said Antonio Street South 41° 39' East a
distance of Nine hundred forty-eight and eleven hundredths (948.11) - - - - -
- - - - - feet from the center line of said Keppler
Drive to the center line of Miller Court, being the boundary line between the
said Township of Upper Yoder and the Borough of Southmont, Cambria County,
Pennsylvania, said Miller Court within the boundary of the said Borough of
Southmont being a public highway of the said Borough of Southmont.

The exact distance from the point of beginning of said proposed
road, measured from the intersection of the center line of said Keppler Drive
and the center line of said Antonio Street, from an intersecting public road
or street, to-wit, the state highway known as Lilly Street, to the center line
of said State Highway known as Lilly Street is three hundred forty-two and
fifty-seven hundredths (342.57) - - - - - feet; and the
exact distance from the point of ending of said proposed road, as set forth in
this petition, from an intersecting public road or street, to-wit, said State
Highway known as Lilly Street, measured from the point of intersection of said
Antonio Street with the center line of said Miller Court, which said center
line is the boundary line of Upper Yoder Township and Southmont Borough, to the

center line of said State Highway known as Lilly Street, is three hundred seventeen and forty-seven hundredths (317.47) feet.

The proposed public highway is the part marked in red on said print hereto attached, and designated thereon as Antonio Street.

A copy of written notice to the Supervisors of said Upper Yoder Township of the intended presentation of this application, with an acceptance of service thereon, is hereto attached, made part hereof and marked "Exhibit A".

A release of damages, whereby the owners of property abutting the aforesaid proposed road release the said Township of Upper Yoder from all damages by reason of the opening, grading, draining, improving and maintaining the said proposed highway, is hereto attached, made part hereof and marked "Exhibit B".

Your petitioners therefore pray the Court to appoint three members of the permanent Board of Viewers of Cambria County to view the ground proposed for such road, and if they see the necessity therefor, lay out the same and make a report of their proceedings to the next sessions of Court.

<u>W. H. Walter</u>	<u>Antonio Miller Court</u>
<u>Mary M. Boller</u>	<u>Lot 16 House 20</u>
<u>Adolph Papp Jr.</u>	<u>Lot 32 Antonio St.</u>
<u>Volke S. Hauerbach</u>	<u>Lot 31 Antonio St.</u>
<u>J. S. Bowman</u>	<u>Lot 7 House 14 St.</u>
<u>Stephen C. Bell</u>	<u>Lot 6 Karcher St.</u>
<u>Isaac Clark</u>	<u>15 Lilly St.</u>
<u>E. M. Hain</u>	<u>7 Beechwood Park</u>
	<u>Beechwood Park</u>

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said
State and County, C. C. McLain, who being duly sworn
according to law, deposes and says that he is one of the petitioners within
set forth and that the statements contained in said petition are true and
correct.

Sworn and subscribed before me
this 13th day of August, 1938.

Edith M. Butts

Notary Public

My Commission Expires March 6, 1941.

C C M McLain

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

§ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
§ No. June Sessions, 1938.

PRELIMINARY ORDER

Now, August, 1938, the within petition
having been presented and considered, a Rule is granted upon the Commissioners
of Cambria County, Pennsylvania, to show cause, if any they have, why Viewers
should not be appointed as within prayed for; and said Rule is returnable at
ten o'clock A. M., August 22, 1938. Service of this
Rule, together with a copy of this petition, shall be made upon the said County
Commissioners not less than ten (10) days before the said return day.

By the Court
M. J. Brown
of

ACCEPTANCE OF SERVICE BY THE
COMMISSIONERS OF CAMBRIA COUNTY,
PENNSYLVANIA

Now, August 4, 1938, service of the above Rule is hereby accepted,
together with a copy of the within Petition.

A. J. Brown
Clark

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. June Sessions, 1938.
¶ PETITION FOR APPOINTMENT OF VIEWERS

DECREE

AND NOW, this 22nd day of August, 1938,
the within petition having been read and considered, the court appoints
S. E. Dickey and M. J. Baumgardner
and James M. Cannon Viewers to view the road herein
referred to and make a report of their proceedings to the December
Term of the Court of Quarter Sessions of said County.

B. G. Lant
Attorney
for

EXHIBIT A

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

§ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. June Sessions, 1938.
§ PETITION FOR APPOINTMENT OF VIEWERS

NOTICE TO SUPERVISORS

TO CURT BARNHART, D. H. WEIMER AND EPHRAIM HERSHBERGER, SUPERVISORS OF UPPER
YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will please take notice that there will be a petition presented to the Court of Quarter Sessions of Cambria County at Ebensburg, Pennsylvania, in said County, at ten o'clock A. M., the 15th day of August, 1938, asking the Court for the appointment of Viewers to view and lay out a proposed road in the Township of Upper Yoder, to begin at the intersection of Keppler Drive, a public road in the said Township of Upper Yoder, and Antonio Street, as shown by blue print hereto attached and made part hereof; thence over and across said Antonio Street South $41^{\circ} 39'$ East a distance of nine hundred forty-eight and eleven hundredths (948.11) - - - - - feet from the center line of said Keppler Drive to the center line of Miller Court, being the boundary line between the said Township of Upper Yoder and the Borough of Southmont, Cambria County, Pennsylvania, said Miller Court within the boundary of the said Borough of Southmont being a public highway of the said Borough of Southmont.

The exact distance from the point of beginning of said proposed road, measured from the intersection of the center line of said Keppler Drive and the center line of said Antonio Street, from an intersecting public road or street, to-wit, the State Highway known as Lilly Street, to the center line of said State Highway known as Lilly Streets is three hundred forty-two and fifty-seven hundredths (342.57) - - - - - feet; and the exact distance from the point of ending of said proposed road, as set forth in the said petition, from an intersecting public road or street, to-wit, said State Highway known as Lilly Street, measured from the point of intersection of said Antonio Street with the center line of said Miller Court, which said center line is the boundary line of Upper Yoder Township and Southmont Borough, to the

center line of said State Highway known as Lilly Street, is three hundred
seventeen and forty-seven hundredths (317.47) feet.

Baruch and Adams
ATTORNEYS FOR PETITIONERS

August 3, 1938, service of the above stated notice is hereby
accepted.

D. H. Weiner
Curt Bruckner
Superior of Upper Yoder Township

EXHIBIT B

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA

**In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. June Sessions, 1938
PETITION FOR APPOINTMENT OF VIEWERS**

RELEASE OF DAMAGES

We, the undersigned, inhabitants of the said Township of Upper Yoder and property owners abutting on the proposed public road designated in the annexed petition, in consideration of the advantages to us from the said road mentioned in the annexed petition to lay out the same, do hereby release all claim to damages that may arise to us from the opening, grading, draining, improving and maintaining of said proposed highway.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this
of August, 1938.

Wm Walter
Mary M. Boyler
Adolph Papp Jr.
John S. Hammond
J. M. Bowman
Klaus C. Biss
Ina Helen Clark
E. M. Hain

Antonio + Miller Court
Lot 16 House 20
Lot 32 Antonio St.
Lot 21 Antonio St.
Lot 7 Aguerre St.
Lot 6 Sanchez St.
#5 Kelly St.
7 Beechwood Park
Beechwood Park