

March 27-1947 Report approved ~~and~~

By the Court

W. H. KENNEDY

June 16, 1947 - Confirmed absolutely


J. Dean Jory  
Clerk of Courts

No. 6 - Sept. Sessions  
1946

Proposed Vacation  
of  
Public Road or Highway  
Washington Township  
Cambria County  
Penna.

REPORT OF VIEWERS

Viewers Appointed  
Nov. 25th, 1946

  
Filed 1/17/47

In Re: Proposed Vacation of Highway in Washington Township,  
Cambria County, Pennsylvania

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 6, September Sessions, 1946

### REPORT OF VIEWERS

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 and directed to view the premises to determine as to the necessity of vacating a portion of a public road or highway as prayed for by divers inhabitants of the Township of Washington, setting forth that said portion of public road has become useless and burdensome, the same having been supplied by State Highway known by the Legislative No. 11071. The portion of the above mentioned public road or highway is described as follows:

BEGINNING at a point on the highway leading from State Highway No. 53 to Portage, being Route No. 11071, said point being distant 2380 feet from the intersection of said highway with Route No. 53 measured along said first mentioned highway and ending at a point on said first mentioned highway distant 2880 feet from the aforesaid intersection also measured along said first mentioned highway.

That having given due notice of the view and of the time and place of meeting of the Viewers to the Commissioners of said County, to the three Supervisors of Washington Township and to the public by printed hand bills posted at and in the immediate vicinity of the premises to be viewed for the proposed vacation of public road or highway, as is required by the Act of the General Assembly.

We met upon the premises in Washington Township, Cambria County, Penna., on Saturday January 4, 1947, at 10:30 o'clock a. m. to perform the duties of our appointment, together with two of the said three supervisors, Messrs. Pramuk and Carney, a few of the property owners in the district and they were authorized to represent those who were unable to be present.

It will be noted on the map attached hereto that the road proposed to be vacated is only 500 feet in length, between the distances 2380 and 2880 feet from the intersection with Route No. 53.

A sketch showing the proposed vacation of road on an enlarged scale is also shown on the said map to give one a clearer insight of the situation. The residents of Scanlon Hill, a hamlet having a population of about 200 souls, plan to have a road built that will leave State Highway Route No. 11071 at nearly right angles - see Proposed Road on said sketch. And a sewer line to be laid down this

- Continued -

proposed road, crossing under said Route No. 11071 in the direction of Bens Creek. Water is pumped to Scanlon Hill from a station on Bens Creek.

There is no question that the road proposed to be vacated "has become useless and burdensome." One of the settlers has built a shed to house two autos right in the road (about where the letter "d" is in "abandoned") and another inhabitant has a chicken yard at or near "by." Should have stated that its the first "d" in abandoned.

Then again there is no connection at south end of Proposed Vacation (at 2880) with Route No. 11071. There is a drop here of 8 feet or so, a cut when building said route 11071.

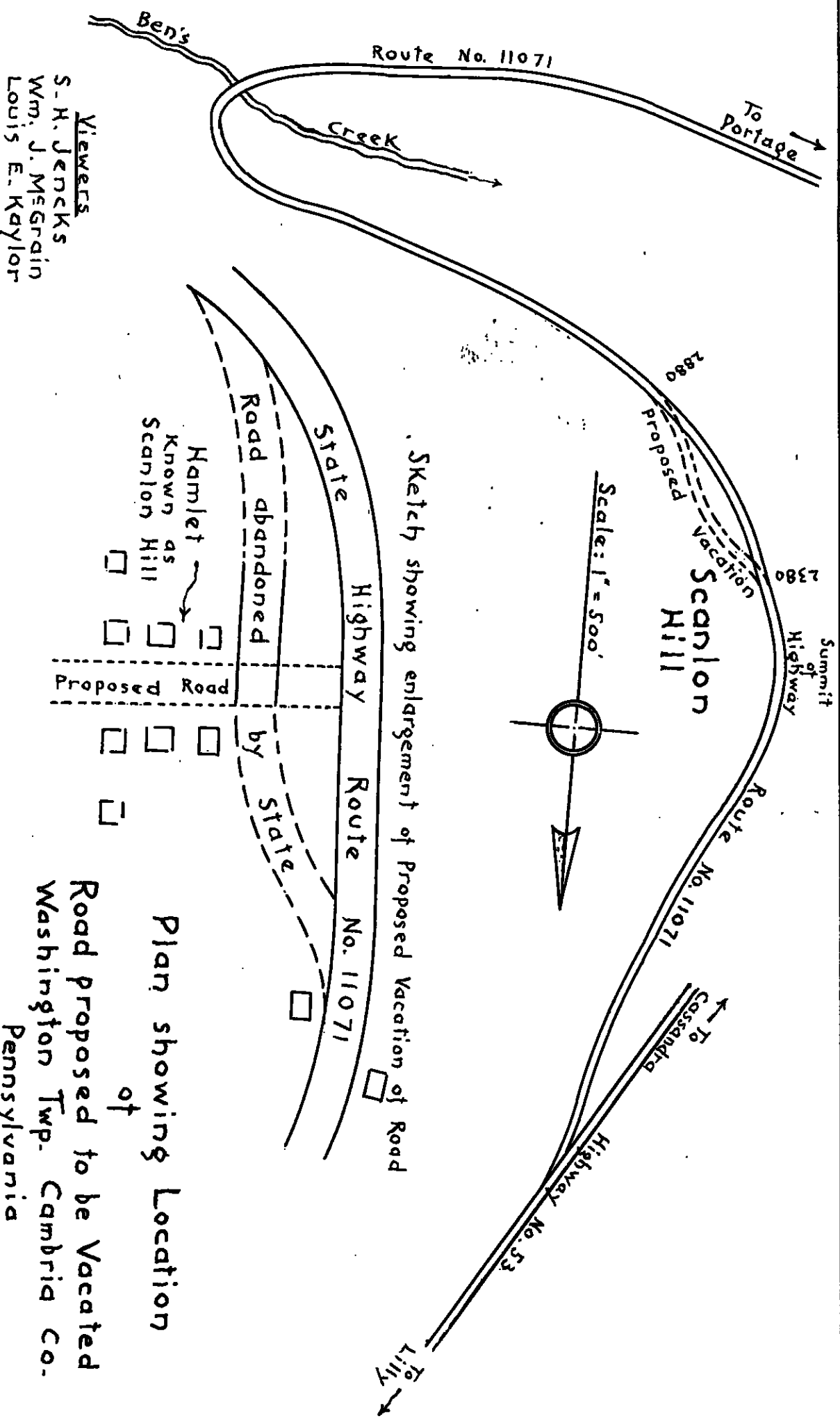
All agreed with Petitioners, not a dissenting voice, that the said road should be vacated.

The Viewers, therefore, in compliance with their duties, after giving the matter full consideration agree there is no occasion for said road and should be abandoned for the best interests of all parties concerned.

We have notified the parties concerned that this report would be filed with the Clerk of Courts for the next Court of Quarter Sessions to be held for said County.

Witness our hands this 10th day of January, 1947.

A. H. Jewers  
J. J. McLean  
L. E. Taylor  
Viewers



In RE: Proposed vacation of  
Public Road, Washington Twp.  
Cambria County, Pennsylvania

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 6, September Sessions, 1946

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court to view the premises to determine as to the vacation of a public road or highway as prayed for by the Petitioners, of the Township of Washington in the said County, that a portion of a public road has become useless and burdensome, the same having been supplied by State Highway known by the Legislative No. 11071. The portion of the above mentioned public road or highway is described as follows:

BEGINNING at a point on the highway leading from State Highway No. 53 to Portage, being Route No. 11071, said point being distant 2380 feet from the intersection of said highway with Route No. 53 measured along said first mentioned highway and ending at a point on said first mentioned highway distant 2880 feet from the aforesaid intersection also measured along said first mentioned highway.

The said undersigned Viewers will meet at the place of beginning, mentioned above, on the 4th day of January A. D. 1947, at 10:30 A. M. for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

S. H. JENCKS  
WILLIAM J. McGRAIN  
Louis E. KAYLOR  
Viewers

No. 6 - September Sessions - 1946

In re-View of Proposed Vacation of Public Road or Highway at Scanlon Hill, off of Route No. 11071, Washington Township, Cambria County, Pennsylvania.

S. H. Jencks, Ebensburg, Pa.

Obtaining data, preparing notices and services of stenographer - Dec. 10 - 12/ 46	\$12.00
Serving and posting notices of view - Dec. 23/46	12.00
29 miles at .10	2.90
Viewing proposed vacation of road on Jan. 4, 1947	12.00
29 miles at .10	2.90
Preparing and drafting the 3 maps required to attach to Report - Jan. 6-7/47	12.00
Preparing Report of View and stenographer January 10 and 11, 1947	12.00

\$65.80

MAR 27 1947 CERTIFIED

Wm. J. McGrain, Cresson, Pa.

13 miles at .10 - Jan. 4, 1947

\$12.00

1.30

\$13.30

MAR 27 1947 CERTIFIED

Louis E. Kaylor, Ebensburg, Pa.

29 miles at .10 - Jan. 4, 1947

\$12.00

2.90

\$14.90

MAR 27 1947 CERTIFIED

Road

#6 Sept. Sessions 1946

In the Court of Quarter Sessions of  
Cambria County, Pennsylvania.

In the Matter of the Vacation of a Portion  
of the public road in Washington Township  
in said County.

PETITION FOR APPOINTMENT OF VIEWERS

Filed 11/30/46

SHETTIG & SWOPE  
ATTORNEYS AT LAW  
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.  
IN THE MATTER OF THE VACATION OF A PORTION OF A PUBLIC ROAD IN WASHINGTON TOWNSHIP IN SAID COUNTY.

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT;

The petition of the undersigned who are inhabitants of the Township of Washington, in the County of Cambria and State of Pennsylvania, respectfully represents:

1. A public road or highway was long since laid out in said Township of Washington by virtue of an order of this Court, which said public road leads from a point on the public road leading from Lilly to Portage, now known as Pennsylvania Highway Route No. 53 and leading thence to the Town of Portage, being now known as Pennsylvania Highway Legislative Route No. 11071.

The proceedings whereby said road was laid out and opened are found in this Court in Road Docket Vol. 4 at page 51, the same being entered to No. 2 September Sessions, 1884. A portion of the above mentioned public road or highway which is described as follows:

"Beginning at a point on the highway leading from State Highway No. 53 to Portage, being Route No. 11071, said point being distant 2380 feet from the intersection of said Highway with Route No. 53 measured along said first mentioned highway and ending at a point on said first mentioned highway distant 2880 feet from the aforesaid intersection also measured along said first mentioned highway."

has become useless and burdensome, the same having been supplied by said State Highway known by the Legislative No. 11071.

WHEREFORE, your petitioners pray the Court for the appointment of viewers to examine said portion of said highway and to report to the Court upon the vacation thereof.



And they will ever pray, etc.

Wm. Harrenflug

Joseph Horvath

John Ruffing

Peter Likus

Toof Rimmerig

Vincent Noel

Herbert Brickson

Jerome Noel

David McEwan

Chas. Van Blargan Sr.

Chas. Van Blargan Jr.

Chas. Cannon

STATE OF PENNSYLVANIA    §  
                                     §    ss:  
COUNTY OF CAMBRIA    §

William L. Hassenflug , being duly sworn according to law, says  
that he is one of the petitioners in the foregoing petition and that the  
matters therein averred are true and correct as he verily believes.

Sworn and subscribed before me  
this 15<sup>th</sup> day of ~~July~~ November, 1946.

X *William L. Hassenflug*

Mary A. Walton

My Commission Expires March 12, 1949

JOINDER BY THE COUNTY COMMISSIONERS

NOW, November 25, 1946, the County Commissioners of Cambria County  
hereby waive the provisions of Rule 301½ of the Court of Quarter Sessions of  
said County, requiring the service of a rule to show cause why viewers should  
not be appointed, and hereby join in the prayer of the within petition asking  
that viewers be appointed for the purpose within named.

County Commissioners of Cambria County

By

*H. E. Don*  
Chief Clerk

ORDER

NOW, November 25, 1946, the foregoing petition having been read and presented to the Court, the Court do thereupon appoint *L. H. Juck* *Wm J. McGavin* and *Louis E. Kayler* viewers to go upon the ground and examine the portion of road sought to be vacated and report their findings to the Court, such report to be filed on the First Monday of March, 1947.

BY THE COURT:

*Max Kenna*  
*Judge*

RETURN BY SUPERVISORS

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

On the 8<sup>TH</sup> day of OCTOBER 1947, before me  
A NOTARY PUBLIC, personally came STEPHEN PRAMUK,  
JOHN CLINEMYER, JOHN CARNEY  
supervisors of the township of WASHINGTON, who being duly sworn  
[or affirmed] according to law, do depose and say that they effectually opened the road designated by  
the order of the Court bearing date the 27<sup>TH</sup> day of MARCH  
1947, in accordance with the directions of the said order.

Sworn [or affirmed] and subscribed before me this

8<sup>TH</sup> day of OCTOBER 1947.

Thomas J. Gell

NOTARY PUBLIC

My Commission Expires January 7, 1951

Stephen Pramuk  
John Clinemyer  
John Carney  
Supervisors.

No. 6 Sept. Sessions 1946

Order to ~~Repeal~~ Vacate a Portion  
of the public road in Wash-  
ington Township, Cambria Co.

Clerk J. Dean Joy

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

To Stephen Pramuk, John Carney and John Clinemyer

supervisors of the township of Washington, in the county of Cambria,  
greeting:

Whereas, at a Court of Quarter Sessions of the Peace held at Ebensburg, in and for the county  
of Cambria, aforesaid, on the day of March 27th, 1947, said court did approve ~~xxx~~  
confirm ~~for xxxxxx~~ the vacation of ~~xxxxxx~~ <sup>Vacated</sup>  
~~xxxxxx of xxxxxxxxxxxxxxxxx~~ <sup>Vacation</sup> which said road so reported, approved for ~~xxxxxx~~ confirmed and  
directed to be ~~xxxxxx~~ <sup>Vacated</sup> begins at, a point on the highway leading from State  
Highway No. 53 to Portage, being Route No. 11071, said point  
being distant 2380 feet from the intersection of said highway  
with Route No. 53 measured along said first mentioned highway  
and ending at a point on said first mentioned highway distant  
2880 feet from the aforesaid intersection also measured along  
said first mentioned highway.

which said road was, on the 16th day of June, 1947, ordered and di-  
rected by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be  
~~xxxxxx~~ <sup>Vacated</sup>.

Now, this is to authorize, empower, command and require you the said supervisors aforesaid, in  
which district the said road lies, as soon as may be practicable, effectually to ~~xxxxxx~~ <sup>vacate</sup>  
the courses and distances aforesaid, ~~xxxxxx~~ <sup>Vacation</sup> and you are hereby further required to make return of this order to the next stated  
Court of Quarter Sessions, after the ~~xxxxxx~~ <sup>vacated</sup> of the road in accordance with this order, and the man-  
ner of its execution by you, verified by the affidavit of one or both of you, setting forth that you have  
effectually ~~xxxxxx~~ <sup>vacated</sup> the said road ~~xxxxxx~~ and upon the line hereinbefore  
directed.

Witness, the Honorable IVAN J. MCKENRICK Judge  
said court at Ebensburg, this 7th day of July, 1947, ~~xxxxxx~~ of our

By the Court:  
MCKENRICK, J.

Attest:

J. DEAN JOY Clerk.