

Rat Microfilm

RD# 1 June 1944

David Spiller

J. Bergmanochi

Post  
Office

P. R. R. Right of Way

Clara Jacobs

P. R. R. Co.

1942

Township Road

Village of

Dean

Proposed Township Road at Dean

Dean Township, Cambria Co. Pa.

Sept 1942, John H. Elder

Engineer

No. /

June Term, 1944.

IN THE COURT OF QUARTER SESSIONS  
CAMBRIA COUNTY, PENNSYLVANIA.

In re Supervisors of Dean Township  
for roads.

CHARLES HASSON  
ATTORNEY AT LAW  
EBENSBURG, PA.

*Filed 6/28/44*

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

No.

June Term, 1944

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of Joseph Bergamaski, Howard Louis and Herman E. Krug, Supervisors of the Township of Dean, County of Cambria and State of Pennsylvania, respectfully represents:

1. That your petitioners are the duly elected Supervisors of the Township of Dean, Cambria County, Pennsylvania, and as such are charged with the upkeep and maintenance of proper roads for the convenience of the traveling public in said Township of Dean.

2. That for 25 years or upwards there has been a road 16 feet wide by 250 feet in length extending from Route No. 521 in said township, located on the Northeasterly side of the Pennsylvania Railroad, bounded and described as follows, viz:

The center line of said road leads from a point 8 feet Northwest of the Westerly line of the Right-of-Way of the Pennsylvania Railroad Company running from Cresson to Coalport; thence South 21° East a distance of 250 feet along the lands of the Right-of-Way of the Pennsylvania Railroad Company, J. Bergamaschi, Clara Jacobs and other lands of the Pennsylvania Railroad Company; said highway to be 16 feet in width and starting from a point on the Township road Route No. 521 in said township, as shown by a draft hereto attached and made a part hereof.

3. That said road is the only means of access the people of said Township of Dean have in order to reach the Postoffice in said Village of Dean, in said Township.

4. That your petitioners as Supervisors of said Township deem it advisable and imperative to have said road as located taken over as a part of the system of highways in said Township of Dean and that after said road has been taken over by the township that the same may be kept up and maintained as a part of the system of roads in said Township of Dean.

5. That no change is required in the location of said road and the said Township of Dean will not be required to pay any of the adjoining property owners, all of whom have recognized the location of the road as above described as a public necessity for upwards of 25 years but was not maintained or kept up at the expense of the Township.

6. That said strip of land as hereinabove set forth has been donated to the Township of Dean and the cost incident to taking over the road above described for public use as a part of the system of roads in said township will not amount to as much as \$500.00.

7. Your petitioners therefore showing that the road above described is necessary for the convenience of the traveling public in reaching the Postoffice in the Village of Dean and that the same can be taken over by the township as a part of the system of roads in said township and maintained by the township without the expenditure of any moneys of the township for right-of-way over said road, respectfully pray your Honorable Court to make an Order and Decree approving the appropriation of said road by the Supervisors of Dean Township as a part of the road system in said township and thereafter to be maintained and kept in good condition for traveling at the expense of the Township of Dean and that the Court further authorize the Township Supervisors to expend for the taking over of said road such sum as will be required not to exceed the sum of \$500.00 for the expenses incident to this proceeding, as provided for by Act of May 1st, 1933, P. L. 103, etc.

That your petitioners have attached hereto and made a part hereof a copy of the resolution of the Board of Supervisors of Dean Township, Cambria County, Pennsylvania, adopted by said Board authorizing this proceeding.

And they will ever pray, etc.

*Joe Bergamandi*

*Howard Lewis*

*Herman E. King*  
Supervisors of Dean Township

State of Pennsylvania

County of Cambria

SS:

Herman E. Krug being duly sworn according  
to law deposes and says that the matters set forth in the foregoing petition  
are true and correct as he verily believes.

Sworn and subscribed before me  
this 24 day of June, 1944.

John P. Parish  
Justice of the Peace

My Commission expires . . . . .

Herman E. Krug

MY COMMISSION EXPIRES  
FIRST MONDAY OF JANUARY 1945

RESOLUTION

At a regular meeting of the Board of Supervisors of the Township of Dean, Cambria County, Pennsylvania, held on the 24 day of June, A. D., 1944, the following resolution was presented to the Board by Mr. Herman Krug and unanimously adopted, viz:

"RESOLVED: That the Board of Supervisors of Dean Township adopt as a part of the road system of said township the following road: the center line of said road leading from a point eight feet Northwest of the Westerly line of the Right-of-Way of the Pennsylvania Railroad running from Cresson to Coalport; thence South 21° East a distance of 250 feet along the lands of the Right-of-Way of the Pennsylvania Railroad, J. Bergamaschi, Clara Jacobs and other lands of the Pennsylvania Railroad, said highway to be 16 feet in width and starting from a point on the Township Road Route No. 521 in said township and which said road has been opened to and traversed by the public for approximately 25 years but not kept up or maintain by the township. That upon the adoption of this resolution and the approval of the Court of Quarter Sessions of said Cambria County, Pennsylvania, said road shall be taken to be a public road as already located and shall thereafter be kept up and maintained as a part of the system of public highways in said Dean Township, Cambria County, Pennsylvania."

The motion of Herman Krug was duly seconded by Joseph Bergamaschi and uranimously carried.

Esther Conzo

ORDER OF COURT

AND NOW, June 28, A. D., 1944, the foregoing petition having been presented and read the purpose of the same is approved and it appearing to the Court that upon petition of the Supervisors of Dean Township, that the citizens of the Village of Dean and surrounding district are in need of the road in said township for the purpose of reaching the Postoffice in said district and that said road has been opened as herein described for a period of approximately 25 years but not kept up by the Township Supervisors and that said road may be taken over as a part of the road system of Dean Township as provided by the Act of May 1st, 1933, P. L. 103, etc., without the expenditure of a sum exceeding \$500.00, it is ordered and decreed that said road as described in the within petition be and it is hereby authorized to be taken over by the Township of Dean through its Supervisors as a part of the road system in said township with the approval of this Court and that the road so taken over shall thereafter be kept up and maintained as a part of the system of roads in and for said Dean Township as other township roads in said district.

BY THE COURT,

*McKenrick*

Judge