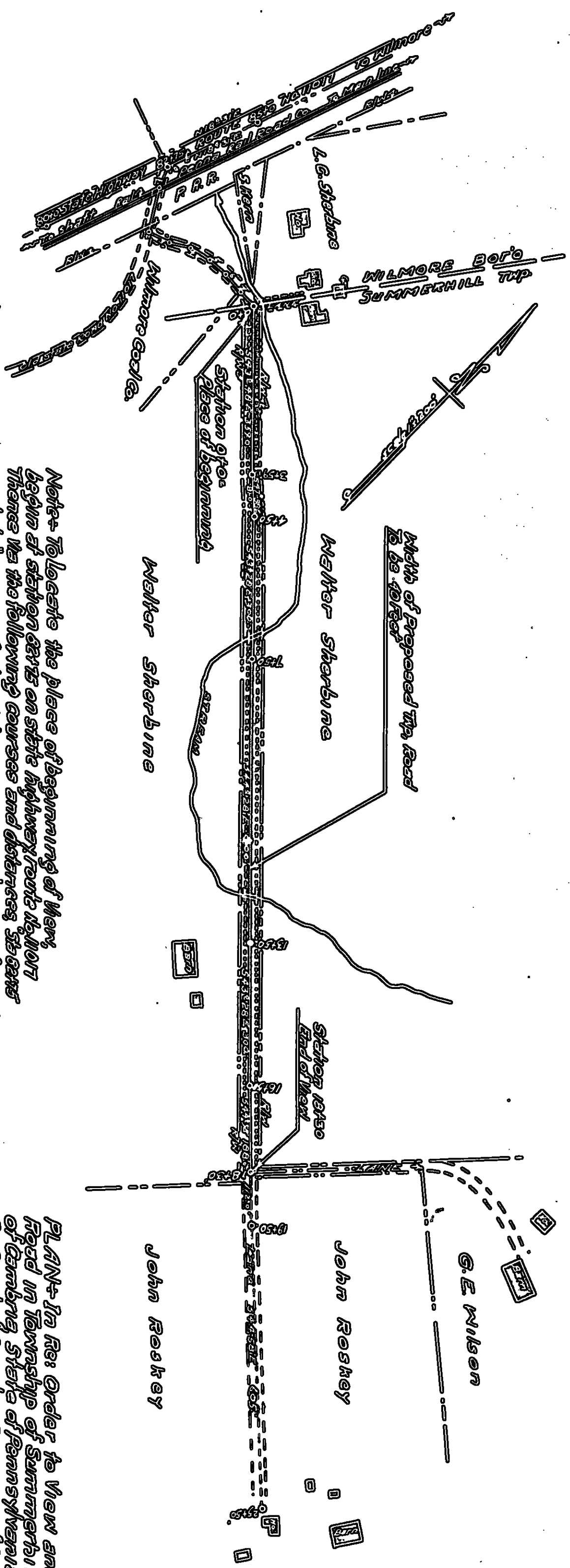


P.D. #4 Sept. 1944

Rat Microfilmed



Note: To locate the place of beginning of Wm. Shabine at station 13450 on state highway route No. 1017. These are the following bearings and distances: Station 13450 to 0-1. 500-00-00, 1-2. 500-00-00, 2-3. 500-00-00, 3-4. 500-00-00, 4-5. 500-00-00, 5-6. 500-00-00, 6-7. 500-00-00, 7-8. 500-00-00.

PLAN: In re: Order to View and lay out road in Township of Summerhill, County of Cambria, State of Pennsylvania. In Court of Quarter Sessions of Cambria Co., Pa. To No. 4 September Sessions 1944. Shabine-James McLean-Wm. Shabine.

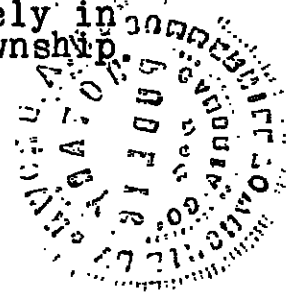
Commonwealth of Pennsylvania, }
County of Cambria. } SS.

To Roy H. Plummer, Frank Frank, and Steve
Andrykovitch

supervisors of the township of Summerhill, 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 12, 1945, said court did approve and
confirm for public use a certain road theretofore reported, and directed the same to be opened of the
breadth of 40 feet, which said road so reported, approved for public use, confirmed and
directed to be opened begins at,

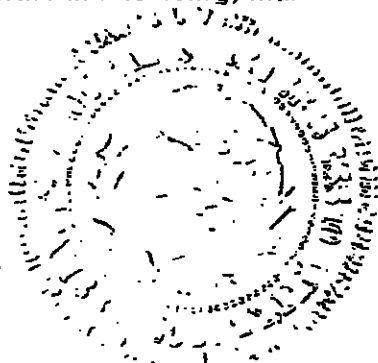
a point on the Wilmore-Summerhill Township
line at entrance to a private lane leading to the home, formerly
of one Lucian Sherbine, approximately 200 feet from State
Highway Route No. 160, and ending at a point immediately in
front of the residence of one John Roskey in said Township.
Map attached.



which said road was, on the 11th day of July, 1945, ordered and di-
rected by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be
a lawful public road or highway:

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 open the said road, by
the courses and distances aforesaid, and the breadth of 40 feet, as ordered and directed
by the said court; and you are hereby further required to make return of this order to the next stated
Court of Quarter Sessions, after the opening 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 opened the said road of the breadth of 40 feet, and upon the line hereinbefore
directed.

Witness, the Honorable John H. McCann, President of our
said court at Ebensburg, this 11th day of July, 1945.



By the Court:

Attest:

J. H. McCann, Clerk.

RETURN BY SUPERVISORS

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

On the 1st day of November 1945, before me
a Notary Public, personally came Roy H. Plummer, Frank Frank
and Steve Andrykovitch
supervisors of the township of Summerhill, 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 11th day of July
1945, in accordance with the directions of the said order.

Sworn [or affirmed] and subscribed before me this

1st day of Nov. 1945.

H. A. Brown

Notary Public.

My Comm. expires 2/24/47.

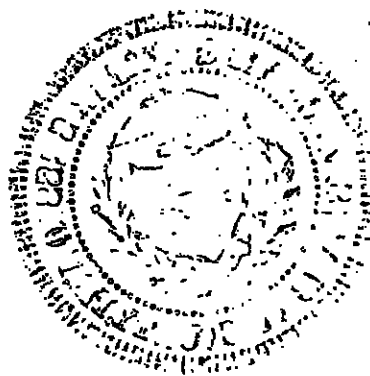
Roy H. Plummer
Frank Frank
Steve Andrykovitch
Supervisors.

No. 4 September Sessions 1944.

Order to open

Public road or highway in
Summerhill Township.

Clerk



No. 4 Sept ~~202~~ Term. 1944.R.D.

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

In re Petition
of inhabitants and tax-payers
of Summerhill Township,
Cambria County, Pennsylvania,
for appointment of Viewers
to View and lay out a public
road in said Township.

Petition

Filed 12/4/44
MORGAN W. EVANS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

In re Petition

For appointment of Viewers
to open and lay out a public
road in Summerhill Township,
Cambria County, Pennsylvania.

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

No. 4 ^{Sept} ~~Dec~~ Term, 1944.

Road Docket.

PETITION FOR APPOINTMENT OF VIEWERS

To the Honorable the Judges of said Court:

The petition of the undersigned, inhabitants and
tax-payers of the Township of Summerhill, in the County of
Cambria and State of Pennsylvania, respectfully represents:

That your petitioners labor under a great incon-
venience for the want of a Public Road or Highway in said Township
of Summerhill to beginning at a point on the Wilmore-Summerhill
Township line at entrance to a private lane leading to the
home, formerly of one Lucian Sherbine, approximately Two hundred
(200) feet from State Highway Route No. 160, and ending
at a point immediately in front of the residence of one John
Roskey in said Township.

Your petitioners, therefore pray the Court to
appoint three members of the permanent Board of Viewers to
view the ground proposed for said road, and, if they see the
necessity therefor, to lay out the same, and make report to the
next session of Court.

George E. Wilson

Thelma Wilson

Valentine Fonderlein

Allen O. Seaman

Elise Seaman

John Roskey

Lena Adelman

THE WILMORE COAL COMPANY

By [Signature]
General Superintendent

Howard Plummer

James J. Morgan

William A. Plummer

Mr. [Signature]

Sherman Miller

Headline Miller

Rudolph Simonson

Charles Simonson

Catherine Brown

H. A. Brown

C. M. Harrier

Mary E. Harrison

Louis Martin

Pauline Kosick

Chas. B. Jackson

Jos. R. Stokes

[Signature]

E. J. Chapman

Lester Wright

John H. Connel

Harriett Galloway

Anne Gregory

Nyla Wright

State of Pennsylvania SS:
County of Cambria

George E. Wilson, 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 22nd day of
November 1944.

H. A. Brown N.P.

George E. Wilson

MY COMMISSION EXPIRES

2/24/47

ACCEPTANCE OF NOTICE BY SUPERVISORS
OF SUMMERHILL TOWNSHIP

And now, on Oct. 16, 1944, we, the undersigned, being Supervisors of the Township of Summerhill, in the County of Cambria and State of Pennsylvania, hereby certify that we have read the foregoing petition, and hereby join in the prayer thereof, and we waive notice of the presenting of same in Court.

Ray D. Plummer - Pres.
Frank Frank
Steve Condyborth
Supervisors.

WAIVER OF NOTICE BY COUNTY COMMISSIONERS

and now, December 4, 1944, we the undersigned, Commissioners of Cambria County, Pennsylvania, hereby acknowledge that we have received a copy of the within petition, and notice of its presentment to the Court on the 4th day of December 1944.

H. J. Don
Clerk for Co. Commrs.

DECREE APPOINTING VIEWERS

And now, 4 December, 1944, the within petition having been presented, the same is read and considered, and S. H. Jenkins, James McEwen, and Wm McEwen, members of the permanent Board of Viewers, are hereby appointed Viewers in the above entitled matter to view the ground proposed for the Public Road prayed for in said petition, and to make report at the next session of Court.

By the Court
Bo. J. Smith
J.

No. 4 Sept. Term, 1944
In the Court of Quarter
Sessions of Cambria County

In Re: Order to View and
Layout Road in the Town-
ship of Summerhill, near
Wilmore, County of Cambria,
State of Pennsylvania.

REPORT OF VIEWERS

March 12-1945
Report approved.
By the Court.
J. H. Kenna
Judge

MORGAN W. EVANS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

Filed 3/15/45

July 11-1945
Impruned absolute
grace by Clerk

In Re: Order to View and lay-out road in the Township of Summerhill, County of Cambria, and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 September Sessions, 1944.

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 for a public highway as prayed for by the Petitioners, beginning at a point at the Wilmore-Summerhill Township line of entrance to a private lane leading to the home, formerly of Lucian Sherbine, approximately two hundred (200) feet from State highway No. 160 and ending at a point immediately in front of the residence of John Roskey in said Township.

That having given due notice of the view and the time and place of meeting of the viewers to the Commissioners of said County, to the Supervisors of Summerhill 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 public highway, as is required by the Act of the General Assembly.

We met upon the premises in Summerhill Township, Cambria County, Penna., on January 3, 1945, at 10 o'clock a. m. to perform the duties of our appointment, together with two of the said Supervisors, none of the Petitioners being present.

The Viewers having agreed that there is occasion for a public road, on February 24th, 1945, laid out the same, having respect to the shortest distance and the ground for the 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.

The courses and distances of the road as laid out, and as shown on the map attached hereto, are as follows:

The point of beginning is on the boundary line between Wilmore Borough and Summerhill Township. To locate the said point of beginning, start at station 82 plus 75 on state highway route No. 11017; thence via the following courses and distances: S. 18° - 48' E., 48.2 ft., S. 31° - 19' E., 91 ft., N. 55° - 19' E., 50 ft., N. 59° - 28' E., 50 ft., N. 77° - 34' E., 50 ft., S. 89° - 20' E., 50 ft., S. 87° - 12' E., 50 ft. and N. 88° - 12' E., 36 ft.

Beginning at the said point on the line between Wilmore Borough and Summerhill Township S. 43° - 48' E., 359 ft., thence S. 47° - 38' E., 91 ft., thence S. 43° - 28' E., 300 ft., thence S. 44° - 28' E., 600 ft., thence S. 43° - 28' E., 300 ft., thence S. 44° - 59' E., 188 ft. to Station 18 plus 30, the end of the view and a point on the division line between lands of Walter Sherbine and John Roskey.

The width of the proposed road to be 40 feet and the distance as described above 1,830 feet.

It will be noted that the viewers were to extend the proposed road to "a point immediately in front of the residence of John Roskey in said Township." This was not done for two reasons: (1) The ground drops considerably from the end of the view (see map attached hereto) and to the residence of John

Roskey and, moreover, its not the direction for an economic or feasible extension later on. (2) At the end of the view the topography of the region is such that to extend the road it should swing either easterly, in the direction of Portage, or southerly toward Spring Hill.

We, the undersigned members of the Permanent Board of Viewers of Cambria County, and also H. Frank Dorr, Chief Clerk in the office of the County Commissioners of Cambria County, were assured by members of the Board of Supervisors of Summerhill Township that release of damages have been acquired by the said Board of Supervisors from abutting property owners. In this case the only property crossed by the proposed road is that of Walter Sherbine.

In compliance with our duties as viewers we have estimated and determined the benefits, agreeing there is occasion for a public road, with the understanding, however, that Summerhill Township be released from all claims for damages that may arise from opening of said road.

We have notified the parties interested that this report will be filed with the Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, the week of March 4th, 1945.

Witness our hands this 1st day of March, 1945.

A. H. Jewers
James M. R. Cameron
H. F. Dorr
VIEWERS

In Re: Order to View and lay-
out road in the Township of
Summerhill, County of Cambria,
and State of Pennsylvania.

In the Court of Quarter
Sessions of Cambria County,
Pennsylvania.
No. 4 September Sessions, 1944.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers appointed by the above named Court, for the purpose of viewing a certain tract of land situate in Summerhill Township, Cambria County, Pennsylvania bounded and described as follows:

Beginning at a point on the Wilmore-Summerhill Township line of entrance to a private lane leading to the home, formerly of Lucian Sherbine, approximately Two hundred (200) feet from state highway No. 160 and ending at a point immediately in front of the residence of John Roskey in said Township will meet at the place of beginning at 10 o'clock A. M. on January 3, 1945, to determine if a necessity exists for the proposed new road and if so, what damages if any is caused to adjoining property at which time and place all parties interested may appear and be heard if they think proper.

S. H. Jencks

James McCann

Wm. McGrain

VIEWERS

No. 4 - September Sessions - 1944

In re-view of Proposed Public Highway beginning at a point on the Wilmore-Summerhill Township line at entrance to a private lane leading to the home formerly of one Lucian Sherbine, approximately two hundred (200) feet from State Highway Route No. 160, and ending at a point immediately in front of the residence of one John Roskey in said Township, Cambria County, Pa.

S. H. Jencks:

Obtaining data, preparing notices and service of stenographer	\$12.00
Viewing proposed road on January 3, 1945, at Wilmore 16 miles at .10	12.00 1.60
Surveying proposed road on February 17th, 1945, 16 miles at .10	12.00 1.60
2 helpers at \$5.00	10.00
Plotting and drafting same and 3 sets of blueprints	12.00
Preparing Report of view and stenographer	m 12.00
	\$73.20.

James McCann: 132 Erie St., Westmont, Pa.

Serving and posting notices of view 28 miles at .10	12.00 2.80
Viewing proposed road on January 3rd., at Wilmore 28 miles at .10	12.00 2.80
	29.60

Wm. J. McGrain: Cresson, Pa.

Viewing proposed road on January 3rd., at Wilmore 22 miles at .10	12.00 2.20
	14.20

Now, March 5, 1945, I hereby certify the above bill is an exact copy of the original bill filed with the Report of Views in the proceedings entered to No. 4 - September Sessions - 1944.

S. H. Jencks

CERTIFIED

APR 3 1945 CERTIFIED

APR 3 1945 CERTIFIED