

DECEMBER 4, 1944

To the Supervisors of Upper
Yoder Township, Cambria Co.,
Pennsylvania.

PETITION AND RELEASE
-OF DAMAGES

In Re: Accepting Mellon
Court and Irving Street as
a public highway.

map #1
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. / *March*
June Sessions, 1945

PETITION FOR APPOINTMENT OF VIEWERS

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

The petition of the undersigned inhabitants of the said Township of
Upper Yoder, 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 a
point at the intersection of Mellon Court with Goucher Street (State Highway
Route 11007), a public highway, and extending over and across Mellon Court and
Irving Street to Christopher Street, also a public highway in said Township
of Upper Yoder, all of which is shown in green on map as laid out by S. E.
Dickey & Company, Engineers, which map is hereto attached, made part hereof
and marked "EXHIBIT A".

The exact distance from the point of beginning of proposed public road
from an intersecting public road, namely Dupont Avenue, a public highway in
the Borough of Westmont, County aforesaid, is 520 feet, measured along the
center line of said Goucher Street in a southeasterly direction from said
Dupont Avenue; and the exact distance from the point of ending of said
proposed new highway from the nearest intersecting public highway, namely
Goucher Street, is 356.04 feet, measured along the center line of said
Christopher Street, in a northeasterly direction from its intersection with
said Goucher Street, as shown on said map marked "EXHIBIT A".

The beginning of said proposed road is in a public highway and the ending
of said proposed road is likewise in a public highway, as stated above.

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

A release of damages whereby the owners of property abutting the aforesaid proposed road, releasing the said Township of Upper Yoder from any damages they have sustained, or may seem likely to sustain by reason of the said proposed highway, is hereto attached, made part hereof and marked "EXHIBIT C".

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 report of this proceeding to the next Session of Court.

D. H. Weiner

Wm. H. Barnhart

Blair Hunt

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CAMBERIA

SS:

Personally appeared before me, a Notary Public in
and for said State and County, CURT BARNHART, 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 the said petition are true and correct.

Curt Barnhart

Sworn and subscribed before
me this 20th day of April, 1945.

James B. Williams
Notary Public

NOTARY PUBLIC
my. comm. exp. Apr. 11, 1949

Exhibit A
Blue map
Done separately

"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, 1945

NOTICE TO SUPERVISORS

TO CURT BARNHART, D. H. WEIMER and BLAIR HUNT, SUPERVISORS OF UPPER YODER
TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will 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 23rd day of April, 1945, asking the Court for the appointment of Viewers to view and lay out a proposed road in the said Township of Upper Yoder to begin at a point at the intersection of Mellon Court with Goucher Street (State Highway Route 11007), a public highway, and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder, all of which is shown in green on map as laid out by S. E. Dickey & Company, Engineers, which map is attached to said petition and made part thereof.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely Dupont Avenue, a public highway in the Borough of Westmont, County aforesaid, is 520 feet, measured along the center line of said Goucher Street in a southeasterly direction from said Dupont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map marked "EXHIBIT A."

The beginning of said proposed road is in a public highway and the ending of said proposed road is likewise in a public highway, as stated above.

Wm. R. Barucham
ATTORNEY FOR PETITIONERS

* * * * *

April 2, 1945, service of the foregoing Notice is hereby accepted.

L. J. Weiner
Carl Bernhart
Blair Lust
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

"EXHIBIT C"

TO THE SUPERVISORS OF UPPER YODER TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

Petition and release of damages for opening, maintaining and improving Mellon Court and Irving Street in the John K. Miller Plan of Lots in Upper Yoder Township, Cambria County, Pennsylvania.

We the undersigned, your petitioners, respectively represent:

That we are the owners of all the property abutting on Mellon Court and Irving Street dedicated highways in the John K. Miller Plan of Lots in Upper Yoder Township, Cambria County, Pennsylvania. That we are in need of a public highway along the route of said Mellon Court and Irving Street for the benefit of the abutting property owners and the traveling public.

NOW THEREFORE, we respectfully petition your honorable body to proceed with the necessary legislation required for the accepting, opening, improving and maintaining of said Mellon Court and Irving Street as a public highway. That said proposed highway begins at the intersection of Mellon Court with Gocher Street (State Highway Route #11007), a public highway in Upper Yoder Township, Cambria County, Pennsylvania, and ends at the intersection of Irving Street with Christopher Street, a public highway in said Township of Upper Yoder. The exact location of the place of beginning of said proposed new highway from the nearest intersecting public highway; namely, Dupont Avenue, a public highway in the Borough of Westmont, Cambria County, Pennsylvania, is at a distance of 520 feet measured along the center line of Gocher Street (State Highway Route #11007) in a southeasterly direction from said Dupont Avenue. The exact location of the place of ending of said proposed new highway from the nearest intersecting public highway; namely, Gocher Street, is at a distance of 356.04 feet measured along the center line of Christopher Street in a northeasterly direction from its intersection with Gocher Street.

In consideration of the accepting, opening, grading, improving and maintaining of said Mellon Court and Irving Street, we the undersigned property owners, do hereby release the Township of Upper Yoder, its officials, agents, and employees of any and all damages we have sustained or may seem likely to sustain by reason of the accepting, opening, grading, draining, improving and maintaining of said Mellon Court and Irving Street as a public highway.

Witness our hands and seals this 28 day of December, A. D., 1944.

<u>Witness</u>	<u>Signature</u>	<u>Lot No.</u>
Russell G Jones	Edward M. Glines	124
Edward M. Glines	Anna B. Glines	
Russell G Jones	Mary M. Jones	123
Edward M. Glines	Russell G Jones	
Russell G Jones	Edith M. Greer	125
	Coover D. Greer	

Witness	Signature	Lot No.
Russell A Jones	Alvin T. Russell	139
Russell A Jones	J. P. Miller	140
Russell A Jones	W. A. Horn, R. A. Horn	139
Russell A Jones	W. A. Horn, R. A. Horn	137, 138
Russell A Jones	D. J. Boyer, L. J. Boyer	93
Russell A Jones	Henrietta Reading	#19118
Russell A Jones	George W. Spence	122, 121
Russell A Jones	Esther A. Spence	135+136
Russell A Jones	P. C. Albert Young	1/2 lot 127
Russell A Jones	Thomas P. Young	128-129-130-131
Russell A Jones	Thos. J. Brader	"
Russell A Jones	Loretta M. Bender	193, 134
Russell A Jones	Carl Burkhard	"
Russell A Jones	Marie A. Burkhard	111-112
Russell A Jones	Geo. S. Cooper	"
Russell A Jones	Freda M. Cooper	113-14
Russell A Jones	Weldon E. Parvough	115-16
Russell A Jones	Frank Grandinetti	"
Russell A Jones	Julia Grandinetti	109
Russell A Jones	Bettie V. Griffith	110
Russell A Jones	William Wayne Griffith	205 127
Russell A Jones	Walter H. Metzler	126
Russell A Jones	Ruth H. Metzler	"
Russell A Jones	Ernest E. Willey	119 & 120
Russell A Jones		117

Witness

Signature

Lot No.

[illegible]

127 17/45
IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA
No. 1 ~~June~~ Sessions, 1945
March

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; Preliminary Order and
DECREE thereon

LAW OFFICES OF

FRANK P. BARNHART

JOHNSTOWN, PENNA.

Filed 4/23/45

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. *1 March* ~~June~~ Sessions, 1945

PRELIMINARY ORDER

AND NOW, April 23, 1945, 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 10:00 O'clock, A.M. the ~~27th~~ day of May, 1945. Service of the Rule, together with a copy of this Petition, shall be made upon the said Commissioners not less than ten (10) days before the said Return Day.

BY THE COURT:

W. Kenrick
J.

* * * * *

ACCEPTANCE OF SERVICE BY THE COMMISSIONERS
OF CAMBRIA COUNTY, PENNSYLVANIA

AND NOW, April 23, 1945, service of the above Rule is hereby accepted, together with a copy of the within petition.

H. F. Don
CLERK

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. | *March*
~~June~~ Sessions, 1945

DE C R E E

AND NOW, this 7th day of May, 1945, the within petition having been
read and considered, the Court appoint *James McCann*
Robert G. Mayer and *Fred W. Claypin* and
Viewers to view the road herein referred to
and make a report of their proceedings to the next term of the Court of
Quarter Sessions of said County.

BY THE COURT:

McKenna

Sept. 10-1945 - Report of Viewers approved

Copy to the Council
McKernrick
just for

11/17/45 - Confirmed Absolutely
of Dean P. G. Clark & Co.

#1 March Sessions 1945.

IN RE: Order to view
certain public roads in
Upper Yoder Township,
Cambria County, Penna.

REPORT OF VIEWERS.

Filed 9/5/45

Filed Sept 5, 1945

11-10-45
In Re: Order to view certain
public roads in Upper Yoder
Township, Cambria County, Pa.

No. 1 March Sessions, 1945

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court,
we the undersigned Viewers, appointed by the attached order of the
above Court to view the proposed roads within mentioned, respect-
fully 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 said proposed new roads, as
evidenced by copy of said notice hereto attached and by service
of said notice on the County Commissioners of Cambria County, Curt
Barnhart, Secretary of the Board of Supervisors of Upper Yoder
Township, evidence of which is shown by copies of said notice
hereto attached and made a part of this report; that we met in
accordance with the notice given on the 23rd day of July, 1945,
at 10:30 a.m., and proceeded with the duties of our appointment and
viewed the premises and route of the proposed new roads. All three
Viewers and one interested citizen were present; who said proposed
new roads are now dedicated highways, Mellon Court being forty (40')
feet wide, only about twenty-eight (28') feet, being in Upper
Yoder Township and the remaining twelve (12') feet, being situated
in Westmont Borough, Cambria County, Pennsylvania. Irving Street
being sixty (60') feet wide as shown on the John K. Miller Plan of
Lots and colored in green on the blue print hereto attached and

and made a part hereof; then that the termini named in the petition and in this report are at existing public highways, one on Goucher Street and the other on Christopher Street. The description of said proposed road is as follows: Beginning at a point at the intersection of Mellon Court with Goucher St. (State Highway Route 11007), a public highway and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder, all of which is shown in green on map as laid out by S. E. Dickey & Co., Engineers, which map is hereto attached, made part hereof.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely Dupont Avenue, a public highway in the Borough of Westmont, County aforesaid, is 520 feet, measured along the center line of said Goucher Street in a southeasterly direction from said Dupont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map.

Taking into consideration the fact that Mellon Court has been in use for some time and that there are three improved properties on Christopher Street and the remaining property on Christopher Street, will quickly be developed as^{soon} as said streets are opened, therefore, we recommend that the prayer of the petitioners be granted, however we assess

no benefits and no damages to any of the abutting owners.

Witness our hands and seals this 26th day of July,
A.D., 1945.

James M. Cairn
Robert H. Mayer
Fred W. Claplin
Viewers

In re: Order to View a proposed
public road in the Township of
Upper Yoder, County of Cambria
Pennsylvania.

¶ In the Court of Quarter
¶ Sessions of Cambria County,
¶ Pennsylvania
¶ No. 1 March Sessions, 1945.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing a proposed public road in the township of Upper Yoder, Cambria County, Pennsylvania. Beginning at a point at the intersection of Mellon Court with Goucher Street, (State Highway Route 11007), a public highway, and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely DuPont Avenue, a public highway in the Borough of Westmont, County aforesaid, is 520 feet, measured along the center line of said Goucher Street in a southeasterly direction from said DuPont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map.

The beginning of said proposed road is in a public highway, and the ending of said proposed road is likewise in a public highway, as stated above, will meet at the place of beginning on the twenty-third day of July A.D., 1945, at 10:30 a.m., E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

James McCann
Robert Mayer
Fred W. Claflin

July 12, 1945

Now this 13th day of July, A. D., 1945, service of the above

Notice is hereby accepted by the Solicitor for the Supervisors of Upper Yoder Township.

BY

Frank P. Gaudin
Solicitor for Upper Yoder Township

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.

July 13, 1945

JAMES McCANN, Chairman of Board of Viewers
GRAY AND CLAFLIN
606 Swank Building
Johnstown, Pennsylvania

RE: PROPOSED PUBLIC ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY, PA.

Dear Mr. McCann:

I am returning herewith Notice of View, having accepted service
of same thereon as Solicitor for Upper Yoder Township, and having retained
one copy for my files.

Very truly yours,



FRANK P. BARNHART

EH
Encl.

In Re: Order to View a proposed
public road in the Township of
Upper Yoder, County of Cambria
Pennsylvania

¶ In the Court of Quarter
¶ Sessions of Cambria County,
¶ Pennsylvania.
¶ No. 1 March Sessions, 1945.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing a proposed public road in the Township of Upper Yoder, Cambria County, Pennsylvania. Beginning at a point at the intersection of Mellon Court with Goucher Street (State Highway Route 11007), a public highway, and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely DuPont Avenue, a public highway in the Borough of Westmont, County aforesaid, is 520 feet, measured along the center line of said Goucher Street in a southeasterly direction from said DuPont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map.

The beginning of said proposed road is in a public highway, and the ending of said proposed road is likewise in a public highway, as stated above, will meet at the place of beginning on the twenty-third day of July A.D., 1945, at 10:30 a.m. E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

James McCann
Robert Mayer
Fred W. Claflin

July 12, 1945

Ebensburg, Pa.

July 16, 1945.

Service accepted this 16th day of July, 1945.



H. F. DORR
Clerk County Commissioners

In Re: Order to View a proposed
Public road in the Township of
Upper Yoder, County of Cambria
Pennsylvania,

In the Court of Quarter
Sessions of Cambria County,
Pennsylvania,
No. 1 March Sessions, 1945.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing a proposed public road in the Township of Upper Yoder, Cambria County, Pennsylvania. Beginning at a point at the intersection of Mellon Court with Goucher Street (State Highway Route 11007), a public highway, and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely DuPont Avenue, public highway in the Borough of Westmont, County aforesaid, is 620 feet, measured along the center line of said Goucher Street in a southeasterly direction from DuPont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map.

The beginning of said proposed road is in a public highway, and the ending of said proposed road is likewise in a public highway, as stated above, will meet at the place of beginning on the twenty-third day of July, A.D. 1945, at 10:30 a.m., E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

James McCann
Robert Mayer
Fred W. Claflin

July 12, 1945

July 13, 1945

Mr. Curt Barnhart
R.D.#5, Berkley Road
Johnstown, Pa.

Dear Mr. Barnhart:

Enclosed please find copy of Notice of Viewers
for No. 1 March Sessions 1945.

Yours very truly,

James McCann

Chairman of Board of Viewers

EMH:wb
Incl:1

In re: Order to View a
proposed public road in the
Township of Upper Yoder,
County of Cambria and State
of Pennsylvania.

In the Court of Quarter
Sessions of Cambria County,
Pennsylvania.
No. 1 March Sessions, 1945.

To James McCann, Robert G. Mayer and Fred W. Claflin

To James McCann, Dr.

July	11	Data and preparing notices of view	\$ 12.00	
		Stenographer, stationery and stamps	2.50	
	12	Posting and serving notices of View	12.00	
		Mileage, 4 miles @ \$.10	.40	
	23	Making View	12.00	
		Mileage 4 miles @ \$.10	.40	
	26	Data and preparing report	12.00	
		Tracing paper, 1 linen print and two paper prints	1.00	
		Stenographer and stationery	2.60	
Aug.	14	Filing report of Viewers	12.00	
		Mileage 40 miles @ \$.10	4.00	\$70.90

To Robert G. Mayer, Dr.

July	23	Making View	\$ 12.00	
		Mileage 4 miles @ \$.10	.40	\$12.40

To Fred W. Claflin, Dr.

July	23	Making View	\$ 12.00	
		Mileage - 2 miles @ \$.10	.20	\$12.20

TOTAL AMOUNT OF VIEW- - - - - \$95.50

I hereby certify that the above bill is an exact
duplicate of the bill presented to the Cambria County Comm-
issioners.

James McCann
James McCann
Chairman Board of View

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 7th day of May A. D. 1945, 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 lead from

a point at the intersection of Mellon Court with Goucher Street (State Highway Route 11007), a public highway, and extending over and across Mellon Court and Irving Street to Christopher Street, also a public highway in said Township of Upper Yoder, all of which is shown in green on map as laid out by S.E. Dickey & Co., Engineers, which map is hereto attached, made part hereof.

The exact distance from the point of beginning of proposed public road from an intersecting public road, namely Dupont Avenue, a public highway in the Borough of Westmont, County aforesaid, is 520 feet, measured along the center line of said Goucher Street in a southeasterly direction from said Dupont Avenue; and the exact distance from the point of ending of said proposed new highway from the nearest intersecting public highway, namely Goucher Street, is 356.04 feet, measured along the center line of said Christopher Street, in a northeasterly direction from its intersection with said Goucher Street, as shown on said map.

The beginning of said proposed road is in a public highway and the ending of said proposed road is likewise in a public highway, as stated above.

PLEASE MAKE 3 COPIES OF YOUR REPORT

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

James McCann surveyor, and Robert G. Mayer, and Fred W. Claflin

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:

J. H. H. Joy, Clerk.



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. 1, March sessions, 1945.

Order to view

public road or highway in

Upper Yoder Township

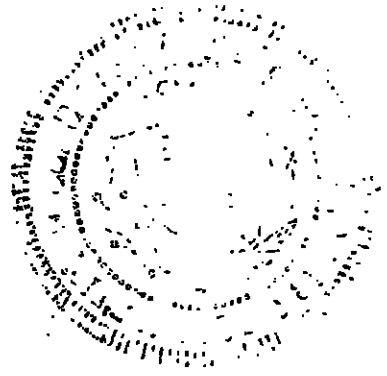
Viewers

James McCann

Robert G. Mayer

Fred W. Claflin

Clerk 90 cts.





PALLISER

GOUCHER AVE

SUNSHINE AVE

DUPONT AVE

STREET

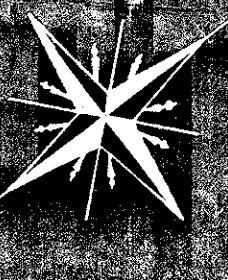
MELLON COURT

IRVING STREET

GOUCHER

CHRISTOPHER ST

STREET



MENOHAR

HIGHWAY

STUTEMAN SCHOOL

LOTS

AVE

ST

ST

ST

Rat Microfilmed

RO# 2 Mar, 1945

Map# 2

WESTMONT

BORO

MELLON

COURT

SOUTHMONT

BORO.

GOUCHER

IRVING

STREET

STREET

CHRISTOPHER

STREET

In re: Order to View a proposed public road in the Township of Upper Merion, County of Garfield, Pennsylvania.

In the Court of Quarter Sessions of Garfield County, Pennsylvania.
No. 1 Appeal Sections, 1045.

350' TO
BURNETT
AVENUE

531-42 E

356.04'

N55-10 E

Rat. Microfilmed

ROH 1 Mar. 1945
map #1