

No 1 June, sess. 1947

Order View and Layout
a road in Adams
Twp. Cambria County,
Penn.

Filed July 13, 1948

Viewers Report

March 10-1948
Before the Court
By the Court
Witnesses
Judge

In re: Order to View and Layout
a Proposed Public Road in Adams
Township, Cambria County, Penn-
sylvania.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 1 June Sessions 1947

map #4

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 said notice upon the Commissioners of Cambria County, the Clerk of Courts of Cambria County, the Attorney for the petitioners, and the Supervisors of Adams Township of said notice hereto attached and made a part of this report; that we met in accordance with the notice given, on the twenty-first (21st) day of October, 1947, A.D., at 10:00 o'clock A.M., E.S.T., and proceeded with the duties of our appointment and viewed the premises and route of the proposed new road; that during the view six (6) property owners and all the viewers were present. The viewers find that a permanent bridge across the South Fork Creek from these eleven (11) dwellings, due to the heavy flow in the creek during flood times, would be an undue hardship on Adams Township, as this bridge would cost in the neighborhood of \$15,000.00. The viewers, therefore, suggest that a right-of-way be procured along this proposed road across the Pennsylvania Railroad bridge between the switch point and the East end of the Railroad bridge, to the highway, State Route #869 be obtained for the use of the residents in this area, all as shown tinted on the attached blueprint. Due to the nature of the terrain in this location, it will probably be a long number of years before any further development in this area, therefore, we recommend that the necessary request be made to the Pennsylvania Railroad for a crossing at grade be granted these petitioners, and that the township will maintain this proposed road as outlined on the drawing hereto attached.

Witness our hands and seals this 29th day of January, 1948, A.D.

Fred W. O'Leary
Theodore W. Hunt
E. F. Sullivan
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. 1, June sessions, 1897

Order to view Proposed public

road, Adams Township, Cambria

County, Pennsylvania.

Viewers

Fred W. Claflin

Theodore Hunt

Edward Dunegan

Clerk 90 cts.

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 18th day of July A. D. 1947, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from

Said proposed road begins at the Southerly boundary of the land of George and Josephine Krestar near the right-of-way of the Pennsylvania Railroad Company; thence continuing along said right-of-way in a Westerly direction across the South Fork Creek to a point on State Highway Route No. 869, which point is located approximately 300 feet West of the intersection of said highway with the said South Fork Creek.

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

Fred W. Claflin, Theodore Hunt

~~XXXXXX~~ and

Edward Dunegan

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.

MCKENRICK, J.

Attest:

J. Dean Joy
J. DEAN JOY

Clerk.

October 9, 1947

Mr. Joseph Valko
Supervisor of Adams Township
Dunio, Pennsylvania

Dear Mr. Valko:

Enclosed herewith, please find copy of Notice of Viewers for
No. 1 June Session 1947.

Yours very truly,

Fred W. Claflin

Chairman of Board of Viewers

FWC:dz
Encl:1

In re: Order to View and Layout () In the Court of Quarter
a Public Road in Adams Township, () Sessions of Cambria County,
County of Cambria and State of () Pennsylvania.
Pennsylvania. () No. 1 June Sessions 1947.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Adams Township, Cambria County, Pennsylvania, beginning at the Southerly boundary of the land of George and Josephine Krestar near the right-of-way of the Pennsylvania Railroad Company; thence continuing along said right-of-way in a Westerly direction across the South Fork Creek to a point on State Highway Route No. 869, which point is located approximately 300 feet West of the intersection of said highway with the said South Fork Creek, will meet at the place of beginning on the twenty first day of October, 1947, at 10:00 o'clock A.M. E.S.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Claflin
Theodore Hunt
Edward Dunegan

Viewers.

October 8, 1947.

We hereby accept service of the above notice this 10th day of
October, 1947.


ASST. CLERK

In re: Order to View and Layout () In the Court of Quarter
a Public Road in Adams Township, () Sessions of Cambria County,
County of Cambria and State of () Pennsylvania.
Pennsylvania. () No. 1 June Sessions 1947.

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Fred W. Claflin
Theodore Hunt
Edward Dunegan

Viewers.

October 8, 1947.

And Now, October 13, 1947, receipt of a copy of the above notice of view is hereby acknowledged.


Attorney for Petitioner

C. RANDOLPH MYERS
ALTON A. McDONALD
ATTORNEYS AT LAW
219 E. CENTER STREET - OPPOSITE COURT HOUSE
EBENSBURG, PA.

October 13, 1947

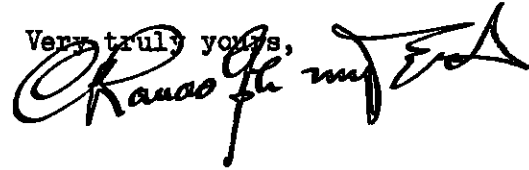
Mr. Fred W. Claflin
c/o Gray and Claflin
Consulting Engineers
Johnstown, Pa.

Dear Mr. Claflin:

Your letter of the 9th inst., together with a copy of the notice of view, in re, proceeding entered in the Court of Quarter Sessions of Cambria County to No. 1 June Sessions, 1947, has been received.

In accordance with your request I have noted an acceptance of service on a copy of your notice and I am returning the same herewith.

Very truly yours,

A handwritten signature in dark ink, appearing to read "C. Randolph Myers", is written over the typed phrase "Very truly yours,".

CRM:MC
Encl.

In re: Order to View and Layout () In the Court of Quarter
a Public Road in Adams Township, () Sessions of Cambria County,
County of Cambria and State of () Pennsylvania.
Pennsylvania. () No. 1 June Sessions 1947.

NOTICE OF VIEW

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Fred W. Claflin
Theodore Hunt
Edward Dunegan

Viewers.

October 8, 1947.

October 9, 1947

J. Dean Joy
Clerk of Courts
Ebensburg, Pa.

Dear Mr. Joy:

Enclosed herewith, please find copy of Notice of Viewers for
No. 1 June Sessions, 1947.

Yours very truly,

Fred W. Claflin

Chairman of Board of Viewers

FWC:ds
Encl:1

October 9, 1947

Mr. H. F. Dorr, Chief Clerk
Commissioners of Cambria County
Ebensburg, Pennsylvania

Dear Mr. Dorr:

You will find enclosed herewith in duplicate, copy of Notice
of Viewers for No. 1 June Sessions, 1947.

Please accept service on same and return one (1) copy to me
promptly.

Yours very truly,

Fred W. Claflin

Chairman of Board of Viewer

FWC:dz
Encl:2

In re: Order to View and Layout
a Public Road in Adams Township,
County of Cambria and State of
Pennsylvania.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 1 June Sessions 1947.

To Fred W. Claflin, Theodore Hunt and Edward Dunegan

To Fred W. Claflin, Dr.

1947					
October	7	Data and preparing notices of view	1 day	\$ 12.00	
		Stenographer, stationary and stamps		2.30	
October	8	Posting notices	1 day	12.00	
		Mileage--30 miles @\$.10		3.00	
October	21	Making view	1 day	12.00	
1948		Mileage--30 miles @\$.10		3.00	
January	13	Engineer making and tracing map	4 hrs.	8.00	
		Tracing paper and 3 blueprints		1.60	
January	28	Making report	1 day	12.00	
		Stenographer, stationary		2.80	
February	13	Filing report of Viewers	1 day	12.00	
		Mileage--40 miles @\$.10		4.00	\$84.70

To Theodore Hunt, Dr.

1947					
October	21	Making view	1 day	\$ 12.00	
		Mileage--34 miles @\$.10		3.40	15.40

To Edward Dunegan, Dr.

1947					
October	21	Making view	1 day	\$ 12.00	
		Mileage--34 miles @\$.10		3.40	15.40

TOTAL AMOUNT OF VIEW- - - - - \$115.50

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

Fred W. Claflin
Chairman Board of View

In re: Order to View and Layout () In the Court of Quarter
a Public Road in Adams Township, () Sessions of Cambria County,
County of Cambria and State of () Pennsylvania.
Pennsylvania. () No. 1 June Sessions 1947.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Adams Township, Cambria County, Pennsylvania, beginning at the Southerly boundary of the land of George and Josephine Krestar near the right-of-way of the Pennsylvania Railroad Company; thence continuing along said right-of-way in a Westerly direction across the South Fork Creek to a point on State Highway Route No. 869, which point is located approximately 300 feet West of the intersection of said highway with the said South Fork Creek, will meet at the place of beginning on the twenty first day of October, 1947, at 10:00 o'clock A.M. E.S.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Claflin
Theodore Hunt
Edward Dunegan

Viewers.

October 8, 1947.

EDWARD T. GRAY
REGIST'D ENGR. AND SURVEYOR

FRED W. CLAFLIN
ASSOC. MEM. AM. SOC. OF C. E.
REGIST'D ENGR. AND SURVEYOR

606 SWANK BLDG.
TELEPHONE 22-121

GRAY AND CLAFLIN
CONSULTING CIVIL ENGINEERS
JOHNSTOWN, PA.

October 9, 1947

J. Dean Joy
Clerk of Courts
Ebensburg, Pa.

Dear Mr. Joy:

Enclosed herewith, please find copy of Notice of Viewers for
No. 1 June Sessions, 1947.

Yours very truly,

Fred W. Claflin


Chairman of Board of Viewers

FWC:dz
Encl:1

#1 June Sessions 1947

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

In re: Petition to Appoint
Viewers and Supply Road in Adams
Township

PETITION

Filed 7-18-47

C. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF SAID COUNTY:

The petition of the undersigned citizens and tax payers of the Township of Adams, in the County of Cambria and State of Pennsylvania, respectfully represents:

That they, as the owners or occupants of certain properties located in the Village of Ruthford, in the Township of Adams, County of Cambria and State of Pennsylvania, near the South Fork creek, right-of-way of the Pennsylvania Railroad and State Highway Route No. 869 between Beaverdale and Sidman, labor under a great inconvenience in that they do not have access to their properties by means of a public road.

Said proposed road begins at the Southerly boundary of the land of George and Josephine Krestar near the right-of-way of the Pennsylvania Railroad Company; thence continuing along said right-of-way in a Westerly direction across the South Fork Creek to a point on State Highway Route No. 869, which point is located approximately 300 feet West of the intersection of said highway with the said South Fork Creek.

WHEREFORE your petitioners pray the Court to inquire and supply a road and for that purpose to appoint three members of the permanent Board of Viewers of Cambria County to inquire of the premises and make return of their proceedings according to law.

John J. Sack
Herschel Boring
Carl Sigard
Marquette Wise
Andrew Selepak
Joseph Macy
George Krestar
Michael Kukulor
Emery Horvath

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF SAID COUNTY:

The petition of the undersigned citizens and tax payers of the Township of Adams, in the County of Cambria and State of Pennsylvania, respectfully represents:

That they, as the owners or occupants of certain properties located in the Village of Ruthford, in the Township of Adams, County of Cambria and State of Pennsylvania, near the South Fork creek, right-of-way of the

road and for that purpose to appoint three members of the permanent Board of Viewers of Cambria County to inquire of the premises and make return of their proceedings according to law.

John Kakubas
John J. Sarek
Herschel Baring
Carl Fildard
Marquerite Wise
Andrew Selepak
Joseph Macy
George Grestar
Michael Kakubas
Emery Horvath

State of Pennsylvania

SS:

County of Cambria

Emery Horvath, being duly sworn according to law, did depose and say that he is one of the signers of the within petition and that the statements contained therein are true and correct to the best of his knowledge, information and belief.

Emery Horvath

Sworn and subscribed before me

this 8 day of July, A.D.,

1947.

Abraham Krametz M.P.

My Comm. Exp. 4/28/1949.

DE C R E E

And Now, July 18th, 1947, the foregoing petition having been read and considered, it is ordered that Fred W. Clafflin, Theodore Hunt and Edward Dunne three members of the permanent Board of Viewers of Cambria County, be, and hereby are, appointed to view said road and inquire of the premises and make a return of their proceedings according to law.

By the Court
H. H. Henrick
Judge

D E C R E E

And Now, July 15th, 1947, the County Commissioners of Cambria County hereby waive the provision of Rules 301 $\frac{1}{2}$ of the Court of Quarter Sessions of Cambria County, requiring service of 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. J. Dow
Chief Clerk

No 1 June Sess. 1947

Order to View

and Lay out a Road
IN ADAMS TOWNSHIP
Cambria County,
Pa.

Filed Feb. 13, 1948

Viewers Report.

CERTIFIED on this,

the 21 day of June

A. D., 1948

Joseph C. Meas
Clerk of Courts

RECEIVED

JUN 22 1944

TWP. & CO. UNIT
DEPT. OF HIGHWAYS

In re: Order to View and Layout
a Proposed Public Road in Adams
Township, Cambria County, Penn-
sylvania.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 1 June Sessions 1947

mcw #2

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 said notice upon the Commissioners of Cambria County, the Clerk of Courts of Cambria County, the Attorney for the petitioners, and the Supervisors of Adams Township of said notice hereto attached and made a part of this report; that we met in accordance with the notice given, on the twenty-first (21st) day of October, 1947, A.D., at 10:00 o'clock A.M., E.S.T., and proceeded with the duties of our appointment and viewed the premises and route of the proposed new road; that during the view six (6) property owners and all the viewers were present. The viewers find that a permanent bridge across the South Fork Creek from these eleven (11) dwellings, due to the heavy flow in the creek during flood times, would be an undue hardship on Adams Township, as this bridge would cost in the neighborhood of \$15,000.00. The viewers, therefore, suggest that a right a way be procured along this proposed road across the Pennsylvania Railroad bridge between the switch point and the East end of the Railroad bridge, to the highway, State Route #869 be obtained for the use of the residents in this area, all as shown tinted on the attached blueprint. Due to the nature of the terrain in this location, it will probably be a long number of years before any further development in this area, therefore, we recommend that the necessary request be made to the Pennsylvania Railroad for a crossing at grade be granted these petitioners, and that the township will maintain this proposed road as outlined on the drawing hereto attached.

Witness our hands and seals this 29th day of January, 1948, A.D.

Fred W. C. Capper
Theodore W. Hunt
E. F. McKeegan
Viewers

RECEIVED

JUN 22 1953

W.F. & CO. UNIT
DEPT. OF HIGHWAYS

In re: Order to View and Layout
a Public Road in Adams Township,
County of Cambria and State of
Pennsylvania.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 1 June Sessions 1947.

To Fred W. Claflin, Theodore Hunt and Edward Dunegan

To Fred W. Claflin, Dr.

1947					
October	7	Data and preparing notices of view	1 day	\$ 12.00	
		Stenographer, stationary and stamps.		2.30	
October	8	Posting notices	1 day	12.00	
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October	21	Making view	1 day	12.00	
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To Theodore Hunt, Dr.

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To Edward Dunegan, Dr.

1947					
October	21	Making view	1 day	\$ 12.00	
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TOTAL AMOUNT OF VIEW- - - - - \$115.50

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

Fred W. Claflin
Fred W. Claflin
Chairman Board of View

In re: Order to View and Layout () In the Court of Quarter
a Public Road in Adams Township, () Sessions of Cambria County,
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Fred W. Claflin
Theodore Hunt
Edward Dunegan

Viewers.

October 8, 1947,

RECEIVED

JUN 22 1948

PAVING & CO. UNIT
DEPT. OF HIGHWAYS

Ebensburg, Pa., June 21, 1948.....19.....

Dept. of Highways, Harrisburg, Pa.

To. JOSEPH C. WESS, Clerk of Courts, Dr.

Certified copy of Viewers report and Draft.

\$3.50

for a road in Adams Township, Cambria

County, Penna. No. 1 June Sessions 1947.

Joseph C. Wess
Clerk of Courts

13
to JOSEPH C. WESS, Clerk of Courts

RECEIVED

JUN 22 1948

PRIME. C. CO. UNIT
14300 02 TENGAWAYS



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HIGHWAYS
HARRISBURG

IN REPLY REFER TO

Cambria County
O.R. 251

June 24, 1948

Mr. Joseph C. Wess,
Clerk of Courts
Ebensburg, Pennsylvania

Dear Mr. Wess:

We are returning the certified copy of Viewer's Report establishing a road in Adams Township, identified as No. 1 June Sessions 1947. This report does not contain a description of the road laid out by courses and distances and, without this information, we are unable to locate the road on our township map. We, also, note that the report does not indicate the width of the road established.

Very truly yours

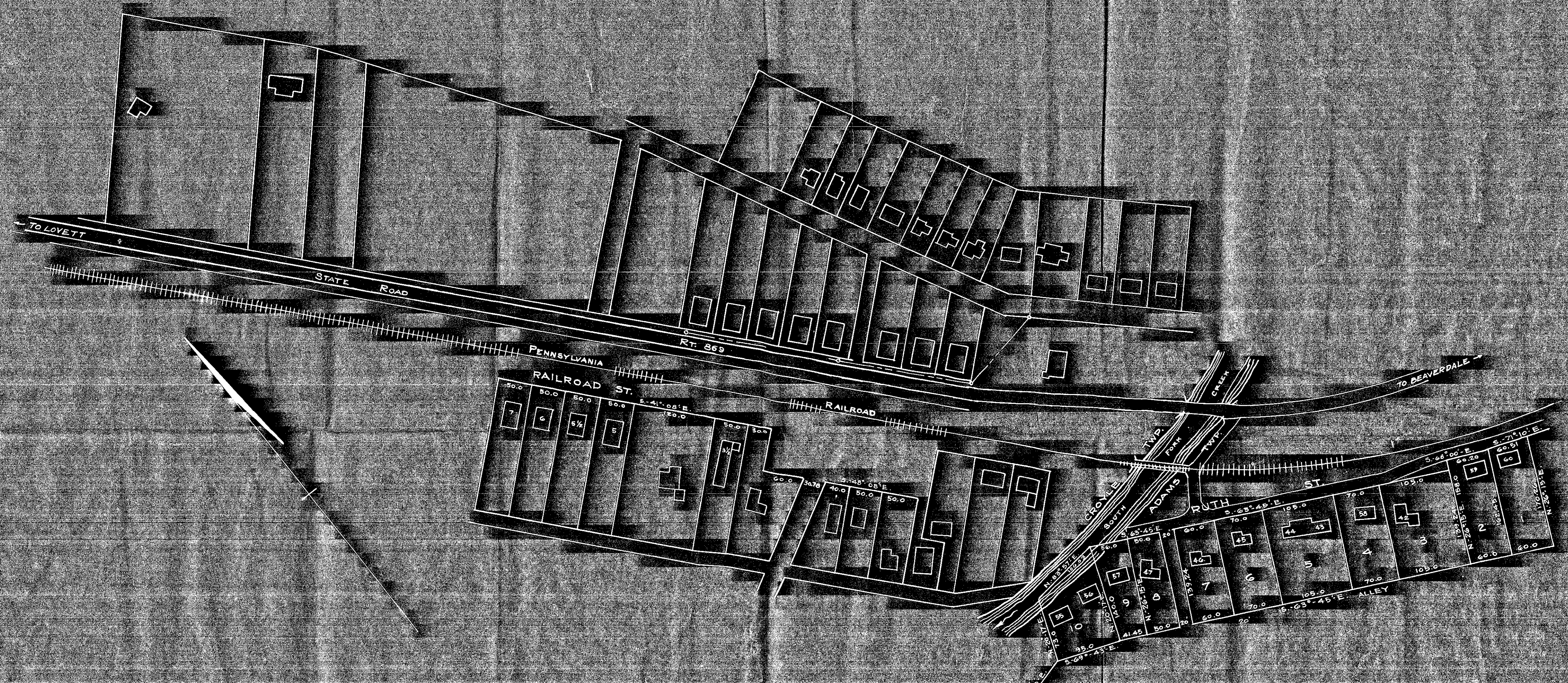
D. A. Bailey
Township Engineer

Attachment

Not Microfilmed

RD# 2 June 1946

map# 2



IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA CO., PA.
NO. 1 JUNE SESSIONS 1947.

FRED CLAFLIN
THEODORE HUNT
EDWARD DUNEGAN

VIEWERS

PLAN OF LOTS

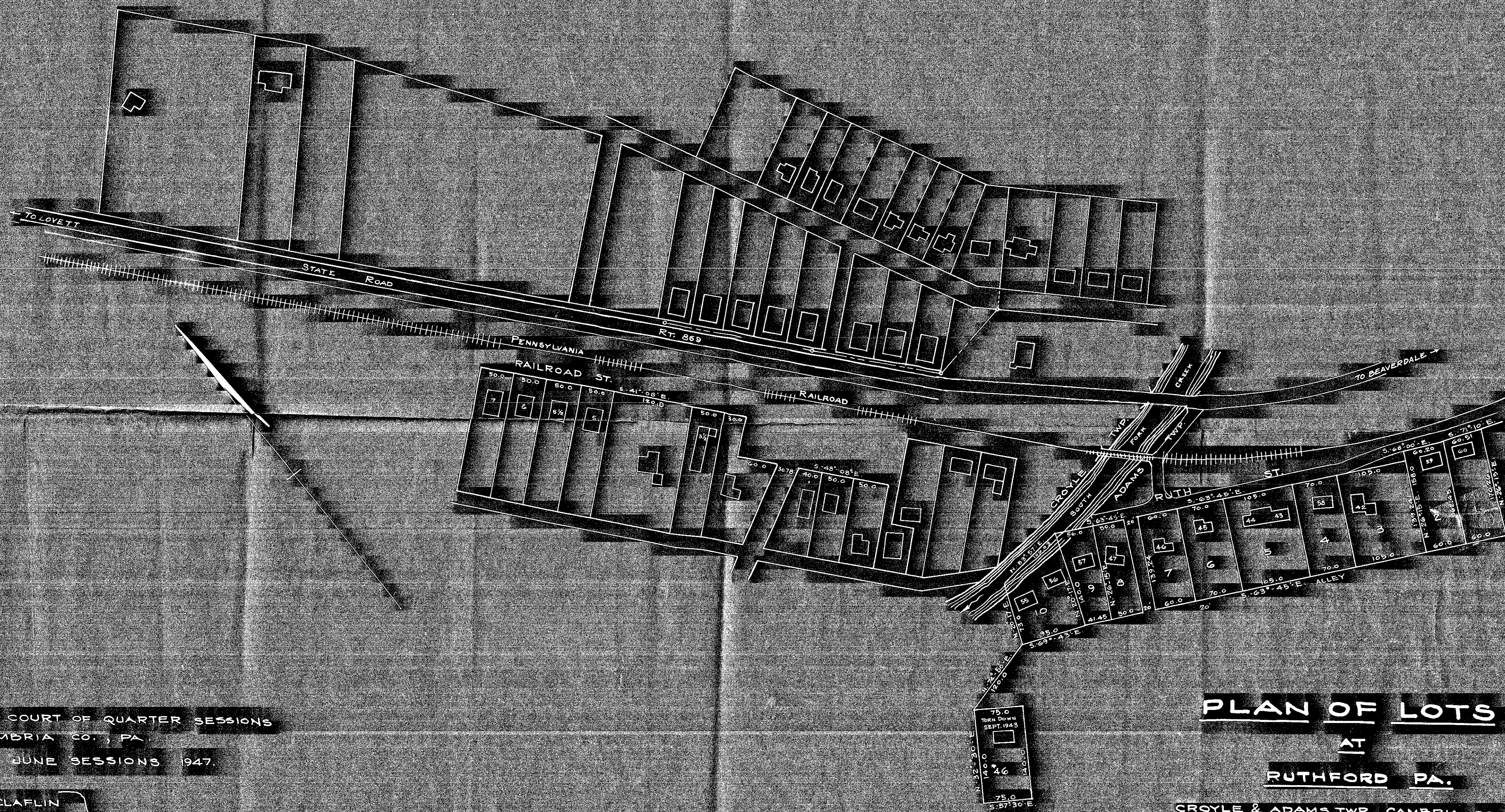
AT
RUTHFORD PA.

CROYLE & ADAMS TWP, CAMBRIA CO., PA.
TRACED BY GRAY & CLAFLIN, ENGRS.
JOHNSTOWN, PA.
SCALE: 1" = 100'
JAN. 1948.

Rat Microfilmed

RD#1 June 1947

map#1



IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA CO., PA.
No. 1 JUNE SESSIONS 1947.

FRED CLAFLIN
THEODORE HUNT
EDWARD DUNEGAN

VIEWERS

PLAN OF LOTS

AT

RUTHFORD PA.

CROYLE & ADAMS TWP, CAMBRIA CO., PA.

TRACED BY GRAY & CLAFLIN, ENGRS.

JOHNSTOWN, PA.

SCALE 1" = 100'

JAN. 1948.