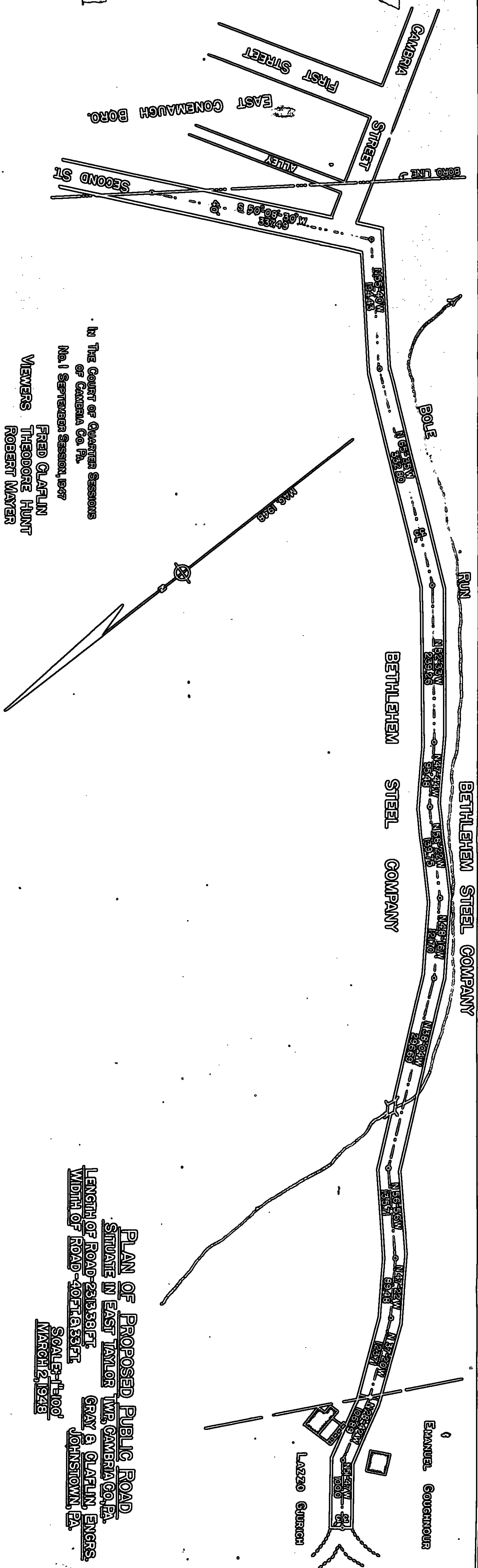


Not Microfilmed

RO# 1 Sept. 1947

18157



• IN THE COURT OF QUARTER SESSIONS
OF CAMBERIA CO. PA.
No. 1 SEPTEMBER SESSION, 1947

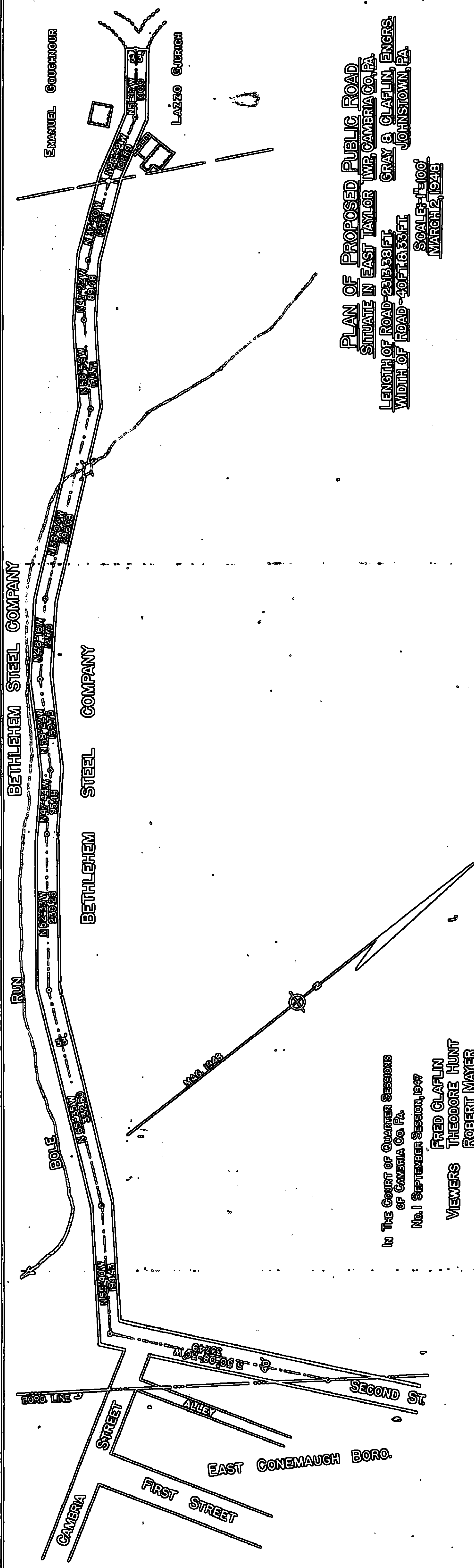
FRED CLAPLIN
THEODORE HUNT
VIEWERS
ROBERT MAYER

PLAN OF PROPOSED PUBLIC ROAD
SITUATE IN EAST TAYLOR TWP, CAMBRIA CO., PA.
LENGTH OF ROAD-2313.38 FT.
WIDTH OF ROAD-40 FT. 8.33 FT.
GRAY & CLAFIN, ENGRS
JOHNSITOWN, PA.

Not Microfilmed

RO# 1 Sept. 1947

Map #2



PLAN OF PROPOSED PUBLIC ROAD
SITUATE IN EAST TAYLOR TWP, CAMBERIA CO., PA.
LENGTH OF ROAD-2313.38 FT.
WIDTH OF ROAD-40 FT. 8.33 FT.
SCALE-1"=100'
MARCH 12, 1948
GRAY & CLAFLIN, ENGRS.
JOHNSTOWN, PA.

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

No. / September Sessions, 1947

In Re:

Proposed Public Road in
East Taylor Township, Cambria
County, Pennsylvania.

PETITION FOR APPOINTMENT OF VIEWERS
TO VIEW AND LAY OUT PUBLIC ROAD

Filed 9/2/47

HARRY E. SIMMONS
Attorney at Law
614-615 U. S. Nat'l Bank Bldg.
Johnstown, Penna.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

In Re:	§	No.	September Sessions, 1947
	:		
Proposed Public Road in	:	<u>PETITION FOR APPOINTMENT OF VIEWERS</u>	
East Taylor Township, Cambria	:	<u>TO VIEW AND LAY OUT PUBLIC ROAD</u>	
County, Pennsylvania	§		

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:-

The petition of HIRAM RIBBLETT, GERALD C. PAGE and BLAIR THOMAS, the duly elected and qualified members of the Board of Road Supervisors of East Taylor Township respectfully sets forth:

1. That there is necessity for a Public Road in the Township of East Taylor, County of Cambria and State of Pennsylvania, extending from a point on the line dividing the Borough of East Conemaugh from the Township of East Taylor; said point being located at or near the property line of Paul Rapsky and at or near the westerly terminus of Second Street in the Borough of East Conemaugh; thence, in a northwesterly direction, along Bole Hollow, to a point at or near the property line of Emanuel Goughnour, a distance of approximately two thousand, (2000), feet.

2. That while the proposed public road would not be a connecting road between two other roads, there is at its northwesterly terminus, five homes owned and occupied by tax-payers of the Township of East Taylor. There is no other means of ingress nor egress for the said five homes, except, by a private lane, and as a result the said residents and tax-payers of the Township of East Taylor, labor under great inconvenience.

WHEREFORE, your Petitioners pray your Honorable Court to appoint members of the Permanent Board of Viewers to view and lay out a public road, located in the Township of East Taylor, County of Cambria and State of Pennsylvania, between the termini mentioned in the hereinabove Petition, and to make report of their proceedings to the next Court of Quarter Sessions to be held for the said County. And ~~they~~ will ever pray, etc.

Gerald Page
Hiram Ribblett
Clay R. Thomas

Board of Road Supervisors of East Taylor Township, Cambria County, Pennsylvania.

State of Pennsylvania

County of Cambria

SS:

Before me, the undersigned authority, personally appeared HIRAM RIBBLETT, who, being duly sworn according to law, deposes and says that he is one of the duly elected and qualified members of the Board of Road Supervisors of East Taylor Township; and that he is one of the Petitioners whose name is attached to the foregoing Petition; and that the facts in the foregoing petition are true and correct, to the best of his knowledge, information and belief.

Hiram Ribblett
Hiram Ribblett

Sworn and subscribed to before me this
22 day of Aug A. D., 1947.

O. M. Davis, Jr.
Notary Public

My Commission expires: My Commission Expires 1st Monday in Jan. 1948

DECREE

AND NOW, this 22 day of Sept A. D., 1947, the foregoing petition having been read and considered, the prayer of the Petition is granted, and it is ordered and decreed that Fred Chaplin, Theodore Hunt, and Robert Mayer members of the Permanent Board of Viewers of Cambria County be and hereby are appointed to view and make a report as to the advisability of establishing a public road in the Township of East Taylor, County of Cambria and State of Pennsylvania from a point on the boundary line dividing the Borough of East Conemaugh and the Township of East Taylor; said point being located at or near the property line of Paul Rapsky, at or near the westerly terminus of Second Street in the said Borough of East Conemaugh, extending in a north-westerly direction to a point at or near the property line of Emanuel Goughnour a distance of approximately two thousand, (2000), feet, and to make report of their proceedings to the next Court of Quarter Sessions to be held for the said County.

BY THE COURT:

Shiffert

JOINDER OF COUNTY COMMISSIONERS

We, the members of the Board of County Commissioners of Cambria County, Pennsylvania, acknowledge the receipt of a copy of the Petition For Appointment of Viewers, hereinbefore set forth; and join in the prayer of the said Petition.

Thomas A. Owens
Thomas A. Owens

EDWARD T. GRAY
REGIST'D ENGR. AND SURVEYOR

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

506 SWANK BLDG.
TELEPHONE 23-151

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 September Sessions 1947.

Yours very truly,

Fred W. Claflin

F. W. Claflin
Chairman of Board of Viewers

FWC:dz
Encl:1

County of Cambria

J. DEAN JOY
CLERK OF COURTS



G. E. BLANKENHORN
DEPUTY

Clerk of Courts Office

EBENSBURG, PA.

Sept. 6, 1947

I, Fred Chaplin, Hereby acknowledge receipt
of the Order to View a Proposed Public Road in East
Taylor Township, entered to # 1 Sept. Sessions 1947.

Fred Chaplin

PLEASE RECEIPT AND RETURN

In re: Order to View and Layout () In the Court of Quarter
a Proposed Public Road in East () Sessions of Cambria County,
Taylor Township, County of Cambria () Pennsylvania.
and State of Pennsylvania. () No. 1 September 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 East Taylor Township, Cambria County, Pennsylvania, beginning at a point on the line dividing the Borough of East Conemaugh from the Township of East Taylor; said point being located at or near the property line of Paul Rapsky and at or near the westerly terminus of Second Street in the Borough of East Conemaugh; thence, in a northwesterly direction, along Bole Hollow, to a point at or near the property line of Emanuel Goughnour, a distance of approximately two thousand (2000) feet. While the proposed public road would not be a connecting road between two other roads, there is at its northwesterly terminus, five homes owned and occupied by tax-payers of East Taylor, will meet at the place of beginning on the twenty second 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 Claflin
Theodore Hunt
Robert Mayer

Viewers.

October 9, 1947.

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, Sept. 1927

SESSIONS, 1927

Order to view Proposed Public

Road, East Taylor Township

Viewers

Fred Claflin

Theodore Hunt

Robert Mayer

Clerk 90 cts.

map
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 2nd day of September A. D. 1927, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Taylor, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway ~~XXX XXX XXX~~

extending from a point on the line dividing the Borough of East Conemaugh from the Township of East Taylor; said point being located at or near the property line of Paul Rapsky and at or near the westerly terminus of Second Street in the Borough of East Conemaugh; thence, in a northwesterly direction, along Bole Hollow, to a point at or near the property line of Emanuel Goughnour, a distance of approximately two thousand (2000), feet.

While the proposed public road would not be a connecting road between two other roads, there is at its northwesterly terminus, five homes owned and occupied by tax-payers of East Taylor.

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 Claflin, Theodore Hunt ~~XXXXXX~~ and
Robert Mayer

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:

GRIFFITH, J.

Dean Joy Clerk.
J. DEAN JOY

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

No 1 Appt. Dec. 1947

Filed 3-5-48

Verence Report for
East Twp. Cambria
County, Pennsylvania

March 10-1948
By the Court
Walter
Judge

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

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

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 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 said proposed new road, as evidenced by copy of said notice hereto attached and by service of said notice on the County Commissioners of Cambria County, Harry E. Simmons, Attorney for the Township of East Taylor, Cambria County and state of Pennsylvania, 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 22nd day of October, 1947, at 10:00 o'clock A.M. E.S.T. for the purpose of performing the duties of our appointment and viewed the premises and route of the proposed new road. All the Viewers, one Township Supervisor, and two property owners were present. It was found that the proposed new road was not on a dedicated thorough-fare, and that nearly all of the proposed road was through lands of the Bethlehem Steel Company. After indicated approval of this proposed road by Bethlehem Steel Company, a survey was made, and the proposed road starts; beginning at a point on the westerly line of East Conemaugh Borough following a center line S. 50° 08' 30" W., a distance of 337.49 feet to a point. Width of proposed street along this center line is 40 feet; thence along Bole Hollow in a Northwesterly direction are the following courses and distances: thence N. 55° 40' W., 194.43 feet to a point; thence N. 65° 35' W., 332.80 feet to a point; thence N. 52° 33' W., 239.26 feet to a point; thence N. 47° 44' W., 95.48 feet to a point; thence N. 58° 22' W., 139.75 feet to a point; thence N. 48° 16' W., 121.70 feet to a point; thence N. 38° 04' W., 296.69 feet to a point; thence N. 56° 56' W., 135.71 feet to a point; thence N. 47° 22' W. 89.48 feet to a point; thence N. 37° 20' W., 123.71 feet to a point; thence N. 28° 42' W., 106.89 feet to a point; thence N. 51° 47' W., 100.0 feet to a point at the other termini of the proposed road; this road being 33 feet in width; all according to attached blueprint and made a part hereof.

Though the northwesterly termini of this proposed public road would not be a connecting road between two roads, there is at its northwesterly termini, five homes owned and occupied by taxpayers of East Taylor Township. The exact distance from the point of beginning of proposed public road in Second Street of East Conemaugh Borough to the end of the proposed road is 2313.38 feet, measured along the center line of said proposed road.

Taking into consideration the fact that this road has been used by the public for a great many years, and is not an undue hardship on the Township Supervisors, we recommend that the prayer of the petitioners be granted, however, we assess no benefits and no damages to any of the abutting property owners.

Wittness our hands and seals this 4th day of March, A.D., 1948.

Fred Clapton
Theodore W. Hunt
Robert Mayer
Viewers.

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 September Sessions 1947.

Yours very truly,

Fred W. Claflin

Chairman of Board of Viewers

FWC:dz
Encl:1

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

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

To Fred W. Claflin, Robert Mayer and Theodore Hunt

To Fred W. Claflin, Dr.

1947							
October	6	Data and preparing notice of view	1 day	\$	12.00		
		Stenographer, stationary and stamps			2.80		
October	10	Posting notices	1 day		12.00		
		Mileage--18 miles @\$.10			1.80		
October	22	Making view	1 day		12.00		
		Mileage--18 miles @\$.10			1.80		
1948							
March	1	3-M.P. Field Survey			22.50		
		Mileage--8 miles @\$.10			.80		
March	1	Reg. Engineer-calculations & plotting	5 hrs.		12.50		
March	2	Draftsman	5 hrs.		7.50		
March	3	Blueprints and tracing paper			1.30		
March	4	Making report	1 day		12.00		
		Stenographer, stationary			1.00		
March	5	Filing report	1 day		12.00		
		Mileage--40 miles @\$.10			4.00		
						\$	116.80

To Robert Mayer, Dr.

1947							
October	22	Making view	1 day	\$	12.00		
		Mileage--16 miles @\$.10			1.60		
							13.60

To Theodore Hunt, Dr.

1947							
October	22	Making view	1 day	\$	12.00		
		Mileage--16 miles @\$.10			1.60		
							13.60
		TOTAL AMOUNT OF VIEW-				\$	144.00

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

October 9, 1947

Harry E. Simmons, Atty.
614 U.S. Bank Building
Johnstown, Pennsylvania

Dear Mr. Simmons:

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

Yours very truly,

Fred W. Claflin

Chairman of Board of Viewers

FWC:dz
Encl:1

October 9, 1947

Hiram F. Ribblett
East Taylor Twp..
R. D. #1 Con.
Johnstown, Pennsylvania

Dear Mr. Ribblett:

Enclosed herewith, please find copy of Notice of Viewers for
No. 1 September Sessions 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 Proposed Public Road in East () Sessions of Cambria County,
Taylor Township, County of Cambria () Pennsylvania.
and State of Pennsylvania. () No. 1 September 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 East Taylor Township, Cambria County, Pennsylvania, beginning at a point on the line dividing the Borough of East Conemaugh from the Township of East Taylor; said point being located at or near the property line of Paul Rapsky and at or near the westerly terminus of Second Street in the Borough of East Conemaugh; thence, in a northwesterly direction, along Bole Hollow, to a point at or near the property line of Emanuel Goughnour, a distance of approximately two thousand (2000) feet. While the proposed public road would not be a connecting road between two other roads, there is at its northwesterly terminus, five homes owned and occupied by tax-payers of East Taylor, will meet at the place of beginning on the twenty second 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 Claflin
Theodore Hunt
Robert Mayer

Viewers.

October 9, 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 Proposed Public Road in East () Sessions of Cambria County,
Taylor Township, County of Cambria () Pennsylvania.
and State of Pennsylvania. () No. 1 September Sessions 1947.

NOTICE OF VIEW

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Fréd Claflin
Theodore Hunt
Robert Mayer

Viewers.

October 9, 1947.

614 U.S. Bank Building

March 5-1948 Release
filed

file 2000 -

2/22/1

1140-42

THIS RELEASE

Made and Concluded this 3rd day of March, 1948, from Bethlehem Steel Company to East Taylor Township, Cambria County, Pennsylvania, a municipal corporation.

WHEREAS, a Board of Viewers of the Court of Quarter Sessions of Cambria County, Pennsylvania, at No. 1 September Sessions, 1947, viewed and laid out a public road in the Township of East Taylor, County of Cambria and State of Pennsylvania; and

WHEREAS, the said Board of Viewers recommended that a right of way for said public road be designated over, across and upon the land of Bethlehem Steel Company; and

WHEREAS, the said Bethlehem Steel Company has agreed to grant and release to the said Township of East Taylor a right of way over, across and upon its land for use as a public road;

NOW THIS PAPER WITNESSETH, that the Bethlehem Steel Company hereby releases and remits to the Township of East Taylor, for use as a public road, all the following described land or right of way, situate, lying and being in the Township of East Taylor, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on Second Street on the Plan of East Conemaugh on the boundary line between the Township of East Taylor and the Borough of East Conemaugh; thence, along the line of Second Street extended, South fifty degrees eight minutes thirty seconds ($50^{\circ} 8' 30''$) West a distance of three hundred thirty-seven and forty-nine one hundredths (337.49) feet to a stake; thence, North fifty-five degrees forty minutes ($55^{\circ} 40'$) West, a distance of one hundred ninety-four and forty-three one hundredths (194.43) feet to a stake; thence, North sixty-five degrees thirty-five minutes ($65^{\circ} 35'$) West, a distance of three hundred thirty-two and eighty one hundredths (332.80) feet to a stake; thence, North fifty-two degrees thirty-three minutes ($52^{\circ} 33'$) West, a distance of two hundred thirty-nine and twenty-six one hundredths (239.26) feet to a stake; thence, North

forty-seven degrees forty-four minutes ($47^{\circ} 44'$) West, a distance of ninety-five and forty-eight one hundredths (95.48) feet to a stake; thence, North fifty-eight degrees twenty-two minutes ($58^{\circ} 22'$) West, a distance of one hundred thirty-nine and seventy-five one hundredths (139.75) feet to a stake; thence, North forty-eight degrees sixteen minutes ($48^{\circ} 16'$) West, a distance of one hundred twenty-one and seventy one hundredths (121.70) feet to a stake; thence, North thirty-eight degrees four minutes ($38^{\circ} 04'$) West, a distance of two hundred ninety-six and sixty-nine one hundredths (296.69) feet to a stake; thence, North fifty-six degrees fifty-six minutes ($56^{\circ} 56'$) West, a distance of one hundred thirty-five and seventy-one one hundredths (135.71) feet to a stake; thence, North forty-seven degrees twenty-two minutes ($47^{\circ} 22'$) West, a distance of eighty-nine and forty-eight one hundredths (89.48) feet to a stake; thence, North thirty-seven degrees twenty minutes ($37^{\circ} 20'$) West, a distance of one hundred twenty-three and seventy-one one hundredths (123.71) feet to a stake.


The width of the said right of way being forty (40) feet on the portion marked Second Street Extended; the width for the remainder of the length of the road being thirty-three (33) feet and the total length being two thousand one hundred six and forty-nine one hundredths (2106.49) feet; as shown on Plan of Proposed Public Road, situate in East Taylor Township, Cambria County, Pennsylvania, prepared by Gray & Claflin, Engineers, on March 2, 1948.

The release and remission hereby made is not intended to be a grant by said Bethlehem Steel Company of any coal, ore or other minerals underlying said road and shall not be so construed as to limit in any way the mining rights of said Bethlehem Steel Company, or such other party or parties as may now or hereafter be entitled to mining rights, in, under and with respect to the land occupied and to be occupied by said road, and said Bethlehem Steel Company or any such other party or parties shall not be required to leave or provide support for said road or any part thereof and shall not be liable for any damages which may be caused thereto by reason of the mining and removal of any coal, ore or other minerals underlying said road or any lands adjacent thereto.

IN WITNESS WHEREOF, said Bethlehem Steel Company has

caused this Release to be signed by its President and
attested by its Secretary and its corporate seal to be
hereto attached on the day and year first above written.

BETHLEHEM STEEL COMPANY

by 
Vice-President

ATTEST:


Assistant Secretary