

Road Docket

No. 2 MAR Term, 1955.

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

IN RE:

PETITION FOR THE APPOINTMENT
OF VIEWERS TO ASSESS DAMAGES
TO THE LAND OF GEORGE B. SIMP-
SON AND CHARLOTTE I. SIMPSON,
HIS WIFE, IN THE FLOOD CONTROL
PROJECT IN BARNESBORO BOROUGH,
CAMBRIA COUNTY, PENNSYLVANIA.

PETITION FOR APPOINTMENT
OF VIEWERS

Now this 3rd day of January, 1954,
I hereby accept service of a true
and correct copy of the within
Petition for Appointment of Viewers
Walter D. ...
Attorney for Borough of Barnesboro

12/31/54 Filed

Law Offices
SMORTO & CREANY
Ebensburg, Pa.
Barnesboro, Pa. Portage, Pa.

IN RE:

PETITION FOR THE APPOINTMENT
OF VIEWERS TO ASSESS DAMAGES
TO THE LAND OF GEORGE B. SIMP-
SON AND CHARLOTTE I. SIMPSON,
HIS WIFE, IN THE FLOOD CONTROL
PROJECT IN BARNESBORO BOROUGH,
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

NO. _____ TERM, 1954

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of George B. Simpson and Charlotte I. Simpson,
his wife, respectfully represents:

- 1 -

That they reside in Barnesboro Borough, County of Cambria
and State of Pennsylvania.

- 2 -

That the said petitioners are owners of that certain tract of
land situate as follows:

ALL that certain messuage, tenement or lots
of land situate, lying and being in the Borough
of Barnesboro, County of Cambria and State of
Pennsylvania, bounded and described as follows,
to wit:

BEGINNING at a post on the Southerly line of
Susquehanna Street one hundred and eighty (180)
feet Eastwardly from the Southeasterly corner
of Susquehanna and Lincoln Streets; thence along
the Southerly line of Susquehanna Street in an
Easterly direction a distance of one hundred and
twenty (120) feet, more or less, to the West bank
of Susquehanna River; thence along said river in
a Southerly direction a distance of one hundred
and fifty-five (155) feet, more or less to a post
on line of Hanson alley; thence along line of Han-
son alley a distance of ninety-five (95) feet, more
or less, to a post; thence in a Northerly direction
thru Lot Sixty-six, of which this is a part, a dis-
tance of one hundred and fifty (150) feet to a post

on the Southerly line of Susquehanna Street, the place of beginning. Being all of lots No. Sixty-four and Sixty-five and the Easterly part or portion of lot No. Sixty-six in the Plan of Lots laid out by Bougher & McAnulty. That part of lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson alley.

TITLE to which became vested in the Petitioners by Deed of John McPherson and Alice McPherson, his wife, dated November 29, 1946, recorded in Cambria County Deed Book Volume 554 at page 361.

-3-

On or about the 1st day of June, 195³, a flood control project was undertaken in the Borough of Barnesboro, said project being authorized by the Commonwealth of Pennsylvania; on said date the Borough Council of Barnesboro assumed responsibility for any damages arising out of the said flood control project.

-4-

That it appears that the said flood control project is now in the process of completion.

-5-

As a result of the aforesaid flood control project a new channel was established to carry the water of the West Branch of the Susquehanna River; as a result of such project part of the land of petitioners has been destroyed for all intents and purposes and the elevation of said land has been made irregular so that there is an accumulation of waters thereon causing great nuisance and damage to petitioners property. The drainage of water from petitioners land has been destroyed; large accumulations of water accumulate in petitioners cellar requiring the installation of an electric pump.

-6-

That your petitioners further aver that the damage which has

resulted from the said flood control project is extensive, serious and permanent.

-7-

The said petitioners have not been compensated for damages to the aforesaid property.

WHEREFORE, your petitioners pray your Honorable Court to appoint Viewers to assess and ascertain damages done to the said property of the said petitioners and to make a report thereof to the Court in accordance with the Acts of Assembly in such cases made and provided.

SMORTO AND CREANY

By Herbert A. M. Kensiak
Attorneys for Petitioners

STATE OF PENNSYLVANIA |
: SS.
COUNTY OF CAMBRIA |

GEORGE B. SIMPSON and CHARLOTTE I. SIMPSON,
his wife, being duly sworn according to law, depose and say that the facts set
forth in the foregoing Petition are true and correct to the best of their know-
ledge, information and belief.

George B. Simpson
George B. Simpson

Charlotte I. Simpson
Charlotte I. Simpson

Sworn to and subscribed before me

this 1st day of December,

A. D., 195 .

Peter Snarto

My commission expires: 3/27/55

STATEMENT OF LIENS

There are no liens against the said real estate.

ORDER

AND NOW, this 29th day of December, A.D., 1954,

upon presentation and consideration of the within petition, The Court appoints

F. W. Clyburn, Robert G. Hayes
and Therese W. Hunt, as viewers in the above matter.

BY THE COURT:

Maxnick
Judge

Filed March 15, 1955
Jensen

No. 2 Road Pocket
March Sessions, 1955

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.


EXHIBIT OF SCHEDULE OF DAMAGES

Exhibit of Schedule - 7 o'clock P.M. E.S.T., Monday, March 21, 1955
in the Cambria County Court House, Ebensburg,
Pennsylvania.

We, the undersigned Viewers appointed by the above named
Court to view and inspect the above premises have performed the duty
and have taken into consideration all of the benefits and damages that
have resulted or that may seem likely to result to the real estate of
George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania, by reason of the construction
of the flood control project in Barnesboro Borough, Cambria County,
Pennsylvania and having taken into consideration all the elements and
facts pertinent to the above proceedings have estimated, determined
and assessed benefits and damages as follows:

<u>NAME</u>	<u>BENEFITS</u>	<u>DAMAGES</u>
George B. Simpson and Charlotte I. Simpson, his wife	None	\$725.00

The above award of damages to be paid by the Borough of Barnesboro
to George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania as their interest may appear.


F. W. Chafin, Chairman
of the Board of Viewers

PWC:amr

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

0 In the Court of Quarter
0 Sessions, Cambria County,
0 Pennsylvania
0

0 No. 2 March Sessions in
0 1955.
0

Please be advised a hearing will be held in the Barnesboro
Municipal Building, Barnesboro, Pennsylvania at 7 o'clock P.M. C.S.T.
Wednesday, February 16, 1955 in the matter to assess damages to the
land of George B. Simpson and Charlotte I. Simpson, his wife, of
Barnesboro Borough, Cambria County, Pennsylvania vs Flood Control
Project in Barnesboro Borough, Cambria County, Pennsylvania.

F. W. Claflin, Chairman
Robert G. Mayer
Theodore W. Hunt
F. W. Claflin
Viewers

February 7, 1955.

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

0 In the Court of Quarter
0 Sessions, Cambria County,
0 Pennsylvania
0

0 No. 2 March Sessions in
0 1955.
0

Re Notice to View mailed you January 15, 1955. Please be
advised that due to the unavoidable absence of Attorney Fisanick from
Barnesboro on January 27, 1955 the date of this View will be Thursday,
February 3, 1955 at 10:30 A.M. E.S.T. at the property of George B.
Simpson, Barnesboro, Pennsylvania.

F. W. Claflin, Chairman
Robert G. Mayer
Theodore W. Hunt

Viewers

January 25, 1955

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court to view and inspect a tract of land owned by George B. Simpson and Charlotte I. Simpson, his wife, situate in Barnesboro Borough, Cambria County, Pa. and to estimate and determine the damages that have resulted or that may seem likely to result to the land and property of the petitioner by reason of the construction of a Flood Control Project in Barnesboro Borough, Cambria County, Penna. Said tract being acquired by George B. Simpson and Charlotte I. Simpson, his wife, by deed of John McPherson and Alice McPherson, his wife, dated November 29, 1946, recorded in Cambria County Deed Book Volume 554 at page 361, described as follows, to wit:

ALL that certain messuage, tenement or lots of land situate, lying and being in the Borough of Barnesboro, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the Southerly line of Susquehanna Street one hundred eighty (180) feet Eastwardly from the Southeasterly corner of Susquehanna Street and Lincoln Street; thence along the Southerly line of Susquehanna Street in an easterly direction a distance of one hundred and twenty (120) feet, more or less, to the West bank of Susquehanna River; thence along said river in a Southerly direction a distance of one hundred and fifty-five (155) feet, more or less to a post on line of Hanson Alley; thence along line of Hanson Alley a distance of ninety-five (95) feet, more or less, to a post; thence in a Northerly direction thru Lot Sixty-six, of which this is a part, a distance of one hundred and fifty (150) feet to a post on the Southerly line of Susquehanna Street, the place of beginning. Being all of lots No. Sixty-four and Sixty-five and the Easterly part or portion of Lot No. Sixty-six in the Plan of Lots laid out by Bougher & McAnulty. That part of Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

The Viewers will meet at the place of beginning on the 27th day of January, 1955 at 10 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.

F. W. Claflin, Chairman
Robert G. Mayer
Theodore W. Hunt

Viewers

January 15, 1955

In the Matter to Assess Damages
to the Land of George B.
Simpson and Charlotte I.
Simpson, his wife, of Barnesboro
Borough, Cambria County, Penna.

vs

Flood Control Project in
Barnesboro Borough, Cambria
County, Pennsylvania.

In the Court of Quarter Sessions
Cambria County, Pennsylvania

No. 2 March Sessions in 1955:

Filed
3/2 4/5-5-
Joseph C. Wear

Fred W. Claflin
Robert G. Mayer
Theodore W. Hunt

Viewers

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court, we
the undersigned Viewers, appointed by the above Court to View and
Inspect the land and premises owned by George B. Simpson and Charlotte
I. Simpson, his wife, in the Borough of Barnesboro, County of Cambria,
Pennsylvania and to determine and estimate the damages or benefits that
have resulted or that may seem likely to result to the land and property
of the petitioners and owners, by reason of the taking of land and the
construction of a flood control project abutting and on the property of
George B. Simpson and Charlotte I. Simpson, his wife, and described as
follows:

ALL that certain messuage, tenement or lots of land situate, lying
and being in the Borough of Barnesboro, County of Cambria and State
of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the Southerly line of Susquehanna Street
one hundred eighty (180) feet Eastwardly from the Southeasterly
corner of Susquehanna Street and Lincoln Street; thence along the
Southerly line of Susquehanna Street in an Easterly direction a
distance of one hundred and twenty (120) feet, more or less, to
the West bank of Susquehanna River; thence along said river in a
Southerly direction a distance of one hundred and fifty-five (155)
feet, more or less to a post on line of Hanson Alley; thence along
line of Hanson Alley a distance of ninety-five (95) feet, more or
less, to a post; thence in a Northerly direction thru lot Sixty-
Six, of which this is a part, a distance of one hundred and fifty
(150) feet to a post on the Southerly line of Susquehanna Street,
the place of beginning. Being all of lots No. Sixty-four and
Sixty-five and the Easterly part or portion of Lot No. Sixty-six
in the Plan of Lots laid out by Bougher & McAnulty. That part of
Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna

Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

That we have been duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the aforesaid Court; that due public notice of the time and place of the meeting of the Viewers was given by the posting of ten hand bills upon the premises of George B. Simpson and Charlotte I. Simpson, his wife, owners of said land, the petitioners herein, and upon the Secretary of the Barnesboro Borough Council, Attorney Arnold Smorto, Counsel for the petitioners, Attorney Vasil Fisanick, Counsel for the Borough of Barnesboro, Mr. George B. Simpson the owner, and the Clerk of Courts of Cambria County.

Pursuant to the Notice to View designating the time and place of the meeting of the Viewers, we met at the property involved in the above proceedings on Thursday, February 3, 1955, at 10:30 A.M. E.S.T. for the purpose of performing the duties of our appointment, and viewed the property.

Notices for a hearing to be held in the Barnesboro Municipal Building, Barnesboro Borough, Cambria County, Pennsylvania at 7 o'clock P.M. E.S.T., Wednesday, February 16, 1955, were prepared and served on the Petitioners and their Attorney, Mr. Arnold Smorto, the Secretary of the Barnesboro Borough Council and their Attorney, Mr. Vasil Fisanick, the Clerk of Courts, the County Commissioner and the Prothonotary of Cambria County, Pennsylvania.

Pursuant of said notices and acceptance of service thereon of all parties interested we met on Wednesday, February 16, 1955 at 7 o'clock P.M. E.S.T. in the Barnesboro Municipal Building, Barnesboro Borough, Cambria County, Pennsylvania and proceeded with the duties of

our appointment. At this hearing the Petitioners were represented by Mr. Arnold Smorto. The Borough of Barnesboro was represented by Mr. Vasil Fisanick; and five (5) witnesses were heard.

At the view and during the hearing, the Viewers based their assessment of damages on the following conditions:

- (1) The value of land and buildings before the construction of the flood control project.
- (2) Condition of property taken before the construction.
- (3) Topography of the Property before and after the construction.
- (4) Drainage conditions at the property before and after construction.
- (5) Ingress and egress both pedestrian and vehicular before and after the construction.

After taking into consideration all the matters above briefed, the Viewers hereby assess total damages to George B. Simpson and Charlotte I. Simpson, his wife, covering first, installation of necessary basement pump, second, value of land taken, third, cost of necessary grading for proper surface drainage of the Simpson property in the amount of Seven Hundred Twenty-Five (\$725.00) Dollars and the Viewers assess no benefits.

Witness our hands and seals this fourth day of March, 1955.

Fred W. Claffin Chairman

Robert J. Mayor

Theodore Hunt

Viewers

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court to view and inspect a tract of land owned by George B. Simpson and Charlotte I. Simpson, his wife, situate in Barnesboro Borough, Cambria County, Pa. and to estimate and determine the damages that have resulted or that may seem likely to result to the land and property of the petitioner by reason of the construction of a Flood Control Project in Barnesboro Borough, Cambria County, Penn. Said tract being acquired by George B. Simpson and Charlotte I. Simpson, his wife, by deed of John McPherson and Alice McPherson, his wife, dated November 29, 1946, recorded in Cambria County Deed Book Volume 584 at page 361, described as follows, to wit:

ALL that certain messuage, tenement or lots of land situate, lying and being in the Borough of Barnesboro, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the Southerly line of Susquehanna Street one hundred eighty (180) feet Eastwardly from the Southeastly corner of Susquehanna Street and Lincoln Street; thence along the Southerly line of Susquehanna Street in an easterly direction a distance of one hundred and twenty (120) feet, more or less, to the West bank of Susquehanna River; thence along said river in a Southerly direction a distance of one hundred and fifty-five (155) feet, more or less to a post on line of Hanson Alley; thence along line of Hanson Alley a distance of ninety-five (95) feet, more or less, to a post; thence in a Northerly direction thru Lot Sixty-six, of which this is a part, a distance of one hundred and fifty (150) feet to a post on the Southerly line of Susquehanna Street, the place of beginning. Being all of lots No. Sixty-four and Sixty-five and the Easterly part or portion of Lot No. Sixty-six in the Plan of Lots laid out by Bougher & McNulty. That part of lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

The Viewers will meet at the place of beginning on the 27th day of January, 1955 at 10 o'clock A.M. N.E.T. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear and be heard.

P. M. Clafflin, Chairman
Robert G. Hayer
Theodore W. Hunt

Viewers

January 15, 1955

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

0 In the Court of Quarter
0 Sessions, Cambria County,
0 Pennsylvania
0
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0 No. 2 March Sessions in
0 1955.
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Please be advised a hearing will be held in the Barnesboro
Municipal Building, Barnesboro, Pennsylvania at 7 o'clock P.M. E.S.T.
Wednesday, February 18, 1955 in the matter to assess damages to the
land of George B. Simpson and Charlotte I. Simpson, his wife, of Barnes-
boro Borough, Cambria County, Pennsylvania vs. Flood Control Project
in Barnesboro Borough, Cambria County, Pennsylvania.

F. W. Clafflin, Chairman
Robert G. Mayer
Theodore T. Hunt
F. W. Clafflin
Viewers

February 7, 1955.

In the Matter to Assess Damages to the
Lane of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court to view and inspect a tract of land owned by George B. Simpson and Charlotte I. Simpson, his wife, situate in Barnesboro Borough, Cambria County, Pa. and to estimate and determine the damages that have resulted or that may seem likely to result to the land and property of the petitioner by reason of the construction of a Flood Control Project in Barnesboro Borough, Cambria County, Penna. Said tract being acquired by George B. Simpson and Charlotte I. Simpson, his wife, by deed of John McPherson and Alice McPherson, his wife, dated November 29, 1946, recorded in Cambria County Deed Book Volume 554 at page 361, described as follows, to wit:

ALL that certain messuage, tenement or lots of land situate, lying and being in the Borough of Barnesboro, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the Southerly line of Susquehanna Street one hundred eighty (180) feet Eastwardly from the Southeasterly corner of Susquehanna Street and Lincoln Street; thence along the Southerly line of Susquehanna Street in an Easterly direction a distance of one hundred and twenty (120) feet, more or less, to the West bank of Susquehanna River; thence along said river in a Southerly direction a distance of one hundred and fifty-five (155) feet, more or less to a post on line of Hanson Alley; thence along line of Hanson Alley a distance of ninety-five (95) feet, more or less, to a post; thence in a Northerly direction thru Lot Sixty-six, of which this is a part, a distance of one hundred and fifty (150) feet to a post on the Southerly line of Susquehanna Street, the place of beginning. Being all of Lots No. Sixty-four and Sixty-five and the Easterly part or portion of Lot No. Sixty-six in the Plan of Lots laid out by Bougher & McAnulty. That part of Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

The Viewers will meet at the place of beginning on the 27th day of January, 1955 at 10 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.

I hereby accept service of the
above Notice and acknowledge
receipt of copy of same.

F. W. Claflin, Chairman
Robert G. Mayer
Theodore W. Hunt

Viewers

January 15, 1955

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court to view and inspect a tract of land owned by George B. Simpson and Charlotte I. Simpson, his wife, situate in Barnesboro Borough, Cambria County, Pa. and to estimate and determine the damages that have resulted or that may seem likely to result to the land and property of the petitioner by reason of the construction of a Flood Control Project in Barnesboro Borough, Cambria County, Penna. Said tract being acquired by George B. Simpson and Charlotte I. Simpson, his wife, by deed of John McPherson and Alice McPherson, his wife, dated November 29, 1948, recorded in Cambria County Deed Book Volume 564 at page 361, described as follows, to wit:

ALL that certain messuage, tenement or lots of land situate, lying and being in the Borough of Barnesboro, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINS at a post on the southerly line of Susquehanna Street one hundred eighty (180) feet Eastwardly from the Southeasterly corner of Susquehanna Street and Lincoln Street; thence along the southerly line of Susquehanna Street in an Easterly direction a distance of one hundred and twenty (120) feet, more or less, to the west bank of Susquehanna River; thence along said river in a Southerly direction a distance of one hundred and fifty-five (155) feet, more or less to a post on line of Hanson Alley; thence along line of Hanson Alley a distance of ninety-five (95) feet, more or less, to a post; thence in a Northerly direction thru Lot Sixty-six, of which this is a part, a distance of one hundred and fifty (150) feet to a post on the Southerly line of Susquehanna Street, the place of beginning. Being all of lots No. Sixty-four and Sixty-five and the Easterly part or portion of Lot No. Sixty-six in the Plan of Lots laid out by Bougher & McAnulty. That part of Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

The Viewers will meet at the place of beginning on the 27th day of January, 1955 at 10 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.

I hereby accept service of the
above Notice and acknowledge
receipt of copy of same.

F. W. Claflin, Chairman
Robert G. Mayer
Theodore W. Hunt

Viewers

January 16, 1955

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

NOTICE TO VIEW

Fe, the undersigned Viewers, appointed by the above Court to
view and inspect a tract of land owned by George B. Simpson and Charlotte
I. Simpson, his wife, situate in Barnesboro Borough, Cambria County, Pa.
and to estimate and determine the damages that have resulted or that may
seem likely to result to the land and property of the petitioner by reason
of the construction of a Flood Control Project in Barnesboro Borough,
Cambria County, Penna. Said tract being acquired by George B. Simpson and
Charlotte I. Simpson, his wife, by deed of John McPherson and Alice
McPherson, his wife, dated November 29, 1948, recorded in Cambria County
Deed Book Volume 564 at page 361, described as follows, to wit:

ALL that certain messuage, tenement or lots of land situate, lying
and being in the Borough of Barnesboro, County of Cambria and State
of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the southerly line of Susquehanna Street
one hundred eighty (180) feet Eastwardly from the Southeastly cor-
ner of Susquehanna Street and Lincoln Street; thence along the
southerly line of Susquehanna Street in an Easterly direction a dis-
tance of one hundred and twenty (120) feet, more or less, to the
West bank of Susquehanna River; thence along said river in a Southerly
direction a distance of one hundred and fifty-five (155) feet, more
or less to a post on line of Hanson Alley; thence along line of Han-
son Alley a distance of ninety-five (95) feet, more or less, to a
post; thence in a Northerly direction thru Lot Sixty-six, of which
this is a part, a distance of one hundred and fifty (150) feet to a
post on the southerly line of Susquehanna Street, the place of be-
ginning. Being all of lots No. Sixty-four and Sixty-five and the
Easterly part or portion of Lot No. Sixty-six in the Plan of Lots
laid out by Souther & McAnulty. That part of Lot No. Sixty-six
hereby conveyed has a frontage on Susquehanna Street of twenty
(20) feet and extending back, preserving the same width, a distance
of one hundred and fifty (150) feet to Hanson Alley.

The Viewers will meet at the place of beginning on the 27th
day of January, 1955 at 10 o'clock A.M. E.S.T. for the purpose of per-
forming the duties of our appointment, at which time and place all
interested persons may appear and be heard.

I hereby accept service of the
above Notice and acknowledge
receipt of copy of same.

P. J. Claffin, Chairman
Robert O. Payer
Theodore J. Hunt

Viewers

January 15, 1955

*Smothers & Creamer by
James J. McPherson
attys for Claimants*

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

EXHIBIT OF SCHEDULE OF DAMAGES

Exhibit of Schedule - 7 o'clock P.M. E.S.T., Monday, March 21, 1955
in the Cambria County Court House, Ebensburg,
Pennsylvania.

We, the undersigned Viewers appointed by the above named
Court to view and inspect the above premises have performed the duty
and have taken into consideration all of the benefits and damages that
have resulted or that may seem likely to result to the real estate of
George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania, by reason of the construction
of the flood control project in Barnesboro Borough, Cambria County,
Pennsylvania and having taken into consideration all the elements and
facts pertinent to the above proceedings have estimated, determined
and assessed benefits and damages as follows:

<u>NAME</u>	<u>BENEFITS</u>	<u>DAMAGES</u>
George B. Simpson and Charlotte I. Simpson, his wife	None	\$725.00

The above award of damages to be paid by the Borough of
Barnesboro to George B. Simpson and Charlotte I. Simpson, his wife,
of Barnesboro Borough, Cambria County, Pennsylvania as their interest
may appear.

F. W. Claflin
F. W. Claflin, Chairman
of the Board of Viewers

FTC:amr

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

CAMBRIA COUNTY in Account with F. W. Claflin, Robert G. Mayer and
Theodore W. Hunt.

F. W. Claflin

1955

Jan. 13	Prepared Notices to View	\$ 12.00
	Stenographer, Stationary, etc.	2.20
" 20	Posting Notices - 1 day	12.00
	Mileage - 77 miles @ \$.10	7.70
Feb. 3	Making View	12.00
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	Mileage - 6 miles	.60
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	Stenographer, Stationary, etc.	2.60
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	Mileage - 40 miles @ \$.10	4.00
" 25	Filing Report	12.00
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\$147.90

Robert G. Mayer

1955

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	Mileage - 4 miles @ \$.10	.40
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\$ 67.60

Theodore W. Hunt

1955

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" 25	Conference, Gray & Claflin office	12.00
	Mileage - 16 miles @ \$.10	1.60
Mar. 21	Exhibit of Schedule, Cambria County Court House, Ebensburg, Penna.	12.00
	Mileage - 26 miles @ \$.10	2.60

\$ 64.20

The above is a true and correct Statement of Costs due to the Viewers in the Case of George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro Borough, Cambria County, Pennsylvania vs. Flood Control Project in Barnesboro Borough, Cambria County, Pennsylvania, the original of which is filed with the Report in the Clerk of Courts Office, March 25, 1955.

Fred W. Clayburn

Robert H. Meyer

Theodore Hunt

Viewers

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view 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."

ROAD DOCKET:
NO. 2 March SESSIONS, 1955

Order to view to assess damages

to the land of George B.

Simpson and Charlotte I.

Simpson, His wife, in the

Flood Control Project in

Barnesboro Borough, Cambria

County, Pennsylvania.

Viewers

Fred W. Claflin

Robert G. Mayer

Theodore W. Hunt

Clerk

Joseph C. Wess

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

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the
said County, on the 29th day of December A.D. 19 54

~~before the Honorable Judge of the said Court: Upon the petition~~

George B. Simpson and Charlotte I. Simpson, for appointment of Viewers to assess damages to their land in the Flood Control Project in Barnesboro Borough, Cambria County, Pennsylvania.

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 Robert G. Mayer _____ surveyor, and Theodore W. Hunt _____

land
viewers, to view the ground proposed for said road, and if they view the same, and shall
assess the same, they shall proceed to lay out the same, having respect to
the interests of the public, 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, to-
gether 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:

M^c Kennich, P. F.

Joseph C. Wear, Clerk

In the Matter to Assess Damages
to the Lane of George B. Simpson
and Charlotte I. Simpson, his
wife, of Barnesboro Borough,
Cambria County, Pennsylvania

vs

Flood Control Project in
Barnesboro Borough, Cambria
County, Pennsylvania.

In the Court of Quarter Sessions
Cambria County, Pennsylvania

No. 2 March Sessions in 1955.

Fred W. Claflin
Robert G. Mayer
Theodore W. Hunt

Viewers

In the Matter to Assess Damages to the
Land of George B. Simpson and Charlotte
I. Simpson, his wife, of Barnesboro
Borough, Cambria County, Pennsylvania

vs

Flood Control Project in Barnesboro
Borough, Cambria County, Pennsylvania.

In the Court of Quarter
Sessions, Cambria County,
Pennsylvania

No. 2 March Sessions in
1955.

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court, we
the undersigned Viewers, appointed by the above Court to View and
Inspect the land and premises owned by George B. Simpson and Charlotte
I. Simpson, his wife, in the Borough of Barnesboro, County of Cambria,
Pennsylvania and to determine and estimate the damages or benefits that
have resulted or that may seem likely to result to the land and property
of the petitioners and owners, by reason of the taking of land and the
construction of a flood control project abutting and on the property of
George B. Simpson and Charlotte I. Simpson, his wife, and described as
follows:

ALL that certain messuage, tenement or lots of land situate, lying
and being in the Borough of Barnesboro, County of Cambria and State
of Pennsylvania, bounded and described as follows:
BEGINNING at a post on the Southerly line of Susquehanna Street
one hundred eighty (180) feet Eastwardly from the Southeasterly
corner of Susquehanna Street and Lincoln Street; thence along the
Southerly line of Susquehanna Street in an Easterly direction a
distance of one hundred and twenty (120) feet, more or less, to
the West bank of Susquehanna River; thence along said river in a
Southerly direction a distance of one hundred and fifty-five (155)
feet, more or less to a post on line of Hanson Alley; thence along
line of Hanson Alley a distance of ninety-five (95) feet, more or
less, to a post; thence in a Northerly direction thru lot Sixty-
Six, of which this is a part, a distance of one hundred and fifty
(150) feet to a post on the Southerly line of Susquehanna Street,
the place of beginning. Being all of lots No. Sixty-four and
Sixty-five and the Easterly part or portion of Lot No. Sixty-six
in the Plan of Lots laid out by Eougher & McAnulty. That part of
Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna

Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

That we have been duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the aforesaid Court; that due public notice of the time and place of the meeting of the Viewers was given by the posting of ten hand bills upon the premises of George B. Simpson and Charlotte I. Simpson, his wife, owners of said land, the petitioners herein; and upon the Secretary of the Barnesboro Borough Council, Attorney Arnold Smorto, Counsel for the petitioners, Attorney Vasil Fisanick, Counsel for the Borough of Barnesboro, Mr. George B. Simpson the owner, and the Clerk of Courts of Cambria County.

Pursuant to the Notice to View designating the time and place of the meeting of the Viewers, we met at the property involved in the above proceedings on Thursday, February 3, 1955, at 10:30 A.M. E.S.T. for the purpose of performing the duties of our appointment, and viewed the property.

Notices for a hearing to be held in the Barnesboro Municipal Building, Barnesboro Borough, Cambria County, Pennsylvania at 7 o'clock P.M. E.S.T., Wednesday, February 16, 1955, were prepared and served on the Petitioners and their Attorney, Mr. Arnold Smorto, the Secretary of the Barnesboro Borough Council and their Attorney, Mr. Vasil Fisanick, the Clerk of Courts, the County Commissioner and the Prothonotary of Cambria County, Pennsylvania.

Pursuant of said notices and acceptance of service thereon of all parties interested we met on Wednesday, February 16, 1955 at 7 o'clock P.M. E.S.T. in the Barnesboro Municipal Building, Barnesboro Borough, Cambria County, Pennsylvania and proceeded with the duties of

our appointment. At this hearing the Petitioners were represented by Mr. Arnold Smorto. The Borough of Barnestown was represented by Mr. Vasil Pisanick; and five (5) witnesses were heard.

At the view and during the hearing, the Viewers based their assessment of damages on the following conditions:

- (1) The value of land and buildings before the construction of the flood control project.
- (2) Condition of property taken before the construction.
- (3) Topography of the Property before and after the construction.
- (4) Drainage conditions at the property before and after construction.
- (5) Ingress and egress both pedestrian and vehicular before and after the construction.

After taking into consideration all the matters above briefed, the Viewers hereby assess total damages to George B. Simpson and Charlotte I. Simpson, his wife, covering first, installation of necessary basement pump, second, value of land taken, third, cost of necessary grading for proper surface drainage of the Simpson property in the amount of Seven Hundred Twenty-Five (\$725.00) Dollars and the Viewers assess no benefits.

Witness our hands and seals this fourth day of March, 1956.

Fred W. Clapin Chairman

Robert G. Mayer

Theodore Hunt

Viewers

In the Matter to Assess Damages to the
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CAMBRIA COUNTY in Account with F. W. Claflin, Robert G. Mayer and
Theodore W. Hunt.

F. W. Claflin

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Fred W. Claffin

Robert G. May

Theodore Hunt

Viewers

Ed #2 March 1955-
Nat Mississippi



MAP SHOWING PROPERTY
OF
GEORGE B. SIMPSON
SITUATED IN
BARNESBORO BOROUGH, CAMBRIA CO. PA.
SCALE 1"=20' JAN 13 1955
WILLIAM R. KELLY ENGR.

AREA OF LOTS 16,875 SQ. FT.
AREA WITHIN LEVEE 26,466 SQ. FT.