

Box # 1 Dec. 1928

Not Microfilmed

TABULATION OF CHANGES BY RELOCATION
 ROUTE 221-4 TOWNSHIP ALLEGHENY COUNTY CAMBRIA
 CLEARFIELD RELOCATION
 ROUTE CHANGED FROM STA. 999+00 TO STA. 1033+40
 IMP. LINE TOTAL 3486.5' 3486.5'
 ABANDONED IMP. LINE TOTAL 3440' 3440'



Note: The center line of the abandoned road is the Township line between Clearfield Twp on the right and Allegheny Twp on the left.

Approved Sept. 27, 1926.
 Gifford Pinchot
 GOVERNOR

DRAWING
 SHOWING PORTION OF
 STATE HIGHWAY ROUTE 221 SEC. 4
 ABANDONED AS STATE HIGHWAY
 STA. 999+00 TO STA. 1033+40
 SCALE 1"=200'
 ALLEGHENY & CLEARFIELD TOWNSHIP
 CAMBRIA CO.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

To the Honorable, the Judges of said Court:

The petition of the undersigned residents of the Townships of Allegheny and Clearfield in said County respectfully represents:

1. That the Department of Highways of the Commonwealth of Pennsylvania in the reconstruction of State Highway Route No. 221 found it expedient to divert the course or direction from a point at Station 999/00 to a point at Station 1033/40, a distance of approximately 3,440 feet or 0.652 miles.
2. That the said road before the same was taken over by the said Highway Department was a Township road lying within the boundaries of Allegheny and Clearfield Townships aforesaid.
3. That by reason of the change of location as aforesaid the portion of road originally maintained between the stations above referred to was abandoned by the said Highway Department as part of the system and the said portion above described thereupon reverted as a public highway to the Townships of Allegheny and Clearfield aforesaid.
4. That the supervisors of the Townships of Allegheny and Clearfield have jurisdiction over the said portion of said highway and are required to maintain and keep the same in safe condition for public travel.
5. That the said portion of said Highway has become useless by reason of the construction of the State Highway aforesaid and the relocation of the same and is no longer necessary for public use and travel and that unless the same is abandoned and vacated a useless and unnecessary burden will be placed upon the municipalities aforesaid.
6. That the maintenance of said portion of said highway sought to be vacated will be burdensome to the taxpayers of the Townships involved and unless maintained will become dangerous as a public thoroughfare.

7. That the point of the beginning and ending of the portion of said highway to be vacated are as herein already set forth and as fully shown on the blue print which is hereto attached and made part of this petition.

WHEREFORE your petitioners respectfully pray this Honorable Court to appoint viewers for the purpose of viewing the said portion of highway hereinabove described and make report thereof as provided by law. And they will ever pray.

Bert Long

Regis Symmes

Jas. J. Thomas

Al. J. Brady

E. B. Farabaugh

Lorine Carrick

L. D. W. Cornell

H. P. Farabaugh

C. A. Long

Bert Long

Hugh Bell

J. A. Farabaugh

G. H. M. Cornell

F. M. Cornell

Charles Meloy

Mrs. Paul Bronner

A. W. Hill

O. M. Sheehan

L. A. Petrie

Arthur Britton

Mary C. Creston

Lewis Nagle

John A. Wise

Charles Bender

Mrs. John A. Wise

Mary Bender

Ed. Horn

Chas. Horn

Joseph Horn

B. J. Ryan

Grace Ryan

Mrs. Mary Ryan

Ralph Ryan

State of Pennsylvania :
County of Cambria : ss:

L A Retin, being
duly sworn according to law, deposes and says that the facts set forth
in the above and foregoing petition are true and correct to the best of
his knowledge and belief.

Sworn and subscribed before me :
this 1 day of December 1928. :

H O Winslow :
H. O. WINSLOW, Justice of the Peace :
PATTON, CAMBRIA COUNTY, PA. :
My Commission Expires 1st Monday in January 1932 :
_____ :

L A Retin

D E C R E E

And now, 18, Dec 1928, the foregoing
petition presented, read and considered and the Court do now,
appoint Alphonse E. Eg, J. L. R. M.
and Adam
Shuman, viewers to view the premises and make report
thereof to this Court.

By the Court
Evan P. J.

We, the undersigned, Supervisors of Allegheny Township, do hereby accept service of notice of the presentation of the foregoing petition.

Geo. E. McMillen Pres.
Nicholas Miller
H. M. Oakland
Supervisors of Allegheny Twp.

We, the undersigned, Supervisors of Clearfield Township, do hereby accept service of notice of the presentation of the foregoing petition.

W. M. Sheehan
J. E. Boyd
L. A. Babin
Supervisors of Clearfield Twp.

The Commissioners of Cambria County do hereby accept service of notice of the presentation of the within petition.

George E. Kerby
Chief Clerk.
12/17/28

No. 1 December Sessions 1928
In the Court of Quarter Sessions
of Cambria County, Pennsylvania.

PETITION FOR VACATION OF PUBLIC
ROAD IN ALLEGHENY AND CLEARFIELD
TOWNSHIPS, CAMBRIA COUNTY, PA.

Filed 18 December 1928:

F. J. HARTMANN,
ATTORNEY,
KRENSBURG,
CAMBRIA COUNTY, PA.

R E P O R T O F V I E W E R S .

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the Permanent Board of Viewers of Cambria County, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road on the line between the townships of Clearfield and Allegheny, in said county and state, between the termini therein set forth; respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County and the Supervisors of the Townships of Allegheny and Clearfield; and having them accept service of notices hereto attached; and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini and along the route of the piece of road proposed to be vacated; and having each been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: All of us met at the time and place appointed, in accord with the notices served and posted as aforesaid, and having gone over and carefully viewed the premises we are all of the opinion that the piece of road lying between the termini specified in the attached order should be vacated.

The piece of road in question lying between Station No. 999 / 00, on State Highway Route No. 222. and ending at Station No. 1033 / 40 on the same Route takes the following courses and distances from the last mentioned station, viz: North 79° 10' East 332.5 feet to the juncture of the line of the Townships of Clearfield and Allegheny at a corner of Chest Springs Borough; thence South 55° 45' East, crossing the improved highway, 323 feet through land of William Little; thence South 59° East 369 feet; South 66° East 215 feet; South 86° East 391 feet; South 76° 30' East 100 feet, between lands of Mrs. S. W. Little and Frank Burk; thence South 45° East 565.5 feet, South 44° East 395 feet and South 22° 30' East between lands of Frank Burk, G. K. Little, F. K. Stolz and William Little

to the Easterly termini designated in the attached order of the Court.

A plot or draft showing the location of the piece of road proposed to be vacated and the courses and distances of the same is hereto attached and made a part of this report.

Witness our hands this 5th. day of January, A. D., 1929.

A. M. Shoemaker

J. D. Ritten

Adin Shuman

Viewers.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of road between the townships of Allegheny and Clearfield, in said county and state: Beginning on the improved highway between Chest Springs and Ashville, at Station NO. 999 / 00 and ending on the same road at Station NO. 1033 / 40 on State Highway Route NO. 221., adjoining lands of Mrs. S. W. Little and others; will meet at the point of beginning, above noted, in the township of Clearfield, on the 5th. day of January, A. D., 1929, at 10:00 O'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman, Viewers.

Now, January, 1929, service of the within notice is hereby accepted by the undersigned Supervisors of the Township of Clearfield, Cambria County, Pa.

W. M. Sheehan

L. A. Petin

Supervisors.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of road between the townships of Allegheny and Clearfield, in said county and state: Beginning on the improved highway between Chest Springs and Ashville, at Station NO. 999 / 00 and ending on the same road at Station NO. 1033 / 40 on State Highway Route NO. 221., adjoining lands of Mrs. S. W. Little and others; will meet at the point of beginning, above noted, in the township of Clearfield, on the 5th. day of January, A. D., 1929, at 10:00 O'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman, Viewers.

Now, January, 1929, service of the within notice is hereby accepted by the undersigned Supervisors of the Township of Allegheny, Cambria County, Pa.

Geo. E. McMillen

Nicholas Miller

H. M. Meapham

Supervisors.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road between the townships of Allegheny and Clearfield, in said county and state; Beginning on the improved road between Chest Springs and Ashville, at Station NO. 999 / 00 and ending on the same road at Station NO. 1033 / 40 on State Highway Route FO. 221., adjoining lands of Mrs. S. F. Little and others: will meet at the point of beginning, above noted, in the township of Clearfield, on the 5th day of January, A. D., at 10:00 O'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, January, 3 1929, service of the within notice is hereby
accepted for the Commissioners of Cambria County, Pa.

George E. Kerby
clerk

Costs of View

A. M. Shreemaker

Preparing, serving & posting notices of view & notifying viewors —	\$24.00
Stenographer & stationery —	2.50
Auto hire —	4.50
Day on view — — — — —	12.00
30 miles — — — — —	3.00
Surveying, plotting, drafting, help & transportation —	91.45
Preparing, having signed, assem- bling & filing report of viewors	24.00
Stenographer & stationery	2.50
	<u>163.95</u>

CERTIFIED
Joseph L. Connor
COUNTY CONTROLLER

D. Ritter

Day — — — — —	\$12.00
Auto hire (Eby to view) —	3.00
46 miles (Barnestown to Eby)	4.60
	<u>\$19.60</u>

Adam Shuman

Day on view — — — — —	12.00	\$12.00
Auto hire — — — — —	5.50	5.50
		<u>\$17.50</u>

CERTIFIED
Joseph L. Connor
COUNTY CONTROLLER

APPROVED FOR PAYMENT

Joseph A. Morgan
COMMISSIONERS

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 December A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Allegheny and Clearfield, in the said County, setting forth that ~~they have under~~

~~maintained for years a~~ ~~road on Highway No. 221 from~~
the Department of Highways of the Commonwealth of Pennsylvania in the reconstruction of State Highway Route No. 221 found it expedient to divert the course or direction from a point at Station 999/00 to a point at Station 1033/40, a distance of approximately 3440 feet or 0.632 miles. That the said road before the same was taken over by the said Highway Department was a Township road lying within the boundaries of Allegheny and Clearfield Townships aforesaid, That by reason of the change of road originally maintained between the stations above referred to was abandoned by the said Highway Department as part of the system and the said portion above described thereupon reverted to public highway to the Townships of Allegheny and Clearfield aforesaid,

That the said portion of said Highway has become useless by reason of the construction of the State Highway aforesaid and the relocation of the same and is no longer necessary for public use and travel and that unless the same is abandoned and vacated a useless and unnecessary burden will be placed upon the municipalities aforesaid,

That the point of the beginning and ending of the portion of said highway to be vacated are as herein already set forth and as fully shown on the blue print which is hereto attached and made part of this petition

and therefore praying the Court to appoint proper persons to ^{vacate} view and ~~lay out~~ the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker surveyor, and

Adam Shuman and J. D. Ritter

^{vacation}
viewers, to view the ground proposed for said ~~road~~ and if they ^{vacation} 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:

Frank B. Rott, 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, December SESSIONS, 1928

Order to view and vacate road in

Allegheny and Clearfield

Townships

and

Report of Viewers

Filed 7 Jan'y 1929

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

90 cts.

CERTIFIED

Shoemaker

COUNTY CONTROLLER

11 March 1929 Approved
By the Court
Evan P. J.

10 June 1929 Confirmed absolutely
Frank C. Rott
Clerk

Mrs. S. W. Little.

Clearfield Township.

G. K. Liddle.

Route

Highway

Downship
3. 4 50 E. no. road

Barn.

House.

State

Clearfield Township.

Allogherry Township.

William Little.

Impress

Mrs. D.

clearfield

vacated.

4. *Sp.*

Frank

ated:
30

William Little.

F. K. Stolz.

Point of ending
of piece of road
Desired vacated.

Plot or draft, showing the location of a piece of public road on line between the townships of Clearfield and Allegheny, Cambria County, Pennsylvania; viewed upon and order of the Court of Quarter Sessions of said county and state, and, in the report of viewers, hereto attached; recommended to be vacated.

Viewed upon an order of the above mentioned Court dated the 15th day of December, A. D. 1928 -
A. M. Shoemaker, J. D. Ritter and Adam Shuman,
Viewers.

Clearfield Township. re
Shipman's
Allegheeny Township.
of Shipman's
East of
Side
Don
Point of begin-
ing designatdon
Spring attached border of
the Coar.
2

Point of beginning
Spring designated on
Spring attached border of
the Court.