

No. 4 September SESSIONS, 1927

Order to view public road in

Portage Township.

and

Report of Viewers.

CERTIFIED

Harvey L. Cannon
COUNTY CONTROLLER

Filed 11 November 1927

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk _____ 90 Cts.

12⁵ w. 1927 Approved and breadth fixed at forty feet.

By the Court
Chas. P. J.

12 March 1928 confirmed absolutely

Frank E. Robb
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."

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 24th day of October A. D. 1927, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Portage, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from the Portage-Johnstown road, at a point 1770 feet Southward from the juncture of the Beaverdale road with said Portage-Johnstown road, (where Wesley Ave., a dedicated street, intersects said Portage-Johnstown road), and to end at a point 3800 feet Northward from where the Frankstown Road adjoins the public road leading from Portage to Johnstown; there being no public roads intersecting the above referred to public road for a very great distance.

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.

A. H. Shuman

surveyor, and

J. D. Ritter and Adam Shuman

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:

Frank L. Rupp

Clerk.

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

Petition of inhabitants
of Portage Township, for
appointment of viewers
to view and lay out road.

Filed 24 October 1927.

And now, Oct. 24, 1927,
within petition read and
considered, and Adm.

Shrenaker, E. J., and

J. D. Ritter & Adam Shum are

appointed viewers, as within
prayed for.

By the Court
Evans P. 2

LEECH AND LEECH
ATTORNEYS AT LAW
EBENSBURG, PENNSYLVANIA

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

In re Road in Portage Township.

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned inhabitants of the Township of Portage, in the County of Cambria and State of Pennsylvania, respectfully represents:-

That your petitioners labor under great inconvenience for want of a public road in said Township to begin on the Portage-Johnstown road, at a point 1770 feet Southward from the juncture of the Beaverdale road with said Portage-Johnstown road, (where Wesley Ave., a dedicated street, intersects said Portage-Johnstown road), and to end at a point 3800 feet Northward from where the Frankstown Road adjoins the public road leading from Portage to Johnstown; there being no public roads intersecting the above referred to public road for a very great distance.

Your petitioners therefore pray the Court to appoint viewers to view and lay out for public use a road between the points above mentioned.

Elmer Osman

Leban Osman

Fred Pauli

Wm Callaghan

Dennis Mangau

C. G. Robbins

Martin Cerniak

Henry P. Hamrakan

Frank Rupp

Wm. A. Fugate

Michael Rossini

William Laie

Harry Busch

~~John Fodor~~

Joe Devors

Erny Sharpe

Mike Timura

James Sheridan

John Fodor

James Wardrop

Frank Kosak

Stanley Pisarsky

Jacob Klemmer

Phos Parnobalim

Ernest Zenhart

John Perlberg

Charles Rurnak

Edward Chernick

Wm F Bauerer

Harry Rurnak

Andrew Timura

Steve Patche

Joseph Chabany

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

SS:

Fred Pauli, being duly sworn according to law deposes and says that the matters set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me, this 19 day of October,
A. D. 1927.

Fred Pauli

John J. Green
Justice of the Peace

My Commission Expires
First Monday in January 1928

NOTICE.

To the Commissioners of Cambria County:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the 24th day of October, 1927, asking for the appointment of viewers to view and lay out for public use the road in said petition described.

Reech & Reech
Attorneys for Petitioners.

And now, Oct. 20th, 1927, service of the above notice, together with a copy of the petition, accepted.

A. J. Kierstead
Chief Clerk.

NOTICE.

To the Supervisors of Portage Township:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the 24th day of October, 1927, asking for the appointment of viewers to lay out for public use the road in said petition described,

Reach & Reach
Attorneys for Petitioners.

And now, Oct. 21st, 1927, service of the above notice, together with a copy of the petition, accepted.

> On A. Sanders
- Geo M. Diehl
- John Timmerman
Supervisors of Portage
Township.

<p>Fred Povel House</p>	<p>Wm. J. Calahan House</p>	<p>— Rolins</p>
---------------------------------	-------------------------------------	-----------------

Dedicated Street 5.3%

Unimproved Sand.

Martin Realty Co.
5. 2 4. 0 0 5. 11. 12
Unimproved

Sand

927 □ 1 Kordish

Public road. Portage to Johnstown.

Plot or draft showing the line and suggested of a proposed new public road in Portage Township, Cambria County, Pennsylvania, recommended by the viewers appointed by the Court of Quarter Sessions of said county and state.

Viewed upon an order of said court dated 24th October, A. D. 1927 and entered to No. 4. September Sessions, 1927. A. M. Shoemaker, J. D. Ritter and, Adam Shuman, Viewers.

J. Fedor.

Southerly terminus
of proposed new road.

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 and necessity for a new public highway in Portage Township, Cambria County, Pa., to lead from a point 1770 ft. Southward from the juncture of the Beaverdale road with the Johnstown - Portage road and to end on said Johnstown - Portage road at a point 3800 feet Northward from the juncture of the Frankstown road with with said Johnstown - Portage road: 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 Township of Portage, and having them accept services, which are hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the proposed new road, and having been first duly qualified 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 so served and posted as aforesaid, and having carefully gone over and viewed the premises; we are unanimously of the opinion that a new public road as prayed for is necessary for the convenience and accomodation of the public and accordingly we proceeded to lay out the road between the termini specified in the attached order of the Court; a plot or draft of which proposed new road as laid out and herein recommended is hereto attached and made a part of this report.

The proposed new road as laid out by the viewers beginning at a point 1770 feet Southward from the juncture of the Beaverdale road with the Portage - Johnstown road (where Wesley Avenue, a dedicated street, intersects said Portage - Johnstown road) and running thence North $81^{\circ} 30'$ East 771 feet, along Wesley Avenue, thence South 40° East 345 feet and South $8^{\circ} 54'$ East 1944 feet, through and over unimproved land of the Martin Realty Company and along a dedicated street; as indicated on attached draft; thence continuing the three

following courses and distances, through and over unimproved land of said Martin Realty Company, viz: South 3° 50' East 303.2 feet, South 24° 05' West 1226.5 feet and South 71° West 442 feet to a point near the corner of the property of J. Ferod, on the Portage - Johnstown road 3800 feet Northward from where the Frankstown road adjoins the said Portage - Johnstown road.

As indicated on attached draft there are approximately twenty five families living along the line of the proposed new road, which as laid out does no damage to private property and has very little grade along the entire length except for a short stretch where, with but very little grading can easily be reduced to about seven per cent.

In laying out the above referred to road the viewers were of the opinion that no damage was sustained nor would be sustained by the opening and construction of same.

Witness our hands this seventh day of November, A. D., 1927.

A. M. Shoemaker

Adam Shuman

J. D. Ritter

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 necessity for a public road in Portage Township, Cambria County, Pennsylvania: Beginning on the Portage - Johnstown road at a point 1770 feet Southward from the juncture of the Beaverdale road with the said Portage - Johnstown road (where Wesley Avenue, a dedicated street, intersects said Portage - Johnstown road); and ending at a point 3800 feet Northward from where the Frankstown road adjoins the public road leading from Portage to Johnstown:

will meet _____ at the place of beginning, above mentioned, _____ in the _____ Township _____ of _____ Portage _____ aforesaid on the 4th. day of November, 1927, 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, October 1927, service of the within notice is hereby accepted by the undersigned Supervisors of the Township of Portage, Cambria County, Pennsylvania.

Geo M Dill

John L. Linn

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 necessity for a public road in Portage Township, Cambria County, Pennsylvania: Beginning on the Portage - Johnstown road at a point 1770 feet Southward from the juncture of the Beaverdale road with the said Portage - Johnstown road (where Wesley Avenue, a dedicated street, intersects said Portage - Johnstown road); and ending at a point 3800 feet Northward from where the Frankstown road adjoins the public road leading from Portage to Johnstown:

will meet at the place of beginning, above mentioned, in the Township of Portage aforesaid on the 4th day November 1927, 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, October 25th., 1927, service of the within notice
is hereby accepted for the Commissioners of Cambria County,
Pennsylvania.

A. A. Kirkland
Clerk.

Cost of View.

A. M. Shoemaker

Preparing, serving and posting
 notices of view 2 days ————— \$24.00
 View ————— 1 day ————— 12.00
 15-2 miles @ 10¢. (3 trips) 15.20

Survey, plotting, tracing,
 help, tracing cloth, prints, help
 and transportation for helpers — 84.65

Consultation with viewers, Preparing,
 having signed assembling
 and filing report 2 1/2 days 20.00
 \$165.85

CERTIFIED
 Joseph L. Cannon
 COUNTY CONTROLLER

D. Ritter
 2 1/2 Days
 182 miles @ 10¢

CERTIFIED
 Joseph L. Cannon
 COUNTY CONTROLLER

30.00
18.20
 \$48.20

Adam Shuman
 2 1/2 Days — at 12¢
 132 miles @ 10¢

CERTIFIED
 Joseph L. Cannon
 COUNTY CONTROLLER

30.00
13.20
 \$43.20

[Signature]
[Signature]