

Ed #4 Dec. 1928

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In re: Vacating old Road
in Adams Township, Cambria
County, Pa.

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928

NOTICE OF VIEW

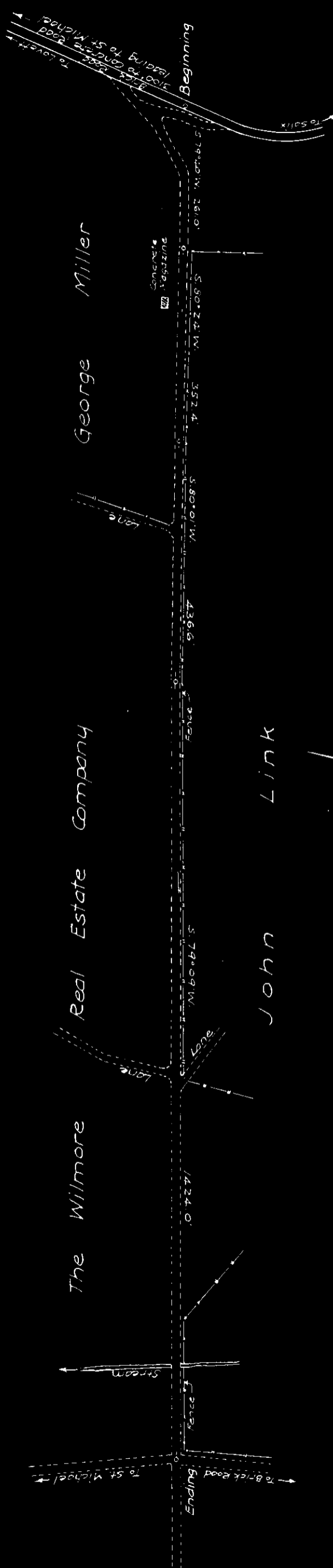
We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of Public Road in Adams Township, Cambria County, Pa., beginning at the intersection of said road to be vacated with the Brick Road leading from Salix to Lovett, southerly a distance of approximately 3100 feet along said Brick Road from the intersection of an improved highway leading from said Brick Road to St. Michaels and ending at a point westerly along said road to be vacated approximately 2550 feet from the place of beginning at the intersection of dirt road leading from the aforesaid Brick Road to St. Michaels, will meet at the place of beginning on the 23rd day of January A. D. 1929 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY, C.E.
PHILIP CAUMFIELD
DIXON TOMB

Viewers.

January 7, 1929

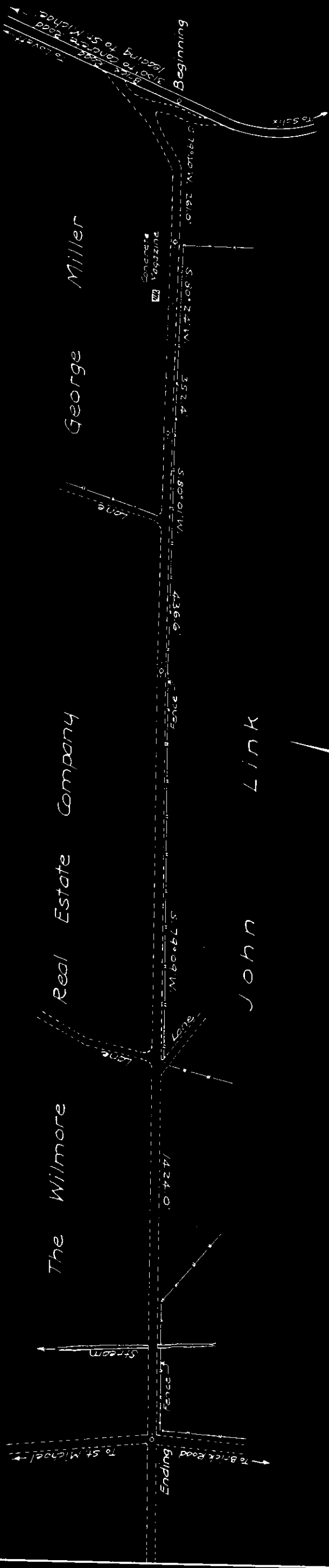
Ed # 4 Dec. 1928
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VIEW OF
ROAD TO BE VACATED
situate in

Adams Twp., Cambria Co., Pa.
Scale 1"=200' - S.E. Dickey & Co. - Jan. 21, 1929.
Civil and Mining Engrs.
Johnstown, Pa.

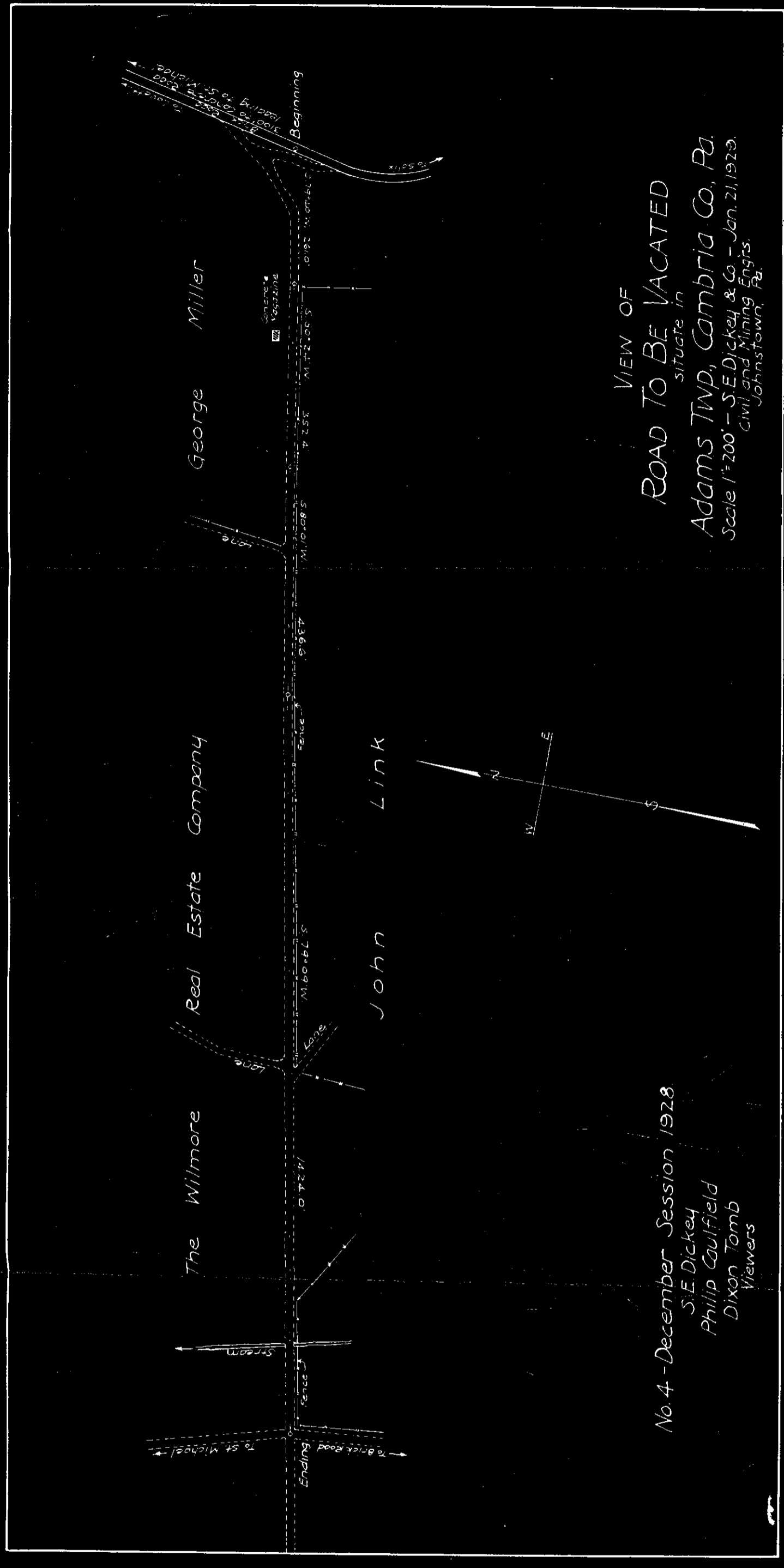
No. 4 - December Session 1928.
S. E. Dickey
Philip Caulfield
Dixon Tomb
Viewers



VIEW OF
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No. 4 - December Session 1928
 S.E. Dickey
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Not Microfilmed



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 Johnstown, Pa.

No. 4 - December Session 1928.
 S.E. Dickey
 Phillip Gulffield
 Dixon Tomb
 Viewers

1-D-379

IN RE VACATING A ROAD NOW ABANDONED
AND NOT USED IN THE TOWNSHIP OF
ADAMS, CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
VACATING PUBLIC ROAD.

PETITION FOR THE APPOINTMENT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, being the duly elected, qualified and now acting Supervisors of the Township of Adams, Cambria County, Pennsylvania, respectfully shows:-

That a road leading off the improved brick Highway leading from Salix through the Village of Lovett, St. Michael, in the direction of South Fork has been long since laid out and meets an unimproved dirt road, leading from Salix to the Village of St. Michael and completely abandoned and not used at all by the traveling public; said road being approximately twenty-five hundred fifty (2550) feet in length, and because of said abandonment it has become useless, inconvenient and burdensome.

Your Petitioners, therefore, pray the Court that the said road may be vacated agreeable to the Act of General Assembly in such cases made and provided.

Your Petitioners further pray your Honorable Court to appoint three (3) members of the Permanent Board of Viewers to vacate the said road hereinabove prayed for.

(SEAL)

A. C. Baumgardner (SEAL)
Barney Hunter (SEAL)
Ed Costlow (SEAL)
Supervisors.

CAMBRIA COUNTY, SS:

Personally appeared before me, the undersigned authority, a Notary Public, in and for said County, A. C. BAUMGARDNER, BARNEY HUNTER and ED. COSTLOW, who having first been duly sworn according to law do depose and say that they are duly elected Supervisors of the Township of Adams and are acting as such at this date; and further that the facts set forth in the foregoing Petition are true and correct.

Sworn to and subscribed
before me this 30 day
of October, A. D. 1928.

J. H. Pouch, Jr.

My Commission Expires 1st Monday in Jan'y. 1932

A. C. Baumgardner
Barney Hunter
Ed Costlow

Dec. 4 December Sessions 1928

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

VACATING PUBLIC ROAD.

IN RE VACATING A ROAD NOW
ABANDONED AND NOT USED IN THE
TOWNSHIP OF ADAMS, CAMBRIA COUNTY,
PENNSYLVANIA.

PETITION FOR THE APPOINTMENT OF
VIEWERS.

AND NOW, the twenty-fourth day
of December, 1928, the within
petition read and considered, the
Court appoints J. E. Drotter
and Charles Campbell and
Edna Brown as Viewers,
as prayed for in the within
petition, to file their Report
on the First Monday of March next.

By the Court
M.

Filed 24 December 1928

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
SWANK BLDG.

In Re: Vacating old Road
in Adams Township, Cambria
County, Pa.

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928

REPORT OF VIEWERS

To the Honorable, the Judges of the above mentioned Court. We the undersigned Viewers appointed by the attached order of the above Court to view the 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 said view and of the time and place of meeting by posting notices as required by law along the route and at the termini of said road to be vacated and by service of such notice on the Commissioners of Cambria County and the Supervisors and Counsel of Adams Township, acceptance of said notices of the Commissioners and Supervisors and Counsel being hereto attached; that we met in accordance with the notice given on the 23rd day of January, A. D. 1929 at 10:00 o'clock A. M. and proceeded with the duties of our appointment and viewed the premises and route of the proposed road to be vacated; that no one was present or any objections filed; that we find that said road proposed to be vacated has excessive grades, a large concrete storage magazine for explosives has been erected within thirty feet thereof and become useless, inconvenient and burdensome to the tax payers.

A plot or draft hereto attached shows the improvements and the owners of adjacent property along the route of said section of road proposed to be vacated and shows the courses and distances along said section of road proposed to be vacated. We were unable to secure a release of damages from the abutting

property owners along the portion of the road proposed to be vacated, therefore, taking into consideration the damages sustained and the benefits to be derived by the vacating of said road, we assessed no benefits and no damages to any of the abutting property owners.

Considering that no one was present or any exceptions filed, and after due consideration of all matters before us, we are of the opinion that the portion of the road proposed to be vacated has become useless, inconvenient and burdensome, therefore, we recommend that the prayer of the Petitioners be granted:

Witness our hands this 9 day of February A. D. 1929.

S. E. Dickey
Philip E. Langley
Dixon Tomb

Viewers

In re: Vacating old Road
in Adams Township, Cambria
County, Pa.,

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928.

To S. E. DICKEY, PHILIP CAULFIELD, DIXON TOMB Dr.

To S. E. DICKEY Dr.

Lifting Order	.90	
Consulting with Township Solicitor, Road Supervisors & preparing notices of view	12.00	
Stenographer	1.00	
Stationery & postage	.80	
Posting and serving notices	12.00	
Mileage	1.50	
Making view	12.00	
Mileage	1.50	
Making survey	25.00	
Mileage	4.50	
Plotting survey & making draft	12.00	
Blue prints & tracing cloth	.75	
Data & preparing report	12.00	
Stenographer & stationery	1.75	\$ 97.70

To PHILIP CAULFIELD Dr.

Making view	12.00	
Mileage	1.50	\$ 13.50

To DIXON TOMB Dr.

Making view	12.00	
Mileage	1.50	\$ 13.50

Total cost of view \$124.70

CERTIFIED
Harvey R. Brown
COUNTY CONTROLLER

APPROVED FOR PAYMENT
[Signature]
COMMISSIONERS

In Re: Vacating old Road
in Adams Township, Cambria
County, Pa.

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928

NOTICE OF VIEW

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S. E. DICKEY, C.E.
PHILIP CAULFIELD
DIXON TOMB
Viewers

January 7, 1929

Now this 8 day of January A. D. 1929, service of the within notice is hereby accepted by the Commissioners of Cambria County.

Attest:

Chief Clerk

George E. Kerley

for Commissioners

In Re: Vacating old Road
in Adams Township, Cambria
County, Pa.

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928

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S. B. DICKEY, C.E.
PHILIP CAULFIELD
DIXON TOMB
Viewers

January 7, 1929

Now this 10 day of January A. D. 1929, service of the within notice is hereby accepted by the Supervisors of Adams Township, Cambria County, Pa.

Hubert B. [Signature]
Township Solicitor

Ed Costlow
A. C. Baumgardner
Barnes Hunter
Supervisors

In Re: Vacating old Road
in Adams Township, Cambria
County, Pa.

In the Court of Quarter Session
of Cambria County, Penna.
No. 4, December Session, 1928

NOTICE OF VIEW

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S. E. DICKEY, C.E.
PHILIP CAULFIELD
DIXON TOMB
Viewers

January 7, 1929

Now this 9 day of January A. D. 1929, service of the within notice is hereby accepted by the Supervisors of Adams Township, Cambria County, Pa.

William B. ...
Township Solicitor

& _____
Supervisors

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 December A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of ~~diverse petitioners~~ ^{Supervisors} of the Township of Adams, in the said County, setting forth that ~~they have abandoned~~ ~~vacated for want of a~~ ~~road by a highway, to lead from~~

a road leading off the improved Highway leading from Salix through the village of Lovett, St. Michael, in the direction of South Fork has been long since laid out and meets an unimproved dirt road, leading from Salix to the Village of St. Michael and completely abandoned and not used at all by the traveling public; said road being approximately twenty-five hundred fifty (2550) feet in length, and because of said abandonment it has become useless, inconvenient and burdensome.

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

~~S. E. Dickey~~ ^{S. E. Dickey} surveyor, and

~~Philip Gaulfield and Dixon Tomb~~ ^{Philip Gaulfield and Dixon Tomb} ~~vacation~~ ^{vacation} 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 E. Roll, 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. 4, December, SESSIONS, 1929 8

Order to view and vacate road in

Adam Township

CERTIFIED

Henry L. Brown
COUNTY CONTROLLER

Filed 18 July 1929

Viewers

S. E. Dickey

Philip Caulfield

Dixon Tomb

Clerk 90 cts.

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

10 June 1929 confirmed absolutely
Frank L. Robb
Clerk