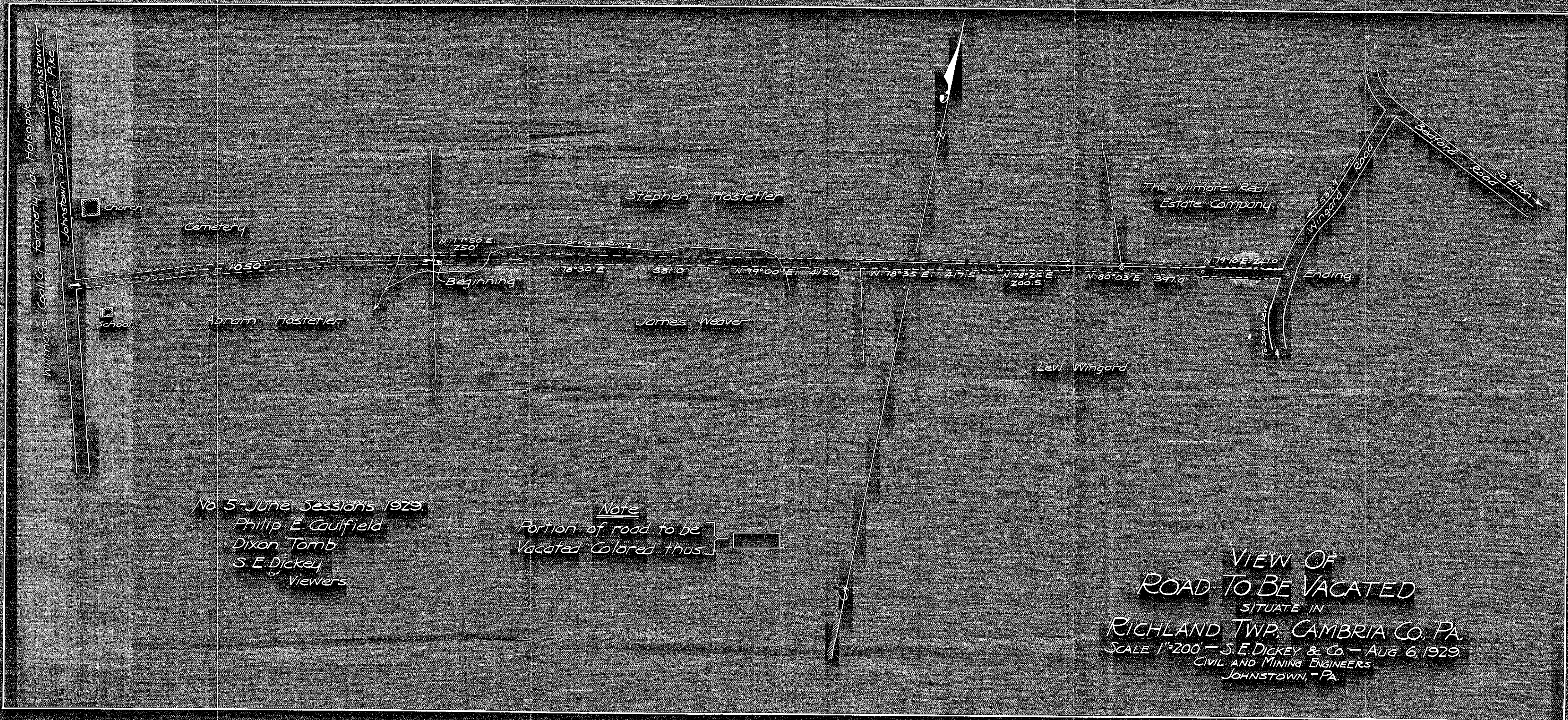


Not Microfilmed

Box # 5 June 1929



No 5-June Sessions 1929.
Philip E. Caulfield
Dixon Tomb
S. E. Dickey
Viewers

Note
Portion of road to be
Vacated Colored thus

VIEW OF
ROAD TO BE VACATED
SITUATE IN
RICHLAND TWP, CAMBRIA CO., PA.
SCALE 1"=200' - S. E. DICKEY & CO. - AUG 6, 1929.
CIVIL AND MINING ENGINEERS
JOHNSTOWN, - PA.

Willmore Coal Co. formerly Jac. Holsopple
To Johnstown
Johnstown and Scalp Level Pike

Church

Cemetery

School

Abram Hostetler

Stephen Hostetler

Spring Run

N. 77° 50' E.
250'

Beginning

N. 78° 30' E.
581.0

James Weaver

N. 79° 00' E.
412.0

N. 78° 35' E.
417.5

N. 78° 25' E.
200.5

N. 80° 03' E.
397.0

N. 79° 10' E.
247.0

Ending

Levi Wingard

The Willmore Real Estate Company

Wingard Road

Bedford Road

To Elton

No. 5-June Sessions 1929
Philip E. Caulfield
Dixon Tomb
S. E. Dickey
Viewers

Note
Portion of road to be
Vacated Colored thus

VIEW OF
ROAD TO BE VACATED
SITUATE IN
RICHLAND TWP, CAMBRIA CO., PA.
SCALE 1"=200' - S. E. DICKEY & CO. - AUG. 6, 1929.
CIVIL AND MINING ENGINEERS
JOHNSTOWN, - PA.

Ad #5 June 1929

Not Microfilm

In re: Vacating old road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
Cambria County, Pa.
No. 5, June Sessions 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of public road known as the Church Grove Road in Richland Township, Cambria County, Pa., beginning at a point easterly along said road 750 feet from the intersection of said road with the Johnstown and Scalp Level Turnpike at the intersection of the road leading into the Richland Cemetery and ending in a public highway, known as the Wingard Road, at a point in said Wingard Road 588 feet in a southerly direction from its intersection with the brick road leading from Coatsville to Milton, sometimes known as the Bedford Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP J. CAULFIELD
DEON TOMB

Aug. 6, 1929

Viewers

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 5 *Guw* SESSIONS, 1929.

IN RE VACATING A PORTION OF A
PUBLIC ROAD IN RICHLAND TOWNSHIP,
LEADING FROM THE EASTERLY SIDE OF
JOHNSTOWN & SCALP LEVEL TURNPIKE
AT CHURCH GROVE SCHOOL, MENNONITE
CHURCH AND RICHLAND CEMETERY, ALL
IN RICHLAND TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

PETITION TO VACATE PORTION
OF A PUBLIC ROAD.

Filed 29. July 1929

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

IN RE VACATING A PORTION OF A
PUBLIC ROAD IN RICHLAND TOWNSHIP,
LEADING FROM THE EASTERLY SIDE OF
JOHNSTOWN & SCALP LEVEL TURNPIKE
AT CHURCH GROVE SCHOOL, MENNONITE
CHURCH AND RICHLAND CEMETERY, ALL
IN RICHLAND TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,

CAMBRIA COUNTY, PENNSYLVANIA.

NO.

SESSIONS, 1929.

PETITION TO VACATE PORTION
OF A PUBLIC ROAD.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, being Supervisors of
Richland Township, Cambria County, Pennsylvania, respectfully shows:-

That a road has long since been laid out, to wit: April 23,
1907, and that a portion of said road, to wit: Beginning seven hundred fifty
(750) feet distant from the intersection of said road with the Easterly side
of Johnstown & Scalp Level Turnpike, said point of beginning being the
Southern extremity of a road leading into the Richland Cemetery; thence
from said point of beginning, North seventy-nine (79°) degrees East a dis-
tance of twenty-eight hundred (2800) feet to a road leading to the Scalp
Level Turnpike, and a road known as the Bedford Road, extending from
Geistown to Elton. is no longer necessary; and

Your Petitioners are now convinced that the portion of
road to be vacated has become useless, inconvenient and burdensome.

Your Petitioners, therefore, pray that said portion of
road may be vacated agreeably to the Act of Assembly in such cases made and
provided, and pray your Honorable Court for the appointment of three members
of the Board of Permanent Viewers to inquire into the propriety of said
vacation and to determine whether said portion of said road has become
useless, inconvenient and burdensome.

A. S. Howell
Alex Weaver
F. H. Berkey
Supervisors of Richland Township.

STATE OF PENNSYLVANIA:

: SS:

COUNTY OF CAMBRIA :

~~Justice of the Peace~~
~~a Notary Public in and for said State and County,~~ Personally appeared before me, the undersigned authority, A. S. Nowell, Alex Weaver, and F. H. Berkey, who having first been duly sworn according to law, do depose and say that they are each respectively duly elected, qualified and acting Supervisors of the Township of Richland, and that the facts as set forth in the foregoing petition are true and correct.

Sworn to and subscribed
before me this 27 day
of June, A. D. 1929.

A. S. Nowell
Alex Weaver
F. H. Berkey

Algis Baumgardner.
Justice of the Peace.

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1930

DE C R E E

AND NOW, this 27th day of June, A. D. 1929, the within petition read and considered, the Court does appoint Philip T. Baughman and Edw. M. Smith, Viewers, to view the said portion of said road in foregoing petition prayed to be vacated, and to consider and judge whether the said road has become useless, inconveient and burdensome.

By the Court
M

NOTE. "It shall be the duty of all persons appointed by 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. 5, June, 1929, SESSIONS, 1929.

Order to view and vacate road.

in Richland Township

Sept 2 Sept. 1929

Viewers

S. E. Dickey

Philip E. Caulfield

Dixon Tomb

Clerk Robb

CERTIFIED
County Controller
Shaw

9 Sept. 1929 Approved
By the Court
Evans P. J.

9 Dec. 1929 Confirmed absolutely.
Frank E. Robb
Clerk.

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 5, June Session, 1929

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 Richland 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 20th day of August A. D. 1929 at 10:00 o'clock A. M. (Eastern Standard Time) and proceeded with the duties of our appointment and viewed the premises and route of the proposed road to be vacated; that the Supervisors of Richland Township and abutting property Owners were present and heard, but did not file any objections; that we find that said road proposed to be vacated has excessive grades and has 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 said 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 assess no benefits and no damages to any of the abutting property Owners.

Taking into consideration all the matters before us, we are of the opinion that the portion of 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 29 day of August A. D. 1929.

P. E. Dickey
Chas. E. Campbell
Dixon Torrey

Viewers

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 5, June Session, 1929

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

To S. E. DICKEY Dr.

Lifting Order	\$ 1.90	
Data & preparing notices of view	12.00	
Stenographer and stationery	1.79	
Serving & posting notices and data on location	12.00	
Mileage	.75	
Making view	12.00	
Mileage	.75	
Data and making survey	12.00	
Mileage	2.25	
Preparing draft	12.00	
Tracing cloth & blue prints	1.40	
Preparing report	12.00	
Stenographer & stationery	1.75	\$ 81.50

To PHILIP CAULFIELD Dr.

Making view	\$ 12.00	
Mileage	.75	\$ 12.75

To DIXON TOMB Dr.

Making view	\$ 12.00	
Mileage	.75	\$ 12.75

Total cost of view \$ 107.00

CERTIFIED

Joseph L. Brown
COUNTY CONTROLLER

APPROVED FOR PAYMENT

Henry C. Brown
James A. Brown
COMMISSIONERS

In re: Vacating old road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
of Cambria County, Pa.
No. 5, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of public road known as the Church Grove Road in Richland Township, Cambria County, Pa., beginning at a point eastwardly along said road 750 feet from the intersection of said road with the Johnstown and Scalp Level Turnpike at the intersection of the road leading into the Richland Cemetery and ending in a public highway, known as the Wingard Road, at a point in said Wingard Road 588 feet in a southerly direction from its intersection with the brick road leading from Geistown to Elton, sometimes known as the Bedford road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP E. CAULFIELD
DIXON TOMB

Aug. 6, 1929

Viewers

Now this 7 day of August A. D. 1929, service of the within notice is hereby accepted by the Commissioners of Cambria County.

Attest:


Chief Clerk

Commissioners

In re: Vacating old road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
Cambria County, Pa.
No. 5, June Sessions 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of public road known as the Church Grove Road in Richland Township, Cambria County, Pa., beginning at a point eastwardly along said road 750 feet from the intersection of said road with the Johnstown and Scalp Level Turnpike at the intersection of the road leading into the Richland Cemetery and ending in a public highway, known as the Wingard Road, at a point in said Wingard Road 588 feet in a southerly direction from its intersection with the brick road leading from Geistown to Elton, sometimes known as the Bedford Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP E. CAULFIELD
DIXON TOMB

Aug. 6, 1929

Viewers

Now this 7 day of August A. D. 1929, service of the within notice is hereby accepted by the Board of Supervisors of Richland Township.

Attest: .

Secretary

A. S. Howell
Alex Weaver
W. H. B. Co.
Supervisors

In re: Vacating old road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
Cambria County, Pa.
No. 5, June Sessions 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of public road known as the Church Grove Road in Richland Township, Cambria County, Pa., beginning at a point eastwardly along said road 750 feet from the intersection of said road with the Johnstown and Scalp Level Turnpike at the intersection of the road leading into the Richland Cemetery and ending in a public highway, known as the Wingard Road, at a point in said Wingard Road 588 feet in a southerly direction from its intersection with the brick road leading from Geistown to Elton, sometimes known as the Bedford Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP H. CAULFIELD
DIXON TOB

Aug. 6, 1929

Viewers

Now this 7 day of August A. D. 1929, service of the within notice is hereby accepted by the Solicitor of Richland Township


Solicitor

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 29th day of July A. D. 1929, before the Honorable Judge of the said Court: Upon the petition of ^{Supervisors} ~~directors~~ of the Township of Richland, in the said County, setting forth that ~~the petitioners have~~ ~~con-~~
~~venience for what is a~~ ~~road or highway, or leading from~~

a road has long since been laid out, to wit: April 23, 1907, and that a portion of said road, to wit: Beginning seven hundred fifty (750) feet distant from the intersection of said road with the Easterly side of Johnstown & Scalp Level Turnpile, said point/beginning being of the Southern extremity of a road leading into the Richland Cemetery; thence from said point of beginning, North seventy-nine (79°) degrees East a distance of twenty-eight hundred (2800) feet to a road leading to the Scalp Level Turnpike, and a road known as the Bedford Road, extending from Geistown to Elton, is no longer necessary: and

Four petitioners are now convinced that the portion of road to be vacated ~~has~~ become useless, inconvenient and burdensome.

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

S. E. Dickey surveyor, and

Philip E. Caulfield and Dixon Tomb ^{vacation} viewers, to view the ground proposed for said ~~road~~ and if they ^{vacate} view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation}, 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. Roff, Clerk.