

BLACKLICK TWP.
CAMBRIA CO.

ROAD VACATION

No. 1 - March Session
1932

Not Microfilmed

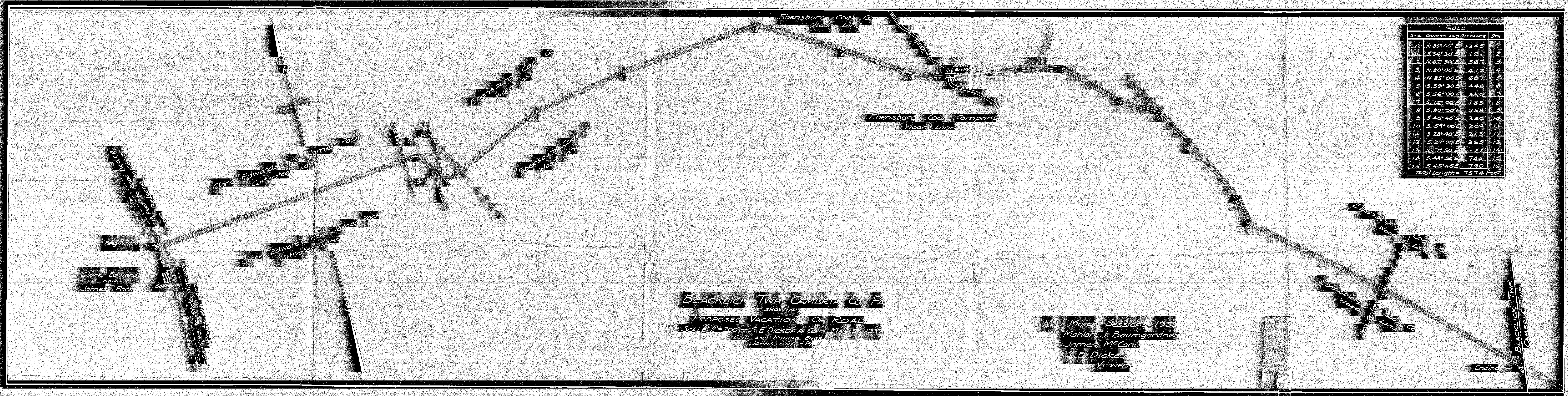


TABLE			
STA.	COURSE AND DISTANCE	STA.	
0	N. 85° 00' E. 134.5'	1	
1	S. 34° 30' E. 191'	2	
2	N. 67° 30' E. 56.7'	3	
3	N. 80° 00' E. 47.2'	4	
4	N. 85° 00' E. 68.7'	5	
5	S. 59° 30' E. 44.8'	6	
6	S. 56° 00' E. 35.0'	7	
7	S. 72° 00' E. 18.3'	8	
8	S. 80° 00' E. 55.8'	9	
9	S. 45° 45' E. 33.6'	10	
10	S. 59° 00' E. 20.9'	11	
11	S. 28° 40' E. 21.3'	12	
12	S. 27° 00' E. 36.5'	13	
13	S. 7° 50' E. 12.2'	14	
14	S. 48° 50' E. 74.4'	15	
15	S. 45° 45' E. 79.0'	16	
Total Length = 757.4 Feet			

BLACKLICK TWP, CAMBRIA CO, PA.
 SHOWING
 PROPOSED VACATION OF ROAD
 SCALE 1"=200 - S. E. DICKEY & CO - MAY 5, 1937.
 CIVIL AND MINING ENGRS.
 JOHNSTOWN - PA.

No. 1 March Sessions 1937
 Mahlon J. Baumgardner
 James McCann
 S. E. Dickey
 Viewers

Rel #, Mar 1932

Rot. Microfilm

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

IN RE: Vacating Road in Blacklick Township,
Cambria County, Pennsylvania.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:-

The petition of the undersigned inhabitants of the Township of Blacklick,
Cambria County, Pennsylvania, respectfully sheweth:

First

That the following described piece of public road has long since been
laid out in the Township of Blacklick, said county and state, to wit:

Beginning on the Colver-Belsano Road one and three tenths
(1.3) miles southward along said road from its intersection
at Preisser's Crossing with the Rexis Colver Branch of
the C. & I. Railroad at a point opposite the barn on the
farm now or late of Clark Edwards, and extending thence in
an easterly direction and ending at the intersection of
said road proposed to be vacated with the line dividing the
Townships of Blacklick and Cambria.

Second

That the above described piece of public road was laid out many years ago,
but a careful search of the records of Cambria County has failed to disclose
the place of record of the laying out and opening of the above described road.

Third

That the above described portion of public road your petitioners conceive
has become useless, inconvenient and burdensome by reason of the disuse of the
same for many years.

Fourth

That the portion of said road lying in Cambria Township, Cambria County,
Pennsylvania, has already been vacated some years since.

Your petitioners, therefore, pray the Court to appoint three members of
the Permanent Board of Viewers of Cambria County as a Board of View to view
and vacate said piece of public road between the termini above described and
return their report, together with a plot or draft thereof, to your Honorable
Court, as required by the Act of the General Assembly in such case made and
provided.

And thus they will ever pray, etc., etc.

E. E. Goss
Elmer Smith
G. F. Harek

Harry Moore
John M. Hughes
J. S. M. Gough
Geo. E. Hite
Thomas Rodgers
J. M. M. M. M.
Chas. W. Goss
Blair Dufferin
Julius R. R. R.
W. P. Wagner
John Ford

STATE OF PENNSYLVANIA)
COUNTY OF CAMBRIA) SS

Before me, the undersigned authority, in and for said county and state, personally appeared E. E. GOSS, who, 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, and that the signatures to the foregoing petition are in the proper handwriting of the parties indicated thereby.

Sworn to and subscribed
before me this 22nd
day of March, A. D., 1932.

E. E. Goss

Dorothy G. Gochinger
Notary Public

My commission expires March 5th 1933.

D E C R E E

NOW, the 4th day of APRIL, A. D., 1932, upon consideration of the within petition of divers inhabitants of the Township of Blacklick, Cambria County, Pennsylvania, the Court do order and appoint James M. Egan, M. J. Banzard and S. E. Diskey, who are to view the road in said petition prayed to be vacated and to consider and judge whether it has become useless, inconvenient and burdensome, and to return and file their report to the next Court of Quarter Sessions to be held for the said county, agreeably to the Act of the General Assembly in such case made and provided.

By the Court
M. Egan
S. E. Diskey

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

No. 1 March Term 1932

IN RE: Vacating Road in Blacklick Township, Cambria County, Pennsylvania.

PETITION FOR APPOINTMENT OF VIEWERS.

DECREE WITHIN

Filed April 4-1932

To Com 6/23/32

MAURICE SHADDEN,
906 Johnstown Trust Building,
Johnstown, Pa.

*Hold
in case*

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 1 MARCH SESSIONS, 1932.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the annexed order of the above Court to view the road within mentioned, respectfully report:-

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County, as shown by the records of said Court; that we gave due public notice of the time and place of said view 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 upon W. Stephens Mayer, Esq., Solicitor for the Commissioners of Cambria County, and upon Maurice Shadden, Esq., Attorney for the Petitioners, and upon P. M. Kinney, Secretary of the Board of Supervisors of Blacklick Township, all of which acceptances of service are hereto attached and made a part of this report; that we met upon the premises according to the notice given on Monday, May 16, 1932, at nine thirty o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

That we viewed the site and locality of the premises and route of the proposed road to be vacated. The Supervisors of Blacklick Township were all in attendance at said view, but there were no property owners present when said view was made. The Viewers inspected the entire road proposed to be vacated, beginning at a point on road leading from the road from Belsano to Colver to State Highway Route 422, a distance of 2.52 miles from said State Highway Route 422, and a distance of 1718 feet from the road leading from Belsano to Colver at the Clark Edwards Farm; thence from said point, which is designated on a blue print hereto attached and made a part hereof as Station Zero, North 85° 0' East 1345 feet to Station #1; thence from Station #1, South 34° 30' East 191 feet to Station #2; thence from Station #2, North 67° 30' East 567 feet to Station #3; thence from Station #3, North 80° 0' East 472 feet to Station #4; thence from Station #4, North 85° 0' East 687 feet to Station #5; thence from Station #5, South 59° 30' East 448 feet to Station #6; thence from Station #6, South 56° 0' East 350 feet to Station #7; thence from Station #7, South 72° 0' East 183 feet to Station #8; thence from Station #8, South 80° 0' East 558 feet to Station #9; thence from Station #9, South 45° 45' East 330 feet to Station #10; thence from Station #10, South 59° 0' East 209 feet to Station #11; thence from Station #11, South 28° 40' East 213 feet to Station #12; thence from Station #12, South 27° 0' East 365 feet to Station #13; thence from Station #13, South 70° 50' East 122 feet to Station #14; thence from Station #14, South 48° 50' East 744 feet to Station #15; thence from Station #15, South 45° 45' East 790 feet to Station #16, the place of ending, being at the dividing line between Blacklick Township and Cambria Township, and the portion proposed to be vacated being 7,574 feet.

We find and report that there is no necessity for said public road, and recommend that the route of said road, as hereinabove described in detail, be vacated.

There were no property owners present at the time the view was made demanding a hearing, particularly due to the fact that the road inquestion has not been used by anyone for many years, and that the portion of said road, of which this is a part, situate in the Township of Cambria has been vacated for a number of years. The road traverses through the land of Clark Edwards, now James Pack, which is cultivated land, and the remaining portion of the road passes through woodland, all of it being owned by the Ebensburg Coal Company.

Therefore, taking in consideration all the matters before us, we are of the opinion that the road to be vacated has become useless, inconvenient and burdensome to the tax payers of Blacklick Township, and recommend that the said road be vacated according to the courses and distances hereinabove described in detail.

WITNESS our hands and seals this fourth day of June, A. D. 1932.

Mahlon J. Baumgardner (SEAL)
S. E. Dickey (SEAL)
James M. McCann (SEAL)

STATE OF PENNSYLVANIA:
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, MAHLON J. BAUMGARDNER, S. E. DICKEY and JAMES McCANN, who having first been duly sworn according to law, do depose and say that they are members of the Permanent Board of Viewers of Cambria County; and further that their respective expense accounts attached hereto are true and correct.

Mahlon J. Baumgardner
S. E. Dickey
James M. McCann

Sworn to and subscribed
Before me this 4th day
of June, A. D. 1932.

Alice A. Lunsford

NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 9, 1935

Johnstown, Pa., May 21, 1932

Cambria County

To S. E. Dickey, Dr.

No. 1, March Session 1932

Making View
Mileage
Making survey, Engineer 1 day
Helpers 1 "
Mileage
Making draft
Detail Paper
Tracing cloth
3 blue prints

\$ 12.00
4.20
12.00
8.00
4.20
12.00
.25
.60
1.25

\$ 54.50

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 1 MARCH SESSIONS, 1932.

TO MAHLON J. BAUMGARDNER, S. E. DICKEY
and JAMES McCANN, DRS.

To Mahlon J. Baumgardner, Dr.

Data and preparing Notices to View, and posting same,	\$ 18.00	
Stenographer and stationery	2.50	
Mileage	4.20	
Obtaining acceptance of service on all parties, and making view	18.00	
Mileage	4.20	
Data and preparing Report of Viewers	12.00	
Stenographer and stationery	\$ 2.50	\$ 61.40

To S. E. Dickey, Dr.

See statement attached hereto, \$ 54.50

To James McCann, Dr.

Making View	\$ 12.00	
Mileage	4.20	\$ 16.20

To Alice A. Paessler, Notary,

To taking affidavits. ----- \$ 1.00

APPROVED FOR PAYMENT

L. M. Keller

John Thomas Jr.

Frank P. Holler
COMMISSIONERS

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 1 MARCH SESSIONS, 1932.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of Court to view and determine as to the propriety of vacating a certain piece of public road in the Township of Blacklick, Cambria County, beginning at the Colver-Belsano Road 1.3 miles Southward along said road from its intersection at Preisser's Crossing with the Raxis Colver Branch of the C. & I. Railroad at a point opposite the barn on the farm now or late of Clark Edwards, and extending thence in an Easterly direction and ending at the intersection of the said road proposed to be vacated with the line dividing the Townships of Blacklick and Cambria, will meet at the place of beginning on Monday, May 2, 1932, at nine thirty o'clock A. M., for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
JAMES McCANN,
S. E. DICKEY.
Viewers.

AND NOW, this ~~5th~~^{May} day of ~~April~~^{May}, A. D. 1932, I hereby accept service of the above Notice to View, as Solicitor for the Commissioners of Cambria County, and acknowledge to have received a copy of same.

W. Stephens Krayer

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
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MAHLON J. BAUMGARDNER,
JAMES McCANN,
S. E. DICKEY.
Viewers.

AND NOW, this ^{May} 5th day of April, A. D. 1932, I hereby accept service of the above Notice to View, as Attorney for the Petitioners, and acknowledge to have received a copy of same.

Maurice Shadden

1st RH Road should be kept right hand side
9:11 V Road

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

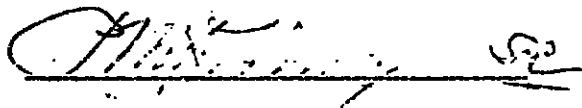
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MAHLON J. BAUMGARDNER,
JAMES McCANN,
S. E. DICKEY.
Viewers.

AND NOW, this 5th day of May, A. D. 1932, I hereby accept service of the above Notice to View, as Secretary for the Supervisors of Blacklick Township, and acknowledge to have received a copy of same.



IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 1 MARCH SESSIONS, 1932.

NOTICE TO VIEW.

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HANLON J. BAUMGARINER,
JAMES MCCANN,
S. E. DICKEY.
Viewers.

SS.

~~XXXXXXXXXXXXXX~~
~~xxxxxxxxxxxxxx~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

.....

vacate

~~vacation~~

McCann, P. J.

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 March SESSIONS, 1832

Order to

view

Ordered

Blacklick Township

Viewers

James M. Carr
M. J. Baumgardner
A. C. Decker

Clerk

James M. Jones

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 1 MARCH SESSIONS, 1932.

IN RE VACATING ROAD IN
BLACKLICK TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

REPORT OF VIEWERS.

CH. 10

Filed June-6-1932

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

13 June - 1932

Approved

By the Court

Prothonotary

12 Sept. 1932

Confirmed & docketed

for June 2

H.T.