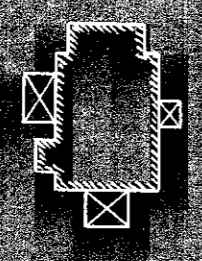


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Not Microfilmed

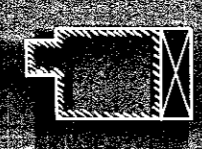
John McDermott Jos. E. Reed

CONGRESS ST. 5.53°00' E 289.97'

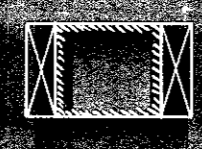
Duncan May



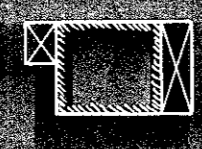
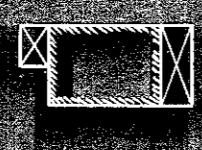
J.S. Blight



Alex May



Duncan and Alex May



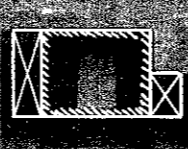
Duncan & Alex May

BRONX STREET N.33°15' E 634.93'

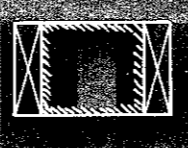
Odd Wadhams



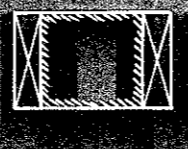
H.S. Fair



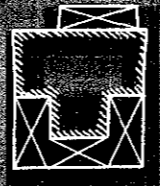
Luther Claycomb



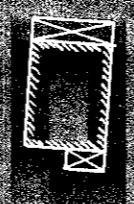
Duncan and Alex May



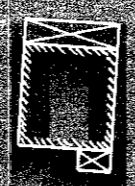
Duncan and Alex May



George Wetzal



Eugene Crayle



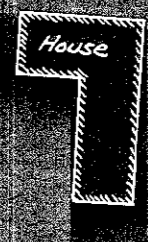
Duncan and Alex May

McTonic Bros

Fruhlinger

Peter Nagle

Mrs. Raleigh Roades



PRESENT ALLEY M.53°12' N 71.950'

garage

To Westmont
1350' To Int. of Sett. St. Road
beginning

BERKLEY ROAD 0°22'22" Ending 0.01 M. 90°55' N

Harry Mowery

To Ferndale

VIEW OF PROPOSED ROAD

situate in
Upper Yoder Township, Cambria Co., Pa.
Scale 1"=50' — S.E. Dickey & Co. — May 27, 1929.
Civil and Mining Engrs.
Johnstown, Pa.

No. 2, March Session 1929.
M. J. Baumgardner
Philip Cauffield
Dixon Tomb
Viewers

1-F-140

No. 2 March Sessions 1929.

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

In RE:

Petition of Inhabitants, Citizens and Property Holders of UPPER YODER TOWNSHIP, Cambria County, Pa., for Appointment of Viewers to Open a Public Road in said Upper Yoder Township, as follows;

From Berkley Road along Bronx Street 605 feet, thence along Congress St. 300 feet and thence along an alley 635 feet to Berkley Road.

Total length of Road 1540 ft.

DECREE.

And now, to wit, April 29 1929, the foregoing petition having been read and considered, on motion of Geo. C. Keim, Atty. for Petitioners, the Court appoints Mahlon J. Baumgardner Esq., Philet Cauffman,

and Dixie Hunt
Viewers to view the site of the proposed road as described in the foregoing petition and report at the next term of Court.

By the Court
Erasmus J.

Filed 29 April 1929

GEO. C. KEIM
ATTORNEY AT LAW
JOHNSTOWN, PA.

In RE: Petition of
divers Citizens, Inhabitants
and Property Owners of
Upper Yoder Township, Cambria
County, Pennsylvania, for
Viewers to Open a Public Road
in Upper Yoder Township.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. _____ of the June Sessions, 1929
PETITION for Appointment of
Viewers, etc.

#####

To the Honorable the Judges of the above named Court.

The petition of the undersigned, Citizens, Inhabitants and Property
Owners of the Township of Upper Yoder, County of Cambria and State
of Pennsylvania, respectfully represents;-

1. That they labor under great inconvenience for want of a
public Road in the Township of Upper Yoder; BEGINNING at a point of
intersection of the Township Road leading from the Borough of Westmont
to the City of Johnstown, known as the Berkley Road and Bronx Street
on a Plan of Lots laid out by Duncan May and Alex. B. May, which point
of intersection is about 1350 feet distant in a Southeasterly direc-
tion from the Southeasterly point of intersection of the said Berkley
Road with the Sell Street Public Road leading from the City of Johns-
town; thence extending along said Bronx St. in a Northeasterly direc-
tion about 605 feet to a point in Congress Street; thence extending in a
Southeasterly direction along said Congress Street a distance of 300
feet to a point in an un-named alley in said Plan of Lots; and thence
in a Southwesterly direction along said un-named alley, a distance of
635 feet to a point in the aforesaid Berkley Road, which point is
distant about 1660 feet in a Southeasterly direction from the aforesaid
point of intersection of the said Berkley Road with the Sell Street
Public Road above mentioned; said road having a total length of
1540 feet.

2. Your petitioners further aver that the said proposed public
road is necessary for public travel.

3. Your petitioners therefore pray your Honorable Court to
appoint viewers to view the ground and report to the Court.

Name.	Residence.
Duncan May	Upper Yoder Township
Alexander May	Johnstown City
Robert Sadler	Upper Yoder Township
George H. Witzel	Upper Yoder Township
Harvey S. Fair	Upper Yoder Township
Sarah Fair	" "
Luther P. Claycomb	Upper Yoder Township
Mr. Kershberger	Upper Yoder Twp.
John S. Blight	Upper Yoder Twp.

Name.

Residence.

Harry Mowery	Upper Goder
Med Mowery	Upper Goder
Thompson Johnson	Upper Goder
John MacEwen	Upper Goder
Mrs. Maximo Rhodes	Upper Goder
Ara Oner	Upper Goder
Ben Stauffer	Upper Goder
Mrs. Mary Matonis	Upper Goder Township
Mr. Dwight Mowery	Upper Goder Township
John Mowery	Upper Goder Township
Mrs. Peter Nangle	Upper Goder Township
Mrs. J. W. Stess	Armagh Indiana County
James E. Reed	Upper Goder Township
John J. Matonis	Jerome Pa.
John J. Matonis	Jerome Pa.
Walter Deuser	Johnstown 825 East Pa
John Sarnbor	Upper Goder
Edward Fess	367 Chandler Ave Johnstown
Herbert H. Sowers	Johnstown, Pa.

State of Pennsylvania,)
 County of Cambria.) SS:

Before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Alex. B. May, one of the above named petitioners, who, being duly sworn according to law, deposes and says that the foregoing statements are true and correct.

A. B. May

Sworn and subscribed to before me this 22nd day of April, A. D. 1929.

Helene Keunze
 Notary Public.

My Commission Expires Mar. 7-1931

NOTICE.

To the Supervisors of the Township of Upper Yoder, County of Cambria and State of Pennsylvania:

You are hereby notified that a Petition will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday April 29, 1929 at 10 o'clock A. M. praying for the appointment of Viewers to view and lay out a public road in said Township of Upper Yoder;

BEGINNING at a point of intersection of the Township Road leading from Westmont Borough to the City of Johnstown, known as the Berkley Road with Bronx Street on a Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road with the Sell Street Public Road leading from the City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction a distance of about 605 feet to a point in Congress Street; thence extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley in said Plan of lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkley Road, which point is distant about 1860 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the said Sell Street Public Road above mentioned; said road having a total length of 1540 feet.

George C. Kern
Attorney for Petitioners.

April 29, 1929, served a copy of the above notice on each of the following named Supervisors of Upper Yoder Township, D. H. Weimer, C. L. Raab and Adam Keafer, by handing a true copy thereof to each of them personally.

Subscribed and sworn to before me,
this 27th day of April, A. D. 1929,

Alex B. May
Notary Public.

My Commission Expires Mar 7-1931

No. 2 March Session 1929

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

In RE:

Petition of Certain Inhabitants and Property Owners for the Appointment of Viewers to lay out and open a public road or highway in UPPER YODER Township, Cambria County, Pa.

BOND.

Filed and Approved

April 29th 1929

Approved

By the Court

*Richard Samuel Reed
of D.C.P.*

Filed 29 April 1929

GEO. C. KEIM
ATTORNEY AT LAW,
JOHNSTOWN, PA.

KNOW ALL MEN BY THESE PRESENTS, That we, Duncan May of the Township of Upper Yoder, County of Cambria and State of Pennsylvania and A. B. May, of the City of Johnstown, County and State aforesaid, hereinafter called the Obligors, are held and firmly bound unto the Commonwealth of Pennsylvania, hereinafter called the Obligee, in the sum of Two Hundred Dollars (\$200.00), lawful money of the United States of America, to be paid to the said Obligee, its certain Attorney, successors or assigns, to which payment well and truly to be made, we do bind ourselves, our heirs, executors or administrators, jointly, severally and firmly by these presents; and we do hereby confess judgment for the above sum, without stay of execution or appeal, waiving the right of exemption and appraisement and the right of inquisition on real estate with 5% added as Attorney's commission for collection.

Sealed with our seals and dated the 29 day of April, A. D. 1929.

WHEREAS the Obligors above named and others as inhabitants and property owners of the Township of Upper Yoder, County of Cambria and State of Pennsylvania, have presented their petition in the Court of Quarter Sessions of Cambria County, No. _____ June Term, 1929, praying said Court for the appointment of a Jury of View to lay out and open a public road or highway in said Township and to report on the necessity of same, - BEGINNING at the point of intersection of the Township Road leading from Westmont Borough to Johnstown City, known as the Berkley Road with Bronx Street on a Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of said Berkley Road with the Sell Street Public Road or Highway leading from Johnstown City; thence extending along said Bronx Street in a Northeasterly direction about 605 feet to a point in Congress Street; thence extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley; thence along said un-named alley in a Southwesterly direction a distance of 635 feet to a point in said Berkley road, which point is distant about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the Sell Street Public Road as aforesaid; said proposed road having a total length of 1540 feet.

Now Therefore, the condition of this obligation is such, that if the petitioners in said proceeding, their heirs, executors or administrators, or any of them, shall and do well, truly and promptly pay into the Treasury of Cambria County, when such proceedings are concluded, such amount of money as the said Court may hereafter by order lawfully direct them to pay for, toward or on account of the defraying and discharging the pay or compensation and mileage of the Viewers and the other costs and expenses of the said proceedings as required by the Act of the General Assembly of Pennsylvania in such case made and provided, without fraud or further delay, then the above Obligation to be void otherwise to be and remain in full force and virtue.

Sealed and delivered
in the presence of

Geo. C. Kearn

Geo. C. Kearn

Duncan May (SEAL)

A. B. May (SEAL)

Order sealed 15

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

✓
IN RE PUBLIC ROAD IN UPPER
YODER TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA.

REPORT OF VIEWERS.

Filed 5 June 1929.

CERTIFIED

George L. ...
COUNTY COMMISSIONER

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

10 June 1929 Appeared and heard the Grand M. J. ...
9 Sept. 1929 Empowered absolutely

By the ...
Swank

Swank 1929 R.H.

White

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 April A. D. 1929, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Upper Yoder, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from

a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkely Road and Bronx Street on a Plan of Lots laid out by Duncan May and Alex. B. May, which point of intersection is about 1350 feet distant in a South-easterly direction from the Southeasterly point of intersection of the said Berkely Road with the Sell Street Public Road leading from the City of Johnstown: thence extending along said Bronx St. in a North-easterly direction about 605 feet to a point in Congress Street; thence extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley in said Plan of Lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkely Road, which point is distance about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkely Road with the Sell Street Public Road above mentioned; said road having a total length of 1540 feet.

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

M. J. Baumgardner, Esq., surveyor, and

Philip Cauffield, and Dixon Tomb

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 C. Poff, Clerk.

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to 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. 2 March SESSIONS, 1929

Order to view public road

in Upper Yoder Township

Viewers

M. J. Baumgardner

Phillip Causfield

Dixon Tomb

Clerk 90 cts.

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view a public road or highway, to lead from a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street on a plan of lots laid out by Duncan Kay and Alex B. Kay, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road with the 5111 Street Public Road leading from City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction about 605 feet to a point in Congress Street, ^{thence} extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley in said Plan of Lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkley Road, which point is distant about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the 5111 Street Public Road above mentioned; said road having a total length of 1540 feet, will meet at the place of beginning on Tuesday, May 21, A. D. 1929, at ten o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MANLON J. BUEGARDNER,
PHILIP CAULFIELD,
DIXON TOSH,
Viewers.

RECEIVED



MAY - 6 1929 PM

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view a public road or highway, to lead from a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street on a plan of lots laid out by Duncan May and Alex B. May, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road with the Sell Street Public Road leading from City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction about 605 feet to a point in Congress Street, thence extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley in said Plan of Lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkley Road, which point is distant about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the Sell Street Public Road above mentioned; said road having a total length of 1540 feet, will meet at the place of beginning on Tuesday, May 21, A. D. 1929, at ten o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB.

Viewers.

AND NOW, this tenth day of May, A. D. 1929, I hereby accept service of the above Notice To View as Chief Clerk to the County Commissioners.

George B. Kerby
Chief Clerk

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view a public road or highway, to lead from a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street on a Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road with the Sell Street Public Road leading from the City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction about 605 feet to a point in Congress Street, thence extending in a Southeasterly direction along said Congress Street, a distance of 300 feet to a point in an un-named alley in said Plan of Lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkley Road, which point is distant about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the Sell Street Public Road above mentioned; said road having a total length of 1540 feet, will meet at the place of beginning on Tuesday, May 21, A. D. 1929, at ten o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB.

Viewers.

AND NOW, this tenth day of May, A. D. 1929, I hereby accept service of the above Notice to View as Solicitor for the Township of Upper Yoder, Cambria County, Penna.


Solicitor for Upper Yoder Twp.

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA..

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

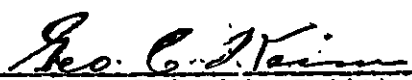
NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view a public road or highway, to lead from a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street on a Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about 1350 feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road with the Sell Street Public Road leading from the City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction about 605 feet to a point in Congress Street, thence extending in a Southeasterly direction along said Congress Street a distance of 300 feet to a point in an un-named alley in said Plan of Lots; and thence in a Southwesterly direction along said un-named alley, a distance of 635 feet to a point in the aforesaid Berkley Road, which point is distant about 1660 feet in a Southeasterly direction from the aforesaid point of intersection of the said Berkley Road with the Sell Street Public Road above mentioned; said road having a total length of 1540 feet, will meet at the place of beginning on Tuesday, May 21, A. D. 1929, at ten o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB.

Viewers.

AND NOW, this tenth day of May, A. D. 1929, I hereby accept service of the above Notice to View as Counsel for the Petitioners.


Counsel for the Petitioners.

JOHNSTOWN, PA. May 28 19

Manlon Baumgardner

TO S. E. DICKEY & CO. DR.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

NATURE OF WORK VIEW - PUBLIC ROAD IN UPPER YODER TOWNSHIP
NO. 2, MARCH SESSION 1929

TERMS NET CASH

STATEMENTS RENDERED MONTHLY

Making survey	\$ 25	00
Making draft	7	50
Tracing cloth		20
Blue prints		75
	\$ 33	45

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the above Court to view the above premises for the purpose of laying out a Public Road, situate in Upper Yoder Township, Cambria County, Pennsylvania, leading from a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street, on the Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about thirteen hundred fifty (1350) feet distant in a Southeasterly direction from the Southeasterly point of intersection of the said Berkley Road, to the Sell Street Public Road, leading from the City of Johnstown; thence extending along said Bronx Street in a Northeasterly direction about six hundred five (605) feet to a point on Congress Street; thence extending in a Southeasterly direction along said Congress Street a distance of three hundred (300) feet to a point on an unnamed alley on said Plan of Lots; thence in a Southwesterly direction along said unnamed alley a distance of six hundred thirty-five (635) feet to a point on the aforesaid Berkley Road, which point is distant about sixteen hundred sixty (1660) feet to a South-easterly direction from the aforesaid point of intersection of said Berkley Road with the Sell Street Public Road above mentioned, said road having a total length of fifteen hundred forty (1540) feet, 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 meeting of said Viewers by hand bills posted on the premises and by notice served on the Commissioners of Cambria County and upon Barnhart & Bender, Esqs., Attorneys for the Supervisors of the Township of Upper Yoder, and upon George C. Keim, Esq., Attorney for the Petitioners, all of whom accepted service at least ten days prior to the making of said view, evidence of which is shown by the original notices hereto attached and made a part of this report.

That we met upon the premises according to the notice given on Tuesday, May 21, A. D. 1929, at ten 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 road proposed to be laid out, making personal inspection of the grounds between the points designated in petition and order. There were present at said view, Robert Bender of the law firm of Barnhart & Bender, Esqs., Solicitor for the Township of Upper Yoder; George C. Keim, Esq., Attorney for Petitioners; and

a number of citizens interested in said proposed road.

We are of the opinion that a public road between the points designated in our report is necessary, and that we authorize the laying out of the road according to the accompanying draft. We, therefore, lay out and return for public use a public road, as follows: Beginning at a point of intersection of the Township Road leading from the Borough of Westmont to the City of Johnstown, known as the Berkley Road and Bronx Street on a Plan of Lots laid out by Duncan May and Alex B. May, which point of intersection is about thirteen hundred fifty (1350) feet distant from the Southeasterly direction of said Berkley Road with the Sell Street Public Road leading from the City of Johnstown; thence from said point through the center of Bronx Street as shown on Plan of Lots aforesaid, North thirty-three (33°) degrees fifteen (15') minutes East six hundred thirty-four and ninety-three hundredths (634.93) feet to a point in the center of Congress Street on aforesaid Plan; thence along center of Congress Street, South fifty-three (53°) degrees no minutes East two hundred eighty-nine and ninety-seven hundredths (289.97) feet to a point on the center of an unnamed alley on said Plan; thence along said center South thirty-three (33°) degrees fifteen (15') minutes West six hundred fifty-six and fourteen hundredths (656.14) feet to a point; thence North fifty-three (53°) degrees no minutes West a distance of seventy (70) feet to the center of Berkley Road aforesaid, which point is distant about sixteen hundred sixty (1660) feet in a South-easterly direction from the aforesaid point of intersection of said Berkley Road with the Sell Street Public Road above mentioned, all of which said road lies in the Township of Upper Yoder, Cambria County, Pennsylvania.

We further report that we did not obtain the leases from any of the abutting property owners on said road for the reason that in the opinion of the Viewers the benefits derived from the laying out and opening of said road are far in excess to any damages that may accrue to any of the property owners, and, therefore, we allow no damages to any property owners affected by the said laying out and opening of the road hereinabove described.

WITNESS our hands and seals this first day of June, in the year of our Lord one thousand nine hundred twenty-nine (1929).

Walter S. Benjamin (SEAL)
Philip E. Caulfield (SEAL)
Dixon Tomb (SEAL)

IN RE PUBLIC ROAD IN
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA:

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2 MARCH SESSIONS, 1929.

TO MAHLON J. BAUMGARDNER, PHILIP
CAULFIELD AND DIXON TOMB, DRS.

Mahlon J. Baumgardner, Dr.

Data and Preparing Notices to View	\$ 12.00	
Stenographer and Stationery	3.50	
Posting Notices	12.00	
Making View	12.00	
Mileage	.80	
Making View with S. E. Dickey, Engineer	12.00	
Mileage	.80	
Preparing Report of Viewers	12.00	
Stenographer and Stationery	5.00	
Survey and Blue Prints as per statement hereto attached	33.45	\$ 103.55

Philip Caulfield, Dr.

Making View	\$ 12.00	
Mileage	.80	\$ 12.80

Dixon Tomb,

Making View	\$ 12.00	
Mileage	.80	\$ 12.80

CERTIFIED
 Philip J. Baumgardner
 COUNTY CONTROLLER

APPROVED FOR PAYMENT

J. H. Becker

J. H. ...

 COMMISSIONERS