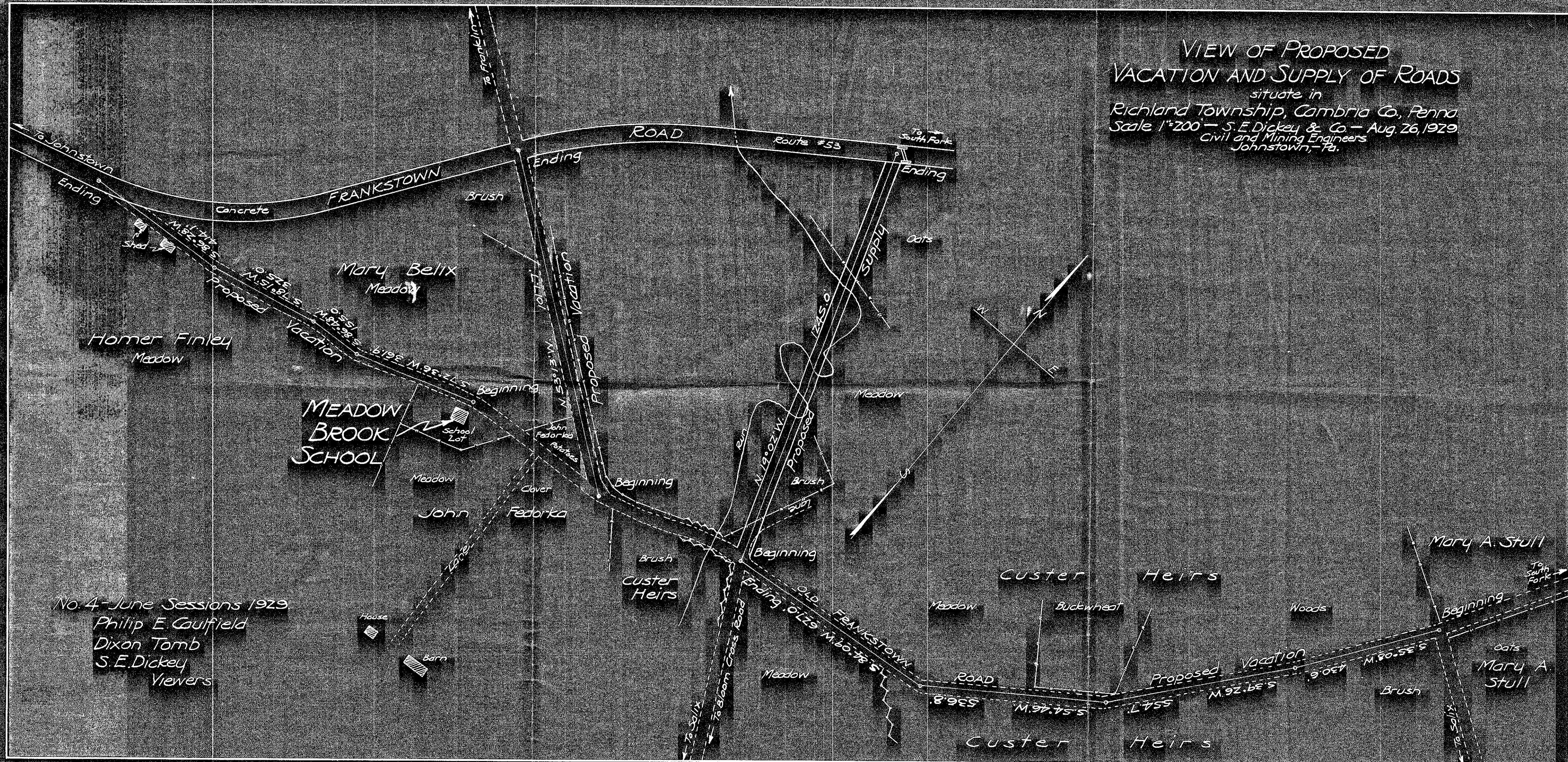


Ad #4 June 1929

Not Microfilmed

VIEW OF PROPOSED VACATION AND SUPPLY OF ROADS

situate in
Richland Township, Cambria Co., Penna.
Scale 1"=200 — S.E. Dickey & Co — Aug. 26, 1929
Civil and Mining Engineers
Johnstown, Pa.



No. 4-June Sessions 1929
Philip E. Gaultfield
Dixon Tomb
S.E. Dickey
Viewers

PL#4 June 1929

Post Microfilm

In re: Vacating and supplying
of roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating certain sections of public roads and supplying a certain additional section of road in Richland Township, Cambria County, Pa., Said portions of roads to be vacated are as follows: (1) A portion of the old Frankstown Road, beginning at the intersection of the road leading from Cole's corner to the Frankstown Road at the Lorenza D. Stuhl Farm, which point is approximately one-half mile southwesterly from the intersection of another public highway, known as the Mineral Point Road, thence extending along said Old Frankstown Road in a westerly direction approximately 2150 feet, ending at the intersection of a road east of the Meadow Brook School House, known as the road leading from Bloom Cross Roads to the Old Custer's School; (2) A further portion of the old Frankstown Road beginning at the Meadow Brook School House at the intersection of the Franklin Road, leading from the old Frankstown Road to the Borough of Franklin, thence continuing along the Old Frankstown Road in a westerly direction approximately 1150 feet to the intersection of the new Frankstown Road, formerly Route No. 276 now Route No. 53; (3) That portion of the Franklin Road beginning at its intersection with the Old Frankstown Road at the Meadow Brook School and extending along the Franklin Road in a northwesterly direction approximately 1000 feet and ending at its intersection with the new Frankstown Road. Said road to be supplied is as follows: (1) Beginning at a point in the Old Frankstown Road at the intersection of the public road leading from Bloom Cross Roads to the Frankstown Road east of the Meadow Brook School, thence in a northerly direction and being an extension of the road leading from Bloom Cross Roads a distance of 1225 feet and ending at a point in the new Frankstown Road, now known as Route No. 53; will meet on the 21st day of August A. D. 1929, at 9:00 o'clock A. M. (Eastern Standard Time) at the Meadow Brook School 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 TOME

Aug. 6, 1929

Viewers

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 4 *June* SESSIONS, 1929.

IN RE VACATING A PORTION OF THE
OLD FRANKSTOWN ROAD, IN THE TOWN-
SHIP OF RICHLAND, COUNTY OF CAMBRIA,
PENNSYLVANIA, AND SUPPLYING A
SHORT ROAD CONNECTING THE NEW
FRANKSTOWN ROAD, ORIGINALLY KNOWN
AS ROUTE 276, SINCE RENUMBERED BY
THE STATE HIGHWAY DEPARTMENT AS
ROUTE 53, ALL IN THE TOWNSHIP OF
RICHLAND, CAMBRIA COUNTY, PENNSYL-
VANIA.

PETITION FOR APPOINTMENT OF
VIEWERS.

Filed 29 July 1929

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

Your Petitioners, therefore, pray your Honorable Court that the said roads may be vacated agreeably to the Act of Assembly in such cases made and provided.

Your Petitioners further represent that the inhabitants of the Township of Richland labor under great inconvenience for the want of a Public Road extending from the Franklin Spur Public Road, leading from the Borough of Franklin to the Township of Richland and Township of Adams, said spur being an extension as aforesaid on said road, and to be extended a distance of twelve hundred twenty-five (1225) feet to a point at intersection of the New Frankstown Road, originally known as Route 276, since renumbered by the State Highway Department as Route 53.

Your Petitioners, therefore, pray your Honorable Court to appoint three members of the Permanent Board of Viewers to inquire into the propriety of said vacations and determine whether said roads have become useless, inconvenient and burdensome; and further that the said three members of the Permanent Board of Viewers view and lay out the said road hereinabove prayed for.

And they will ever pray, etc.

A. S. Nowell
Alex Weaver
F. H. Berkeley
Supervisors of Richland Township.

STATE OF PENNSYLVANIA:
: SS:
COUNTY OF CAMBRIA :

~~Justice of the Peace~~ Personally appeared before me, the undersigned authority, a ~~Notary Public~~ in and for said State and County, 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. Berkeley

Ulgie Bunning Weaver
Justice of the Peace
MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1930

DE C R E E

AND NOW, this *27th* day of *July*, A. D. 1929, the
within petition read and considered, and the Court does hereby appoint
S. E. Dwyer and *Philip E. Canfield* and
John J. Smith Viewers to view the said roads in said petition
prayed to be vacated, and to consider and judge whether the said roads have
become useless, inconvenient and burdensome; and for the further purpose of
viewing and laying out a Public Road as prayed for in said petition.

By the Court
M

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

Order to view vacate and supply

road in Richland Township

CERTIFIED

Thos. L. Cannon

COUNTY CONTROLLER

Filed 21 Sept. 1929

Viewers

S. E. Dickey

Philip E. Caulfield

Dixon Tomb

Clerk

Robb

W. C. Zeta

9 Sept. 1929 Approved and breadth fixed at forty feet.

*By the Court
Frank R. J.*

9 Dec. 1929 Confirmed absolutely.

*Frank B. Robb
clerk*

In Re: Vacating and Supplying
of Roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, 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 Court to view the roads 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 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 proposed roads to be vacated and supplied and by service of such notice on the Commissioners of Cambria County and the Supervisors and Counsel of Richland Township, acceptance of said notices by the Commissioners, Supervisors and Counsel being hereto attached; that we met in accordance with the notice given on the 21st day of August A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) and proceeded with the duties of our appointment and viewed the premises and route of the proposed new road and the portion of roads proposed to be vacated; that a large number of residents residing in the vicinity of the proposed roads to be vacated and supplied and the Supervisors of Richland Township and others were present and heard; that strenuous objections were raised as to the vacation of the two portions of the Old Frankstown Road proposed to be vacated and as to the necessity of the proposed new road to be supplied; that said objections were based principally on account of the location and accessibility to the Meadow Brook School.

A plot or draft hereto attached shows the location of the proposed sections to be vacated and supplied.

After hearing all complaints and evidence before us, we are of the opinion that the proposed sections of the Old Frankstown Road proposed to be vacated are convenient and not burdensome to the tax payers, therefore recommend that the Prayer of the Petitioners as to these two sections, as shown on the blue print, be not granted. That the section of the road leading from the Old Frankstown Road toward Franklin to the new concrete road proposed to be vacated is inconvenient, burdensome and excessive in grades, therefore, we recommend that the prayer of the Petitioners proposing the vacation of this section of the road be granted. That on account of not vacating the two sections of the Old Frankstown Road, as prayed for, the proposed supply, extending from the Old Frankstown Road to the new concrete road, is not necessary and would be burdensome to the tax payers, therefore, we recommend that the prayer of the Petitioners for the section of the road proposed to be supplied be not granted.

After carefully considering all matters before us, we recommend that the prayer of the Petitioners, for the vacation of that portion of the Old Frankstown Road beginning at Stull's corner and ending at the road leading to Bloom Cross Roads and beginning at the Meadow Brook School and ending at its intersection with the new Frankstown Road near Homer Finley's buildings, be not granted; that the prayer of the Petitioners for the vacation of that portion of the Franklin Road beginning in the Old Frankstown Road near the John Fedorka and Guster Heirs property line, extending N. $53^{\circ} 13'$ W. 1017.7 feet to the ending in the new Frankstown Road, be granted; that the prayer of the Petitioners for the proposed supply road, beginning in the Old

Frankstown Road at the intersection of the road leading to
Bloom Cross Roads, extending N. 19° 02' W. 1245.0 feet to the
ending in the new Frankstown Road, be not granted.

Witness our hands this 30 day of August A. D. 1929.

S. E. Dickey
Philip E. Caulfield
Dixon Tomb

Viewers

In re: Vacating and Supplying
Roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, June Session, 1929

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

To S. E. DICKEY Dr.

Lifting Order	\$.90	
Data & preparing notices of view	12.00	
Stenographer & stationery	1.95	
Serving & posting notices of view & location	12.00	
Mileage	.60	
Making view	12.00	
Mileage	.60	
Data and making survey	36.25	
Mileage	1.80	
Plotting survey & preparing draft	24.00	
Tracing cloth & blue prints	1.60	
Preparing report	12.00	
Stenographer & stationery	2.00	\$ 117.70

To PHILIP CAULFIELD Dr.

Making survey	\$ 12.00	
Mileage	.60	\$ 12.60

To DIXON TOMB Dr.

Making survey	\$ 12.00	
Mileage	.60	\$ 12.60

Total cost of view \$ 142.90

CERTIFIED
Harvey L. Brown
COUNTY CONTROLLER

APPROVED FOR PAYMENT

Harvey L. Brown
Brown
COMMISSIONER

In re: Vacating and supplying
of roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Pa.,
No. 4, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating certain sections of public roads and supplying a certain additional section of road in Richland Township, Cambria County, Pa., Said portions of roads to be vacated are as follows: (1) A portion of the old Frankstown Road, beginning at the intersection of the road leading from Cole's corner to the Frankstown Road at the Lorenza D. Stull Farm, which point is approximately one-half mile southwesterly from the intersection of another public highway, known as the Mineral Point Road, thence extending along said Old Frankstown Road in a westerly direction approximately 2150 feet, ending at the intersection of a road east of the Meadow Brook School House, known as the road leading from Bloom Cross Roads to the Old Custer's School; (2) A further portion of the old Frankstown Road beginning at the Meadow Brook School House at the intersection of the Franklin Road, leading from the Old Frankstown Road to the Borough of Franklin, thence continuing along the Old Frankstown Road in a westerly direction approximately 1150 feet to the intersection of the new Frankstown Road, formerly Route No. 276 now Route No. 53. (3) That portion of the Franklin Road beginning at its intersection with the Old Frankstown Road at the Meadow Brook School and extending along the Franklin Road in a northwesterly direction approximately 1000 feet and ending at its intersection with the new Frankstown Road. Said road to be supplied is as follows: (1) Beginning at a point in the old Frankstown Road at the intersection of the public road leading from Bloom Cross Roads to the Frankstown Road east of the Meadow Brook School, thence in a northerly direction and being an extension of the road leading from Bloom Cross Roads a distance of 1225 feet and ending at a point in the new Frankstown Road, now known as Route No. 53; will meet on the 21st day of August A. D. 1929, at 9:00 o'clock A. M. (Eastern Standard Time) at the Meadow Brook School for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

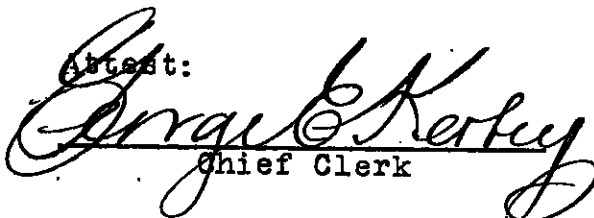
S. E. DICKEY
PHILIP E. CAULFIELD
DIXON TOMB

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

Y

Commissioners

In re: Vacating and supplying
of roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Pa.,
No. 4, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating certain sections of public roads and supplying a certain additional section of road in Richland Township, Cambria County, Pa., Said portions of roads to be vacated are as follows: (1) A portion of the old Frankstown Road, beginning at the intersection of the road leading from Cole's corner to the Frankstown Road at the Lorenza D. Stull Farm, which point is approximately one-half mile southwesterly from the intersection of another public highway, known as the Mineral Point Road, thence extending along said Old Frankstown Road in a westerly direction approximately 2150 feet, ending at the intersection of a road east of the Meadow Brook School House, known as the road leading from Bloom Cross Roads to the Old Custer's School; (2) A further portion of the old Frankstown Road beginning at the Meadow Brook School House at the intersection of the Franklin Road, leading from the Old Frankstown Road to the Borough of Franklin; thence continuing along the Old Frankstown Road in a westerly direction approximately 1150 feet to the intersection of the new Frankstown Road, formerly Route No. 276 now Route No. 53. (3) That portion of the Franklin Road beginning at its intersection with the Old Frankstown Road at the Meadow Brook School and extending along the Franklin Road in a northwesterly direction approximately 1000 feet and ending at its intersection with the new Frankstown Road. Said road to be supplied is as follows: (1) Beginning at a point in the old Frankstown Road at the intersection of the public road leading from Bloom Cross Roads to the Frankstown Road east of the Meadow Brook School, thence in a northerly direction and being an extension of the road leading from Bloom Cross Roads a distance of 1225 feet and ending at a point in the new Frankstown Road, now known as Route No. 53; will meet on the 21st day of August A. D. 1929, at 9:00 o'clock A. M. (Eastern Standard Time) at the Meadow Brook School 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. J. Houser
Alex. McNamee
H. H. Berkley
Supervisors

In re: Vacating and supplying
of roads in Richland Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating certain sections of public roads and supplying a certain additional section of road in Richland Township, Cambria County, Pa., said portions of roads to be vacated are as follows: (1) A portion of the old Frankstown Road, beginning at the intersection of the road leading from Cole's corner to the Frankstown Road at the Lorenza D. Stuhl Farm, which point is approximately one-half mile southwesterly from the intersection of another public highway, known as the Mineral Point Road, thence extending along said Old Frankstown Road in a westerly direction approximately 2150 feet, ending at the intersection of a road east of the Meadow Brook School House, known as the road leading from Bloom Cross Roads to the Old Custer's School; (2) A further portion of the old Frankstown Road beginning at the Meadow Brook School House at the intersection of the Franklin Road, leading from the Old Frankstown Road to the Borough of Franklin, thence continuing along the Old Frankstown Road in a westerly direction approximately 1150 feet to the intersection of the new Frankstown Road, formerly Route No. 276 now Route No. 53; (3) That portion of the Franklin Road beginning at its intersection with the Old Frankstown Road at the Meadow Brook School and extending along the Franklin Road in a northwesterly direction approximately 1000 feet and ending at its intersection with the new Frankstown Road. Said road to be supplied is as follows: (1) Beginning at a point in the Old Frankstown Road at the intersection of the public road leading from Bloom Cross Roads to the Frankstown Road east of the Meadow Brook School, thence in a northerly direction and being an extension of the road leading from Bloom Cross Roads a distance of 1225 feet and ending at a point in the new Frankstown Road, now known as Route No. 53; will meet on the 21st day of August A. D. 1929, at 9:00 o'clock A. M. (Eastern Standard Time) at the Meadow Brook School 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, sergice
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} ~~diverse inhabitants~~ of the Township of Richland, in the said County, setting forth that ~~the road known as the Old Frankstown Road, beginning at a point at the intersection of a Public road, leading from Cole's Cross Roads to the Old Frankstown Road at the Lorenza D. Stull Farm, said intersection being distant approximately one-half mile from the intersection of the New Frankstown Road, originally known as Route 276, since renumbered by the State Highway Department as Route 53, at the home of William E. Rager, and the portion of said road to be vacated from said Lorenza D. Stull Farm to a Public Road known as the Franklin Spur, and being distant about twenty-one hundred fifty (2150) feet between the points hereinabove designated is no longer necessary, and has become useless, inconvenient and burdensome.~~

~~the road known as the Old Frankstown Road, beginning at a point at the intersection of a Public road, leading from Cole's Cross Roads to the Old Frankstown Road at the Lorenza D. Stull Farm, said intersection being distant approximately one-half mile from the intersection of the New Frankstown Road, originally known as Route 276, since renumbered by the State Highway Department as Route 53, at the home of William E. Rager, and the portion of said road to be vacated from said Lorenza D. Stull Farm to a Public Road known as the Franklin Spur, and being distant about twenty-one hundred fifty (2150) feet between the points hereinabove designated is no longer necessary, and has become useless, inconvenient and burdensome.~~

Your Petitioners further represent that a portion of the Old Frankstown Road, beginning at the Meadow Brook School House and at the intersection of a road leading to Franklin Borough, thence following the Old Frankstown Road and intersection with the New Improved Frankstown Road, originally known as Route 276, since renumbered by the State Highway Department as Route 53, being distant about eleven hundred fifty (1150) feet is no longer necessary, and has likewise become useless, inconvenient and burdensome.

And your Petitioners further represent that the road leading from the intersection of above Frankstown Road, prayed for to be vacated, and leading to the New Frankstown Road aforesaid, known as the Franklin Road, a distance of approximately one thousand (1000) feet, is no longer necessary and has like wise become useless, inconvenient and burdensome.

Your petitioners, therefore, pray your Honorable Court that the said roads may be vacated agreeably to the Act of Assembly in such cases made and provided.

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

S. E. Dickey

surveyor, and

Philip Caulfield 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:

Clerk.

2
Your Petitioners further represent that the inhabitants of the Township of Richland labor under great inconvenience for the want of a Public Road extending from the Franklin Spur Public Road, leading from the Borough of Franklin to the Township of Richland and Township of Adams, said spur being an extension as aforesaid on said road, and to be extended a distance of twelve hundred twenty-five (1225) feet to a point at intersection of the New Frankstown Road, originally known as Route 276, since renumbered by the State Highway Department as Route 53.