

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

PETITION OF CITIZENS OF
MUNSTER AND CAMBRIA TOWNSHIPS
TO VACATE ROAD

Filed 4 August 1930.

C. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, citizens of the Townships
of Munster and Cambria, Cambria County, Pennsylvania, respectfully
represents:

That a public road has long since been laid out, used and
maintained by the public, in Munster and Cambria Townships, Cambria
County, Pennsylvania, beginning at a point in Munster Township,
11,616 feet Northward from the intersection at Munster with the
Pittsburgh and Philadelphia Turnpike, and running thence Easterly
a distance of feet, and ending at a point at the L. A.
Byrne farm in Cambria Township, Cambria County, Pennsylvania, 878
feet Southeast of the Ebensburg and Loretto Road, which has be-
come useless, inconvenient and burdensome.

Your petitioners, therefore, pray the Court to inquire of and
vacate said road, and for that purpose to appoint viewers accord-
ing to law to view said road and inquire of the premises, and make
return of their proceedings, according to the Act of Assembly in
such case made and provided.

Mr. P. Sanders
Regis Hardman
Mrs. M. P. Sanders
Frank Sanders
Mrs. L. Sanders
W. L. Noel
R. J. Noel
D. J. Glaze
Miss J. L. Glaze
Adeline Glaze
Louis Noel

Sherman Reese
Cladish Reese
Harry Glaze
Joseph Glaze
Mrs. Anna Glaze
Irvin Glaze
Leo Murphy
William Murphy
Mrs. Thelma Murphy
Maurice Byrne

State of Pennsylvania :

ss.

County of Cambria :

Louis Roll, being duly sworn according to law, did depose and say that the statements set forth in the foregoing petition are true and correct.

Louis Roll

Sworn and subscribed before me

this 30 day of July, A. D.,

1930.

Geo. H. Williams
Prothonotary

DECREE

And now August 4th, 1930 the foregoing petition having been read and considered Wm. Phraughly, J. D. Kell, and Adam Khan members of the Board of Viewers of Cambria County are appointed to view the said road and make report thereof according to law.

By Wm. Phraughly
Evan 12

And now August 4th, 1930 we hereby accept service of a copy of the within petition and notice that same will be presented to the Court of Quarter Session of Cambria County on August 4th, 1930 at ten o'clock A. M.

George C. Kerby

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road extending into the Townships of Munster and Cambria, Cambria County, Pa., Beginning in Munster Township, near Ebensburg Junction, at a point 11616 feet northward; along the public road; from its intersection, in the Village of Munster, with the Pittsburgh - Philadelphia Turnpike, and extending thence in a Westerly direction into Cambria Township, and ending on the Lake A. Byrne farm at a point 878 feet south east of the Ebensburg - Loretto road; measuring along the public road extending from the Ebensburg - Loretto road to the Ebensburg - Cresson Pike: will meet at the point of beginning, above indicated, in the Township of Munster, at 9:30 o'clock a. m., August 14th., 1930, to perform the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, August 13th., 1930, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pa.

George E. Kerby

Now, August 13th., 1930, service of the above notice is hereby accepted for the Supervisors of the township of Munster, Cambria County, Pennsylvania.

C. Randolph
Atty for Supervisors of
Munster Township

NOTICE OF VIEW .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road extending into the townships of Munster and Cambria, Cambria County, Pa., Beginning in Munster Township, near Ebensburg Junction, at a point 11616 feet northward; along the public road; from its intersection, in the Village of Munster, with the Pittsburgh - Philadelphia Turnpike and extending thence in a westerly direction into Cambria Township, and ending on the Luke A. Byrne farm at a point 878 feet south east of the Ebensburg - Loretto road; measuring along the public road extending from the Ebensburg - Loretto road to the Ebensburg - Cresson Pike; will meet at the point of beginning, above indicated, in the Township of Munster at 9:30 o'clock a. m., August 1930, to perform the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Costs of View

A. M. Shoemaker

Preparing, serving & posting
 notices of view & notifying viewers — \$24.00
 Auto hire posting notices — 2.00
 Stereographer & stationery — 3.00
 Day on view — 12.00
 Auto hire to view — 1.50

Survey, plotting, drafting, ~~help~~ tracing cloth and ~~transportation~~
 Preparing having signed as
 sumbling & filing report printers — 24.00

J. D. Ritter
 1/2 Days on view — 66.50
 Auto hire - two trips — 6.30

Adam Shoemaker
 1/2 day on view & consultations — 18.00
 Auto hire — 5.50

~~Ad 9/12/30~~
 Total \$205.55
 91.25
 114.30

157.75
 24.30
 23.50

205.55

CERTIFIED
 Sheryl L. Cannon
 COUNTY CONTROLLER

M. P. Bowler
 J. S. Cronough

Pay

held over
 until determined

CERTIFIED
 Sheryl L. Cannon
 COUNTY CONTROLLER

91.25
 41.43

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Controller, personally appeared A. M. Shoemaker, who being by me duly sworn according to law deposes and says that the auto hire, stenographer and stationery, help and other items of expense charged for by him have been duly paid and satisfied.

A. M. Shoemaker.

Sworn and subscribed to before me this 18th. day of August, A. D., 1930.

James McClune

ALFRED M. S.
ATTORNEY
EBENSBUR
KER

REPORT OF VIEWERS.

To the Honorable, the Judges of the Court of Quarter Sessions
of Cambria County, Pennsylvania.

We, the undersigned members of the Permanent Board of Viewers of Cambria County, Pa. appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road in Cambria and Munster Townships, between the termini particularly specified in said attached order, respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, and to the Supervisors of township and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini and along the route of the piece of road proposed to be vacated, and having been each duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: all of us met at the time and place appointed in accord with the notices served and posted as aforesaid and having gone over and carefully viewed the premises, we are all of the opinion that the piece of road petitioned to be vacated is not necessary for the use and accomodation of the public and therefore recommend that it be vacated.

The said piece of road, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances, viz: beginning in Munster Township near Ebensburg Junction, at a point 11616 feet northward; along said public road; from its intersection in the Village of Munster with the Pittsburgh - Philadelphia Turnpike and extending thence North $57^{\circ} 20'$ West 195 feet, North $73^{\circ} 30'$ West 322 feet, North $73^{\circ} 25'$ West 270 feet, North 35° West 1616.5 feet, North 34° West 237 ft. South $35^{\circ} 10'$ West 147.2 feet, South $31^{\circ} 40'$ West 491 feet, South 39° West 201 feet, South $61^{\circ} 45'$ West 204.8 feet, South 36° West 160 feet, South 51° West 105.6 feet, South $70^{\circ} 20'$ West 174 feet,

South 7° 35' West 91 feet, South 6° East 195 feet, South 7° 30' West 217 feet, South 9° West 151 feet, South 2° 50' West 120 feet, South 32° West 106 feet, South 60° 15' West 226.3 feet, South 19° 20' West 31.6 feet, South 19° 50' East 194.6 feet, South 3° East 128 feet, South 59° 30' West 37 feet, North 35° 45' West 139 feet, North 35° 59' West 329 feet, North 80° 30' West 193 feet, North 87° 30' West 230.4 feet, North 32° West 209 feet, North 75° 15' West 651 feet, North 73° West 235.4 feet, North 66° West 237 feet, North 29° West 56 feet and North 12° West 169 feet to the point of ending, in Cambria Township, on the Luke A. Byrne farm at a point 378 feet south eastward, along the public road extending from the Ebensburg - Loretto road to the Ebensburg - Cresson Pike, a distance of 378 feet from the Ebensburg - Loretto road.

The undersigned viewers in going over the premises found that no one does and for many many years no one has resided along the piece of road in question, that for upwards of thirty years past the road has been practically abandoned so far as the traveling public are concerned, that the said piece of road is quite hilly and contains a number of sharp turns, that the public can and for many years past have traveled another and far better public road between the terminal points of the portion of road herein recommended to be vacated.

Witness our hands this
13th., day of August, A. D.,
1930.

A. M. Shoemaker

J. D. Ritts

Adam Shuman

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 4th day of August A. D. 1950, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township S of Munster and Cambria, in the said County, setting forth that ~~they have under in- convenience for many years~~ ~~and that the same has been~~ a public road has long since been laid out, use and maintained by the public, in Munster and Cambria Townships, Cambria County, Penn- sylvania, beginning at a point in Munster Township, 11,616 feet Northward from the intersection at Munster with the Pittsburgh and Philadelphia Turnpike, and running thence Easterly a distance of feet, and ending at a point at the L. A. Byrne farm in Cambria Township, Cambria County, Pennsylvania, 878 feet Southeast of the Ebensburg and Loreeto Road, which 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

A. M. Shoemaker surveyor, and

J. D. Ritter and Adam Shuman

viewers, to view the ground proposed for said ~~road~~ ^{vacation}, and if they view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to ~~lay out~~ ^{vacate} 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. Rott, 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."

No. 5 June 1930 SESSIONS, 1930

Order to view and vacate road

in Munster and Cambria

Townships.

and
Report of Viewers

July 18 August 1930

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk **CERTIFIED**
Henry L. Cannon
COUNTY CONTROLLER

90 cts.

8 Sept. 1930 Approved

By Attest

Clerk of Court

8 Dec. 1930 to

joined absolutely

under & Roll. 6th

Shuman

