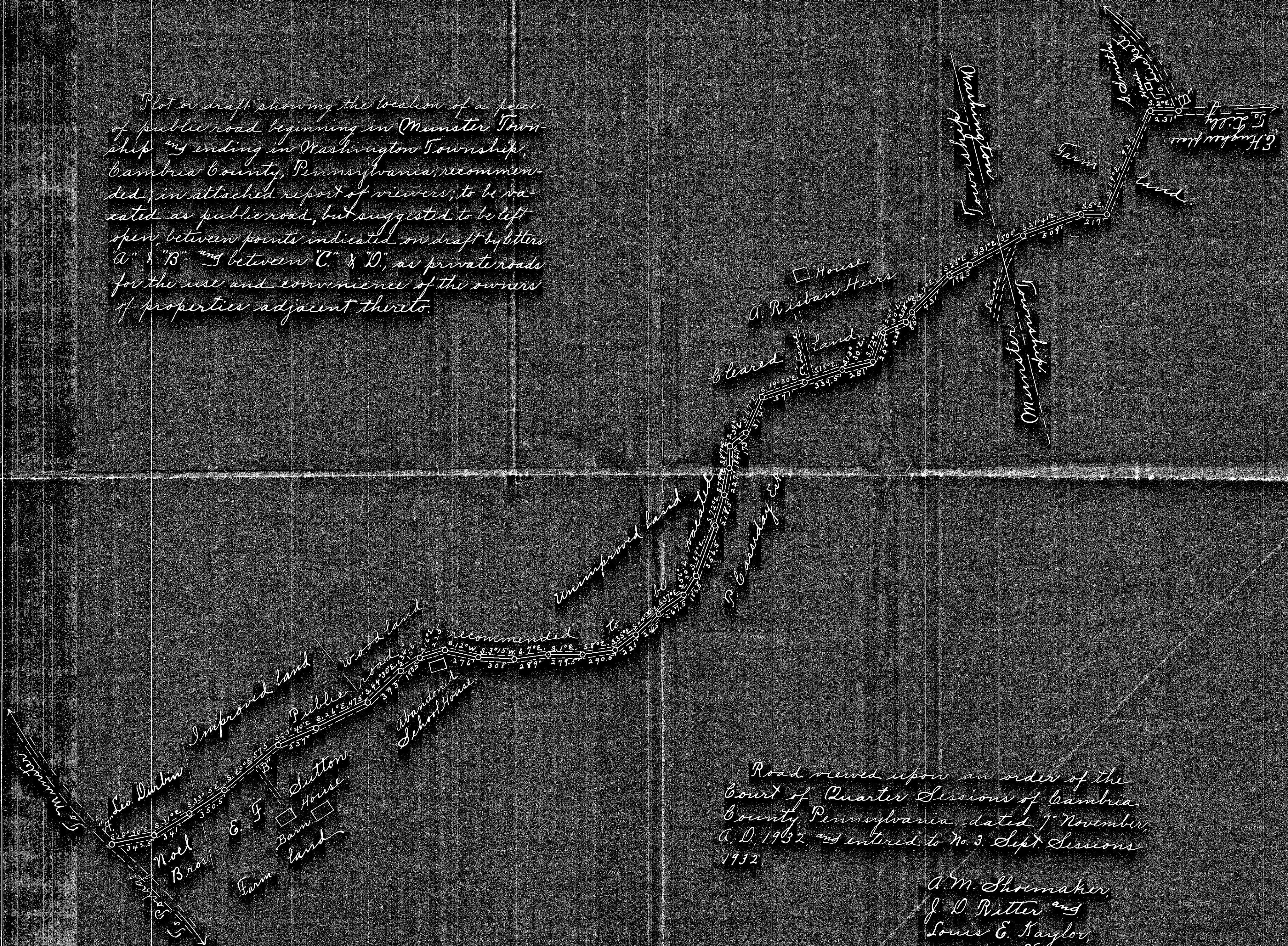


Plot or draft showing the location of a piece of public road beginning in Munster Township and ending in Washington Township, Cambria County, Pennsylvania, recommended, in attached report of viewers, to be vacated as public road, but suggested to be left open, between points indicated on draft by letters "A" & "B" and between "C" & "D", as private roads for the use and convenience of the owners of properties adjacent thereto.



Road viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania, dated 7th November, A. D. 1932, and entered to No. 3, Sept. Sessions 1932.

A. M. Shremaker,
J. D. Ritter and
Louis E. Kaylor,
Viewers.

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 Township of Munster and Washington, Cambria County, Pennsylvania, respectfully represents:

1. That a public road has long since been laid out, used and maintained by the public in Munster and Washington Townships, Cambria County, Pennsylvania, beginning in Munster Township on the public road leading from the Ebensburg Junction to the Borough of Portage, at a point ten hundred and fifty-six (1056) feet South of its intersection in the Village of Munster with the William Penn Highway, and ending on the public road leading from the Ebensburg and Cresson Turnpike at Luckett Station to the Borough of Lilly, at a point seventy-nine hundred and twenty (7920) feet South of said juncture, in Washington Township; said Luckett Station being approximately one and five-sixth (1-5/6) miles Eastward along said Ebensburg and Cresson Turnpike from the above referred to intersection in the Village of Munster.

2. That said road has been under the care and supervision of the supervisors of said Townships for a period exceeding twenty-one years and has become useless, inconvenient and burdensome to the inhabitants of said Townships by reason of the difficulty in keeping the same in proper repair for travel and particularly by reason of the fact that the public has ceased to use the same.

3. Your petitioners further represent that the record of the original case in this Court whereby the public road above mentioned was laid out and directed to be opened for public use, cannot be

found, although diligent search has been made for the same and, therefore, your petitioners are unable to set forth in this petition a reference to the number and term of the said original case or to the number and page of the docket containing the record thereof, as required by Rule 308 of the Rules of this Court.

Your petitioners, therefore, pray the Court to inquire of and vacate said road, and for that purpose to appoint viewers according 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.

<u>A. E. Shiner</u>	<u>Danille Carnes</u>
<u>J. Pfeister</u>	<u>A. J. Monahan</u>
<u>E. F. Sutton</u>	<u>Joseph D. Bender</u>
<u>Charles Lawrence</u>	<u>Richard Bender</u>
<u>J. G. Sheehan</u>	<u>John F. Muldown</u>
<u>John P. Reed</u>	<u>John H. Linemeyer</u>
<u>Wm. Garrett</u>	<u>Anders Pramuk</u>
<u>Ed. Hoad</u>	<u>Paul Pramuk</u>
<u>Charles Badgers</u>	<u>Tom Cronin</u>
<u>James J. Decker</u>	<u>Alfred D. Lingafelt</u>

State of Pennsylvania :
County of Cambria : ss.

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

A. E. Shiber

Sworn and subscribed before me
this 31 day of October, A. D.,
1932.

Joseph M. Gough
J. M. Gough
38

DECREE

And now November 7, 1932, the foregoing petition having been read and considered, it is ordered that ~~J. D. Miller~~ Am. Shumaker, Esq. and Frank H. Hays MEMBERS of the Board of Viewers of Cambria County be and hereby are appointed to view and report on the above matter, according to law.

Samuel L. Lammont, Jr.
J. C. Specially Presiding.

Service of a copy of the within petition together
with notice of the presentation thereof, is hereby
accepted. *H. J. Davis*
Clerk.

Nov 7, 1932.

No. 3 Sept. Term 1932

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY,
PENNSYLVANIA.

PETITION TO VACATE ROAD IN
MUNSTER AND WASHINGTON TOWN-
SHIPS.

Filed: Nov-8-1932

C. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

MINORITY REPORT FILED.

WE ENDORSE THE FINDINGS OF THIS REPORT SO FAR AS THEY
REFER TO THE DISPOSITION OF THE ROAD DESCRIBED THERIN.

EXCEPTION IS TAKEN TO THE CHARGE FOR "ENGINEERING WORK"
THE TIME REQUIRED ON THE VIEW WAS THREE HOURS. MR. RITTER
HELD THE SIGHTING POLE WHILE MR. SHIBER, ONE OF THE SUPER-
VISORS, CARRIED ONE END OF THE TAPE AND HELPED ME TO MAKE
MEASUREMENT OF THE ROAD.

EXCEPTION IS TAKEN TO THE ALLOWANCE TO MR. RITTER OF \$18.00
FOR "TIME ON VIEW".
THIS MUST BE A MISTAKE ON THE PART OF MR. SHOEMAKER BECAUSE
ALL THE VIEWERS WERE ON THE VIEW TOGETHER AND FOR THE SAME
NUMBER OF HOURS. MR. RITTER SHOULD RECEIVE \$12.00 FOR THIS
ITEM, NO MORE.

RESPECTFULLY SUBMITTED,

Louis E. Taylor
A MEMBER OF THE BOARD OF VIEWERS.

R E P O R T O F V I E W E R S .

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 Munster Township and Washington Township, said county and state, 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, to the Supervisors of the Townships of Munster and Washington by notices served upon them; copies of which are hereto attached; 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 to be viewed: All of us met at the time and place appointed, in accord with the notices given and posted as afore said, and having been each first duly sworn according to law to perform the duties of our appointment faithfully, impartially, and to the best of our judgment and ability; proceeded to view and inquire into the necessity for the road, as a public road, and the advisability of leaving same as a public road and are of the opinion same has fallen into disuse, as a public road, and has become useless, inconvenient and burdensome as such, and therefore should be vacated.

Said piece of road, herein recommended to be vacated, begins on the public road leading from the Village of Munster southward to the Borough of Portage; from a point thereon/1056 feet from the intersection, in the Village of Munster, of the said road leading to Portage with the William Penn Highway and thence takes the following courses and distances - as indicated on the plot or draft hereto attached and made a part of this report - south 12° 30' east 342.5 ft., south 31° east 341 ft., south 33° 15' east 350.5 ft., south 40° east 575 ft., south 23° 40' east 337 ft., south 26° east 475 ft., south 44° 30' east 373 ft., south 34° 15' east 190.5 ft., south 16°

225 ft., south 12° west 276 ft., south 3° 15' west 308 ft., south 7° east 289 ft., south 1° east 279.5 ft., south 8° east 290.5 ft., south 35° east 221 ft., south 44° 30' east 245 ft., south 37° east 267.5 ft., south 56° 30' east 186.5 ft., south 69° east 356.5 ft., south 72° east 218.5 ft., south 79° east 227 ft., south 87° east 184.7 ft., south 39° east 173 ft., south 67° east 314 ft., south 19° 30' east 371 ft., south 18° east 339.5 ft., south 13° 30' east 251 ft., south 72° east 258 ft., south 24° 30' east 225 ft., south 58° east 85 ft., south 47° east 431 ft., south 28° east 194.5 ft., south 31° east 500 ft., south 21° 40' east 509 ft., south 5° east 217 ft., south 69° east 921 ft. and south 2° east 231 ft. to a point approximately 7920 ft. south from Luckett (on the William Penn Highway) on the public road leading from Luckett to the Borough of Lilly, in Washington Township, said county and state.

The undersigned viewers hereby recommend that the portions of the above described road between points on the attached draft *indicated* by the letters "A" & "B" and between "C" & "D" be left open as private roads for the use and benefit of the owners of the lands to which these portions will give access.

Witness our hands this 5th. day of December A. D., 1932.

A. M. Shoemaker

J. D. Ritts

Louis E. Taylor

Viewers.

N O T I C E O F V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road lying partly in Munster and partly in Washington Townships, said county and state: Beginning , in Munster Township, on the public road leading from Ebensburg Junction to the Borough of Portage; at a point in said road 1056 feet south of its intersection; in the Village of Munster; with the William Penn Highway, and ending, in Washington Township, on the public road which leads from the William Penn Highway; or Ebensburg - Cresson Turnpike; at Luckett Station to the Borough of Lilly, at a point 7920 feet south of said juncture at Luckett Station; said Luckett Station being approximately one and five sixths miles eastward, along said Ebensburg - Cresson Turnpike, from the above referred to intersection in the Village of Munster:

Said Viewers will meet in Munster Township, Cambria County, Pa., at the point of beginning, above indicated, on the 28th day of November, 1932, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

L. E. Kaylor,

Viewers.

Now, Nov. 16th. 1932, a carbon copy of the above notice was served on the Commissioners of Cambria County by handing same to their Clerk in the office of the Commissioners at Ebensburg Pa.

A. M. Shoemaker.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Co of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road : partly in Munster and partly in Washington Townships, said county and state: Beginning , in Munster Township, on the public road leading from Ebensburg Junction to the Borough of Portage, at a point in said road 1056 feet south of its intersection; in the Village of Munster; with the William Penn Highway, and ending, in Washington Township, on the public road which leads from the William Penn Highway; or Ebensburg - Cresson Turnpike; at Luckett Station to the Borough of Lilly, at a point 7620 feet south of said juncture at Luckett Station; said Luckett Station being approximately one and five sixths miles eastward, along said Ebensburg - Cresson Turnpike from the above referred to intersection in the Village of Munster:

Said Viewers will meet in Munster Township, Cambria County, Pa. at the point of beginning, above indicated, on the 28th day of November, 1935, at 9:20 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

L. E. Kaylor,

Viewers.

Now, Nov., 1935, service of the above notice is hereby accepted by the undersigned Supervisor of the Township of Munster, Cambria Co., Pa.

Louis Koll

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road partly in Munster and partly in Washington Townships, said county and state: Beginning, in Munster Township, on the public road running from Ebensburg Junction to the Borough of Portage, at a point in said road 1056 feet south of its intersection; in the Village of Munster; with the William Penn Highway, and ending, in Washington Township, on the public road which leads from the William Penn Highway; or Ebensburg - Cresson Turnpike; at Luckett Station to the Borough of Lilly, at a point 7920 feet south of said juncture Luckett Station; said Luckett Station being approximately one and five sixths miles eastward, along said Ebensburg - Cresson Turnpike from the above referred to intersection in the Village of Munster.

Said Viewers will meet in Munster Township, Cambria County, at the point of beginning, above indicated, on the 28th day of November, 1932, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoenaker,

J. D. Ritter and

L. E. Kaylor,

Viewers.

Now, Nov., 1932, service of the above notice is hereby accepted by the undersigned Supervisor of the Township of Munster Cambria Co., Pa.

A. E. Shoenaker
Supervisor of Munster Township

Wm. D. Danner
Supervisor of Washington Township

Minister. Wa ington Twp V.

County of Cambria

T. A. M. Shoemaker, Dr.

Preparing & serving notices
of view & notifying viewers \$12⁰⁰

Stenographer & stationery 2⁴⁰

Day on View 12⁰⁰

22 miles @ 10¢ per mi. 2²⁰

Engineering work on 11,284.7
ft. of road 32⁵⁰

Preparing, assembling, having
signed & filing report of viewers 18⁰⁰

Stenographer & stationery 2⁰⁰
\$81¹⁰

J. D. Bitter, Barnesboro

Posting notices of view \$6⁰⁰

22 miles @ 10¢ 2²⁰

Time on View 18⁰⁰

56 miles 5⁶⁰

\$31⁸⁰

L. E. Kaylor

\$12⁰⁰

Day on View 2²⁰

22 miles 14²⁰

12/16/32

Approved for payment

John H. McNamee

J. J.

APPROVED FOR PAYMENT

L. M. Keller

John Thomas

Frank A. Hollen

COMMISSIONERS

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 7th day of November A. D. 1932, be-
fore the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Townships
of Munster & Washington, in the said County, setting forth that ~~they have under them~~

~~XXXXXX~~

1. That a public road has long since been laid out, used and
maintained by the public in Munster and Washington Townships, Cambria
County, Pa., beginning in Munster Township on the public road lead-
ing from the Ebensburg Junction to the Borough of Portage, at a
point ten hundred and fifty-six (1056) feet South of its inter-
section in the Village of Munster with the William Penn Highway, and
ending on the public road leading from the Ebensburg and Cresson
Turnpike at Luckett Station to the Borough of Lilly, at a point
seventy nine hundred and twenty (7920) feet South of said Junction,
in Washington Township; said Luckett Station being approximately
one and five-sixth (1-5/6) miles Eastward along said Ebensburg and
Cresson Turnpike from the above referred to intersection in the
Village of Munster.

2. That said road has been under the care and supervision of the
supervisors of said Townships for a period exceeding twenty-one
years and has become useless, inconvenient and burdensome to the
inhabitants of said Townships by reason of the difficulty in keep-
ing the same in proper repair for travel and particularly by reason
of the fact that the public has ceased to use the same.

3. Your petitioners further represent that the record of the original
case in this Court whereby the public road above mentioned was
laid out and directed to be opened for public use, cannot be found,
although diligent search has been made for the same and, therefore,
your petitioners are unable to set forth in this petition a refer-
ence to the number and term of the said original case or to the
number and page of the docket containing the record thereof, as
required by rule 308 of the rules of this Court.

Your petitioners, therefore, pray the Court to inquire of and vacate
said road, and for that purpose to appoint viewers according 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.

and therefore praying the Court to appoint proper persons to view and vacate the same according
to law. The Court, upon due consideration had of the premises, do order and appoint

J. D. Ritter, A. M. Shoemaker

surveyor, and Louis E. Kaylor

viewers, to view the ground proposed for ~~vacation~~ and if they ~~view~~ view the same, and shall
agree that there is occasion for such road, 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.

Samuel Lemmon Reed,
P.J.O.C.S.P.

Attest:

James M. Jones, 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."

<p>70. - exemption</p>	<p>NO 3, September sessions, 1932</p>	<p>Order to view and vacate public road in Munster and Washington</p>	<p>Townships. <i>any</i></p>	<p><i>Viewers Report</i></p>	<p><i>[Blank]</i></p>	<p>Viewers J. D. Ritter A. M. Shoemaker Louis E. Kaylor</p>	<p>Clerk James M. Jones <i>Filed Dec. 7, 1932</i></p>
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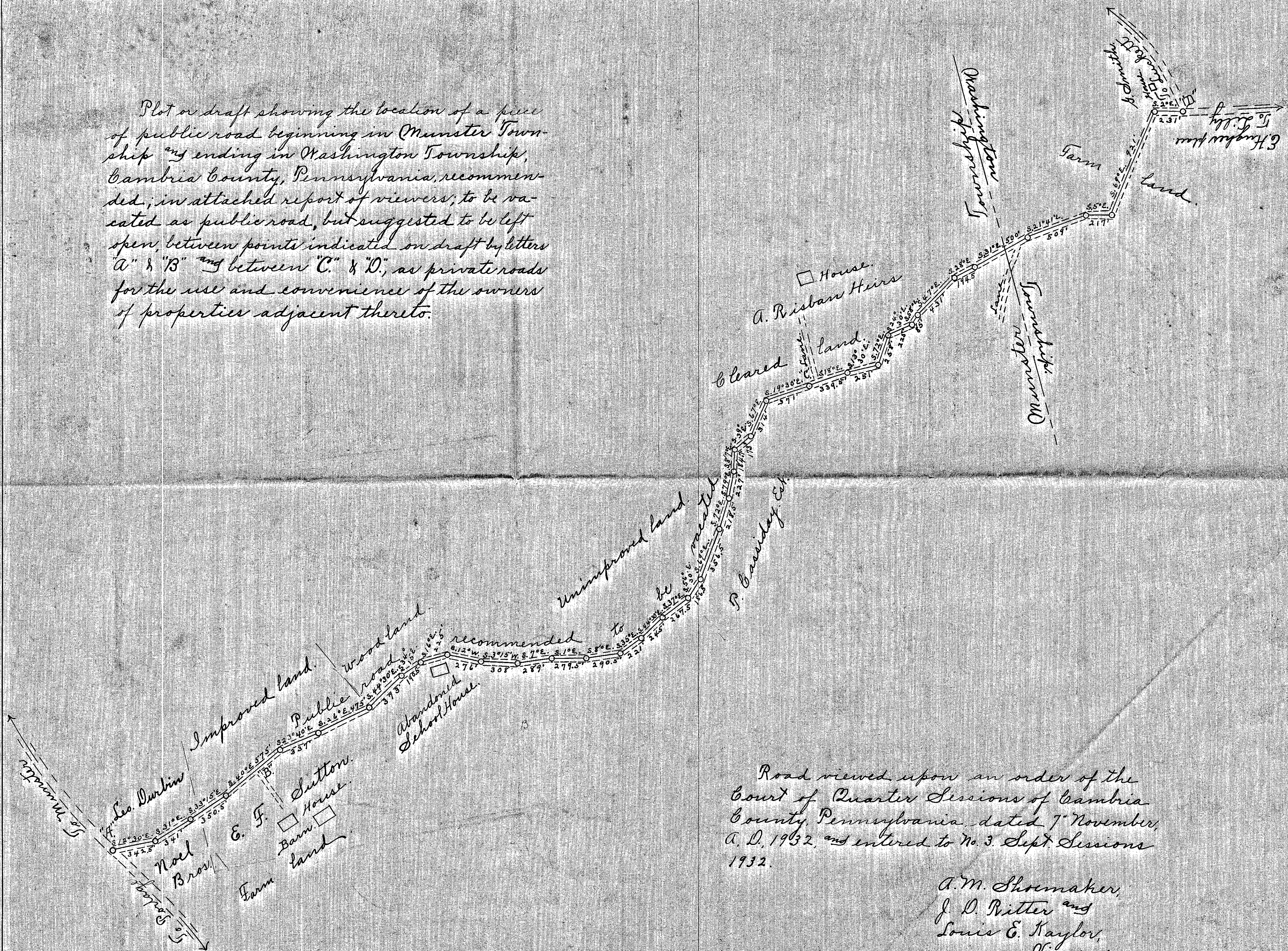
12 Dec. 1932 Approved

By the Court
McKenrick

13 March 1933

Confirmed Absolutely
[Signature]
Clerk

Plot or draft showing the location of a piece of public road beginning in Munster Township and ending in Washington Township, Cambria County, Pennsylvania, recommended; in attached report of viewers, to be vacated as public road, but suggested to be left open, between points indicated on draft by letters "A" & "B" and between "C" & "D", as private roads for the use and convenience of the owners of properties adjacent thereto.



Road viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania, dated 7 November, A. D., 1932, and entered to No. 3. Sept. Sessions 1932.

A. M. Shoemaker,
J. D. Ritter and
Louis E. Kaylor,
Viewers.