

REPORT OF VIEWERS.

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

We, the undersigned members of the Permanent Board of Viewwrs
of Cambria County, appointed by your honorable Court upon the
attached order and therein directed to view and determine the
damages, if any, which have been sustained or which seem likely
to be sustained by Laura J. Noel, life tenant, by reason of the
change of grade and widening of the public highway leading from
the village of Munster northward through and over the premises
of said life tenant of the township of Munster, Cambria County
Pennsylvania, respectfully report:

That having given notice of the view and of the time and place
of meeting of the viewers to the Commissioners of Cambria County
and to the said petitioners by serving written notice upon them
according to law and to the general public by posting printed
hand bills on the premises as provided by the rules of Court, a
copy of which notice is hereto attached:

All of us met upon the premises in accord with the notices
served and posted as aforesaid, together with the attorney for the
petitioner, a representative of the State Highway Department, and
a representative of the Commissioners of the County of Cambria
and together with them having gone over and viewed the premises
and the improvements on said highway where it crosses the same
noting the change in the grade and the widening of said road
and the manner and the extent to which it effects said farm.

After which examination of the premises we heard the testimony
of the parties in interest and their witness had to offer as to the
manner and the extent to which the improvements effected said farm
and the depreciation of the value of same by reason of the changes
in the line and grade of said road; and taking into consideration
the advantages and disadvantages resulting and considering the
quantity, quality and value of the premises so effected we have
estimated and

determined that the petitioner has sustained damages in the amount herein after noted. For following reasons:

That the public road has been widened and elevated between the house and barn in such manner as to increase the distance to be traveled in going from either to the other probably thirty or more yards.

That by reason of the new elevation it had been made much more difficult to drive from and to the barn from the public highway by making the angle turning on to and from the public road more acute.

That by reason of change in width and elevation the approach to the public road will in all events be required to be shifted almost to the property line of the farm and in order so to do it will be necessary, both for safety and convenience to move or tear down a wagon or machine shed to the expense and detriment of the petitioners.

That by reason of said elevating and widening of the public road directly opposite the approach to the barn floor it has so shortened the distance between the road and barn, which before was limited, as to make it very difficult to turn and drive onto the barn floor with a load of hay or grain,

That the distance between the barn floor and the right of way, which has been widened towards the barn and the elevation of which has been increased, so as to make it impracticable to drive onto the barn floor and will make it very inconvenient and difficult to unload hay or grain with hay fork, such as is ordinarily used by farmers for that purpose, and these together with other minor effects upon the premises in question; and definitely described on the attached order; we have estimated and determined that the petitioner is entitled to damages.

Hence we recommend that the County of Cambria should pay the said Laura J. Noel or parties in interest the sum of

Five hundred, fifty - 00/100 Dollars damages. *(650.00)*

Unless exceptions are filed ora an appeal taken from
the above award within thirty days from the filing hereof
the same shall be confirmed absolutely.

It has been agreed by the attorney for the petitioner
and the Commissioners of Cambria County that no exceptions to
this report will be taken on account of attaching no draft
and no sitting on part of the viewers to exhibit a schedule
of the award of benefits and damages..'

Witness our hands this 8th day of June, A.D. 1934.

Philip E. Connelley
James M. Cannon
A. M. Shoemaker

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 the damages, if any, which have been sustained or which seem likely to be sustained by Laura J. Noel - life tenant - of Munster Township, said county and state, and the other parties in interest; by reason of the widening and changing of the line and grade of the public highway, known as legislative Route No. 11031, between the Village of Munster and Loretto via Ebensburg Junction, through and over the following described premises owned by the said Laura J. Noel; as life tenant; and others.

Said farm or piece of land consists of three separate portions, all situate in said township, county and state: The first portion bounded by lands of Mrs. Jane Glass, V. H. Noel, S. P. Sybert and Matthew Farbaugh, containing 62 acres 155 perches; The second bounded by lands of Mrs. Jane Glass, Mathias Connery, dec'd. and Thomas Deveraux, containing 9 acres 148 perches, and the third by lands of T. W. Hughes, Frank Deveraux, John Davis, dec'd., J. W. Griffin, John Thomas, dec'd., Philip J. Sanders, S. P. Sybert and V. H. Noel, containing 76 acres 3 perches.

Said viewers, appointed as aforesaid, will meet upon the premises, in Munster Township, Cambria County, Pa., March 27th. 1934, at 2:00 p. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

James McCann and

Philip E. Caulfield,

Viewers.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, which have been sustained or which seem likely to be sustained by Laura J. Noel - life tenant - of Munster Township, said county and state, and the other parties in interest; by reason of the widening and changing of the line and grade of the public highway, known as legislative Route No. 11031, between the Village of Munster and Loretto via Ebensburg Junction, through and over the following described premises owned by the said Laura J. Noel; as life tenant; and others.

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Said viewers, appointed as aforesaid, will meet upon the premises, in Munster Township, Cambria County, Pa., March 27th. 1934, at 2:00 p. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,
James McCann and
Philip E. Caulfield,
Viewers.

County of Cambria

To Philip E. Caulfield Dr.

To One Day on View and Hearing- - - \$12.00.

48 miles at 10cts. per mile - - - 4.80.

One Day- meeting of Viewers to review testimony
and fix award - - - 12.00.

\$28.80.

To James McCann

One day on View and Hearing - - - \$12.00.

48 miles at 10 cts. per mile - - - 4.80.

Meeting of Viewers to review testimony and
fix award of damages - - - 12.00

\$ 28.80.

APPROVED FOR PAYMENT

L M Keller

John Thomas

COMMISSIONERS

County of Cambria

To A. M. Shoemaker, Dr.

To Preparing notices of view $\frac{1}{2}$ day	\$6 ⁰⁰ ✓
" Posting notices on premises & making personal service of notices of view $\frac{3}{4}$ day	9 ⁰⁰ ✓
Stenographer & stationery	1 ⁵⁰
18 miles @ 10¢ per mi	1 ⁸⁰ ✓
View & Hearing $\frac{1}{2}$ day	6 ⁰⁰ ✓
Meeting of Viewers in Johnstown to review testimony & fix award $\frac{1}{2}$ day	6 ⁰⁰ ✓
36 mi. to Johnstown & return	3 ⁶⁰ ✓
To Preparing Report of Viewers	12 ⁰⁰ ✓
" Having report signed, assembling & filing & preparing & serving notices of filing same $\frac{1}{2}$ day	6 ⁰⁰ ✓
Stenographer & stationery	2 ⁰⁰
	<u>\$53⁹⁰</u>

CERTIFIED
A. M. Shoemaker

CONFIRMED to
A. M. Shoemaker only

APPROVED FOR PAYMENT

L. M. Keller

Frank L. Hollers
COMMISSIONER

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of Laura J. Noel, respectfully represents:-

1.

That she is possessed of a life tenancy of, in and to, ALL those three certain pieces or parcels of land, lying and being situate in the Township of Munster, County of Cambria and State of Pennsylvania, bounded and described as follows:

No. 1 Beginning at a cucumber on line of land of Mrs Jane Glass and at a corner of land of V. H. Noel, being also a corner of No. 2 hereinafter described; thence by line of said land of V. H. Noel North 3° and 18' East one thousand two hundred and three (1,203) feet to a post at a corner of land of S. P. Sybert; thence by line of said land of S. P. Sybert South 86° and 53' East two thousand four hundred and eighteen (2,418) feet to a post on line of land of Matthias Farabaugh; thence by said land of Matthias Farabaugh South 26° and 50' West one thousand seven hundred and forty-six (1,746) feet to a post and North fifty-five (55°) degrees West three hundred eighty-five feet to a post on line of land of Mrs. Jane Glass; thence by said land of Mrs. Jane Glass North 4° and 48' East one hundred sixty (160) feet to a post and North 85° and 45' West one thousand three hundred ninety-seven (1,397) feet to a cucumber, the place of beginning. Containing 62 acres and 155 perches.

No. 2 Beginning at a cucumber on line of land of Mrs. Jane Glass at a corner of land of V. H. Noel, and being also a corner of No. 1 above described; thence partly by land of Mrs. Jane Glass and partly by land of estate of William Glass, deceased, North 85° and 45' West one thousand nine hundred sixty-three (1,963) feet to a linn at a corner of land of estate of William Glass, deceased and being also a corner of land of estate of Matthias Connery, deceased, and a corner of land of Thomas Devereaux; thence by said land of Thomas Devereaux North 5° and 37' West four hundred forty-seven (447) feet to a Hemlock stump on line of land of V. H. Noel; thence by said land of V. H. Noel South seventy-three (73°) degrees and thirty (30') minutes East two thousand and eighty-five (2,085) feet to a cucumber; the place of beginning. Containing 9 acres and 148 perches.

No. 3 Beginning at a post on line of land of T. W. Hughes at a corner of land of V. H. Noel; thence partly by land of said T. W. Hughes and partly by land of Frank Devereaux North 3° and 8' East one thousand three hundred forty-six (1,346) feet to a post on line of land of estate of John Davis, deceased; thence by said land of estate of John Davis, deceased, South 86° and 41' East two hundred eighty (280) feet to a post, north no° and 26' West one hundred ninety-two (192) feet to a post, and South 88° and 50' East two hundred fifty (250) feet to a post on line of land of J. W. Griffin; thence by land of said J. W. Griffin South 2° and 46' West two hundred (200) feet to a post; thence partly by land of estate of John Thomas, deceased, South 86° and 41' East one thousand eight hundred and eighty-eight (1,888) feet to a post on line of land of Philip J. Saunders; thence by land of Philip J. Saunders South 2° and 16' West eighty-nine (89) feet to a post at corner of land of S. P. Sybert; thence by land of S. P. Sybert South 1° and 41' West one thousand two hundred and fifty-eight (1,258) feet to a post at a corner of land of V. H. Noel; thence by land of said V. H. Noel North 86° and 37' West two thousand four hundred and forty (2,440) feet to a post, at place of beginning. Containing 76 acres and 3 perches.

Excepting and reserving coal, mining rights and privileges as conveyed by John J. Noel, et ux. to W. W. Amsbry, by deed dated May 27, 1897 and recorded in Cambria County in Deed Book Vol. 109, at page 477.

2.

That a public highway known as legislative Route No. 11031 has been laid out by the Commonwealth of Pennsylvania through the tract of land above described. Said road has its place of beginning at a road intersection in the Village of Munster, in Munster Township, Cambria County, and runs thence Easterly through Munster Township to a point on the Munster-Allegheny Township line in the Village of Kaylor, or Ebensburg Junction; thence Northerly through Allegheny Township to a point on Route 53 in the Village of Loretto Road in Cambria County, a distance of about 3.4 miles

3.

That said improvements have been made on said road by the Department of Highways of the Commonwealth of Pennsylvania.

4.

That as a result of the improvements so made your petitioner and the other parties in interest, as owners of said land, have been damaged in that the value of the land has been greatly depreciated. By reason of the change of grade and the widening of said road the entrance to the barn has been made inaccessible and passage from one part of the farm to the other has been made inconvenient and burdensome.

5.

Your petitioner further avers that no compensation for this damage has been paid to her or to any of the other parties in interest, and no agreement has been made for the payment of damages between them and the County of Cambria.

Wherefore, your petitioner prays your Honorable Court to appoint a Board of Viewers to assess the damages arising by reason of the change of grade and widening of said road, as aforesaid, and report the same to your Honorable Court agreeably to the Acts of Assembly in such case made and provided.

And your petitioner will ever pray.

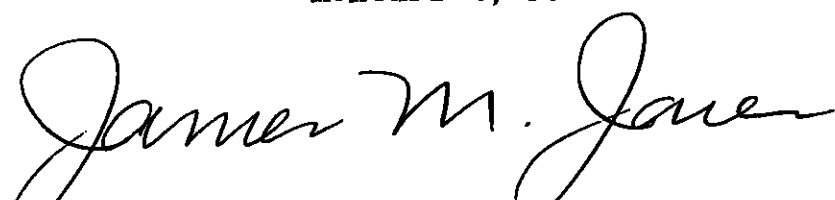
Laura J. Noel

D E C R E E

And now, February 26th, 1934, the foregoing petition having been read and considered, it is ordered that A. M. Shoemaker, Esq., James McCann and Philip E. Caulfield, members of the Board of Viewers of Cambria County, be and hereby are appointed to view the said land, and it is further ordered that the said Board of Viewers shall hold its first meeting as required by law, Acts of Assembly and Rules of Court, after having given due notice of said meeting, as required by law, and make report of their findings to this Court

By the Court,
McKenrick, J.

Extract from the Record.
Certified this 27th day
of February 1934.


CLERK OF THE COURT OF QUARTER SESSIONS

No. 3 December Sessions 1933

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

IN RE: PETITION OF
LAURA J. NOEL FOR
APPOINTMENT OF VIEWERS
TO ASSESS DAMAGES

ORDER TO VIEW

and
Report of
Viewers

Filed: June 8, 1934
Jr Jones

No 267 Sept 1934 C.D.
Exception Filed July 6, 1934

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:-

The petition of Laura J. Noel, respectfully represents:-

1.

That she is possessed of a life tenancy of, in and to, ALL those three certain pieces or parcels of land, lying and being situate in the Township of Munster, County of Cambria and State of Pennsylvania, bounded and described as follows:

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by said land of estate of John Davis, deceased, South 86° and 41' East two hundred eighty (280) feet to a post, North no° and 26' West one hundred ninety-two (192) feet to a post, and South 88° and 50' East two hundred fifty (250) feet to a post on line of land of J. W. Griffin; thence by land of said J. W. Griffin South 2° and 46' West two hundred (200) feet to a post; thence partly by land of estate of John Thomas, deceased, South 86° and 41' East one thousand eight hundred and eighty-eight (1,888) feet to a post on line of land of Philip J. Saunders; thence by land of Philip J. Saunders South 2° and 16' West eighty-nine (89) feet to a post at corner of land of S. P. Sybert; thence by land of S. P. Sybert South 1° and 41' West one thousand two hundred and fifty-eight (1,258) feet to a post at a corner of land of V. H. Noel; thence by land of said V. H. Noel North 86° and 37' West two thousand four hundred and forty (2,440) feet to a post, at place of beginning. Containing 76 acres and 3 perches.

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3.

That said improvements have been made on said road by the Department of Highways of the Commonwealth of Pennsylvania.

4.

That as a result of the improvements so made your petitioner and the other parties in interest, as owners of said land, have been damaged in that the value of the land has been greatly depreciated. By reason of the change of grade and the widening of said road the entrance to the barn has been made inaccessible and passage from one part of the farm to the other has been made inconvenient and burdensome.

5.

Your petitioner further avers that no compensation for this damage has been paid to her to to any of the other parties in interest, and no agreement has been made for the payment of damages between them and the County of Cambria.

WHEREFORE, your petitioner prays your Honorable Court to appoint a Board of Viewers to assess the damages arising by reason of the change of grade and widening of said road, as aforesaid, and report the same to your Honorable Court agreeably to the Acts of Assembly in such case made and provided.

And your petitioner will ever pray..

Laura J. Noel

State of Pennsylvania :
County of Cambria : SS:

Laura J. Noel, being duly sworn according to law, deposes and says that she is the petitioner above named and that the facts set forth in the foregoing petition are true, to the best of his knowledge, information and belief.

Laura J. Noel

Sworn and subscribed before me
this 19TH day of February,
A. D. 1934.

John L. Nite,
Prothonotary

DECREE.

And now, February 26TH, 1934, the foregoing petition having been read and considered, it is ordered that H. M. Shoemaker Esq
James McCann and Philip E. Coughlin members of the Board of Viewers of Cambria County, be and hereby are appointed to view the said land, and it is further ordered that the said Board of Viewers shall hold its first meeting as required by law, Acts of Assembly and Rules of Court, after having given due notice of said meeting, as required by law, and make report of their findings to this Court.

By the Court
McKenney

Feb. 26 1934.

Acceptance of service of a copy of the within petition, together with notice that same will be presented to the Court for approval on Feb. 26, 1934 at 3 o'clock P. M. is hereby acknowledged.

Board of Commissioners of Cambria County

by H. F. Jones

Chief Clerk

No. 3 December Term 1933

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA	IN RE: IMPROVEMENT OF LEGISLATIVE ROUTE NO. 11031	PETITION OF LAURA J. NOEL FOR APPOINTMENT OF VIEWERS.	Filed: Feb. 26, 1934 at 4:15 O'clock P.M.	C. RANDOLPH MYERS ATTORNEY AT LAW EBENSEBURG, PENNSYLVANIA
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