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

IN RE: BRIDGE ON ROAD FROM SUPPERHILL BOROUGH TO EBENSBURG.

TO THE HONORABLE. THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the COUNCIL OF THE BOROUGH OF SUMMERHILL, County of Cambria and State of Pennsylvania, respectfully represents:

- 1. A township road extending through Croyle Township, Cambria County, Pennsylvania, leads from the Borough of Summerhill to the public highway leading to the Borough of Ebensburg. Said township road is a public highway and has been improved by placing a balcktop road surface over a base of stone. This highway leads from a certain bridge which crosses a small stream or creek which runs between the line of Croyle Township and the line of the Borough of Summerhill.
- 2. On the opposite side of the bridge extends a public street of the Borough of Summerhill. For many years the traveling public used the mid public street of the Borough of Summerhill to the said bridge; thence across said bridge over the stream dividing the Borough of Summerhill from the Township of Croyle; and thence continuing on over the township road which extends through Croyle Township to the Village of New Germany and to other highways leading to Ebensburg, etc.
- said bridge has been improved and the course thereof changed so that the approach to said bridge will be located a considerable distance up the stream from the present location of the bridge. The work of improving said street was done under the supervision of the Pennsylvania Highway Department and plans for said improvement contemplate a change in the location of the street and also a change in the location of the public highway situate across said stream, so that the approach to said bridge from either side will be located a considerable distance upstream.
- 4. Arrangements have been made whereby the approaches to said bridge in their new location can be made and as a result of such improvements a new bridge will be required to take the place of the existing bridge; which said bridge shall cross over a creek or stream, and which said bridge shall form a part of the public street of the Borough of Summerhill and part of the public highway in the Township of Croyle.
- 5. Your petitioners aver that the construction of the bridge to take the place of the existing bridge requires more expense than it is reasonable that the Borough of Summerhill and the Township of Croyle should bear, your petitioners averring that the change of location and the erection of the new bridge will be for the benefit and advantage, not only of the residents of the Borough of Summerhill and the Township of Croyle, but for the benefit of all the traveling public traveling between the Borough of Summerhill, which is located on what is known as the main line improved highway, Route No. 53, to points on the William Penn Highway extending toward the Borough of Evensburg.
- 6. Your petitioners aver that in their opinion the improvement will greatly benefit the traveling public, and that the erection of such bridge is necessary to furnish a proper highway across said stream.

WHEREFORE, your petitioners respectfully pray your Honorable Court to appoint viewers who shall report to your Honorable Court as to the necessity for such bridge, and further, as to the propriety of having such bridge entered on record as a county bridge.

COUNCIL OF SUMMERHILL BOROUGH.

ATTEST:

By (Signed) Francis Bodenschatz
President.

(Signed) John G. Long Secretary

STATE OF PENNSYLVANIA

9.9

COUNTY OF CAMBRIA

Personally appeared before me, the undersigned authority, FRANCIS
BODENSCHATZ, who, being by me first duly sworn according to law, deposes
and says that he is President of the Council of the Borough of Surmerhill,
County of Cambria and State of Pennsylvania; and that the facts set forth
in the foregoing Petition are true and correct, to the best of his knowledge,
information and belief.

(Signed) Francis Bodenschatz

Sworn and subscribed to before me this day of April, A. D. 1935.

(Signed) Stella K. Simendinger

My Commission Expires:

DECREE

AND NOW, to-wit, this BDWARD J. HARKINS, attorney for	petitioner, the Court appoint
. •	and
as a Board o	of View upon the foregoing Petition, and further
orders that the said Board of V	View shall perform their duties in accordance
	ably in such case made and provided, and report
on or before the first Monday	of June, A. D. 1955.
	BY THE COURT:
•	<i>,</i>
•	·

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

IN RE: BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO EBENSBURG.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the COUNCIL OF THE BOROUGH OF SUMMERHILL, County of Cambria and State of Pennsylvania, respectfully represents:

- 1. A township road extending through Croyle Township, Cambria County, Pennsylvania, leads from the Borough of Summerhill to the public highway leading to the Borough of Ebensburg. Said township road is a public highway and has been improved by placing a blacktop road surface over a base of stone. This highway leads from a certain bridge which crosses a small stream or creek which runs between the line of Croyle Township and the line of the Borough of Summerhill.
- 2. On the opposite side of the bridge extends a public street of the Borough of Summerhill. For many years the traveling public used the said public street of the Borough of Summerhill to the said bridge; thence across said bridge over the stream dividing the Borough of Summerhill from the Township of Croyle; and thence continuing on over the township road which extends through Croyle Township to the Village of New Germany and to other highways leading to Ebensburg, etc.
- 3. The said public street in the Borough of Summerhill leading to said bridge has been improved and the course thereof changed so that the approach to said bridge will be located a considerable distance up the stream from the present location of the bridge. The work of improving said street was done under the supervision of the Pennsylvania Highway Department and plans for said improvement contemplate a change in the location of the street and also a change in the location of the public highway situate across said stream, so that the approach to said bridge from either side will be located a considerable distance upstream.
- 4. Arrangements have been made whereby the approaches to said bridge in their new location can be made and as a result of such improvements a new bridge will be required to take the place of the existing bridge; which said bridge shall cross over a creek or stream, and which said bridge shall form a part of the public street of the Borough of Summerhill and part of the public highway in the Township of Croyle.
- 5. Your petitioners aver that the construction of the bridge to take the place of the existing bridge requires more expense than it is reasonable that the Borough of Summerhill and the Township of Croyle should bear,—your petitioners averring that the change of location and the erection of the new bridge will be for the benefit and advantage, not only of the residents of the Borough of Summerhill and the Township of Croyle, but for the benefit of all the traveling public traveling between the Borough of Summerhill, which is located on what is known as the main line improved highway, Route No. 53, to points on the William Penn Highway extending toward the Borough of Ebensburg.

6. Your petitioners aver that in their opinion the improvement will greatly benefit the traveling public, and that the erection of such bridge is necessary to furnish a proper highway across said stream.

WHEREFORE, your petitioners respectfully pray your Honorable Court to appoint viewers who shall report to your Honorable Court as to the necessity for such bridge, and further, as to the propriety of having such bridge entered on record as a county bridge.

COUNCIL OF SUMMERHILL BOROUGH,

By Francis Bodyns

ATTEST:

Secretary

STATE OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

personally appeared before me, the undersigned authority, who, being by me first duly sworn according to law, deposes and says that he is President of the Council of the Borough of Summerhill, County of Cambria and State of Pennsylvania; and that the facts set forth in the foregoing Petition are true and correct, to the best of his knowledge, information and belief.

Francis Bodenschaf

Sworn and subscribed to before me this // day

of April, A. D. 1935.

MY COMMISSION EXPIRES
RST MONDAY IN JANUARY, 1914 6

My Commission Expires:

DECREE

AND NOW, to-wit, this day of April, A. D. 1935, on motion of EDWARD J. HARKINS, attorney for petitioner, the Court appoint and the that the Said Board of View upon the foregoing Petition, and further orders that the said Board of View shall perform their duties in accordance with the laws and Acts of Assembly in such case made and provided, and report on or before the first Monday of June, A. D. 1935.

BY THE COURT:

McKennie

No. 5 March Sessions 1935

In the Court of Quarter Sessions in and for Cambria County, Pennsylvania.

IN RE: BRIDGE ON ROAD FROM

SUMMERHILL BOROUGH

TO EBENSBURG .

PETITION FOR VIEW

LAW OFFICES

SCANLAN & HARKINS
901-905 FIRST NATIONAL BANK BUILDING JOHNSTOWN, PA.

IN RE: BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO EBENSBURG.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.
NO. 5, MARCH SESSIONS, 1935

REPORT OF VIEWERS

To the Honorable the Judges of the above mentioned Court.

We the undersigned viewers appointed by the attached order, to view the above mentioned bridge, respectfully report that we have been duly sworn as members of the Permanent Board of Viewers, 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 in the vicinity of the proposed site of the bridge and by service of such notice on the County Commissioners of Cambria County, the Council and Burgess of the Borough of Summerhill and the Supervisors of the Township of Croyle, as shown by copies and acceptance of said notices hereto attached; we met in accordance with the notice given on the 14th day of May A. D. 1935 at 10:00 o'clock A. M. (eastern standard time) and proceeded with the duties of our appointment; we viewed the old bridge to be vacated and the premises and proposed site for the proposed new bridge; we find that by reason of the construction of State Highway Route 11025 by the Department of Highways of the Commonwealth of Pennsylvania making same a through traffic route from Summerhill to Ebensburg, that on account of abrupt curves and grades it is necessary to change the location of the old bridge to conform with the relocation of said route 11025; that we are of the opinion that said change of location was necessary and that said change, regardless of the unsafe condition of the old bridge, constitutes a necessity for a new bridge at this site. During the view we observed that some work in connection with the construction of this new bridge has been executed and were informed that an L. W. D. project had been

filed and approved for this bridge and work started thereunder, but discontinued on account of the inability of the Borough of Summerhill and the Township of Croyle to raise sufficient funds to buy the supplies and rentals to be furnished by them under the L. W. D. project. That we are of the opinion that said new bridge is necessary, therefore, we proceeded to lay out said bridge, having due respect for the shortest distance and the best ground for same and in such manner as would be as near as practicable to the desire of the petitioners and at the same time do the least injury to private property.

A plot or draft showing the location of the proposed bridge, the old bridge to be vacated, the section of old road to be vacated and the section of new road to be acquired, is hereto attached and made a part of this report and herewith returned for public use, which shows said bridge and section of new road required, as follows; said bridge is located at a point on Laurel Run northwardly a distance of 332.00 feet or at State Highway station 642 + 32 measured along the center line of Route 11025 from the center of the driveway to the property of A. J. Wess. Section of highway to be supplied, beginning at a point measured along the center line of said Route 11025, N. 2º 45' E. 202.66 feet from the center line of driveway to the property of A. J. Wess at State Highway station 641 + 02.66 the point of a 10 degree curve to the left having annualle of 34° 48° with a radius of 573.69 feet, thence by said curve in a northerly direction a distance of 348.00 feet to State Highway station 644 + 50.66 the place of ending; Said portion of highway to be vacated is shown in red and said portion to be supplied is shown in green on plan attached hereto.

The approaches and site of the proposed new bridge and the section of new highway required will occupy private property.

We are informed that Deeds of Release and Quit Claim have been obtained by the Department of Highways of the Connon-wealth of Pennsylvania, therefore, we assess no benefits and no damages to Steven Wess, Norman Betz, F. Hoover, W. R. Kirby and Ed. Bodenschatz, abutting property owners.

During the view several citizens of the aforesaid Borough and Township, the officials of the Borough of Summerhill and the Supervisors of the Township of Croyle were present and heard. We have estimated that the total cost of a new county bridge at this location will approximate \$3300.00. We have also estimated that in addition to the work already executed and the steel beams furnished by Cambria County now at the site of the work, that the cost of the remaining material to be appropriated and supplied to complete this bridge under the original L. W. D. project, which is still available, will be approximately \$650.00. We find that the erection of the new bridge and the finishing of the additional appropriation would be burdensome upon the taxpayers and more than they reasonably should bear.

After considering all the matters before us, we are of the opinion that said section of highway should be vacated and said new section supplied, and that a new bridge is necessary for the traveling public and that the prayer of the petitioners should be granted. We further recommend that this bridge should be finished as an L. W. D. project with County Aid, that is, the County of Cambria to appropriate \$650.00 for the additional material required, thereby making a County Aid bridge instead of a County bridge.

Witness our hands and seals this 18th day of May A. D.

1935.

Viewers

IN RE: BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO EBENSBURG.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.
NO. 5, MARCH SESSIONS, 1935

To JAMES MCCANN, S. E. DICKEY AND A. M. SHOEMAKER, Dr.

To JAMES MCCANN Dr.

Preparing, serving and posting notices Mileage, 32 miles @ 10 cts. Stenographer & stationery Making View Mileage, 24 miles & 10 cts. Data & preparing report Stenographer & stationery	\$ /8.00 / 2.00 12.00 / 2.40 12.00 / 3.00	, -(-)	
To S. E. DICKEY Dr.			•
Eaking view Mileage, 24 miles © 10 cts. Data & preparing plan Drawing material Blue prints	\$ 12.00 2.40 12.00 .50 1.50	4	28.40
To A. M. SHOEMAKER Dr.	_		
Making View	\$ 12.00		
Mileage, Ebensburg to Summerhill to Johns-	4.80	ස <u>ි</u>	16.80
Total cost of View	ı .	\$	
The Contract of the Contract o			
APPROVED FOR PAYMENT			

APPROVED FOR PAYMENT

Form No. 236

Deed of Release and Quitclaim

TATE HIGHWAY DEPARTMENT

WHEREAS, By An Act of Assembly of the Commonwealth of Pennsylvania, Act No. 193, approved May 31st, 1911, the State Highway Commissioner of said Commonwealth is authorized, directed and empowered to construct or improve certain highways therein designated as "State Highways" and "State Aid Highways," and in so doing, to divert when necessary, the course or direction of the same under the conditions prescribed in said act, and

"State Highways" and "State Aid Highways," and in so doing, to divert when necessary, the course or direction of the same under the conditions prescribed in said act, and WHEREAS, The State Highway Commissioner is desirous of reconstructing and improving,
State Highway Department as
WHEREAS A Survey of said road shows that it is necessary to Chaugh the
no 11025 as st tended through
Summer hill Borough NOW, KNOW, ALL MEN BY THESE PRESENTS, That We I for I toover and amalia C Hoover
owner or owners of property along the said road about to be reconstructed and improved, for and in consideration of the sum of One Dollar, to us in hand paid, and other valuable consid-
erations:
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do hereby remise, release, quitclaim and forever discharge the Commonwealth of Pennsylvania and any County. Township or Borough joining therewith, of and from all suits, damages, claims and demands whatsoever, in law or equity, or otherwise against the said Commonwealth of Pennsylvania and any County, Township or Borough joined with the Commonwealth in improvement thereof, for or by reason of the change of grade of said road, or by reason of any change in the existing lines or location of said road or for or by reason of any divergence of said road from its present location, in its reconstruction, or for or by reason of the taking of land necessary for the widening or relocation of said road in order that the State Highway Department may properly provide for the traveling public.
IN WITNESS WHEREOF, We have hereunto set our respective hands and seals this day of
(SEAL)
(SEAL)
amelea Hover (SEAL)
(SEAL)
(SEAL)

IN RE: BRIDGE ON ROAD FROM SUMMERHILL, BOROUGH TO EBENSBURG

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

No. 5 March Sessions, 1955

NOTICE OF VIEW

We, the undersigned viewers appointed by the above named Court to view and report on the necessity of a new bridge to take the place of a certain bridge over the stream known as the Laurel Run, dividing the Borough of Summerhill from the Township of Croyle, which said bridge is situate on the road running through the Borough of Summerhill and the Township of Croyle and Continuing to Ebensburg and known 68 the Ebensburg Road, being in the County of Cambria and State of Per Sylvania, and to view and report further as to the propriety of having such bridge entered on record as a raty bridge, by which proposed change of location of said bridge certain changes in the course or bed of the road and street connected therewith may be necessary, and the vacation of certain portions of the road and street cornecting therewith may be necessary; will meet or the purpose of complying with the above Order of Cour. t the location of the bringe in the Borough of Summerhil. Jounty of Cambria and State of Pennsylvania, at 10:00 o'clock A.M., on Tuesday, May 14, 1935 at which time and place any one interested may appear

JAMES MCCANN

VIEWERS

A. H. SHOEMAKER

S.E. DICKEY

BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO KRENSBURG

III THE COURT OF QUALT SUSSIONS OF CAMBRIA COUNTY, PEHHSYLVANIA.

No. 5 Berch Sessions, 1936

Ce, the undersigned viewers appointed by the above named court to view and report on the necessity of a new bridge to toke the place of a certein bridge over the street known as the Laurel Run, dividing the Borough of Cormorkill from the Township of Croyle, which sould brid a in consequent the road running through the Borough of Our orbital and the Tomahip of Crowle and Contenting to Lbanabare and Knam to the Bonsburg Road, being in the County of cambria and State of Pennsylvenie, and to view and revert further as to the propriety of having such bridge entered on record as a county bridge, by which proposed change of location of said bridge c tain changes in the source or bed of the road and stract connected therewith has be necessary, and the vacction of certain cortions of the road and street competing thereatth may be necessary; will goot for an our contracting our row with the above Order of Court, at the Location of the bridge in the Borough of Suggerhill, Country of Country and until of Pennsylvania, at 10:00 o'clook A. ... on Messon liev 14 1985 at which the and place any one intorested may appear

JA. LO COCAMI

A. G. SLOEL LEGIR

G.E. DICKEY I hereby actionally accept of above make July 5 Content Copper assicus

Jumiro Rill & My 3/1935 Rea of James mobain notree 2 View on proposed new bridge Terssing Land Rem other at 10. am may 14-1935 Left at house Mrs. J.E. Shaffer Christat Pa may 3- 1935 Received of James meles un motive Josew on proposed onew bridge Crossing Sand Rim Strange Viens to be held my 14- LEST at 10, a on at a bridge Supervisor of the Ceroyle Formskif Rec of James meloum. notice of view on profosed new Bridge crossing Samuel Run Streams View to be held may 64: 1935 st 19. am at Bordso Lorette Ka May 3-1935 Buferson broyle hif

Stevenshill for May 1935

I hereby a Monwhelp receipt of
Notice of view of proposed new bridge
dividing furning hile Borrough and
Croyle Foundit on the Laurel Runi
Petrisan to be held May 14 th 1835

at 10, am at bestion of bridge,

John J. Long Sectry of bourse Chas. 7. Human IN THE COURT OF QUARTER SESSIONS IN AND FOR CAMBRIA COUNTY, PENNSYLVANIA.

IN RE: BRIDGE ON ROAD FROM SUMMERHILL .
BOROUGH TO EBENSBURG.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the COUNCIL OF THE BOROUGH OF SUMMERHILL, County of Cambria and State of Pennsylvania, respectfully represents:

- 1. A township road extending through Croyle Township, Cambria County, Pennsylvania, leads from the Borough of Summerhill to the public highway leading to the Borough of Ebensburg. Said township road is a public highway and has been improved by placing a blacktop road surface over a base of stone. This highway leads from a certain bridge which crosses a small stream or creek which runs between the line of Croyle Township and the line of the Borough of Summerhill.
- 2. On the opposite side of the bridge extends a public street of the Borough of Summerhill. For many years the traveling public used the said public street of the Borough of Summerhill to the said bridge; thence across said bridge over the stresm dividing the Borough of Summerhill from the Township of Croyle; and thence continuing on over the township road which extends through Croyle Township to the Village of New Germany and to other highways leading to Ebensburg, etc.
- 3. The said public street in the Borough of Summerhill leading to said bridge has been improved and the course thereof changed so that the approach to said bridge will be located a considerable distance up the stream from the present location of the bridge. The work of improving said street was done under the supervision of the Fernsylvania Highway Department and plans for said improvement contemplate a change in the location of the street and also a change in the location of the public highway situate across said stream, so that the approach to said bridge from either side will be located a considerable distance upstream.
- 4. Arrangements have been made whereby the approaches to said bridge in their new location can be made and as a result of such improvements a new bridge will be required to take the place of the existing bridge; which said bridge shall cross over a creek or stream, and which said bridge shall form a part of the public street of the Borough of Summerhill and part of the public highway in the Township of Croyle.
- to take the place of the existing bridge requires more expense than it is reasonable that the Borough of Summerhill and the Township of Croyle should bear,—your petitioners averring that the change of location and the erection of the new bridge will be for the benefit and advantage, not only of the residents of the Borough of Summerhill and the Township of Croyle, but for the benefit of all the traveling public traveling between the Borough of Summerhill, which is located on what is known as the main line improved highway, Route No. 53, to points on the William Penn Highway extending toward the Borough of Ebensburg.

6. Your petitioners aver that in their opinion the improvement will greatly benefit the traveling public, and that the erection of such bridge is necessary to furnish a proper highway across said stream.

WHEREFORE, your petitioners respectfully pray your Honorable Court to appoint viewers who shall report to your Honorable Court as to the necessity for such bridge, and further, as to the propriety of having such bridge entered on record as a county bridge.

COUNCIL OF SUMMERHILL BOROUGH,

ATTEST:

By (Signed) FRANCIS BODENSCHATZ
President

(Signed) JOHN G. LONG

Secretary

(SEAL OF BOROUGH OF SUMMERHILL AFFIXED)

STATE OF FENNSYLVANIA) (SE: COUNTY OF CALBRIA)

Personally appeared before me, the undersigned authority,

FRANCIS BODENSCHATZ , who, being by me first duly sworn according to law, deposes and says that he is President of the Council of the
Borough of Summerhill, County of Cambria and State of Pennsylvania; and that
the facts set forth in the foregoing Petition are true and correct, to the
best of his knowledge, information and belief.

(Signed) FRANCIS BODENSCHATZ

Sworn and subscribed to before me this 11 day of April, A. D. 1935.

(Signed) STELLA K. SIMENDINGER, J. of Peace

My Commission Expires: First Monday in January, 1940.

(SEAL OF JUSTICE OF THE PEACE AFFIXED)

DECREE

AND NOW, to-wit, this 25th day of April, A. D. 1935, on
otion of EDWARD J. HARKINS, attorney for petitioner, the Court appoint
James McCann S. E. Dickey and
A. M. Shoemaker, Esq. as a Board of View upon the foregoing
etition, and further orders that the said Board of View shall perform their
uties in accordance with the laws and Acts of Assembly in such onse made and
rovided, and report on or before the first Monday of June, A. D. 1935.
BY THE COURT:
McKenrick, J.
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Extract from the Record.

Certified this 25th day of AprilmA. D. 1935

LERK OF COURTS

det 1929 Page 1341 det 1933 Page 958

/#U. J. / 17/11/11 UC34/979 1/44 In the Court of Quarter Sessions in and for Cambria County, Pennsylvania. IN RE: BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO EBENSBURG Certified Copy of PETITION FOR VIEW Order to View

Rat Micrafilmel
IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNA.
NO. 5, MARCH SESSIONS, 1935

IN RE: BRIDGE ON ROAD FROM SUMMERHILL BOROUGH TO EBENSBURG.

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JAMES MCCANN S. E. DICKEY A. M. SHOEMAKER · Viewers ·





