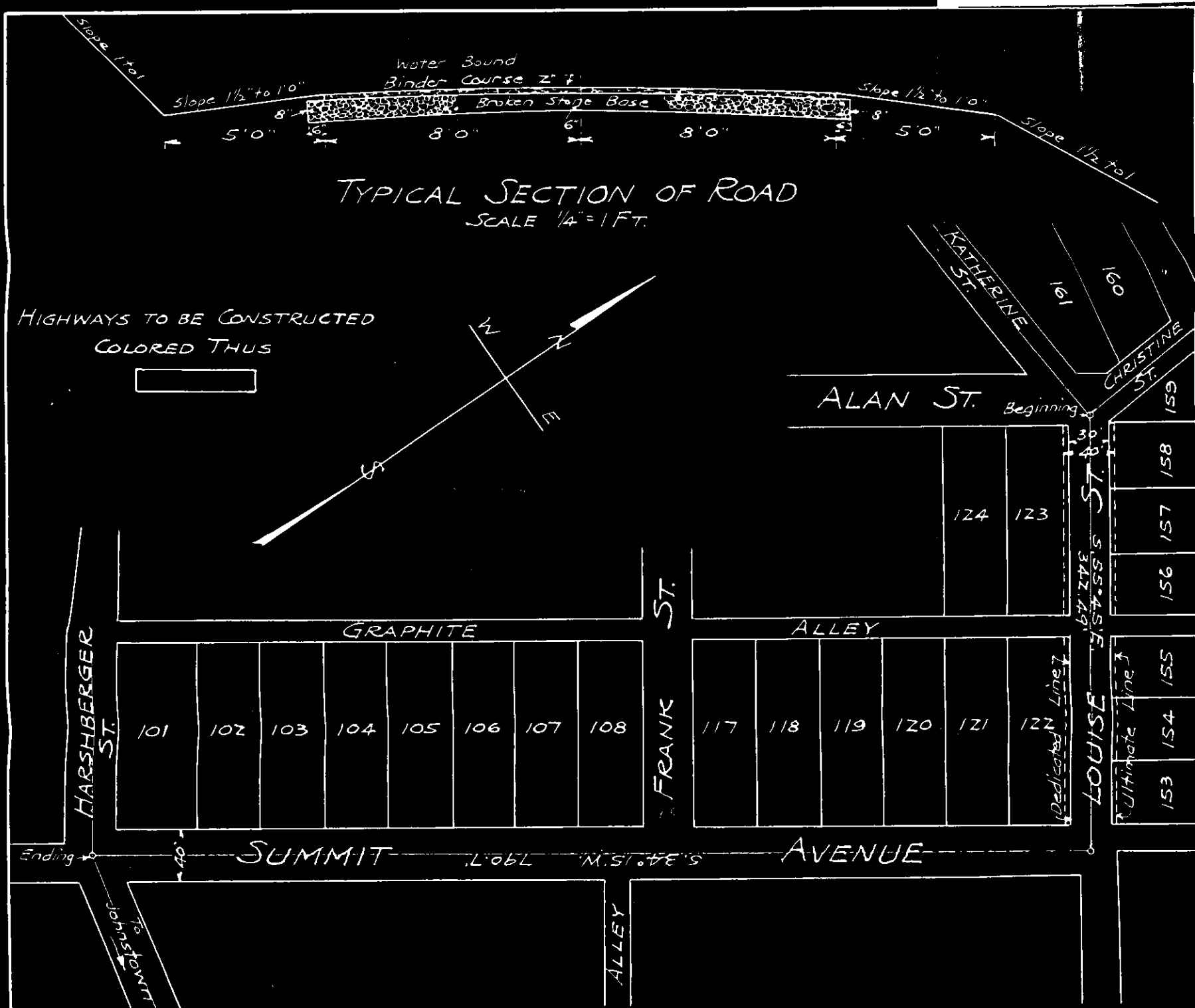


R.D. #13 Dec. 1936

Not Microfilm



UPPER YODER TWP, CAMBRIA CO., PENNA.
SHOWING
CERTAIN DEDICATED HIGHWAYS
IN THE
ELIM PLAN OF LOTS
TO BE
CONSTRUCTED UNDER CIVIL WORKS PROJECT
SCALE 1" = 100' - S. E. DICKEY AND CO. - NOV. 26, 1933.
CIVIL AND MINING ENGINEERS
JOHNSTOWN, PA.

1-F-148

No. 13 December Sessions, 1936.

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

In re: Public Road in Upper Yoder
Township, Cambria County,
Penna.

REPORT OF VIEWERS.

Filed: April 7, 1937

CERTIFIED

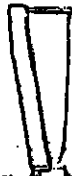
Harold E. Brown

COUNTY CLERK

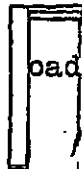
14 June 1937 Approved and breadth fixed at forty feet.

By the Court
J. H. Henrick.

13 Sept. 1937. Confirmed Absolutely.
J. H. Henrick
Clerk



40'



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

#13 December Sessions, 1936.

TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA.

REPORT OF VIEWERS.

11mmmm
We, the undersigned, members of the Permanent Board of Viewers of Cambria County, Pennsylvania, appointed by your Honorable Court upon order entered to No. 13 December Sessions, 1936, to view and determine as to the necessity for a public road in Upper Yoder Township, Cambria County, Pennsylvania, between the termini specified in said Order, respectfully report:

That having given due notice of the view and time and place of meeting of the viewers to the Commissioners of Cambria County and to the Supervisors of the Township of Upper Yoder and having said Commissioners and Frank P. Barnhart, Esq., Attorney for the Supervisors of said Township, accept service of the notices hereto attached and notice to the traveling public by printed hand bills posted at and near the termini of said proposed new road; all of us met at the time and place appointed, in accordance with the said notices as served and posted and having gone over and viewed the same having in mind the shortest distance, the best locations for same, where it would do the least injury to private property and at the same time be of the most benefit to the traveling public and those

living along the route of same are all of the opinion that the same is necessary as a public road, for the accommodation of the traveling public.

Said piece of road as laid out and recommended: BEGINNING at the juncture of Harshberger road with the street leading to the City of Johnstown and Summit Avenue; thence along the center line of Summit Avenue, North thirty-four degrees fifteen minutes East seven hundred ninety and seven-tenth feet to the center line of Louise Street; thence along the center line of said Louise Street, North fifty-five degrees, forty-five minutes West three hundred forty-two and forty-nine hundredths feet to the juncture of Alan Street and Christine Street, near Katherine Street, a plot or draft of which is hereto attached and made a part of this report.

Said road as herein recommended was originally dedicated as streets, a plot of ground laid out some years ago along which there are now some six or eight families living and over which there is even now considerable traffic by the public.

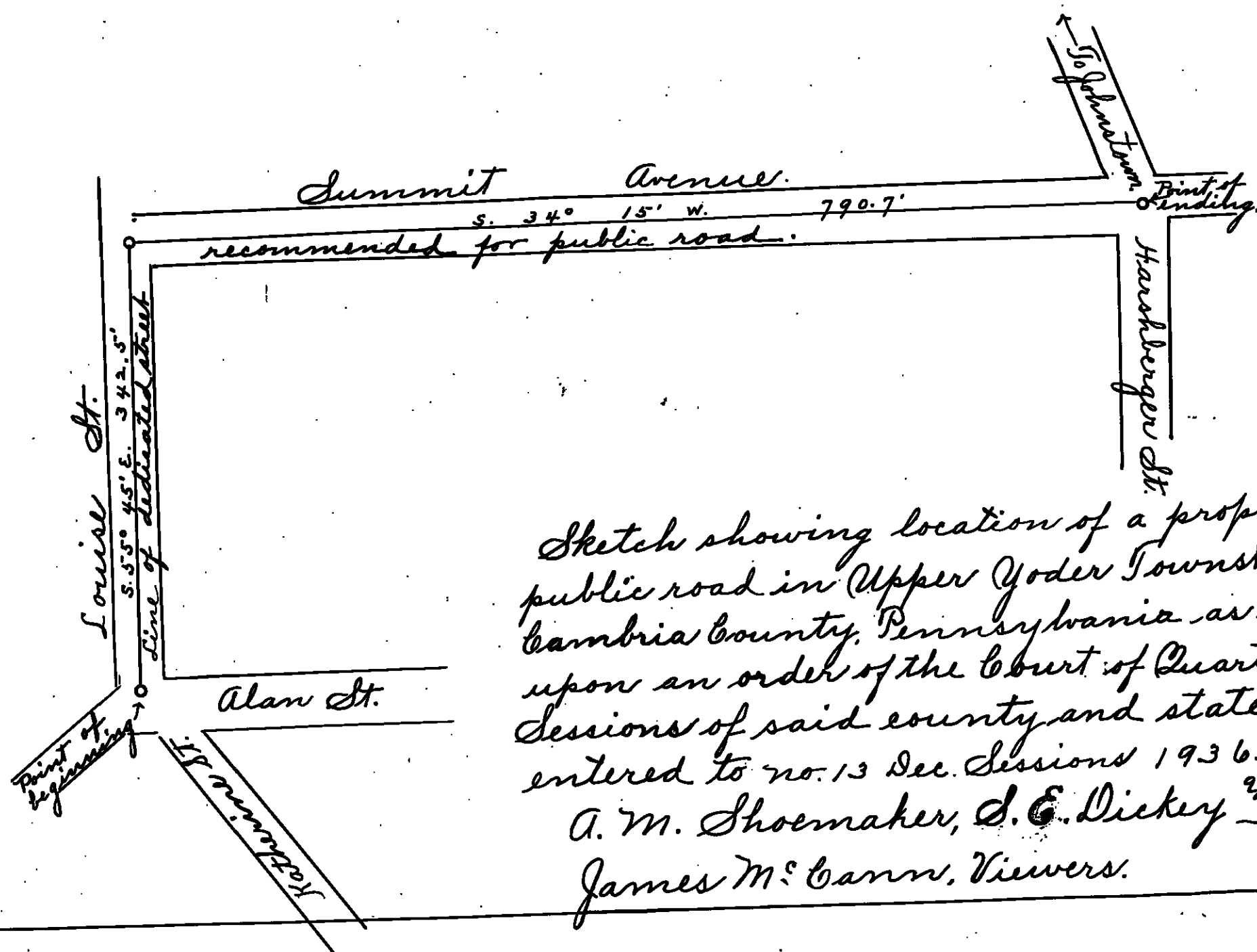
Said streets having been dedicated and no injury being sustained by the property owners along and adjoining said piece of road, we have assessed no damages.

WITNESS our hands this 2nd day of April, A. D., 1937.

A. M. Shoemaker

L. E. Dickey

James M. Quinn
Viewers.



Sketch showing location of a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania as viewed upon an order of the Court of Quarter Sessions of said county and state entered to no. 13 Dec. Sessions 1936.

A. M. Shoemaker, S. E. Dickey ^{2nd}
James M. Carr, Viewers.

NOTICE OF VIEW

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania to view and determine as to the necessity for a public road in Upper Yoder Township in said County and State:

BEGINNING at the juncture of Louise and Katharine Streets where same are intersected by Alan and Christian Streets and ending at the termini Summit Avenue where said Summit Avenue adjoins Harshberger Street and the road leading to Johnstown in said Township, County and State.

The said viewers will meet at the point of beginning above indicated in the Township of Upper Yoder, Cambria County, Pennsylvania, March 30, 1937, at ^{1:30} ~~one~~ o'clock P. M. for the purpose of performing the duties of their said appointment.


A. M. SHOEMAKER

S. E. DICKEY

JAMES McCANN

Viewers.

Now, March 1937, service of above notice is hereby accepted for the Commissioners of Cambria County, Pa.



Clerk for Commissioners.

NOTICE OF VIEW

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania to view and determine as to the necessity for a public road in Upper Yoder Township in said County and State:

BEGINNING at the juncture of Louise and Katharine Streets where same are intersected by Alan and Christian Streets and ending at the termini Summit Avenue where said Summit Avenue adjoins Harshberger Street and the road leading to Johnstown in said Township, County and State.

The said viewers will meet at the point of beginning above indicated in the Township of Upper Yoder, Cambria County, Pennsylvania, March 30, 1937, at ^{11:30} one o'clock P. M. for the purpose of performing the duties of their said appointment.


A. M. SHOEMAKER

S. E. DICKEY

JAMES McCANN

Viewers.

March 20, 1937, we hereby accept service of the above Notice and acknowledge receipt of copy of same.


FRANK P. BANNAN
ATTORNEYS FOR SUPERVISORS
OF UPPER YODER TOWNSHIP

Johnstown Pa. Apr 6th 1937
Cambria County Commissioners
Ebensburg Pa.

To James McLaughlin Sr.

March 29 1/2 day on View 6.00
Mileage 1 mile 50
6.50

APPROVED FOR PAYMENT

John L. ...
Grant P. ...
COMMISSIONERS

In Re: Laying out of a Public Highway in the Township of Upper Yoder, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Penna. No. 13, December Sessions, 1936

To S. E. DICKEY Dr.

Making View	\$ 6.00
Mileage	<u>.80</u>
	\$ 6.80

T. A. M. Shoemaker	
Preparing serving & posting notices of view — 1 day —	\$12.00
15 miles —————	<u>1.50</u> ✓
Stenographer & stationery ———	<u>1.50</u>
Making View — 1/2 day —	6.00
22 miles —————	<u>2.20</u> ✓
Report —————	<u>12.00</u>
Engineering work & prints	6.00
Stenographer & stationery ———	<u>2.00</u>
	<u>\$43.20</u>

680
680
4320
5680

APPROVED FOR PAYMENT

John Thomas
Frank P. Hollern
COMMISSIONERS

CERTIFIED

Henry B. ...
COUNTY CONTROLLER

CERTIFIED

...
COUNTY CONTROLLER

No. 13 Dec. Sessions, 1936

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.

PETITION FOR APPOINTMENT OF VIEWERS

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBERIA
AND STATE OF PENNSYLVANIA.

B O N D

MARCH
February 1, 1937, the
within Bond approved.

By the Court
McKenrick

Filed: March 1, 1937

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. 13 Dec. Sessions, 1937
¶ PETITION FOR APPOINTMENT OF VIEWERS

B O N D

KNOW ALL MEN BY THESE PRESENTS that we D. J. Weinert
and Curt Barnhart, both of Upper Yoder Township, Cambria
County, Pennsylvania, are held and firmly bound unto the County of Cambria,
aforesaid, in the sum of FIFTY (50) DOLLARS lawful money of the United States
to be paid to the said County of Cambria, to which payment well and truly to
be made, we bind ourselves, our heirs, executors and administrators and every
of them firmly by these presents. SEALED and dated the 1st day of
March
February, 1937.

WHEREAS, A. Luth Beam, et al, have presented a Petition
to the Court of Quarter Sessions of Cambria County, Pennsylvania, praying for
the appointment of Viewers to view and locate the above mentioned road in the
said Township of Upper Yoder, to begin at the intersection of Hershberger Road,
a public road in said Township of Upper Yoder and the proposed road known as
Summit Avenue; thence from the center line of said Hershberger Street and
along the center line of the proposed road known as Summit Avenue North $34^{\circ} 15'$
East seven hundred ninety and seven tenths (790.7) feet to the intersection
with the center line of Louise Street; thence by the center line of Louise
Street North $55^{\circ} 45'$ West three hundred forty-two and forty-nine hundredths
(342.49) feet to the intersection of Christine and Katherine Streets, dedicated
highways.

The exact distance from the point of beginning of said proposed
road, as set forth in the aforementioned petition, from an intersecting public
road or street, to-wit, Daisy Street in the Borough of Southmont, County afore-

said, is thirty-five hundred fifteen (3515) feet, measured along the center line of Hershberger Road, a public highway, to the center line of said Daisy Street; and

WHEREAS, the said Court has appointed Viewers for the purpose aforesaid;

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if the above bounden D. H. Weiner and Curt Barnhart, their heirs, executors, or administrators, or any of them, shall and do well and truly pay or cause to be paid unto the said County of Cambria a sufficient sum to pay for the purpose of viewing the above mentioned road, if the Court shall so direct, when the same is concluded, then this obligation to be void or else remain in full force and effect.

Signed, sealed and delivered
in the presence of

Milla Weiner
Ruth Barnhart

D. H. Weiner (SEAL)

Curt Barnhart (SEAL)

No. *13* Dec. Sessions, 193*6*
In the Court of Quarter Sessions
of Cambria County, Pennsylvania.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

PETITION FOR APPOINTMENT OF
VIEWERS

Filed: March 1, 1937

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
¶ No. 13 Dec. Sessions, 1936

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS IN AND FOR
CAMBRIA COUNTY, PENNSYLVANIA:

The petition of the undersigned inhabitants of the said Township
of Upper Yoder, in the County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience for want
of a public road or highway in the said Township of Upper Yoder, to begin at
the intersection of Hershberger Road, a public road in said Township of Upper
Yoder and the proposed road known as Summit Avenue; thence from the center line
of said Hershberger Street and along the center line of the proposed road known
as Summit Avenue North $34^{\circ} 15'$ East seven hundred ninety and seven tenths
(790.7) feet to the intersection with the center line of Louise Street; thence
by the center line of Louise Street North $55^{\circ} 45'$ West three hundred forty-two
and forty-nine hundredths (342.49) feet to the intersection of Christine and
Katherine Streets, dedicated highways.

The exact distance from the point of beginning of said proposed
road, as set forth in this petition, from an intersecting public road or street,
to-wit, Daisy Street in the Borough of Southmont, County aforesaid, is thirty-
five hundred fifteen (3515) feet, measured along the center line of Hershberger
Road, a public highway, to the center line of said Daisy Street;

A print showing the location of said proposed road, as above
described, is hereto attached, made part hereof and marked "EXHIBIT A".

Your petitioners further represent that notwithstanding the fact
that one of the termini named in the said petition, namely, the point of ending
of said proposed road, is at a point other than in a public highway or place
of public resort, that the said proposed road is one necessary for public
travel.

A copy of written notice to the Supervisors of said Upper Yoder Township of the intended presentation of this application, with an acceptance of service thereon, is hereto attached, made part hereof and marked "EXHIBIT B".

A release of damages, whereby the owners of property abutting the aforesaid proposed road release the said Township of Upper Yoder from all damages by reason of the opening, grading, draining, improving and maintaining the said proposed highway, is filed to No. 1 March Sessions, 1934.

Your petitioners therefore pray the Court to appoint three members of the permanent Board of Viewers of Cambria County to view the ground proposed for such road, and if they see the necessity therefor, lay out the same and make a report of their proceedings to the next sessions of Court.

A. Scott Beane

Luzella Beane

Lloyd A. Berkley

Donald Berkley

M. R. Beane

Donibald S. McClintock

Raymond S. McClintock

Mrs. D. H. Weiner

Norman C. Lane

Mrs. Norman C. Lane

Mrs. Lulu D. Albert

Edmund R. Albert

Mrs. S. A. Weiner

S. A. Weiner

George Dittke

Regina Dittke

Carl B. Stauber

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a *J.P.* Notary Public in and for said State and County, *S. A. Weiner*, who being duly sworn according to law, deposes and says that he is one of the petitioners within set forth and that the statements contained in said petition are true and correct.

Sworn and subscribed before me
this *9-31* day of February, 1937.

S. A. Weiner.

George R. Rutledge J.P.

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY, 1940

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
¶ No. Sessions, 1937.

PRELIMINARY ORDER

March 1st
NOW, ~~February~~, 1937, the within petition having been
presented and considered, a Rule is granted upon the Commissioners of Cambria
County, Pennsylvania, to show cause, if any they have, why Viewers should not
be appointed as within prayed for; and said Rule is returnable at ten o'clock
A. M., *March 15*, 1937. Service of this Rule, together with a copy of
this petition, shall be made upon the said County Commissioners not less than
ten (10) days before the said return day.

By the Court
Mckenzie

ACCEPTANCE OF SERVICE BY THE
COMMISSIONERS OF CAMBRIA COUNTY,
PENNSYLVANIA

March 1
Now, ~~February~~, 1937, service of the above Rule is hereby
accepted, together with a copy of the within Petition.

George M. Spence
County Solicitor

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
¶ No. Sessions, 1937.

DECREE

AND NOW, this 15 day of March, 1937, the within Petition
having been read and considered, the Court appoints A. M. Shoemaker

and S. E. Dickey and
James W. Lamb viewers to view the road herein

referred to and make a report of their proceedings to the next term of the
Court of Quarter Sessions of said County.

By the Court
McKenney

EXHIBIT B

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA

§ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
§ No. Sessions, 1937.

NOTICE TO SUPERVISORS

TO CURT BARNHART, D. H. WEIMER and EPHRAIM HERSHBERGER, SUPERVISORS OF UPPER
YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will please take notice that there will be a petition presented
to the Court of Quarter Sessions of Cambria County, at Ebensburg, Pennsylvania,
in said County, at ten o'clock A. M., the ^{March} 1st day of ~~February~~, 1937, asking
the Court for the appointment of Viewers to view and lay out a proposed road
in the Township of Upper Yoder, to begin at the intersection of Hershberger
Road, a public road in said Township of Upper Yoder and the proposed road known
as Summit Avenue; thence from the center line of said Hershberger Street and
along the center line of the proposed road known as Summit Avenue North 34° 15'
East seven hundred ninety and seven tenths (790.7) feet to the intersection
with the center line of Louise Street; thence by the center line of Louise
Street North 55° 45' West three hundred forty-two and forty-nine hundredths
(342.49) feet to the intersection of Christine and Katherine Streets,
dedicated highways.

The exact distance from the point of beginning of said proposed
road, as set forth in this petition, from an intersecting public road or street,
to-wit, Daisy Street in the Borough of Southmont, County aforesaid, is thirty-
five hundred fifteen (3515) feet, measured along the center line of Hershberger
Road, a public highway, to the center line of said Daisy Street.

Barnhart & Adams
ATTORNEYS FOR PETITIONERS

March 1, 1937, service of the above stated
notice is hereby accepted.

D. H. Weimer
Curt Barnhart

No. 13 December Sessions 1936.

In the Court of Quarter Sessions
of Cambria County, Penna.

In re Public Road in Upper Yoder
Township, Cambria County,
Penna.

Order to View

Filed April 7, 1937

8
Office copy

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA.

§ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
§ No. 13 December Sessions, ~~1935~~
1936

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS IN AND FOR
CAMBRIA COUNTY, PENNSYLVANIA:

The petition of the undersigned inhabitants of the said Township
of Upper Yoder, in the County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience for want
of a public road or highway in the said Township of Upper Yoder, to begin at
the intersection of Hershberger Road, a public road in said Township of Upper
Yoder and the proposed road known as Summit Avenue; thence from the center line
of said Hershberger Street and along the center line of the proposed road known
as Summit Avenue North $34^{\circ} 15'$ East seven hundred ninety and seven tenths
(790.7) feet to the intersection with the center line of Louise Street; thence
by the center line of Louise Street North $55^{\circ} 45'$ West three hundred forty-two
and forty-nine hundredths (342.49) feet to the intersection of Christine and
Katherine Streets, dedicated highways.

The exact distance from the point of beginning of said proposed
road, as set forth in this petition, from an intersecting public road or street,
to-wit, Daisy Street in the Borough of Southmont, County aforesaid, is thirty-
five hundred fifteen (3515) feet, measured along the center line of Hershberger
Road, a public highway, to the center line of said Daisy Street;

A print showing the location of said proposed road, as above
described, is hereto attached, made part hereof and marked "EXHIBIT A".

Your petitioners further represent that notwithstanding the fact
that one of the termini named in the said petition, namely, the point of ending
of said proposed road, is at a point other than in a public highway or place
of public resort, that the said proposed road is one necessary for public
travel.

A release of damages, whereby the owners of property abutting the aforesaid proposed road release the said Township of Upper Yoder from all damages by reason of the opening, grading, draining, improving and maintaining the said proposed highway, is filed to No. 1 March Sessions, 1934.

[illegible]

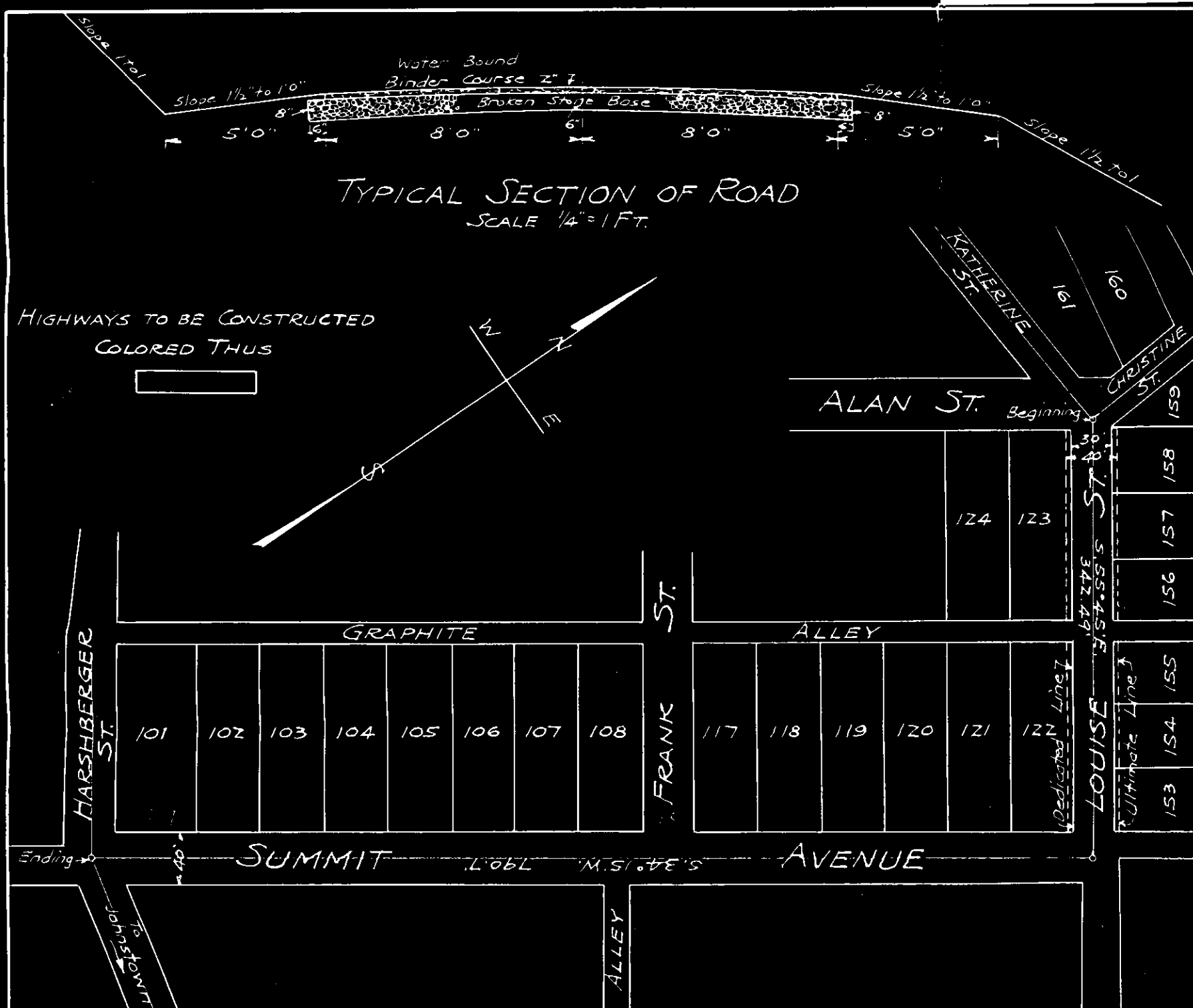
0 In the Court of Quarter Sessions
 : of Cambria County, Pennsylvania.
 :
 0 No. 13 December Sessions, 1937.
 1936.

March
AND NOW, this 15th day of ~~February~~, 1937, the within Petition

By the Court,
McKenrick, J.

Certified this 15th day
of March A. D. 1937.

James M. Jare
CLERK OF COURTS



UPPER YODER TWP, CAMBRIA CO, PENNA.
 SHOWING
 CERTAIN DEDICATED HIGHWAYS
 IN THE
 ELIM PLAN OF LOTS
 TO BE
 CONSTRUCTED UNDER CIVIL WORKS PROJECT
 SCALE 1" = 100' — S.E. DICKEY AND CO. — NOV. 26, 1933.
 CIVIL AND MINING ENGINEERS
 JOHNSTOWN, PA.