

No. 1 Dec, Sessions, 1936
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 and DECREE

Filed: Jan. 25, 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. / 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 Edward Street, a public highway, in the said Township of
Upper Yoder, with Penn Street, a dedicated highway, in the said Township of
Upper Yoder; thence by Penn Street North 18° East one hundred twenty (120) feet
to the intersection of Elizabeth Street, a dedicated highway in the said Town-
ship of Upper Yoder; thence by Elizabeth Street South $81^{\circ} 30'$ East nine hundred
thirty-six (936) feet to the intersection of the lot line between lots Nos.
340 and 341 extended, the ending, said place of ending being South $81^{\circ} 30'$
East a distance of one hundred sixty (160) feet from the center line of a
dedicated highway twenty (20) feet in width and indicated as North $8^{\circ} 30'$ East
on the Elim Plan of Lots.

The exact distance from the point of beginning of the said
proposed road, as set forth in this petition, from an intersecting public road
or street, to-wit, Orange Street, is five hundred fifty (550) feet, measured
from the center line of said proposed road along the center line of Edwards
Street; and the exact distance from the point of ending of the said proposed
road, as set forth in this petition, from an intersecting public road or street,
to-wit, Edward Street, is ten hundred fifty-six (1056) feet, the courses and
distances covering said ten hundred fifty-six (1056) feet being as follows:
Beginning at the center line of Elizabeth Street at the point of ending, as
aforesaid, thence North $81^{\circ} 30'$ West nine hundred thirty-six (936) feet to the
center line of said Penn Street; thence South 18° West along the center line

of said Penn Street one hundred twenty (120) feet to the center line of said Edward Street at its intersection with the proposed road.

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 any damages they have sustained or may seem likely to sustain by reason of the said accepting, opening, grading, draining, improving and maintaining of said proposed highway is hereto attached, made part hereof and marked "EXHIBIT C".

Your petitioners therefore pray the Court to appoint three (3) 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 this proceedings to the next sessions of Court.

Louis Stevens.
Caroline Stevens.
Thomas Martin
Weston Martin
Dr. J. W. Dull
Mrs. Jennie Dull
Mrs. Martha Hillgas
William Hillgas
Charles A. Spaul
Mrs. Chas. Hunt
Mrs. Wm. Dimmocks
Mr. Wm. Dimmocks.

James D. Smith
George R. Rittke
Regina Rittke

COMMONWEALTH OF PENNSYLVANIA :

: SS:

COUNTY OF CAMBRIA :

Personally appeared before me, a ~~Notary Public in and for said~~
State and County, *Louis Stevens*, 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 *23* day of January, 1937.

George Dittka
Justice of the Peace

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY, 1940

Louis Stevens

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. 1 Dec Sessions, 1936.

PRELIMINARY ORDER

NOW, January 25th, 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., ~~January~~ Feb 1st, 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

Clk

ACCEPTANCE OF SERVICE BY THE
COMMISSIONERS OF CAMBRIA COUNTY,
PENNSYLVANIA

Now, January 25th, 1937, service of the above Rule is hereby accepted, together with a copy of the within Petition.

H. J. Fox

Clk

Feb 15-1937

Rule Absolute.

By the Court
McKenrick
J

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

0 In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
:
0 No. / Dec - Sessions, 1936

DECREE

AND NOW, this 15th day of ~~January~~ ^{July}, 1937, the within petition
having been read and considered, the Court appoints J. E. Dickey
James McCann and L. E. Kaylor and
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
McKenrick

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.
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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 day of January, 1937, asking the Court for the appointment of Viewers to view and lay out a proposed road in the Township of Upper Yoder, to being at the intersection of Edward Street, a public highway, in the said Township of Upper Yoder, with Penn Street, a dedicated highway, in the said Township of Upper Yoder; thence by Penn Street North 18° East one hundred twenty (120) feet to the intersection of Elizabeth Street, a dedicated highway in the said Township of Upper Yoder; thence by Elizabeth Street South 81° 30' East nine hundred thirty-six (936) feet to the intersection of the lot line between lots Nos. 340 and 341 extended, the ending, said place of ending being South 81° 30' East a distance of one hundred sixty (160) feet from the center line of a dedicated highway twenty (20) feet in width and indicated as North 8° 30' East on the Elim Plan of Lots.

The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Orange Street, is five hundred fifty (550) feet, measured from the center line of said proposed road along the center line of Edward Street; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Edward Street, is ten hundred fifty-six (1056) feet, the courses and distances covering said ten hundred fifty-six (1056) feet being as follows:

Beginning at the center line of Elizabeth Street at the point of ending, as aforesaid, thence North 81° 30' West nine hundred thirty-six (936) feet to the center line of said Penn Street; thence South 18° West along the center line of said Penn Street one hundred twenty (120) feet to the center line of said Edward Street at its intersection with the proposed road.

ATTORNEY FOR PETITIONERS

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

✓ _____
✓ *D. H. Weiner*
✓ _____

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1, December Sessions, 1936

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court,
we the undersigned Viewers, appointed by the annexed order of the
Court to view the proposed road within mentioned, respectfully
report:

That we have been duly sworn or affirmed as members
of the Permanent Board of Viewers or as Road Viewers of Cambria
County, as shown by the records of the Court or the oath hereto
attached; that having given due public notice of the time and
place of meeting, by posting notices as required by the law along
the route and at the termini of the said proposed new road, as
evidenced by copy of said notice hereto attached, and by service
of such notice on the County Commissioners of Cambria County and
the Supervisors of Upper Yoder Township, acceptance of service
of said notice by the County Commissioners and the Supervisors of
Upper Yoder Township by their Solicitor being hereto attached;
That we met in accordance with the notice given on the 2nd day
of March A. D. 1937 at 9:30 o'clock A. M. and proceeded with the
duties of our appointment and viewed the premises and route of
the proposed new road; that the route of the proposed new road
follows a portion of Penn Street and Elizabeth Street, dedicated
highways in the Elim Plan of Lots in Upper Yoder Township; that
nine (9) of the lots abutting on the southerly side of said
Elizabeth Street are occupied with dwelling houses and other
buildings; that during the view a number of residents and
Supervisors were present and accompanied us during the view; that
after viewing the premises, although the endingterminussafdsaid

proposed new road is not in an intersecting public highway, we are of the opinion that a necessity exists for said proposed new road, therefore, we proceeded to lay out said road as follows: Beginning at the intersection of Edward Street, a public highway in said Township of Upper Yoder, with Penn Street, a dedicated highway, said place of beginning being at a distance of 550.0 feet from the intersection of Orange Street and Edward Street, public highways in the Borough of Southmont, measured along the center line of Edward Street, thence along Penn Street N. 18°00' E. 120.0 feet to the intersection of Elizabeth Street, a dedicated highway in said Township of Upper Yoder, thence by Elizabeth Street S. 81°30' E. 936.0 feet to the intersection of the lot line between lots 340 and 341 extended, the ending, said place of ending being S. 81°30' E. a distance of 160.0 feet from the center line of a dedicated highway 20 feet in width and indicated as N. 8°30' E. on the Elim Plan of Lots, said proposed new road being colored green on the blue print attached hereto and made a part hereof. The section of the proposed road on Elizabeth Street as dedicated is only 30 feet in width which requires the taking of 1.5 feet additional width on either side of said section of Elizabeth Street to provide for the minimum width of 33 feet, which is hereby laid out and included in said highway.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the Petitioners and laid out by us is necessary and convenient, therefore, we recommend that the prayer of the Petitioners be granted.

We are informed that releases of damages were filed with the petitions for the view; however, in consideration of the benefits and damages caused by the opening and maintaining of said proposed road, we assess no benefits and no damages.

Witness our hands this 3rd day of March A. D. 1937.

L. E. Taylor
D. E. Dickey
James M. Cahn
Viewers

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1, December Sessions, 1936

To L. E. KAYLOR, S. E. DICKEY & JAMES McCANN Dr.

To L. E. KAYLOR Dr.

Making View	\$ 12.00	
Mileage, 52 miles @ 10 cts.	5.20	
Data, making report & filing	12.00	
Stenographer & Stationery	2.50	\$ 31.70

This also includes work on Nos. 2 & 3, December
Sessions, 1936.

To S. E. DICKEY Dr.

Data, preparing, posting & serving notices of view	\$ 12.00	
Mileage, 8 miles @ 10 cts.	.80	
Stenographer & stationery	1.85	
Making View	----	
Mileage, 8 miles @ 10 cts.	.80	
Preparing maps, lettering & coloring prints	6.00	
Blue prints	1.00	\$ 22.45

Total \$ 54.15

CERTIFIED
Joseph E. Brown
COUNTY CONTROLLER

APPROVED FOR PAYMENT
John Brown
Grant P. Tollett
COMMISSIONERS

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1, December Sessions, 1936

NOTICE OF VIEW

We, the undersigned viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public road as prayed for by the petitioners, beginning at the intersection of Edward Street, a public highway in said Township of Upper Yoder, with Penn Street, a dedicated highway in said Township of Upper Yoder, and ending in Elizabeth Street at the intersection of the lot line between lots 340 and 341 extended at a point S. 81° 30' E. a distance of 160 feet from the center line of a dedicated highway 20 feet in width and indicated as N. 8° 30' E. on the Elim Plan of Lots, will meet at the place of beginning of said proposed road on the 2nd day of March A. D. 1937 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

Feb. 19, 1937

S. E. DICKEY
JAMES McCANN
L. E. KAYLOR

Viewers

Now this 20 day of February A. D. 1937, service of the above notice is hereby accepted by the Supervisors of Upper Yoder Township.

By

Frank P. Barlow
Solicitor

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1, December Sessions, 1936

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public road as prayed for by the petitioners, beginning at the intersection of Edward Street, a public highway in said Township of Upper Yoder, with Penn Street, a dedicated highway in said Township of Upper Yoder, and ending in Elizabeth Street at the intersection of the lot line between lots 340 and 341 extended at a point S. 81° 30' E. a distance of 160 feet from the center line of a dedicated highway 20 feet in width and indicated as N. 8° 30' E. on the Elim Plan of Lots, will meet at the place of beginning of said proposed road on the 2nd day of March A. D. 1937 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

S. E. DICKEY
JAMES McCANN
L. E. KAYLOR

Feb. 19, 1937

Viewers

Now this 24 day of February A. D. 1937, service of the above notice is hereby accepted by the Commissioners of Cambria County.

By §

H. F. G.
Chief Clerk

In re: Proposed Public Road
in Upper Yoder Township,
Columbia County, Pa.

In the Court of Quarter Sessions
of Columbia County, Penna.
No. 1, December Sessions, 1906

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public road as prayed for by the petitioners, beginning at the intersection of Edward Street, a public highway in said Township of Upper Yoder, with Penn Street, a dedicated highway in said Township of Upper Yoder, and ending in Elizabeth Street at the intersection of the lot line between lots 349 and 352 extended to a point S. 81° 30' E. a distance of 140 feet from the center line of a dedicated highway 20 feet in width and indicated as N. 8° 30' E. on the Elin Plan of Lots, will meet at the place of beginning of said proposed road on the 2nd day of March A. D. 1907 at 9:00 o'clock A. M. for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

Feb. 12, 1907

G. E. RICEY
JAMES MCCANN
L. E. SAYLER

Viewers

In Re: Proposed Public Road
in Upper Yoder Township,
Cambria County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1, December Sessions, 1936

OATH OF ROAD VIEWER

You and every of you do swear ~~on solemnly, sincerely~~
~~and truly declare and affirm that~~ as viewers for the purpose
mentioned in this order, you will perform the duties of your
appointment impartially and according to the best of your
judgment. So help you God ~~and so you affirm.~~

Sworn and subscribed to before
me this 2nd day of March A. D.
1937.

Louis E. Taylor

Mary F. Willett
Notary Public
My Com. Expires April 8, 1939

No. 1, December SESSIONS, 1926

Order to view Public Road in Upper
Yoder Township.

Filed: Mar. 3, 1937

S. E. Dickey

James McCann

L. E. Kaylor

Viewers

Clerk

90 cts.

CERTIFIED
CLERK
SAINT CLAIR

8 March 1937. Approved and breadth fixed at
thirty three feet.

By the Court

14 June 1937 ³³ Informed Absolutely
J. J. Jones
Clerk

McKenrick
J

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."

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 25th day of January A. D. 1927, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Upper Yoder, in the said County, setting forth that they labor under incon-

venience for want of a Public road or highway, to ~~begin at the intersection of Edward Street, a public highway, in the said Township of Upper Yoder, with Penn Street, a dedicated highway, in the said Township of Upper Yoder; thence by Penn Street North 18 degrees East one hundred twenty (120) feet to the intersection of Elizabeth Street, a dedicated highway in the said Township of Upper Yoder; thence by Elizabeth Street South 81 degrees 30' East nine hundred thirty-six (936) feet to the intersection of the lot line between lots Nos. 340 and 341 extended, the ending, said place of ending being South 81 degrees 30' East a distance of one hundred sixty (160) feet from the center line of a dedicated highway twenty (20) feet in width and indicated as North 8 degrees 30' East on the Elim plan of lots.~~

The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Orange Street, is five hundred fifty (550) feet, measured from the center line of said proposed road along the center line of Edwards Street; and the exact distance from the point of ending of the said proposed road as set forth in this petition, from an intersecting public road or street, to-wit, Edward Street, is ten hundred fifty-six (1056) feet, the courses and distances covering said ten hundred fifty-six (1056) feet being as follows: Beginning at the center line of Elizabeth Street at the point of ending, as aforesaid, thence North 81 degrees 30' West nine hundred thirty six (936) feet to the center line of said Penn Street; thence South 18 degrees West along the center line of said Penn Street one hundred twenty (120) feet to the center line of said Edward Street at its intersection with the proposed road.

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

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

S. E. Dickey surveyor, and James McCann
and L. E. Kaylor

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such 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 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:
James M. Jones, Clerk.

S. E. DICKEY & CO.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

Dr J E Rush
9 Floor

ERS

EXHIBIT C.

TO THE SUPERVISORS OF UPPER YODER TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA.

Petition and release of damages in re: the
opening, grading and maintaining of certain
dedicated highways in Upper Yoder Township.

We, the undersigned, your petitioners, respectively
represents:

That we are Residents or Owners of lots abutting on
Penn Street from its intersection with Edward Street in the
Borough of Southmont to its intersection with Elizabeth Street,
and, on Elizabeth Street from its intersection with Penn Street
eastwardly to the intersection of the division line between Lot
340 and Lot 341, as shown on the Elm Plan of Lots, dedicated
highways in Upper Yoder Township. That we are very much
inconvenienced on account of improper highway facilities to travel
to and from our properties.

THEREFORE, we respectively petition the Board of
Supervisors of Upper Yoder Township to enact proper resolutions
adopting and accepting the above named dedicated highways as
Township Highways, and to grade, drain and improve same.

IN CONSIDERATION OF the accepting, opening, grading,
draining, improving and maintaining of said dedicated highways
above referred to, we, the undersigned owners of all property
abutting thereon, do hereby release the said Township of Upper
Yoder from any damages we have sustained or may seem likely to
sustain by reason of the said accepting, opening, grading, drain-
ing, improving and maintaining of said highways above mentioned.

Witness our hands and seals this 8 day of April
A. D. 1935.

Mr. J. H. Martin
Mrs. Lillian Martin
Mr. John M. Martin
Mrs. Maudie M. Martin
Mr. Fred H. Just
Mrs. Florence J. Just
J. Edward Weissel
Francis B. Kuchuck
Al. Thomas Kuchuck
James A. Mulvihill
Bessie L. H. Mulvihill
Leo H. (Behe)

Mr. L. H. Rabe
Mrs. W. C. Rabe
Mr. G. B. McClelland
Mr. H. E. Smulas
Mr. G. B. McClelland
Lawrence Vellon
Mr. Lawrence Demois
Mr. Edwin Demois
Wilbur Bostlow
Mrs. Hilbur Costlow
Mrs. Leon E. Jones
Mrs. Leon Jones
Mr. & Mrs. James Wood

Jones M Stevens

Caroline A Stevens

Albert E. Stevens

J. M. D. Stevens

Mrs Emma J Simmons

Carl Simmons

Mrs Wm. Simmons

James D. Simmons

Wm. L. Simmons

William Hillgas

Martha Hillgas

Margaret Miller

Leah Anderson

Elizabeth Meyers

Mrs James L. Loder

James L. Loder

Mrs Susan C. Baker

M. J. Baker

E. B. Rush. Doctor

Mike Marshall

Mary Marshall

Mrs Augusta Laurer

A. B. Lander

No. 1 *Dec.* Sessions, 1937
In the Court of Quarter Session
of Calbria County, Pennsylvania.
PETITION FOR APPOINTMENT OF VIEWERS

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

B O N D

January 25, 1937, the
within Bond approved.

Payne Bond
Guery

Filed, Feb. 15, 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. 1 Dec. Sessions, 1936

B O N D

KNOW ALL MEN BY THESE PRESENTS that we D. H. Weiner

✓ and W. J. Farnham, 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 15 day of February, 1937.

WHEREAS, Louis Haran, 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
Edward Street, a public highway, in the said Township of Upper Yoder, with
Penn Street, a dedicated highway, in the said Township of Upper Yoder; thence
by Penn Street North 18° East one hundred twenty (120) feet to the inter-
section of Elizabeth Street, a dedicated highway in the said Township of Upper
Yoder; thence by Elizabeth Street South 81° 30' East nine hundred thirty-six
(936) feet to the intersection of the lot line between lots Nos. 340 and 341
extended, the ending, said place of ending being South 81° 30' East a distance
of one hundred sixty (160) feet from the center line of a dedicated highway
twenty (20) feet in width and indicated as North 8° 30' East on the Elim Plan
of Lots.

The exact distance from the point of beginning of the said
proposed road, as set forth in this aforementioned petition, from an inter-
secting public road or street, to-wit, Orange Street, is five hundred fifty
(550) feet, measured from the center line of said proposed road along the center
line of Edward Street; and the exact distance from the point of ending of the
said proposed road, set forth in this aforementioned petition, from an inter-

secting public road or street, to-wit, Edward Street, is ten hundred fifty-six (1056) feet, the courses and distances covering said ten hundred fifty-six (1056) feet being as follows: Beginning at the center line of Elizabeth Street at the point of ending, as aforesaid, thence North 81° 30' West nine hundred thirty-six (936) feet to the center line of said Penn Street; thence South 18° West along the center line of said Penn Street one hundred twenty (120) feet to the center line of said Edward Street at its intersection with the proposed road; 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 SA Merion and Chas. Hancock 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

J. L. Warner
William Saylor

SA Merion (SEAL)

Chas. Hancock (SEAL)

R.O. #1 Dec. 1936

Map #1

Not Microfilmed



4

8

7

UPPER JODER TWP
CAMBRIA CO. PA
SCALE 1" = 200'

R.O. #1 Dec - 1936

Map #2

Rat Microfilmed

UPPER YODER TWP.
CAMBRIA COUNTY, PENNA.
SCALE 1"=200' MAR. 3, 1937

No. 1, DECEMBER SESSIONS 1936

S. E. DICKEY
JAMES MCCANN
L. E. KAYLOR
VIEWERS

