

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. 2 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, beginning  
at the center line of State Street, a public highway, on the line between the  
Borough of Southmont and the said Township of Upper Yoder at a point North  
59° 48' West forty-eight (48) feet from the easterly side of a thirty (30) foot  
street, indicated as North 30° 12' East in the said Township of Upper Yoder,  
and ending in a public highway known as Berkley Road or the Extension of  
Goucher Street, sometimes referred to as Crystal Way, at a point near the  
northwest corner of the property of A. E. Poad, which point is North 43° 50'  
West a distance of ten hundred eighteen (1018) feet from the intersection of the  
northerly side of Miller Court, a dedicated highway in the Borough of Southmont.

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: Helen Street, is forty-eight (48) feet; 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, Miller Court, is  
ten hundred eighteen (1018) feet.

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

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.

A. E. Road

Cambria Road.

Adam Keppeler

Mary Keppeler

Helena Keppeler

Henry J. Miller

J. R. Meyer

Anna Henry Miller

Miss Sarah Miller

Le Roy Bidelman

Mrs. Edith Keckler

Ola Miller Yates

Albert R. Lee

Ruth Lee

George Miller

T

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CAMBRIA : SS:

Personally appeared before me, a ~~Notary Public~~ <sup>J.P.</sup> in and for said State and County, Alfred E. Poed, 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<sup>rd</sup> day of January, 1937.

Alfred E. Poed

Georgina Witting  
Justice of the Peace  
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

NOW, January 25<sup>th</sup>, 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., Feb'y 8<sup>th</sup>, 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  
Jury

ACCEPTANCE OF SERVICE BY THE  
COMMISSIONERS OF CAMBRIA COUNTY,  
PENNSYLVANIA

Now, January 28<sup>th</sup>, 1937, service of the above Rule is  
hereby accepted, together with a copy of the within Petition.

H. J. Don  
Clerk

Filed 15-1937  
Rule Wrote  
By the Court  
McKerrick &

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 February, 1937, the within  
petition having been read and considered, the Court appoints L. E. Dickie  
James McCann and J. E. Raylon  
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  
18

EXHIBIT      B

IN RE LAYING OUT OF A PUBLIC	§	In the Court of Quarter Sessions
HIGHWAY IN THE TOWNSHIP OF	:	of Cambria County, Pennsylvania.
UPPER YODER, COUNTY OF CAMBRIA	:	
AND STATE OF 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              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, beginning at the center line of State Street, a public highway, on the line between the Borough of Southmont and the said Township of Upper Yoder at a point North 59° 48' West forty-eight (48) feet from the easterly side of a thirty (30) foot street, indicated as North 30° 12' East in the said Township of Upper Yoder, and ending in a public highway known as Berkley Road or the Extension of Goucher Street, sometimes referred to as Crystal Way, at a point near the northwest corner of the property of A. E. Poad, which point is North 43° 50' West a distance of ten hundred eighteen (1018) feet from the intersection of the northerly side of Miller Court, a dedicated highway in the Borough of Southmont.

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, Helen Street, is forty-eight (48) feet; 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, Miller Court, is ten hundred eighteen (1018) feet.

ATTORNEYS FOR PETITIONERS

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


No. 2 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.



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

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 a cer-  
tain proposed highway to be dedicated in  
Upper Yoder Township.

We, the undersigned, your Petitioners, respectively  
represents:

That we are residents and owners of certain property in  
Upper Yoder Township adjoining the Borough of Southmont, bounded  
by State Street, Miller Court and Christopher Street Extension,  
and that we desire to dedicate a portion of said ground to the  
general public for highway purposes, and hereby do dedicate a  
strip of ground for highway purposes fifty (50) feet in width,  
together with the necessary additional widths for slopes and  
embankments, situate as follows: Beginning in the center of State  
Street on the line between the Borough of Southmont and Upper  
Yoder Township at a point N. 59° 48' W. approximately 48 feet  
from the easterly side of a 30 foot street; thence continuing by  
a 200 foot radius curve to the left and in a southwesterly  
direction to the intersection of a public road or Crystal Way  
Extended near the northwest corner of property of A. E. Poad,  
sometimes referred to as Crystal Springs.

The route and grade of said highway between the above  
described termini shall be laid out and determined by the  
Engineers for Upper Yoder Township in such a manner as to give  
the best alignment and grades obtainable to best fit the natural  
condition and topography of the property.

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

IN CONSIDERATION of the accepting, opening, grading,  
draining, improving and maintaining of said dedicated highway,  
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 highway hereby dedicated.

Witness our hands and seals this 26th day of January  
A. D. 1934.

Witness:

A. E. Poad  
A. E. Poad

Adam Keppler  
Mary Keppler

TO THE SUPERVISORS OF UPPER YODER TOWNSHIP  
CAMBRIA COUNTY, PENNSYLVANIA

Petition and release of damages in re: the  
opening, grading and maintaining of a cer-  
tain proposed highway to be dedicated in  
Upper Yoder Township.

We, the undersigned, your Petitioners, respectively  
represents:

That we are residents and owners of certain property in  
Upper Yoder Township adjoining the Borough of Southmont, bounded  
by State Street, Miller Court and Christopher Street Extension,  
and that we desire to dedicate a portion of said ground to the  
general public for highway purposes, and hereby do dedicate a  
strip of ground for highway purposes fifty (50) feet in width,  
together with the necessary additional widths for slopes and  
embankments, situate as follows: Beginning in the center of State  
Street on the line between the Borough of Southmont and Upper  
Yoder Township at a point N. 59° 48' W. approximately 48 feet  
from the easterly side of a 30 foot street; thence continuing by  
a 200 foot radius curve to the left and in a southwesterly  
direction to the intersection of a public road or Crystal Way  
Extended near the northwest corner of property of A. E. Poad,  
sometimes referred to as Crystal Springs.

The route and grade of said highway between the above  
described termini shall be laid out and determined by the  
Engineers for Upper Yoder Township in such a manner as to give  
the best alignment and grades obtainable to best fit the natural  
condition and topography of the property.

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

IN CONSIDERATION of the accepting, opening, grading,  
draining, improving and maintaining of said dedicated highway,  
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 highway hereby dedicated.

Witness our hands and seals this 26th day of January  
A. D. 1934.

Witness:

A. E. Poad  
A. E. Poad  
A. E. Poad  
A. E. Poad  
A. E. Poad  
A. E. Poad

L. D. Poad  
Hannah Harris  
Walter F. Kenney  
Frances F. Kenney  
John Price  
Stella D. Price

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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, 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 10:30 o'clock A. M. and proceeded with the  
duties of our appointment and viewed the premises and route of  
the proposed new road; that all three viewers were present; that  
one of the supervisors was present and a number of interested  
citizens were present and heard; that after viewing the premises  
and the route of the proposed road and the surrounding territory,  
we find that said proposed new road is necessary for the traveling  
public, therefore, we proceeded to lay out said road as follows:  
Beginning at a point in the center line of State Street N.59°48' W.

a distance of 73.0 feet from the intersection of the center line of Helen Street, a public highway in the Borough of Southmont, thence by a curve to the left and a radius of 200 feet a distance of 195.83 feet to a point of tangent, thence by said tangent S. 64° 06' W. 1350.07 feet to the place of ending in the center line of the newly constructed <sup>State</sup> highway leading from the Menoher Highway to the top of the Benscreek hill, said place of ending being at a distance of 1026.0 feet from the intersection of the northerly side of Miller Court, a dedicated highway in the Borough of Southmont, measured along the center line of the newly constructed State Highway. We recommend that the width of said right-of-way for said road be 50.0 feet as dedicated by the property owners, all of which is colored green on the blue print attached hereto and made a part hereof.

That after viewing the premises and taking into consideration all matters before us, we are of the opinion that the road as prayed for by the Petitioners and laid out by us is necessary for the traveling public, therefore, we recommend that the prayer of the Petitioners be granted.

We are informed that certain petitions dedicating the proposed highway and containing a release of damages was filed with the petition for the appointment of viewers; however, in consideration of the benefits and damages caused by the opening, improving and maintaining of said proposed new road, we assess no benefits and no damages.

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

*James M. Carr*  
*W. E. Dickson*  
*A. E. Taylor*

Viewers

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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, December Sessions, 1936

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

To JAMES McCANN Dr.

Making View	\$ 12.00	
Mileage, 16miles @ 10 cts.	1.60	
Data, making report and filing	12.00	
Stenographer & Stationery	<u>2.50</u>	\$ 28.10

This also includes work on Nos.1 & 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	----	
Making survey	25.00	
Plotting survey, preparing map & coloring prints	12.00	
Blue prints	<u>1.00</u>	\$ 52.65

Total

\$ 80.75

CERTIFIED  
*James E. Brown*  
COUNTY CONTROLLER

APPROVED FOR PAYMENT  
*James E. Brown*  
*James E. Brown*  
COMMISSIONER

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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, 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 center line of State Street, a public highway, on the line between the Borough of Southmont and the Township of Upper Yoder at a point N.  $59^{\circ}48'$  W. 48 feet from the easterly side of a 30 foot street indicated as N.  $30^{\circ}12'$  E. and known as Helen Street Extension in Upper Yoder Township and ending in a public highway known as Berkley Road or the Extension of Goucher Street, sometimes referred to as Crystal Way, at a point near the north-west corner of the property of A. E. Poad, which point is N.  $43^{\circ}50'$  W. a distance of 1018 feet from the intersection of the northerly side of Miller Court, a dedicated highway in the Borough of Southmont, will meet at the place of beginning of said proposed road on the 2nd day of March A. D. 1937 at 10:30 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 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. Barnhart  
Solicitor

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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, 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 center line of State Street, a public highway, on the line between the Borough of Southmont and the Township of Upper Yoder at a point N. 59° 48' W. 48 feet from the easterly side of a 30 foot street indicated as N. 30° 12' E. and known as Helen Street Extension in Upper Yoder Township and ending in a public highway known as Berkley Road or the Extension of Goucher Street, sometimes referred to as Crystal Way, at a point near the north-west corner of the property of A. E. Pead, which point is N. 43° 50' W. a distance of 1018 feet from the intersection of the northerly side of Miller Court, a dedicated highway in the Borough of Southmont, will meet at the place of beginning of said proposed road on the 2nd day of March A. D. 1937 at 10:30 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. L. D.  
Chief Clerk



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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, 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 center line of State Street, a public highway, on the line between the Borough of Southmont and the Township of Upper Yoder at a point N. 59° 46' W. 43 feet from the easterly side of a 30 feet street indicated as N. 59° 12' E. and known as Helen Street Extension in Upper Yoder Township and ending in a public highway known as Berkley Road or the Extension of Geunher Street, sometimes referred to as Crystal Bay, at a point near the north-west corner of the property of A. B. Ford, which point is N. 43° 50' W. a distance of 1512 feet from the intersection of the northerly side of Miller Court, a dedicated highway in the Borough of Southmont, will meet at the place of beginning of said proposed road on the first day of March A. D. 1937 at 10:30 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. DICKIN  
JAMES McCALL  
A. E. KAYLOR

Feb. 19, 1937

Viewers

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

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, December Sessions, 1936

OATH OF ROAD VIEWER

You and every of you do swear ~~solemnly, sincerely~~  
~~and solemnly 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.

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

Louis E. Taylor

NO. 2, December SESSIONS, 1926

Order to view Public Road in Upper  
Yoder Township, Cambria County.

Filed: Mar. 3, 1937

S. E. Dickey

James McCann

L. E. Kaylor

Viewers

Clerk

90 cts.

CONFIRMED  
COUNTY CONTROLLER

8 March 1937 Approved and breadth fixed at  
fifty feet.

By the Court:

14 June 1937. Confirmed absolutely.  
J. J. McKenrick  
J. J. McKenrick  
Clark

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, be-  
fore 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, ~~extension from~~  
beginning at the center line of State Street, a public highway, on the line between  
the Borough of Southmont and the said Township of Upper Yoder at a point North 59  
degrees 48' West forty-eight (48) feet from the easterly side of a thirty (30) foot  
street, indicated as North 30 degrees 12' East in the said Township of Upper Yoder,  
and ending in a public highway known as Berkley Road or the Extension of Goucher  
Street, sometimes referred to as Crystal Way, at a point near the northwest corner of  
the property of A. E. Poad, which point is North 43 degrees 50' West a distance of  
ten hundred eighteen (1018) feet from the intersection of the northerly side of  
Miller Court, a dedicated highway in the Borough of Southmont.

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:  
Helen Street, is forty-eight (48) feet; 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, Miller Court, is ten hundred eighteen (1018) feet.

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

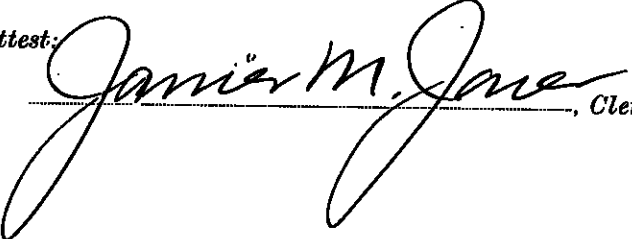
surveyor, and James McCann

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:

  
Clerk.

No. 2 Dec. Sessions, 1936  
In the Court of Quarter Sessions  
of Cambria County, Pennsylvania.  
PETITION FOR APPOINTMENT OF VIEWER

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

B O N D

January 25<sup>th</sup>, 1937, the  
within bond approved:

By the Court

*Leung*

*Filed: Feb. 15, 1937*

LAW OFFICES  
BARNHART & ADAMS  
JOHNSTOWN, PENNA.

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

§ In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. 2 Dec. Sessions, 1936  
§

B O N D

KNOW ALL MEN BY THESE PRESENTS that we D. H. Weiner  
and Curt Hanchard, 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<sup>th</sup> day of February, 1937.

WHEREAS, A. E. Poad, 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, beginning at the center line of  
State Street, a public highway, on the line between the Borough of Southmont  
and the said Township of Upper Yoder at a point North 59° 48' West forty-eight  
(48) feet from the easterly side of a thirty (30) foot street, indicated as  
North 30° 12' East in the said Township of Upper Yoder, and ending in a public  
highway known as Berkley Road or the Extension of Goucher Street, sometimes  
referred to as Crystal Way, at a point near the northwest corner of the property  
of A. E. Poad, which point is North 43° 50' West a distance of ten hundred  
eighteen (1018) feet from the intersection of the northerly side of Miller  
Court, a dedicated highway in the Borough of Southmont.

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, Helen Street, is forty-eight (48) feet;  
and the exact distance from the point of ending of the said proposed road, as  
set forth in this aforementioned petition, from an intersecting public road or  
street, to-wit, Miller Court, is ten hundred eighteen (1018) feet.



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. A. 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

William Saylor  
J. Clyde Brown

D. A. Weiner (SEAL)

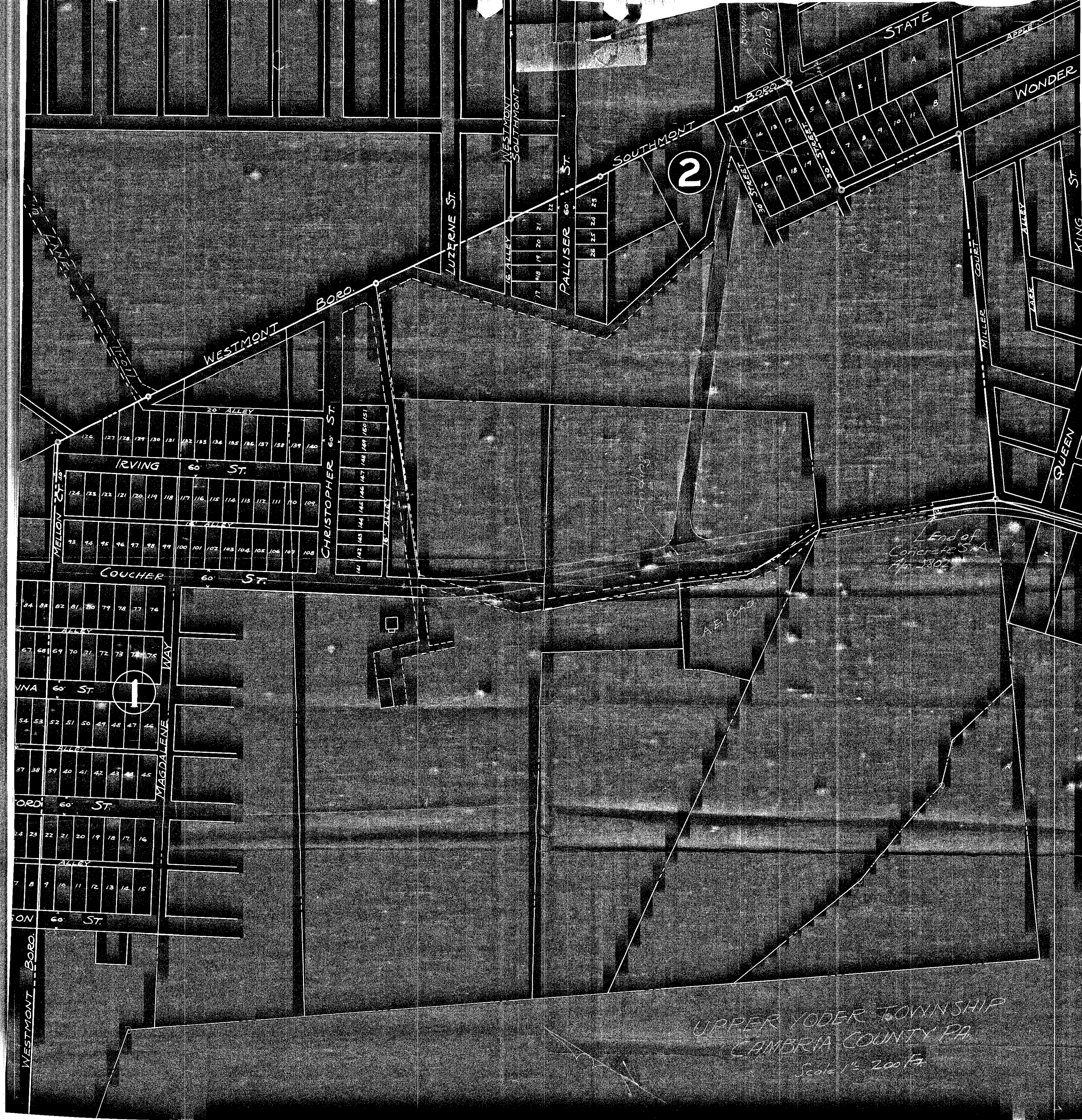
Curt Barnhart (SEAL)

R.O. #2 Dec. 1936

Map #1

Rat Microfilmed







R.D. #2 Dec. 1936

Map #2

Rat microfilmed



