

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.

October 20, 1952

MR. JOSEPH WESS,
Clerk of the Court of Quarter Sessions,
Ebensburg, Pennsylvania

Dear Sir:

I am herewith handing you Report in re: vacating of portion of public road in Upper Yoder Township. Kindly file same and send me a statement of your charges.

Very truly yours,


FRANK P. BARNHART

JBW

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

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
BERKLEY ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY
PENNSYLVANIA

R E P O R T

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

The Supervisors of Upper Yoder Township having given ten (10) days notice to the property owners affected, of which notice a copy is hereto attached, made part hereof and marked "EXHIBIT A", met at the Judges' Chambers in the United States National Bank Building in the City of Johnstown on WEDNESDAY the 15th day of October, 1952, at 1:30 o'clock, P. M.

At this hearing, the matter was considered and the Supervisors decided in favor of exercising their power to vacate portion of what was formerly known as Berkley Road and thereupon, on the 15th day of October, 1952, passed a Resolution, a copy of which is hereto attached, made part hereof and marked "EXHIBIT B".

Within ten days after the passage and approval of this Resolution, notice was given thereof by posting ten (10) hand bills in conspicuous places along the line of the portion of road vacated, and improvements, a copy of which notice is hereto attached, made part hereof and marked "EXHIBIT C".

Within sixty (60) days after the hearing, the Supervisors notified the person designated in the petition, namely, ALBERT

E. THOMAS, of their action thereon by handing to him the following Notice:

"TO ALBERT E. THOMAS:

YOU ARE HEREBY NOTIFIED that the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, on the 15th day of October, 1952, acted favorably on your Petition to Vacate portion of road in Upper Yoder Township, and passed the following Resolution:

RESOLUTION

BE IT RESOLVED AND IT IS HEREBY RESOLVED that a portion of a public road formerly known as the Berkley Road, further bounded and described as follows:

BEGINNING at a point on the westerly side of the old Township Road on line of land of A. E. Poad, thence across Service Court #11 and across front of lots #452, 453, 454 and 455 North forty-six degrees twenty-seven minutes West (N.46°27'W) two hundred thirty feet (230') more or less, thence continuing along the westerly side of old Township Road and across the front of lots #332, 333, 334 and 442 to 451, inclusive, and across Luzerne Street North thirty-one degrees forty-two minutes west (N.31°42' W.) seven hundred nineteen and nine tenths feet (719.9) to a point on the westerly side of Goucher Street, thence along said Goucher Street as relocated, in a southeasterly direction by a curve having a radius of nineteen hundred ten and eight-one-hundredths feet (1910.08') a distance of four hundred seventy-six feet (476') more or less, thence along the easterly side of the old Township Road South thirty-one degrees forty-two minutes East (S.31°42'E.) a distance of two hundred thirty-one feet (231') more or less, thence continuing by same South forty-six degrees twenty-seven minutes East (S.46°27'E.) two hundred thirty-one feet (231') more or less, to a point on the southerly side of Service Court #11 and line of land of A. E. Poad, thence along said Service Court #11 and land of A. E. Poad South fifty-four degrees five minutes West (S.54°05'W.) a distance of sixty-one and three-one-hundredths feet (61.03) to a point, the place of beginning;

as shown in yellow on map attached to
Petition to Supervisors and marked "EXHIBIT
A", is hereby vacated."

/s/ BLAIR HUNT
PRESIDENT

/s/ CURT BARNHART
SECRETARY

/s/ D. H. WEIMER
SUPERVISORS OF UPPER YODER
TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

"October 1952, I hereby accept service of
the above Notice and acknowledge receipt of
copy of same.

/s/ ALBERT E. THOMAS
ALBERT E. THOMAS"

A draft or survey of the said portion of road vacated and
noting the improvements along the line thereof and naming the
owners of property through which the same passes or abuts is
hereto attached, made part hereof and marked "EXHIBIT D".

Respectfully submitted,

Blair Hunt
PRESIDENT

Curt Barnhart
SECRETARY

D. H. Weimer
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

BEFORE THE SUPERVISORS OF
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY,
PENNSYLVANIA

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
BERKLEY ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY,
PENNSYLVANIA

NOTICE TO PROPERTY OWNERS

NOTICE is hereby given that there will be a hearing on the above matter on the 15th day of October, 1952, at 1:30 o'clock, P. M. at the Judges' Chambers in the United States National Bank Building, Johnstown, Pennsylvania, when and where all parties interested may meet and be heard. At this hearing, witnesses may be summoned and examined by the Supervisors and by the parties interested.

/s/ BLAIR HUNT
PRESIDENT

/s/ CURT BARNHART
SECRETARY

/s/ D. H. WEIMER
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

* * * *

OCTOBER 4th 1952, I hereby accept service of the above Notice.

/s/ ALBERT E. THOMAS
ALBERT E. THOMAS

"EXHIBIT A"

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

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
BERKLEY ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY,
PENNSYLVANIA

RESOLUTION

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as shown in yellow on map attached to Petition to Supervisors and marked "EXHIBIT A" is hereby vacated.

"EXHIBIT B"

BEFORE THE SUPERVISORS
OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENN-
SYLVANIA

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
BERKLEY ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY,
PENNSYLVANIA.

NOTICE OF PASSAGE OF RESOLUTION

NOTICE is hereby given that the following Resolution was passed and approved by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, on the 15th day of October, 1952:

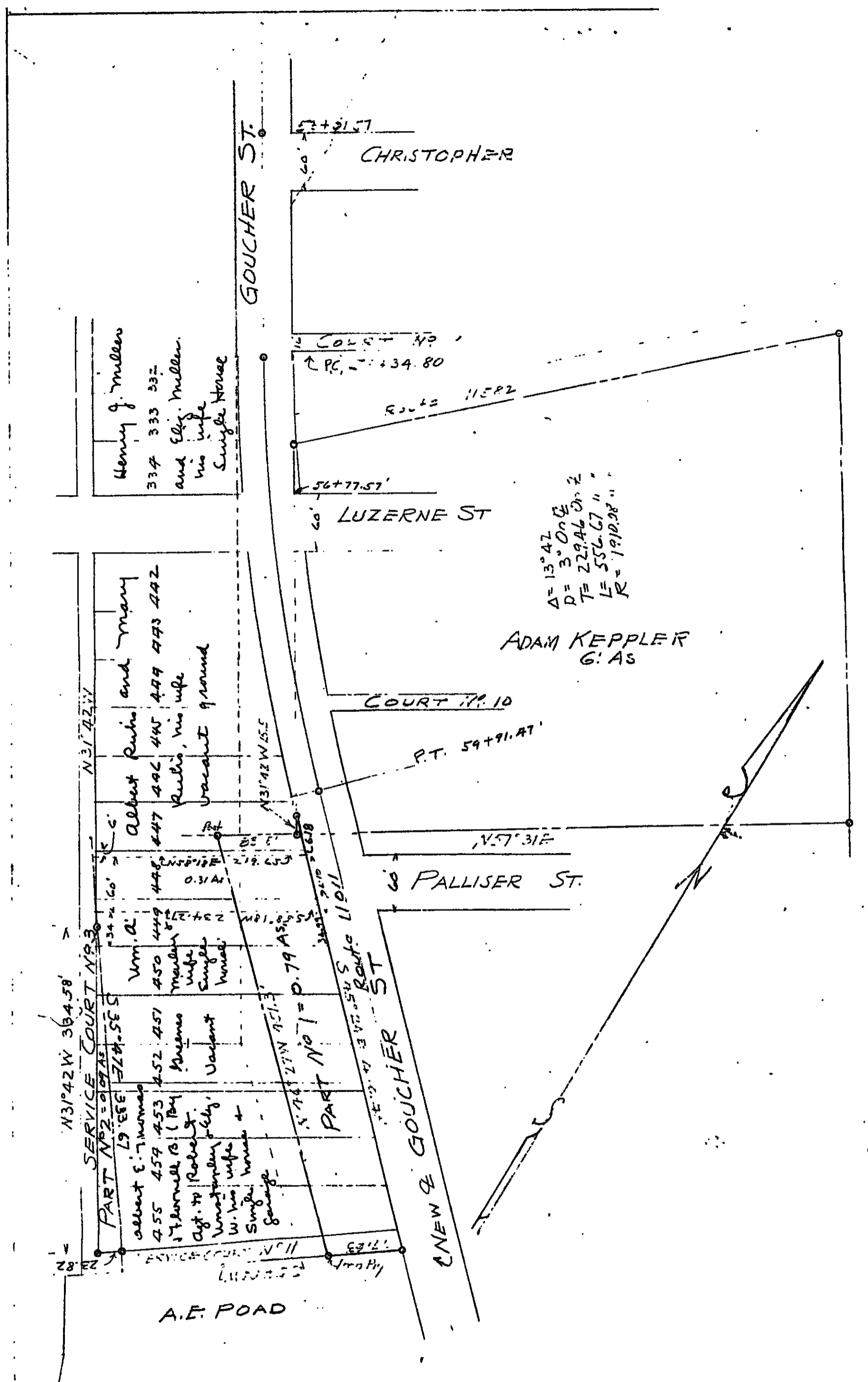
RESOLUTION

BE IT RESOLVED AND IT IS HEREBY RESOLVED that a portion of a public road formerly known as the Berkley Road, further bounded and described as follows:

BEGINNING at a point on the westerly side of the old Township Road on line of land of A. E. Poad, thence across Service Court #11 and across front of lots #452, 453, 454 and 455 North forty-six degrees twenty-seven minutes West (N.46°27'W.) two hundred thirty feet (230') more or less, thence continuing along the westerly side of old Township Road and across the front of lots #332, 333, 334 and 442 to 451, inclusive, and across Luzerne Street North thirty-one degrees forty-two minutes West (N. 31°42'W.) seven hundred nineteen and nine-tenths feet (719.9) to a point on the westerly side of Goucher Street, thence along said Goucher Street, as relocated, in a southeasterly direction by a curve having a radius of nineteen hundred ten and eight one-hundredths feet (1910.08') a distance of four hundred seventy-six feet (476') more or less, thence along the easterly side of the old Township Road South thirty-one degrees forty-two minutes East (S.31°42'E) a distance of two hundred thirty-one feet (231') more or less, thence continuing by same South forty-six degrees twenty-seven minutes East (S.46° 27' E.) two hundred thirty-one feet (231') more or less to a point on the southerly side of Service Court #11 and line of land of A. E. Poad, thence along said Service Court #11 and land of A. E. Poad South fifty-four degrees five minutes West (54°05'W.) a distance of sixty-one and three one-hundredths feet (61.03') to a point, the place of beginning;

as shown in yellow on map attached to Petition to Supervisors and marked "EXHIBIT A" is hereby vacated.

"EXHIBIT C"



Henry J. Miller
337 333 337
and Eliz. Miller
his wife
Single House

Albert Ruhn and Mary
447 446 445 444 443 442
Ruhn, his wife
Vacant ground

Wm. A.
450 449 448 447 446 445
Mary
Single house

Robert G.
451 450 449 448 447 446 445
Wm. Miller
Single house +
Garage

CHRISTOPHER

LUZERNE ST

ADAM KEPPLER
G: AS

COURT No. 10

PALLISER ST.

A.E. ROAD

NEW & GOUCHER ST

Δ = 13° 42'
D = 3° 00' E
T = 229.46
L = 556.67
R = 1919.98

ADAM AND MARY KEPPLER
Conveys to
SARAH AND HENRY MILLER
Situate in
Upper-Yoder Twp Cambria County Pa.
Scale 1"=100' S.E. Dickey & Co. Aug 11-1931
Civil & Mining Engineers
Johnstown, Pa.

102-7-5

5-2-32-1
S.E.D.

"EXHIBIT D"

BEFORE THE SUPERVISORS
OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY,
PENNSYLVANIA

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
BERKLEY ROAD IN THE TOWNSHIP
OF UPPER YODER, CAMBRIA COUNTY
PENNSYLVANIA

R E P O R T

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

The Supervisors of Upper Yoder Township having given ten (10) days notice to the property owners affected, of which notice a copy is hereto attached, made part hereof and marked "EXHIBIT A", met at the Judges' Chambers in the United States National Bank Building in the City of Johnstown on WEDNESDAY the 15th day of October, 1952, at 1:30 o'clock, P. M.

At this hearing, the matter was considered and the Supervisors decided in favor of exercising their power to vacate portion of what was formerly known as Berkley Road and thereupon, on the 15th day of October, 1952, passed a Resolution, a copy of which is hereto attached, made part hereof and marked "EXHIBIT B".

Within ten days after the passage and approval of this Resolution, notice was given thereof by posting ten (10) hand bills in conspicuous places along the line of the portion of road vacated, and improvements, a copy of which notice is hereto attached, made part hereof and marked "EXHIBIT C".

Within sixty (60) days after the hearing, the Supervisors notified the person designated in the petition, namely, ALBERT

E. THOMAS, of their action thereon by handing to him the following Notice:

"TO ALBERT E. THOMAS:

YOU ARE HEREBY NOTIFIED that the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, on the 15th day of October, 1952, acted favorably on your Petition to Vacate portion of road in Upper Yoder Township, and passed the following Resolution:

RESOLUTION

BE IT RESOLVED AND IT IS HEREBY RESOLVED that a portion of a public road formerly known as the Berkley Road, further bounded and described as follows:

BEGINNING at a point on the westerly side of the old Township Road on line of land of A. E. Poad, thence across Service Court #11 and across front of lots #452, 453, 454 and 455 North forty-six degrees twenty-seven minutes West (N.46°27'W) two hundred thirty feet (250') more or less, thence continuing along the westerly side of old Township Road and across the front of lots #332, 333, 334 and 442 to 451, inclusive, and across Luzerne Street North thirty-one degrees forty-two minutes west (N.31°42' W.) seven hundred nineteen and nine tenths feet (719.9) to a point on the westerly side of Goucher Street, thence along said Goucher Street as relocated, in a southeasterly direction by a curve having a radius of nineteen hundred ten and eight-one-hundredths feet (1910.08') a distance of four hundred seventy-six feet (476') more or less, thence along the easterly side of the old Township Road South thirty-one degrees forty-two minutes East (S.31°42'E.) a distance of two hundred thirty-one feet (231') more or less, thence continuing by same South forty-six degrees twenty-seven minutes East (S.46°27'E.) two hundred thirty-one feet (231') more or less, to a point on the southerly side of Service Court #11 and line of land of A. E. Poad, thence along said Service Court #11 and land of A. E. Poad South fifty-four degrees five minutes West (S.54°05'W.) a distance of sixty-one and three-one-hundredths feet (61.03) to a point, the place of beginning;

as shown in yellow on map attached to
Petition to Supervisors and marked "EXHIBIT
A", is hereby vacated."

/s/ BLAIR HUNT
PRESIDENT

/s/ CURT BARNHART
SECRETARY

/s/ D. H. WEIMER
SUPERVISORS OF UPPER YODER
TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

"October 1952, I hereby accept service of
the above Notice and acknowledge receipt of
copy of same.

/s/ ALBERT E. THOMAS
ALBERT E. THOMAS"

A draft or survey of the said portion of road vacated and
noting the improvements along the line thereof and naming the
owners of property through which the same passes or abuts is
hereto attached, made part hereof and marked "EXHIBIT D".

Respectfully submitted,

/s/ Blair Hunt
PRESIDENT

/s/ CURT B ARNHART
SECRETARY

/s/ D. H. WEIMER
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

BEFORE THE SUPERVISORS OF
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY,
PENNSYLVANIA

I IN RE: VACATING OF PORTION OF
: PUBLIC ROAD FORMERLY KNOWN AS
: BERKLEY ROAD IN THE TOWNSHIP
: OF UPPER YODER, CAMBRIA COUNTY,
I PENNSYLVANIA

NOTICE TO PROPERTY OWNERS

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/s/ BLAIR HUNT PRESIDENT

/s/ CURT BARNHART SECRETARY

/s/ D. H. SEYMER
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

* * * *

OCTOBER 4, 1952, I hereby accept service of the above Notice.

/s/ ALBERT E. THOMAS
ALBERT E. THOMAS

"EXHIBIT A"

BEFORE THE SUPERVISORS
OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY,
PENNSYLVANIA

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN AS
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PENNSYLVANIA

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as shown in yellow on map attached to Petition to Supervisors and marked "EXHIBIT A" is hereby vacated.

"EXHIBIT B"

BEFORE THE SUPERVISORS
OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENN.-
SYLVANIA

§ IN RE: VACATING OF PORTION OF
: PUBLIC ROAD FORMERLY KNOWN AS
: BERKLEY ROAD IN THE TOWNSHIP
: OF UPPER YODER, CAMBRIA COUNTY,
§ PENNSYLVANIA

NOTICE OF PASSAGE OF RESOLUTION

NOTICE is hereby given that the following Resolution was passed and approved by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, on the 15th day of October, 1952:

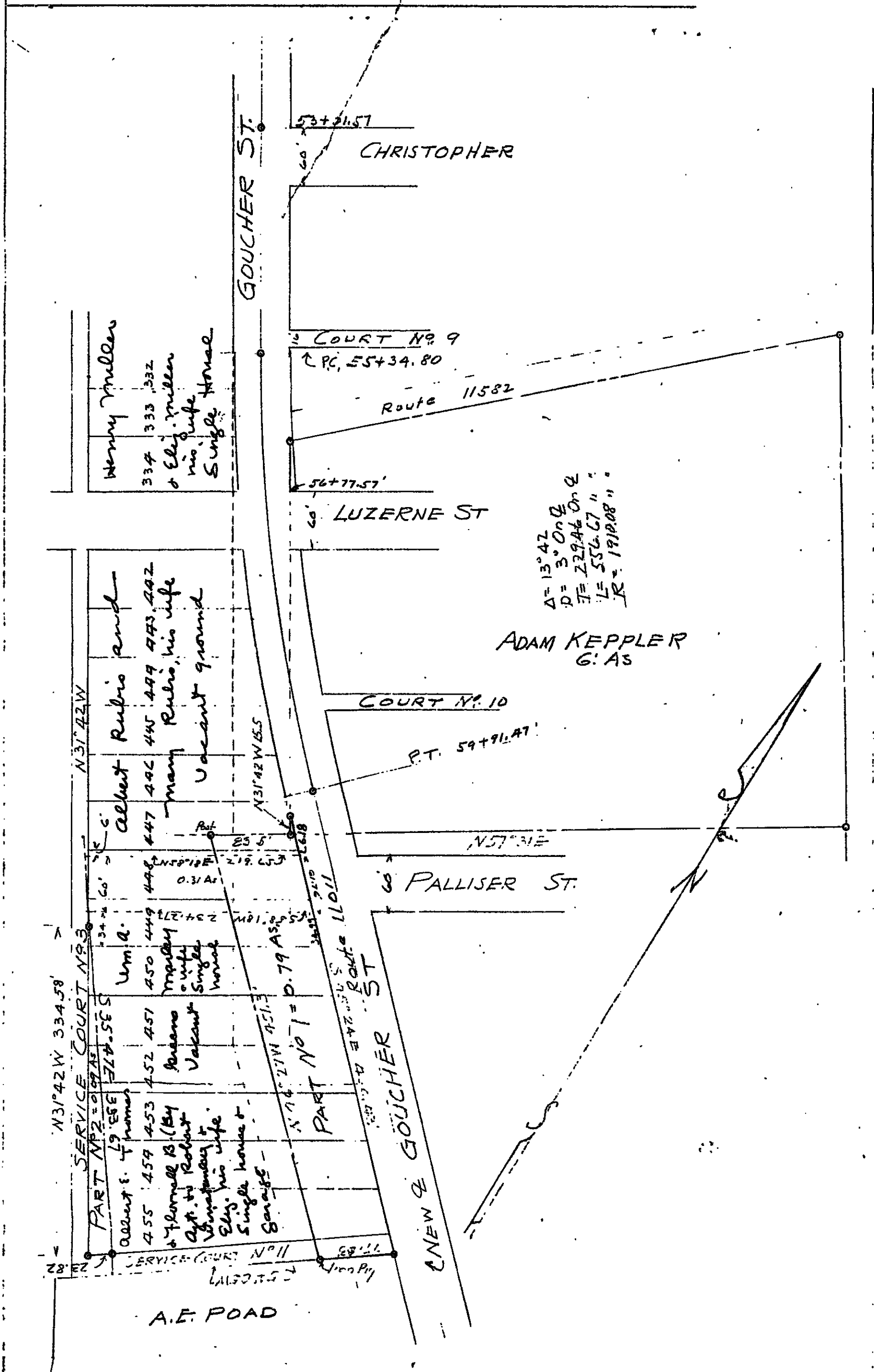
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as shown in yellow on map attached to Petition to Supervisors and marked "EXHIBIT A" is hereby vacated.

"EXHIBIT C"



ADAM And MARY KEPPLER
 Conveys to
 SARAH And HENRY MILLER
 Situate in
 Upper-Yoder Twp. Cambria County, Pa.
 Scale - 1" = 100' S.E. Dickey & Co. Aug 11-1931
 Civil & Mining Engineers
 Johnstown, Pa.

5-C-329

"Exhibit D"

5-C-329
 S.E.D

IN RE: VACATING OF PORTION OF
PUBLIC ROAD FORMERLY KNOWN
AS BERKLEY ROAD IN THE TOWN-
SHIP OF UPPER YODER, ETC.

BEFORE THE SUPERVISORS OF
UPPER YODER TOWNSHIP,
CAMBERIA COUNTY,
PENNSYLVANIA

REPORT

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.