

*Road Order*  
No.

March Sessions, 1956

IN THE COURT OF QUARTER  
SESSIONS OF CAMBRIA COUNTY,  
PENNSYLVANIA

IN THE MATTER OF THE CHANGE  
OF LOCATION AND LINES OF THE  
HIGHWAY KNOWN AS STATE HIGH-  
WAY ROUTE NO. 11013 IN THE  
TOWNSHIP OF CONEMAUGH,  
CAMBRIA COUNTY, PENNSYLVANIA

*Filed Dec. 23, 1955*

PETITION OF HELEN SEKERAK  
VANCE, HELEN VANCE, ATTORNEY  
IN-FACT FOR FRANCIS A.  
SEKERAK, HELEN VANCE,  
ATTORNEY-IN-FACT FOR HELEN  
M. SEKERAK VALINOVSKY, AND  
HELEN VANCE, ATTORNEY-IN-  
FACT FOR WILLIAM B. SEKERAK,  
FOR THE APPOINTMENT OF  
VIEWERS.

MARLIN B. STEPHENS  
Attorney and Counselor at Law  
JOHNSTOWN, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN THE MATTER OF THE CHANGE OF  
LOCATION AND LINES OF THE HIGHWAY  
KNOWN AS STATE HIGHWAY ROUTE NO.  
11013 IN THE TOWNSHIP OF CONEMAUGH,  
CAMBRIA COUNTY, PENNSYLVANIA

I  
: No. \_\_\_\_ March Sessions, 1956  
:  
:  
I

PETITION OF HELEN SEKERAK VANCE, HELEN VANCE,  
ATTORNEY-IN-FACT FOR FRANCIS A. SEKERAK, HELEN  
VANCE, ATTORNEY-IN-FACT FOR HELEN M. SEKERAK  
MALINOVSKY, AND HELEN VANCE, ATTORNEY-IN-FACT-  
FOR WILLIAM B. SEKERAK, FOR THE APPOINTMENT  
OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Helen Sekerak  
Vance, Helen Vance, Attorney-in-Fact for Francis A. Sekerak,  
Helen Vance, Attorney-in-Fact for Helen M. Sekerak Malinovsky,  
and Helen Vance, Attorney-in-Fact for William B. Sekerak,  
respectfully represents:

FIRST

That your Petitioner, Helen Sekerak  
Vance, is a resident of Conemaugh Township, Cambria County,  
Pennsylvania; and Helen Vance, attorney-in-Fact for Francis A.  
Sekerak, a resident of Conemaugh Township, Cambria County,  
Pennsylvania; and Helen Vance, Attorney-in-Fact for Helen M.  
Sekerak Malinovsky, a resident of Binghamton, New York; and Helen  
Vance, Attorney-in-Fact for William B. Sekerak, a resident of  
Rahway, New Jersey.

SECOND

Your Petitioners are the owners  
of certain real property in the Township of Conemaugh, County of

Cambria, State of Pennsylvania, fronting approximately one thousand (1,000) feet on the public highway known as the Franklin Bon-Air Road and designated as State Highway Route No. 11013, Section 3. Said real property bounded and described as follows:

BEGINNING at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South  $47^{\circ} 37'$  East a distance of 468.8 feet to a post; thence South  $16^{\circ} 44'$  East a distance of 361 feet to a post; thence South  $6^{\circ} 00'$  West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South  $6^{\circ} 29'$  West a distance of 545.8 feet to a post; thence still by same, South  $10^{\circ} 42'$  East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North  $44^{\circ} 47'$  West a distance of 1551 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North  $48^{\circ} 55'$  East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company, North  $57^{\circ} 06'$  East a distance of 104 feet to place of beginning, containing 20.571 acres.

#### THIRD

The Department of Highways of the Commonwealth of Pennsylvania, in changing the location and grade of the said public highway leading from Bon Air to Franklin Borough, Cambria County, Pennsylvania, made certain changes which affected the land owned by your Petitioners in that the new highway known as State Highway Route No. 11013 was extended over and above part of the land owned by your Petitioners, and above described, whereby the Commonwealth of Pennsylvania condemned a portion of the land of your Petitioners, said portion being a strip of land approximately one thousand (1,000) feet long and varying in width up to approximately fifty (50) feet, along the westerly line of said property and said highway.

#### FOURTH

Your Petitioners aver that they were the owners of the land hereinabove described at the time of

said condemnation, and therefore, they are the only persons entitled to the recovery of damages for the taking thereof.

#### FIFTH

The Secretary of Highways of the Commonwealth of Pennsylvania, under authority of law, has caused changes in existing lines and location of the highway above referred to as State Highway Route No. 11013 to be made at a point on said highway where the same now passes along and above the real estate owned by your Petitioners and hereinabove described. Such change, insofar as that portion of said Highway Route No. 11013 is concerned, makes a change therein whereby said Highway was relocated, placing the same upon real estate owned by your Petitioners. As the result of said changes, the land as owned by your Petitioners has been condemned and taken for public use in connection with the changes in lines and location above referred to.

#### SIXTH

Your Petitioners are advised, believe, and therefore aver, that a strip of land approximately one thousand (1,000) feet in length and varying in width up to approximately fifty (50) feet, comprising approximately one (1) acre of land was taken for highway purposes.

#### SEVENTH

The changes in said Highway so made by the Secretary of Highways have not only taken a large part of the real estate of your Petitioners as above set forth, but did cause injury and irreparable damage to the remainder thereof.

#### EIGHTH

Your Petitioners aver that prior to the change in the Highway above mentioned, the property contained an orchard consisting of apple trees, pear trees, and cherry trees, and other trees of saw timber sizes amounting in total number to one hundred twenty-nine (129.) The change in location of said Highway resulted in the total destruction of these trees, the fruit trees which were of bearing age and producing income for your Petitioners. The change of location of said Highway, as well as the grades thereof, has resulted in the closing of a private lane or driveway into and upon the property of your Petitioners, thereby compelling your Petitioners to expend large sums of money to regrade the said lane to make the same useable. Your Petitioners aver that by changing the grade and location of said Highway, they have damaged your Petitioners in that a private lane leading to the home of your Petitioners situate on the hereinabove described land, has been made steeper and narrower and resulting in wash and erosion, compelling your Petitioners to expend large sums of money to maintain this said lane and keeping a free access, egress and ingress to and from their property available. By changing the grade and location of said State Highway, your Petitioners aver that they have suffered damage to a large and ever-flowing spring of water on the above described real estate owned by your Petitioners, the said spring of water being necessary for the use and enjoyment of their property and home, as well as their five (5) tenants situate in said home who draw water from the said spring. The said damage to the said spring consisting of filling of earth in spring to such an extent that the spring is continually washed with road drainage and silt causing your Petitioners to expend large sums of money to build a retaining wall

to prevent this wash and drainage filling this spring. The loss of said spring and the use thereof causes your Petitioners as well as their tenants amounting to five in number, to carry water from great distances at a continuing and constant expense. The change of grade and location of the said Highway has resulted in the interfering with and destruction of the landscaping of the property owned by your Petitioners, and leaving the appearance of the property in a dilapidated and run-down and abandoned condition, which said appearance reduces the sale value and market value of the said real estate and will compel your Petitioners to expend large sums of money to restore the said landscaping and appearance.

#### NINTH

The Commonwealth of Pennsylvania, under the provisions of the Act of Assembly in such case made and provided, is required to assume all damages in connection with the aforesaid changes of the existing lines and location of said highway known as State Highway Route No. 11013.

#### TENTH

By the provisions of Article III, Section 303 of the Act of Assembly of the 1st day of June, 1945, P. L. 1242, it is provided that, if an agreement cannot be made between the owner of property damaged and the Secretary of Highways, said owner or the Commonwealth may present their or its petition to the Court of Quarter Sessions for the appointment of Viewers to ascertain and assess such damages, as well as any benefits accruing to the land owner by reason of the appropriation or taking of the same or any part thereof by the Secretary of Highways in connection with the change in lines and location

of State Highway Routes. Said act further provides that such petition shall be presented within six (6) years from the date of the approval by the Governor of the plan making the change, but not thereafter. Your Petitioners' period within which to petition the Court for the appointment of viewers expires on December 30, 1955, according to a statement in a letter dated March 15, 1950, addressed to your Petitioners by C. R. Forbes, District Engineer, District 9, of the Pennsylvania Department of Highways. While the Viewers to be appointed must take into consideration not only the damages suffered by your Petitioners by reason of the appropriation hereinabove mentioned, but must take into consideration also any benefits which may have accrued to said property by reason of the fact that the Highway now passes through and over the land of your Petitioners; nevertheless, your Petitioners believe that no benefits have been derived by your Petitioners thereby.

#### ELEVENTH

Your Petitioners allege that the fair market value of the land was decreased by reason of the condemnation, and by reason of the fact that a certain portion of their land was actually taken for public use, and in addition thereto, they claim that the fair market value immediately after the condemnation, and as affected by the condemnation, was less than the amount of the fair market value immediately before the condemnation.

#### TWELFTH

Until this date, your Petitioners have not been able to complete an agreement for the settlement of this damage.

WHEREFORE, your Petitioners pray that your Honorable Court appoint Viewers to ascertain and assess the damages which have been suffered by the property of your Petitioners by reason of the acts of the Secretary of Highways as above set forth, as well as any benefits derived therefrom.

And they will forever pray.

Helen Sekerak Vance  
Helen Sekerak Vance

Helen Vance  
Helen Vance, Attorney-in-Fact  
for Francis A. Sekerak

Helen Vance  
Helen Vance, Attorney-in-Fact  
for Helen M. Sekerak Malinovsky

Helen Vance  
Helen Vance, Attorney-in-Fact  
for William B. Sekerak



STATE OF PENNSYLVANIA  
COUNTY OF CAMBRIA

SS:

Personally appeared before me, a  
Notary Public in and for said County and State, HELEN SEKERAK  
VANCE, who being duly sworn according to law deposes and says  
that she is one of the Petitioners in the foregoing petition,  
and that the facts set forth therein are true and correct to the  
best of her knowledge, information and belief.

Helen Sekerak Vance  
Helen Sekerak Vance

Sworn and subscribed to  
before me this 21st  
day of December, 1955.

Bessie Kunkinich  
NOTARY PUBLIC

Johnstown, Cambria County, Pa.  
My Commission Expires January 29, 1959

O R D E R

NOW, this 23<sup>rd</sup> day of December, 1955, the foregoing petition having been read and presented to the Court, the Court does hereby appoint Fred Claplin, Robert S. Mayer and Theodore Hunt to view the property described in the within petition and to report to the Court their findings with respect to the damages suffered by the Petitioners by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 11013, taking into consideration any benefits which may have accrued to said property by said change of lines and location. It is hereby directed that the above named viewers in assessing the damage shall take into consideration the advantages derived from such road passing through the land of the complainants, in any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of March, 1956. The viewers above appointed are hereby directed to give at least ten days' notice in writing to the Secretary of Highways and the Petitioners of the day and hour on which they will view the premises within described and conduct their hearing under this appointment.

BY THE COURT:

Beffith J.



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 23rd day of December A. D. 19 55 before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Conemaugh, in the said County, setting forth that they labor under inconvenience for want of a ~~road~~ <sup>agreement of settlement of damages</sup> ~~road or highway~~ to lead from

Beginning at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South  $47^{\circ} 37'$  East a distance of 468.8 feet to a post; thence south  $16^{\circ} 44'$  East a distance of 361 feet to a post; thence South  $60^{\circ} 00'$  West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South  $69^{\circ} 29'$  West a distance of 545.8 feet to a post; thence still by same, South  $10^{\circ} 42'$  East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North  $44^{\circ} 47'$  West a distance of 1551 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North  $48^{\circ} 55'$  East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company, North  $57^{\circ} 06'$  East a distance of 104 feet to place of beginning, containing 20.571 acres.

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

Fred Claflin, Robert S. Mayer, Theodore Hunt

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. Griffith, J.

Attest:

Joseph C. Shew, Clerk

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."

NO. 1 March SESSIONS, 19 56

Order to view In the Matter of

the change of location and lines

of the Highway known as State

Highway Route No. 11013 in the

Township of Conemaugh, Cambria

County, Pennsylvania

Viewers

Fred Claflin

Robert S. Mayer

Theodore Hunt

Clerk Joseph C. Wess,

*Joseph C. Wess*  
Clerk of Courts.

IN RE: Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna.

In the Court of Quarter Sessions

No. 1 March Sessions, 1956

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to view and inspect a tract of land owned by Helen Sekerak Vance, et al, in the Township of Conemaugh, Cambria County, Penna. and to estimate and determine the damages that have resulted or that may seem likely to result to the land of the owner by reason of the change of location and lines of the Highway known as State Highway Route No. 11013 in the Township of Conemaugh, Cambria County, Pa., described as follows:

Beginning at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South 47° 37' East, a distance of 468.8 feet to a post; thence South 16° 44' East a distance of 361 feet to a post; thence South 6° 00' West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South 6° 29' West a distance of 545.8 feet to a post; thence still by same, South 10° 42' East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North 44° 47' West a distance of 1651 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North 48° 55' East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company, North 57° 06' East a distance of 104 feet to place of beginning, containing 20.571 acres.

Will meet on the premises on Wednesday, April 18, 1956 at 10 o'clock a.m., E.S.T. for the purpose of performing the duties of our appointment.

Fred Claflin

Robert S. Mayer

Theodore Hunt

April 2, 1956.

Copy to:

Pennsylvania Department of Highways, Hollidaysburg, Pa.

Atty. Edward Peduzzi - Ebensburg, Pa.

Atty. Marlin B. Stephens - Johnstown, Pa.

Mrs. Helen Sekerak Vance

Prothonotary, MF, Dolan

Clerk of County Commissioners  
Clerk of Courts  
Viewers

1. Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerek Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route 11013 in the Township of Conemaugh, Cambria County, Penna.

In the Court of Quarter Sessions

No. 1 March Sessions, 1966

### NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to view and inspect a tract of land owned by Helen Sekerek Vance, et al, in the Township of Conemaugh, Cambria County, Penna. and to estimate and determine the damages that have resulted or that may seem likely to result to the land of the owner by reason of the change of location and lines of the Highway known as State Highway Route No. 11013 in the Township of Conemaugh, Cambria County, Pa., described as follows:

Beginning at a Maple at lands of Cambria Iron Company, being also corner of William Halzi lands; thence along land of said William Halzi, South  $47^{\circ} 37'$  East, a distance of 435.8 feet to a post; thence South  $18^{\circ} 44'$  East a distance of 301 feet to a post; thence South  $80^{\circ} 00'$  East a distance of 53.8 feet to a post; thence by lands of John Timbath and Mary Boon, South  $8^{\circ} 29'$  East a distance of 548.8 feet to a post; thence still by same, South  $10^{\circ} 42'$  East a distance of 345.8 feet to a post; thence by lands of Anthony Kohler, North  $44^{\circ} 47'$  West a distance of 1551 feet to a post on lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North  $66^{\circ} 55'$  East a distance of 706 feet to a Sugar; thence by land of Cambria Iron Company, North  $57^{\circ} 06'$  East a distance of 104 feet to place of a building, containing 30.571 acres.

Will meet on the premises on Wednesday, April 13, 1966 at 10 o'clock a.m., 1966, for the purpose of performing the duties of our appointment

Fred Cleflin

Robert S. Mayor

Theodore Hunt

April 2, 1966.

May 5, 1956

IN RE: Petition for appointment of  
Viewers to assess damages or benefits  
to the lands of Helen Sekerak Vance,  
et al, Cambria County, Penna. by reason  
of the change of location and lines of  
the Highway known as State Route #11013  
in the Township of Conemaugh, Cambria  
County, Penna.

In the Court of Quarter  
Sessions

No. 1 March Sessions,  
1956

NOTICE OF HEARING

Please be advised that there will be a hearing in the  
Judges Chambers, U. S. National Bank Building, Johnstown, Penna.  
at 10:00 o'clock A.M. D.S.T. on May 24, 1956 re the assessment  
of damages to the lands of Helen Sekerak Vance, et al, Township  
of Conemaugh, State of Pennsylvania.

Yours very truly,

Fred Claflin  
Robert S. Mayer  
Theodore Hunt

  
Chairman of the Board of Viewers

Copy to:  
Pennsylvania Department of Highways, Hollidaysburg, Pa.  
Atty. Edward Peduzzi - - Ebensburg, Pa.  
Atty. Marlin B. Stephens - - Johnstown, Pa.  
Mrs. Helen Sekerak Vance



IN RE: Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna.

In the Court of Quarter Sessions

No. 1 March Sessions, 1956

#### REPORT OF VIEWERS

We, the undersigned Viewers appointed by the above Court to view and inspect the land and premises owned by Mrs. Helen Sekerak Vance, et al in the Township of Conemaugh, Cambria County, Pa. and to determine and estimate the damages or benefits that have resulted or that may seem likely to result to the land and property of the petitioner and owner by reason of the change of location and lines of the highway known as State Highway Route #11013 in the Township of Conemaugh, Cambria County, Pa. described as follows:

BEGINNING at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South 47° 37' East, a distance of 468.8 feet to a post; thence South 16° 44' East a distance of 361 feet to a post; thence South 60° 00' West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South 60° 29' West a distance of 545.8 feet to a post; thence still by same, South 100° 42' East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North 44° 47' West a distance of 1551 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North 48° 55' East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company, North 57° 06' East a distance of 104 feet to place of beginning, containing 20.571 acres.

Permanent Right of Way -- 1 Acre plus slopes and channel changes.

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the aforesaid Court; that due public notice of the time and place of

the meeting of the Viewers was given by the posting of ten hand bills upon the real estate and premises of Mrs. Helen Sekerak Vance, et al at least ten days upon said condemned premises and upon Edward Peduzzi, Attorney for the Pennsylvania Department of Highways, Marlin B. Stephens, Attorney for the owner, Mrs. Helen Sekerak Vance, owner of the said premises, Joseph C. Wess, Clerk of Courts of Cambria County, County Commissioners and Joseph C. Dolan, Prothonotary of Cambria County.

Pursuant to Notice to View, we met upon the premises and land of Mrs. Helen Sekerak Vance, et al on the 18th day of April, 1956 at 10 o'clock A.M., E.S.T. and proceeded with the duties of our appointment. All of the Viewers were present. Counsel for the Pennsylvania Department of Highways, Mr. Edward Peduzzi, counsel for the owner, Mr. Marlin B. Stephens, and the owner, Mrs. Helen Sekerak Vance were also present. We made a careful view and inspection of the premises going over the ground taken and affected by the right-of-way and the land adjacent to it.

Notices for a hearing to be held at the Judges Chambers, U. S. Bank Bldg. at 10 o'clock A.M. D.S.T. on Thursday, May 24, 1956 (this meeting was held in the Council Room in the Johnstown City Hall) were sent out. At this hearing testimony was heard on the part of the owner and the Pennsylvania Department of Highways and expert witnesses. Before the closing of the hearing it was again agreed that the Viewers would present their Schedule of Damages at the office of Gray & Claflin, 606 Swank Bldg., Johnstown, Penna. on June 6, 1956 at 4:30 P.M. D.S.T.

The Viewers met in conference May 28, 1956 and went over all the testimony offered at the hearing. The following subjects were discussed:

- (1) General location of the property.
- (2) Present value of the property and probable future development.

- (3) Value of trees cut and their value at maturity.
- (4) Affect of slope on existing spring.
- (5) Condition of new ramp and future maintenance of same.
- (6) Affect on property by channel changes.

After taking into consideration the matters above briefed the Viewers hereby assess total damages to Mrs. Helen Sekerak Vance in the amount of one thousand three hundred fifty dollars (\$1350.00) and the Viewers assess no benefits.

Witness our hands and seals this seventh day of June, 1956.

Fred Clafford Chairman

Robert Mayor

Theodore Hunt  
Viewers

IN RE: Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna.

In the Court of Quarter Sessions

No. 1 March Sessions, 1956

CAMBRIA COUNTY in Account with Fred Claflin, Robert G. Mayer and Theodore Hunt.

Fred Claflin

1956

April 2	Prepared Notices to View 1 day	\$ 12.00
2	Stenographer, Stationery, etc.	2.80
4	Posting Notices - 1 day	12.00
	Mileage - 12 miles @ \$.10	1.20
18	Making View	12.00
	Mileage - 12 miles @ \$.10	1.20

1956

May 18	Preparing Notices for Hearing	12.00
18	Stenographer, etc.	4.90
24	Hearing at City Council Chambers	
	Johnstown	12.00
	Mileage - 6 miles @ \$.10	.60
28	Conference, Gray & Claflin office	12.00
	Mileage - 6 miles @ \$.10	.60

1956

June 1	Preparing Report	12.00
1	Stenographer, etc.	3.40
6	Exhibitors Schedule - 1 day	
	Gray & Claflin office	12.00
	Mileage - 6 miles @ \$.10	.60
12	Filing Report - 1 day	12.00
	Mileage - 40 miles @ \$.10	4.00

\$127.30

Robert G. Mayer

1956

April 18	Making View - 1 day	\$ 12.00
	Mileage - 10 miles @ \$.10	1.00

1956

May 24	Hearing at City Council Chambers	
	Johnstown	12.00
	Mileage - 4 miles @ \$.10	.40
28	Conference, Gray & Claflin office	12.00
	Mileage - 4 miles @ \$.10	.40

1956

June 6	Exhibitors Schedule - 1 day	12.00
	Mileage - 4 miles @ \$.10	.40

\$ 50.20

Theodore Hunt

1956

April 18	Making View - 1 day	\$ 12.00
	Mileage - 10 miles @ \$.10	1.00

1956

May 24	Hearing at City Council Chambers Johnstown	12.00
26	Mileage - 16 miles @ \$.10	1.60
28	Conference, Gray & Claflin office	12.00
	Mileage - 16 miles @ \$.10	1.60

1956

June 6	Exhibitors Schedule - 1 day	12.00
	Mileage - 16 miles @ \$.10	1.60

\$ 53.80

The above is a true and correct Statement of costs due to the Viewers in the case of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna. vs. Pennsylvania Department of Highways, the original of which is filed with the Report in the Clerk of Courts Office, June 12, 1956.

J. W. Clapham

Robert Mayer

Theodore Hunt

Viewers

May 5, 1956

Mr. Joseph C. Dolan  
Prothonotary  
Ebensburg, Penna.

IN RE: Petition for appointment of  
Viewers to assess damages or benefits  
to the lands of Helen Sekerak Vance,  
et al, Cambria County, Penna. by reason  
of the change of location and lines of  
the Highway known as State Route #11013  
in the Township of Conemaugh, Cambria  
County, Penna.

In the Court of Quarter  
Sessions

No. 1 March Sessions,  
1956

NOTICE OF HEARING

Please be advised that there will be a hearing in the  
Judges Chambers, U. S. National Bank Building, Johnstown, Penna.  
at 10:00 o'clock A.M. D.S.T. on May 24, 1956 re the assessment  
of damages to the lands of Helen Sekerak Vance, et al, Township  
of Conemaugh, State of Pennsylvania.

Yours very truly,

Fred Claflin  
Robert S. Mayer  
Theodore Hunt

  
Chairman of the Board of Viewers

May 5, 1956

Clerk of Courts  
Court House  
Ebensburg, Penna.

IN RE: Petition for appointment of  
Viewers to assess damages or benefits  
to the lands of Helen Sekerak Vance,  
et al, Cambria County, Penna. by reason  
of the change of location and lines of  
the Highway known as State Route #11013  
in the Township of Conemaugh, Cambria  
County, Penna.

In the Court of Quarter  
Sessions

No. 1 March Sessions,  
1956

NOTICE OF HEARING

Please be advised that there will be a hearing in the  
Judges Chambers, U. S. National Bank Building, Johnstown, Penna.  
at 10:00 o'clock A.M. D.S.T. on May 24, 1956 re the assessment  
of damages to the lands of Helen Sekerak Vance, et al, Township  
of Conemaugh, State of Pennsylvania.

Yours very truly,

Fred Claflin  
Robert S. Mayer  
Theodore Hunt

Fred Claflin  
Chairman of the Board of Viewers

No 1 March Docket March 1956  
Filed - 2-2-26-8 am

No 1 Road Docket March  
1956

Filed - 5-7-56 - J. W.

of Commonwealth, State of Pennsylvania  
of Judges to the Judges of the  
at 10:00 o'clock A.M. D.S.T. on  
Judges Chambers, U. S. District  
Please do signed that



IN RE: Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna.

0 In the Court of Quarter  
0 Sessions  
0

0 No. 1 March Sessions,  
0 1956  
0  
0  
0

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to view and inspect a tract of land owned by Helen Sekerak Vance, et al, in the Township of Conemaugh, Cambria County, Penna. and to estimate and determine the damages that have resulted or that may seem likely to result to the land of the owner by reason of the change of location and lines of the Highway known as State Highway Route No. 11013 in the Township of Conemaugh, Cambria County, Pa., described as follows:

Beginning at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South 47° 37' East, a distance of 468.8 feet to a post; thence South 16° 44' East a distance of 361 feet to a post; thence South 60° 00' West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South 60° 29' West a distance of 545.8 feet to a post; thence still by same, South 10° 42' East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North 44° 47' West a distance of 1551 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North 48° 55' East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company North 57° 06' East a distance of 104 feet to place of beginning, containing 20.571 acres.

Will meet on the premises on Wednesday, April 18, 1956 at 10 o'clock a.m. E.S.T. for the purpose of performing the duties of our appointment.

Fred Claflin

Robert S. Mayer

Theodore Hunt

April 2, 1956

Filed - April 6, 1956  
Road Docket 1 - June 1956

No. 1 March Sessions, 1956

IN THE MATTER OF THE CHANGE  
OF LOCATION AND LINES OF THE  
HIGHWAY KNOWN AS STATE HIGH-  
WAY ROUTE NO. 11013 IN THE  
TOWNSHIP OF CONEMAUGH, CAMBRIA  
COUNTY, PENNSYLVANIA

**VIEWER'S REPORT**

Filed: June 12, 1956  
J. C. Wess

**CLERK OF COURTS  
JOSEPH C. WESS  
CAMBRIA COUNTY  
EBENSBURG, PENNA.**

IN RE: Petition for appointment of Viewers to assess damages or benefits to the lands of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna.

( ) In the Court of Quarter  
( ) Sessions  
( )

( ) No. 1 March Sessions.  
( ) 1956  
( )

### REPORT OF VIEWERS

We, the undersigned Viewers appointed by the above Court to view and inspect the land and premises owned by Mrs. Helen Sekerak Vance, et al in the Township of Conemaugh, Cambria County, Pa. and to determine and estimate the damages or benefits that have resulted or that may seem likely to result to the land and property of the petitioner and owner by reason of the change of location and lines of the highway known as State Highway Route #11013 in the Township of Conemaugh, Cambria County, Pa. described as follows:

BEGINNING at a Maple at lands of Cambria Iron Company, being also corner of William Malzi lands; thence along land of said William Malzi, South 47° 37' East, a distance of 468.8 feet to a post; thence South 16° 44' East, a distance of 361 feet to a post; thence South 6° 00' West a distance of 82.5 feet to a post; thence by lands of John Trimbath and Mary Beam, South 6° 29' West a distance of 545.8 feet to a post; thence still by same, South 10° 42' East a distance of 345.2 feet to a post; thence by lands of Anthony Kohler, North 44° 47' West a distance of 1551 feet to a post at lands of Cambria Iron Company and D. W. Wagner; thence by land of D. W. Wagner, North 48° 55' East a distance of 705 feet to a Sugar; thence by land of Cambria Iron Company, North 57° 06' East a distance of 104 feet to place of beginning, containing 20.571 acres.

Permanent Right of Way--1 Acre plus slopes and channel changes.

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the aforesaid Court; that due public notice of the time and place of

the meeting of the Viewers was given by the posting of ten hand bills upon the real estate and premises of Mrs. Helen Sekerak Vance, et al at least ten days upon said condemned premises and upon Edward Peduzzi, Attorney for the Pennsylvania Department of Highways, Marlin B. Stephens, Attorney for the owner, Mrs. Helen Sekerak Vance, owner of the said premises, Joseph C. Wess, Clerk of Courts of Cambria County, County Commissioners and Joseph C. Dolan, Prothonotary of Cambria County.

Pursuant to Notice to View, we met upon the premises and land of Mrs. Helen Sekerak Vance, et al on the 18th day of April, 1956 at 10 o' clock A.M., E.S. T. and proceeded with the duties of our appointment. All of the Viewers were present. Counsel for the Pennsylvania Department of Highways, Mr. Edward Peduzzi, counsel for the owner, Mr. Marlin B. Stephens, and the owner, Mrs. Helen Sekerak Vance were also present. We made a careful view and inspection of the premises going over the ground taken and affected by the right-of-way and the land adjacent to it.

Notices for a hearing to be held at the Judges Chambers, U. S. Bank Bldg. at 10 o' clock A.M. D.S.T. on Thursday, May 24, 1956 (this meeting was held in the Council Room in the Johnstown City Hall) were sent out. At this hearing testimony was heard on the part of the owner and the Pennsylvania Department of Highways and expert witnesses. Before the closing of the hearing it was again agreed that the Viewers would present their Schedule of Damages at the office of Gray & Claflin, 606 Swank Bldg., Johnstown, Penna. on June 6, 1956 at 4:30 P.M. D.S.T.

The Viewers met in conference May 28, 1956 and went over all the testimony offered at the hearing. The following subjects were discussed:

- (1) General location of the property.
- (2) Present value of the property and probable future development.

- (3) Value of trees cut and their value at maturity.
- (4) Affect of slope on existing spring.
- (5) Condition of new ramp and future maintenance of same.
- (6) Affect on property by channel changes.

After taking into consideration the matters above briefed the Viewers hereby assess total damages to Mrs. Helen Sekerak Vance in the amount of one thousand three hundred fifty dollars (\$1350.00) and the Viewers assess no benefits.

Witness our hands and seals this seventh day of June, 1956.

Fred Clapham Chairman

Robert Mayne,

Theodore Hunt.  
Viewers

IN RE: Petition for appoint- ( )  
 ment of Viewers to assess dam- ( )  
 ages or benefits to the lands ( )  
 of Helen Sekerak Vance, et al, ( )  
 Cambria County, Penna. by rea- ( )  
 son of the change of location ( )  
 and lines of the Highway known ( )  
 as State Route #11013 in the ( )  
 Township of Conemaugh, Cambria ( )  
 County, Penna. ( )

In the Court of Quarter  
 Sessions

No. 1 March Sessions,  
 1956

CAMBRIA COUNTY in Account with Fred Claflin, Robert G. Mayer and  
 Theodore Hunt.

Fred Claflin

1956

April 2	Prepared Notices to View 1 day	\$ 12.00
2	Stenographer, Stationary, etc.	2.80
4	Posting Notices - 1 day	12.00
	Mileage - 12 miles @ \$.10	1.20
18	Making View	12.00
	Mileage - 12 miles @ \$.10	1.20

1956

May 18	Preparing Notices for Hearing	12.00
19	Stenographer, etc.	4.90
24	Hearing at City Council Chambers	
	Johnstown	12.00
	Mileage - 6 miles @ \$.10	.60
28	Conference, Gray & Claflin office	12.00
	Mileage - 6 miles @ \$.10	.60

1956

June 1	Preparing Report	12.00
1	Stenographer, etc.	3.40
6	Exhibitors Schedule - 1 day	
	Gray & Claflin office	12.00
	Mileage - 6 miles @ \$.10	.60
12	Filing Report - 1 day	12.00
	Mileage - 40 miles @ \$.10	4.00

\$127.30

Robert G. Mayer

1956

April 18	Making View - 1 day	\$ 12.00
	Mileage - 10 miles @ \$.10	1.00

1956

May 24	Hearing at City Council Chambers	12.00
	Johnstown	
	Mileage - 4 miles @ \$.10	.40
28	Conference, Gray & Claflin office	12.00
	Mileage - 4 miles @ \$.10	.40

1956

June 6	Exhibitors Schedule - 1 day	12.00
	Mileage - 4 miles @ \$.10	.40

\$ 50.20

Theodore Hunt

1958

April 18	Making View - 1 day	\$ 12.00
	Mileage - 10 miles @ \$.10	1.00

1958

May 24	Hearing at City Council Chambers Johnstown	12.00
	Mileage - 18 miles @ \$.10	1.60
28	Conference, Gray & Claflin office	12.00
	Mileage - 18 miles @ \$.10	1.60

1958

June 6	Exhibitors Schedule - 1 day	12.00
	Mileage - 18 miles @ \$.10	1.80

\$ 53.80

The above is a true and correct Statement of costs due to the Viewers in the case of Helen Sekerak Vance, et al, Cambria County, Penna. by reason of the change of location and lines of the Highway known as State Route #11013 in the Township of Conemaugh, Cambria County, Penna. vs. Pennsylvania Department of Highways, the original of which is filed with the Report in the Clerk of Courts Office, June 12, 1958.

F. W. Claflin  
Robert Mayer  
Theodore Hunt

Viewers



IN RE: Petition for appointment of  
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Fred Claflin

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Theodore Hunt

April 2, 1956