

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: OPENING PUBLIC ROADS LAID OUT BY
SUMMIT HOMES, INC. IN THE TOWNSHIP OF EAST
CARROLL, COUNTY OF CAMBRIA AND STATE OF
PENNSYLVANIA

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RJ # 9,1175

REPORT OF SUPERVISORS OF EAST CARROLL TOWNSHIP

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT, AND TO ALL OTHER PERSONS CONCERNED:

E. PAUL HOOVER, RAYMOND WEBER, and ELMER J. SPRINGER, respectfully report:

1. That they are the road Supervisors of the Township of East Carroll, County of Cambria and State of Pennsylvania.
2. That certain residents of East Carroll Township who are the abutting property owners on certain private streets, namely, North Front Street, Walnut Street, Elm Street, Cedar Street, Spruce Street, Pine Street, Kit Street, Maple Street, and El Dorado Street, petitioned your Supervisors to open said private streets as public streets or highways, the said petitioners being all of the abutting property owners on said streets, a copy of which petition is attached hereto and made a part hereof and marked Exhibit A.
3. That the said petitioners released the Township of East Carroll from any damages that might result from the opening of said streets.
4. That pursuant to said petition, the Supervisors of East Carroll Township, at a special meeting held on the 22nd day of September, 1975, enacted an Ordinance # 8-1975, opening the said streets, namely, North Front Street, Walnut Street, Elm Street, Cedar Street, Spruce Street, Pine Street, Kit Street, Maple Street, and El Dorado Street, as public highways or roads in the Township of East Carroll. Said Ordinance being attached hereto, made a part hereof, and marked Exhibit B.

6. That this report and the survey attached hereto is made and filed in the Clerk of Courts of Cambria County pursuant to the Act of Assembly approved the 1st day of May, 1933, P.L. 103, as amended.

E. Paul Hoover
E. Paul Hoover
Raymond Weber
Raymond Weber
Elmer J. Springer
Elmer J. Springer

STATE OF PENNSYLVANIA :
 : ss.
COUNTY OF CAMBRIA :

E Paul Hoover
E. Paul Hoover

Raymond Weber
Raymond Weber

Elmer J. Springer
Elmer J. Springer

Sworn to and subscribed before me
this 30 day of September, A.D., 1975

PAUL J. STEVENS, Notary Public
Carrolltown Boro, Cambria County, Pa.
My Commission Expires April 16, 1979

PETITION FOR OPENING OF TOWNSHIP ROADS

TO THE TOWNSHIP SUPERVISORS, EAST CARROLL TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

Your petitioners respectfully represent:

1. That your petitioners are residents of East Carroll Township and all the property owners abutting certain private streets; namely, North Front Street, Walnut Street, Elm Street, Spruce Street, Cedar Street, Pine Street, Kit Street, Maple Street and El Derado Street, and the access road from Route 219 to said streets, as shown on the survey of streets to be ordained by L. Robert Kimball, Consulting Engineer, which is attached hereto, made a part hereof.
2. That the streets proposed to be ordained as township roads conform in width and construction with the laws of Pennsylvania and the resolutions of East Carroll Township.
3. That your petitioners request the Supervisors of East Carroll Township to open said roads under the procedure as outlined in the Township Code (53 P.S. Section 66101-66102) (Section 1101, Article 2, Act of Assembly of May 1, 1931, P.L. 101, as amended).
4. That it is necessary for the public convenience of the residents of East Carroll Township that such roads be opened.
5. That your Petitioners do hereby release East Carroll Township from all damages due to such opening and all damages that may result from the maintenance and blowing of said streets.
6. That the petitioners, Summit Homes, Inc., reserve all proprietary rights to all sewer and water lines under said streets and reserve the right to excavate said streets for the purpose of replacing or repairing said lines covenanting to restore the surface of the road to its original condition prior to such excavation.
7. That your petitioners waive all notices required under the foregoing Act and, in particular, the 10-day written notice required to be given to said property owners prior to the passage of any ordinance laying out and opening said private roads as a public highway.

LAW OFFICES
ROBERT J. CASSIDY
EBENSBURG, PA.
PATTON, PA.

WHEREFORE, your petitioners respectfully request that the Supervisors of East Carroll Township open the above described private streets according to the laws of the Commonwealth of Pennsylvania applicable thereto and, more particularly, Section 1101.

ATTEST: S/ Donald F. Kirsch
Secretary

SUNSHINE HOMES, INC.

By S/ Vincent B. Kirsch
President

<u>NAME</u>	<u>STREET</u>
S/ Robert H. Crook	14 El Dorado St.
S/ Carolyn Crook	14 El Dorado St.
S/ Leopold Rogers	11-N Eldorado St.
S/ Mildred Rogers	11-N Eldorado St.
S/ Ronald R. Knichtal	Eldorado Street
S/ Anna Mae Knichtal	Eldorado Street
S/ Paul E. Pottiger	Eldorado St.
S/ Jean Pottiger	Eldorado St.
S/ Lester Bradley	Maple St.
S/ Jane Bradley	Maple St.
S/ Amandus R. Westrick	
S/ Florence B. Westrick	
S/ Mike Berzonsky	Maple
S/ Nancy Berzonsky	Maple
S/ Thomas Engle	
S/ Mary Engle	
S/ Shirley Travery	

NAMESTREET

S/ John Yoder	107 Spruce St.
S/ Janet Yoder	107 Spruce St.
S/ John Covel, Jr.	105 Spruce St.
S/ Beverly Covel	105 Spruce St.
S/ Stanley G. Mallory	Maple St.
S/ Doris B. Mallory	Maple St.
S/ Edna Switzler	
S/ John Stevens	Maple St.
S/ Karen Stevens	
S/ Mary Keilman	Maple St.
S/ Michael Keilman	
S/ Barbara E. Gong	9 S. Eldorado St.
S/ R M L	Eldorado St.
S/ Kathleen K. Long	1402 Eldorado St.
S/ Gary Lingenfelter	Eldorado St.
S/ Gloria Eingenfelter	Eldorado St.
S/ Richard M. Rudolph	Eldorado St.
S/ Vincent B. Kirsch	Eldorado
S/ Laura Jean Kirsch	Eldorado
S/ Vincent B. Kirsch, President for Summit Homes, Inc.	All Streets owned by Summit Homes

NAME

STREET

LAW OFFICES
ROBERT J. CASSIDY
EBENSBURG, PA.
PATTON, PA.

OPENING PUBLIC ROADS - STREETS LAID OUT BY SUMMIT HOMES, INC. SITUATE IN EAST CARROLL TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

AN ORDINANCE LAYING OUT AND ADOPTING AS PUBLIC ROADS IN THE TOWNSHIP OF EAST CARROLL, COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA, AND FIXING AND REGULATING THE WIDTH AND GRADING THEREOF.

The Supervisors of East Carroll Township hereby ordain as follows:

Section 1. The following private roads are hereby laid out, opened and ordained as public roads in the Township of East Carroll, County of Cambria and State of Pennsylvania, a description of the courses of the center line of said streets is as follows:

ENTRANCE TO SUBDIVISION

Beginning at a point on the center line of the 80-foot right-of-way of traffic Route 219, and Legislative Route 11034, leading from Carrolltown to Ebensburg; thence along said center line of the proposed public street, which is an entrance to the subdivision of Summit Homes, Inc. South eighty degrees, thirty minutes East (S 80° 30' E) one-hundred fifty-six and sixty-three one-hundredths feet (156.63') to a point in the center line of North Front Street, the right-of-way to said entrance road being fifty feet (50') in width.

NORTH FRONT STREET

Beginning at a point which is the terminal point of the center line of the entrance to subdivision, which point is North two degrees, fifteen minutes West (N 2° 15' W) twelve and four one-hundredths feet (12.04') from the beginning point of Maple Street; thence North two degrees fifteen minutes West (N 2° 15' W) one-hundred eleven and four one-hundredths feet (111.04') to a point, which is the extension of the center line of Pine Street; thence again North two degrees fifteen minutes West (N 2° 15' W) one-hundred twenty and ninety-nine one-hundredths feet (120.99') to a point which is an extension of the center line of Spruce Street; thence North two degrees fifteen minutes West (N 2° 15' W) sixteen and seventy-six one-hundredths feet (16.76') to a point; thence North five degrees forty-five minutes West (N 5° 45' W) one-hundred twenty-two and twenty-three one-hundredths feet (122.23') to a point; thence North two degrees fifteen minutes West (N 2° 15' W) one-hundred forty-two and ninety one-hundredths feet (142.90') to a point which is an extension of the center line of Elm Street; thence North two degrees fifteen minutes West (N 2° 15' W) twenty and seventeen one-hundredths feet (20.17') to a point; thence North ten degrees forty-five minutes East (N 10° 45' E) one-hundred twenty-eight and seventy-three one-hundredths feet (128.73') to a point; thence North thirty-five degrees thirty minutes East (N 35° 30' E) one-hundred fifty and ninety-eight one-hundredths feet (150.98') to a point which is an extension of the center line of Walnut Street, said right-of-way of North Front Street being fifty feet (50') in width.

WALNUT STREET

Beginning at a point on the center line and most Northern terminal point of North Front Street; thence South eighty-four degrees thirty minutes East (S 84° 30' E) two-hundred thirty nine and ninety-five

one-hundredths feet (239.95') to a point, said point being the center line of an unnamed and unopened cul-de-sac; thence South eighty-four degrees thirty minutes East (S 84° 30' E) two hundred eighteen and fifty-six one-hundredths feet (218.56') to a point which is an extension of the center line of Cedar Street; said right-of-way of Walnut Street being forty feet (40') in width.

ELM STREET

Beginning at a point on the center line of right-of-way of North Front Street, said point being four-hundred thirteen and ninety-two one-hundredths feet (413.92') in a Northwesterly direction from the point of beginning of North Front Street; thence South eighty-four degrees thirty minutes East (S 84° 30' E) five-hundred twenty-nine and seventy-six one-hundredths feet (529.76') to a point in the center line of Cedar Street; said right-of-way of Elm Street being forty feet (40') in width.

CEDAR STREET

Beginning at a point, which point is the terminal point of the center line of Walnut Street; thence South eight degrees zero minutes West (S 8° 00' W) two-hundred seventy-nine and ninety-nine one-hundredths feet (279.99') to a point, said point being the terminal point of the center line of Elm Street; thence South eight degrees zero minutes West (S 8° 00' W) two-hundred seventy-nine and eleven one-hundredths feet (279.11') to a point, which point is the terminal point of the center line of Spruce Street, the right-of-way of said Cedar Street being forty feet (40') in width.

SPRUCE STREET

Beginning at a point at the terminal of the center line point of Cedar Street; thence North eighty-four degrees thirty minutes West (84° 30' W) four-hundred seventy-two and eleven one-hundredths feet (472.11') to a point in the center line of North Front Street, said right-of-way of Spruce Street being forty feet (40') in width.

PINE STREET

Beginning at a point on the center line of North Front Street, said point being one-hundred eleven and four one-hundredths feet (111.04') from the point of beginning of the center line of said North Front Street; thence South eighty-seven degrees forty-four minutes East (S 87° 44' E) approximately four-hundred forty feet (440') to a point on the center line of Kit Street, said right-of-way of said Pine Street being twenty-four feet (24') in width.

KIT STREET

Beginning at the terminal point of the center line of Pine Street; thence South two degrees fifteen minutes East (S 2° 15' E) approximately one-hundred twenty-three and eight one-hundredths feet (123.08') to a point, which is the terminal point of Maple Street, said right-of-way of Kit Street being twenty-four feet (24') in width.

MAPLE STREET

Beginning at a point, which point is South two degrees fifteen minutes East (S 2° 15' E) twelve and four one-hundredths feet (12.04') from the point of beginning of the center line of North Front Street; thence South eighty-seven degrees forty-four minutes East (S 87° 44' E) approximately four-hundred forty feet (440') to a point, which point is the terminal point of Kit Street, the right-of-way of Maple Street being twenty-four (24') in width.

EL DORADO STREET

Beginning at a point on the center line of Maple Street, said point being North eighty-seven degrees forty-four minutes West (N 87° 44' W) of the most eastern terminal point of the center line of said Maple Street at the point of intersection of Kit Street; thence South six degrees fifteen minutes East (S 06° 15' E) three-hundred thirty-two and eight one-hundredths feet (332.08') to the point of intersection with the center line of Beech Street; thence again South six degrees fifteen minutes East (S 06° 15' E) four-hundred sixty-two and four one-hundredths feet (462.04') to its terminal point, said right-of-way of El Dorado Street being twenty-four feet (24') in width.

The description of the streets to be ordained as public roads and streets of East Carroll Township are as shown on the attached survey of J. Robert Kimball, Consulting Engineer, dated April 3, 1973, and the same is made a part hereof.

Section 2. The grade of said proposed public streets shall be the existing grade at the time that the opening of said streets are ordained.

Section 3. The petitioners, being all of the abutting owners, having released East Carroll Township from all damages due to such openings and all damages that may result from maintenance and plowing, no damages shall be paid as a result of the taking or accepting and ordaining said public streets or the maintenance or plowing thereof.

Section 4. The right of excavating said streets for the purpose of replacing or repairing the sewer and water lines, which are the property of Summit Homes, Inc., is hereby granted to Summit Homes, Inc., its successors and assigns, provided, however, that a proper permit is obtained from the Township Supervisors and that the surface of said streets are restored to their original condition prior to excavation.

Section 5. That the opening of said streets is deemed to be necessary for public convenience and is therefore in the public interest.

Enacted this 22nd day of ^{September}~~August~~ A.D., 1975.

ROAD SUPERVISORS OF EAST CARROLL TOWNSHIP

S/ E. Paul Hoover

S/ Elmer J. Springer

S/ Raymond Weber

ATTEST:

S/ Arron Prosser

Secretary

R. H. # 9 1975

OPENING PUBLIC ROADS LAID OUT BY
SUMMIT HOMES, INC. IN THE TOWNSHIP
OF EAST CARROLL, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA

REPORT OF SUPERVISORS OF EAST
CARROLL TOWNSHIP

ROBERT J. CASSIDY
ATTORNEY AT LAW
GOOD BUILDING
PATTON, PENNSYLVANIA 16668

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CAMBRIA CO. PA.

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CLERK OF COURTS

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LEGEND

• IMPROVED

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CAMBRIA COUNTY COURT HOUSE - 1700 N. 10TH ST. - PENNA.

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TAX ASSESSMENT MAP
COUNTY OF CAMBRIA
PENNSYLVANIA

RE 1:1200 SCALE 1 IN = 100 FT
100 0 100 200 Feet

REVISIONS
DATE 3-11-70

GWIN, LARSON & KIMBALL
ENGINEERS & CARTOGRAPHERS
ALTOONA & EBENSBURG, PENNA.

EAST CARROLL
TOWNSHIP
SUMMIT HOMES

TAX MAP NO. 21-25