

NO. 1.

IN RE:-Petition for a Public Road in the : 12-22-54: Consent of Borough Council of Nanty Glo Township of Jackson and Borough of Nanty Glo, : Borough and Township Supervisors of Jackson Cambria County, Pennsylvania. : Township To Opening of Road.

Clerk of Courts:-\$ 25⁰⁰ : FILED.

12-22-54:- Resolution Adopted by Borough Council of Nanty Glo Borough. - Filed.

12-22-54:- Order For Appointment of Viewers. -Filed.

O R D E R

AND NOW, December 22, 1954, at 10:00 o'clock A.M., upon presentation of the foregoing Petition, a Board of Viewers is appointed as follows:- Mahlon J. Baumgardner, John L. Elder, and Raymond Niebauer, who shall view the ground of the proposed road and make a report as required by law.

BY THE COURT:

McKenrick, P.J.

Griffith, J.

12-23-54:- Order To View- Issued to Mahlon J. Baumgardner.

AND NOW, March 1st, 1955 at 4:30 P.M., the return day on the above view is hereby extended to the First Monday of June, 1955.

BY THE COURT:

Griffith, J.

April 4, 1955: Viewers' Report Filed.

O R D E R

And now, 17 June, 1955, at 1:30 P. M. E.D.T. no exceptions having been filed the within report and condemnation are confirmed absolutely.

By the Court:

Griffith, J.

Rec'd - \$ 25.00 - 9-24-55, J. C. W. DEC 27 1955

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania by its order hereto attached and made a part of this Report issued by the Clerk of Court specificall reciting the all of the inhabitants of the Township of Jackson and a part in the Borough of Nanty-Glo in the Borough of Nanty-Glo both of the County, state aforesaid that they labor for the want of a public road having used a private road for upwards of twenty-five or more years said road to begin at a point in the Borough of Nanty-Glo on a street known as White Street on the Plan of Burns Addition to the Borough of Nanty-Glo, Plans Nos. 1 and 2, of County Plat book recorded in the Recorder's Office of said county in Plat Book No. 2 at page 61, said point of beginning being 439 feet westwardly from the intersection of the said White Street with another accepted street in said Borough known as Roberts Street on said Plan and extending in a Westerly direction to a point in Jackson Twp. marked by a post (said post being located South 5 degrees West 100 feet from the northeastern corner of land of John Kelly) on the eastern line of the property of John Kelly where said property line in intersected by the property line of properties of Hulda Deetscreek and Wilmer Deetscreek.

The purpose of the proposed road is to furnish better ingress and egress from properties loated along the line of the proposed road.

A certified copy of a resolution by the Supervisors of Jackson Township consenting to and approving the laying our and opening of said proposed road, and a certified copy of a resolution by the Borough Council of Nanty-Glo Borough consenting to the laying out and apening of said proposed road in the office of the Clerk of Court which were filed concurrantly with the petition for the appointment of Viewers, respectively Report:

NO.2 IN RE;-Petition For The Appointment of Viewers : 12-31-54; Petition For Appointment To Assess Damages To The Land of George B. : Viewers.-FILED.
Simpdon and Charlotte I. Simpson, His Wife, In :
The Flood Control Project In Barnesboro Boro., :
Cambria County, Pennsylvania. :

Clerk of Courts:-\$10.50 APR 4 1955

Rec'd 10.50 Apr. 7, 1955 J.C.H.

ORDER OF COURT

AND NOW, this 29th day of December, A.D., 1954, upon presentation and consideration of the within Petition, the Court appoints F.W.Claflin, Robert G.Mayer and Theodore W. Hunt, as viewers in the above matter.

BY THE COURT:
McKenrick, P.J.

1-6-55:- Order To View issued to Fred W. Claflin.

EXHIBIT OF SCHEDULE OF DAMAGES:

Filed: March 15, 1955.

Exhibit of Schedule - 7 o'clock P. M., E. S. T., Monday, March 21, 1955, in the Cambria County Court House, Ebensburg, Pennsylvania.

We, the undersigned Viewers appointed by the above named Court to view and inspect the above premises have performed the duty and have taken into consideration all of the benefits and damages that have resulted or that may seem likely to result to the real estate of George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro Borough, Cambria County, Pennsylvania, by reason of the construction of the flood control project in Barnesboro Borough, Cambria County, Pennsylvania and having taken into consideration all the elements and facts pertinent to the above proceedings have estimated, determined and assessed benefits and damages as follows:

NAME	BENEFITS	DAMAGES
George B. Simpson and Charlotte I. Simpson, his wife	None	\$725.00

The above award of damages to be paid by the Borough of Barnesboro to George B. Simpson and Charlotte I. Simpson, his wife, of Barnesboro Borough, Cambria County, Pennsylvania as their interest may appear.

F. W. Claflin, Chairman
of the Board of Viewers

April 1, 1955: Report of Viewer's filed. 3/24/55

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court, we the undersigned Viewers, appointed by the above Court to View and Inspect the land and premises owned by George B. Simpson and Charlotte I. Simpson, his wife, in the Borough of Barnesboro, County of Cambria, Pennsylvania and to determine and estimate the damages or benefits that have resulted of that may seem likely to result to the land and property of the petitioners and owners, by reason of the taking of land and the construction of a flood control project abutting and on the property of George B. Simpson and Charlotte I. Simpson, his wife, and described as follows:

All that certain messuage, tenement or lots of land situate, lying and being in the Borough of Barnesboro, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post on the Southerly line of Susquehanna Street one hundred eighty (180) feet Eastwardly from the Southeasterly corner of Susquehanna Street and Lincoln Street; thence along the Southerly line of Susquehanna Street in an Easterly direction a distance of one hundred and twenty (120) feet (Con't. on next page)

more or less, to the West Bank of Susquehanna River; thence along said river in a Southerly direction a distance of one hundred and fifty-five (155) feet, more or less to a post on line of Hanson Alley; thence along line of Hanson Alley a distance of ninety-five (95) feet, more or less, to a post; thence in a Northerly direction thru lot Sixty-Six, of which this is a part, a distance of one hundred and fifty (150) feet to a post on the Southerly line of Susquehanna Street, the place of beginning. Being all of lots No. Sixty-four and Sixty-five and the Easterly part or portion of Lot No. Sixty-six in the Plan of Lots laid out by Bougher & McAnulty. That part of Lot No. Sixty-six hereby conveyed has a frontage on Susquehanna Street of twenty (20) feet and extending back, preserving the same width, a distance of one hundred and fifty (150) feet to Hanson Alley.

That we have been 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 premises of George B. Simpson and Charlotte I. Simpson, his wife, owners of said land, the petitioners herein, and upon the Secretary of the Barnesboro Borough Council, Attorney Arnold Smorto, Counsel for the petitioners, Attorney Vasil Fisanick, Counsel for the Borough of Barnesboro, Mr. George B. Simpson the owner, and the Clerk of Courts of Cambria County.

Pursuant to the Notice to View designating the time and place of the meeting of the Viewers, we met at the property involved in the above proceedings on Thursday, February 3, 1955, at 10:30 A.M. E.S.T. for the purpose of performing the duties of our appointment, and viewed the property.

Notices for a hearing to be held in the Barnesboro Municipal Building, Barnesboro Borough, Cambria County, Pennsylvania, at 7 o'clock P.M. E.S.T., Wednesday, February 16, 1955, were prepared and served on the Petitioners and their Attorney, Mr. Arnold Smorto, the Secretary of the Barnesboro Borough Council and their Attorney, Mr. Vasil Fisanick, the Clerk of Courts, the County Commissioner and the Prothonotary of Cambria County, Pennsylvania.

Pursuant of said notices and acceptance of service thereon of all parties interested we met on Wednesday, February 16, 1955, at 7 o'clock P.M. E.S.T. in the Barnesboro Municipal Building Barnesboro Borough, Cambria County, Pennsylvania and proceeded with the duties of our appointment. At this hearing the Petitioners were represented by Mr. Arnold Smorto. The Borough of Barnesboro was represented by Mr. Vasil Fisanick; and five (5) witnesses were heard.

At the view and during the hearing, the Viewers based their assessment of damages on the following conditions:

- (1) The value of land and buildings before the construction of the flood control project.
- (2) Condition of property taken before the construction.
- (3) Topography of the Property before and after the construction.
- (4) Drainage conditions at the property before and after construction.
- (5) Ingress and egress both pedestrian and vehicular before and after the construction.

After taking into consideration all the matters above briefed, the Viewers hereby assess total damages to George B. Simpson and Charlotte I. Simpson, his wife, covering first, installation of necessary basement pump, second, value of land taken, third, cost of necessary grading for proper surface drainage of the Simpson property in the amount of Seven Hundred Twenty-Five (\$725.00) Dollars and the Viewers assess no benefits.

Witness our hands and seals this fourth day of March, 1955.

Fred W. Claflin, Chairman
Robert G. Mayer
Theodore Hunt,
Viewers



No. 3 :-

IN RE:-TAKING OVER OF ROADWAY IN VILLAGE OF : 1-15-55 Petition of Supervisors of West
 BAKERTON, WEST CARROLL TOWNSHIP, CAMBRIA : Carroll Township, Cambria County, Pa.
 COUNTY, PENNSYLVANIA. : FILED.

Clerk of Courts:-\$7⁵⁰ MAR 4 - 1955 AUDITED
Rec'd 7⁵⁰ 2-5-55 J.C.N. MAR 3 - 1955 AUDITED

RESOLUTION TO ADOPT CERTAIN SECTION OF ROADWAY IN THE VILLAGE OF BAKERTON, TOWNSHIP
 OF WEST CARROLL, FOR THE PURPOSE OF IMPROVING THE SAME.

On motion of Joseph Brawley, seconded by Bernard Contorchich, and duly passed, it is
 resolved that we adopt and take over for the purpose of improving the same, by the Super-
 visors of West Carroll Township, that section of roadway located in the Village of Baker-
 ton, Township of West Carroll, County of Cambria and State of Pennsylvania, more partic-
 ularly described as follows:

"That portion of Susquehanna Street beginning at the intersection of road
 existing between lots 186 and 142 in the hereinafter named plan of lots
 and continuing to and beyond the intersection of Reed Street to the inter-
 section of unnamed road located along lots 161 and 177 in the plan of lots
 laid out for the Bakerton Land and Improvement Company."

The said resolution is adopted upon the following conditions:

(a) That the said roadway can be taken over legally so that the usual highway
 contribution for maintenance of the same can be received;

(b) That releases be obtained from each property owners abutting on said road
 releasing the supervisors from any and all damages by reason of the improvement and
 the necessary widening of the said road according to law.

I hereby certify the above to be a true and correct copy of a resolution
 adopted on the third day of April, 1954.

Joseph Brawley
 Secretary of Supervisors
 for West Carroll Township
 Cambria County, Pa.

D E C R E E

AND NOW, this 15th day of January, 1955, the foregoing petition having been
 presented, examined and duly considered, the prayer of the petitioners is granted and
 it is

Ordered and Decreed that the roadway described in the foregoing petition and
 ordinance shall be and become a part of the Public Highway system of the Township of
 West Carroll and shall be so recorded in the Office of the Clerk of Courts of Quarter
 Sessions.

BY THE COURT:
 McKenrick, P.J.

1-15-55:- Release of Damages- Filed.

IN RE:- Taking over of Road or Street in : 2-7-55. Petition , Order and Decreed.
East Taylor Township, Cambria County, Penna. : By Supervisors of East Taylor Township.

APR 4 - 1955 AUDITED

Clerk of Courts:-\$ 750 *Rec'd. 750 2-14-55 JEW* MAR 2 - 1955 AUDITED

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, sets forth the following facts:

1. That at a regular meeting of the Board of Road Supervisors of the Township of East Taylor, held on the 28th day of January; A.D., 1955, a resolution was adopted by the said Board of Road Supervisors to take over as a Township road, subject to the approval of the Court of Quarter Sessions, a certain section or piece of road or street located in the Riverview Section of East Taylor Township.

2. That the section or piece of road or street which is to be taken over by the Township of East Taylor is fully described in the resolution of the Board of Road Supervisors, which is entered in the minute book of the said Board of Supervisors. A certified and attested copy of the said resolution attached hereto, made a part hereof, and marked "Exhibit No.1.". A map of the proposed highway is attached and marked "Exhibit No.2."

WHEREFORE, the petitioner prays your Honorable Court to consent to the taking over of the said road or street as a said township road under the provisions of Section 1147 of the Act of July 18, 1935, P.L. 1299, as amended, in order that such road or street shall be and become a part of the public highway system of the Township of East Taylor.

Kenneth Keyser

John Blasic, Jr.

Charles Colbert

Sworn to James R. Dunbar, J.P., on Feb. 1st, 1955.

DECREE

AND NOW, 7th February, 1955, the foregoing petition having been presented, examined and duly considered, on motion of Harry E. Simmons, Esquire, the prayer of the petition is granted; and

IT IS ORDERED AND DECREED that the road or street described in the foregoing petition shall be and become a part of the public highway system of the Township of East Taylor and shall be so recorded in the office of the Clerk of the Court of Quarter Sessions.

BY THE COURT:

Griffith, J.

McWilliams, J.

RESOLUTION

On motion of Kenneth Keiper, seconded by Chas. Colbert and duly passed, it was RESOLVED, that the Board of Road Supervisors of East Taylor Township, County of Cambria and State of Pennsylvania, accept as a public highway that section of road or street located in the Riverview Section of the said Township of East Taylor:

BEGINNING at the intersection of State Highway Route 219 and John Street, on the Plan of Riverview; thence South 50° 00' East along the said John Street a distance of 1234.84 feet to line of Lot No. 9, on the said Plan of Riverview; said John Street being properly dedicated on the Plan of Riverview, laid out by Fetterman Engineering Company for John A. Angus on May 23, 1911. Said Plan of Riverview not being recorded in the office for the recording of deeds in and for Cambria County, Pennsylvania; the said road or street which is hereby accepted by the said Township of East Taylor as a public highway having a width of forty (40) feet.

CERTIFICATE

The Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, hereby certify that the above is a true and correct copy of a resolution passed by the said Board at a regular meeting held on the 28th day of January, A. D. 1955.

ATTEST:

Charles D. Cobaugh--Secretary

ATTACHED MAP OF ROADWAY.

BOARD OF ROAD SUPERVISORS OF EAST TAYLOR
TOWNSHIP--
By--Kenneth Keiper, President.

MARCH

SESSIONS, 19 55

No. 5

Clerk of Courts: \$ 15.50

MAR 4 1955 ADJUTED

*Clerk of Courts \$15.50**Recd. \$15.50 4-13-55 Jew*

IN RE: LAYING-OUT, OPENING AND

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA

ACCEPTING A PROPOSED ROAD IN

COUNTY, PENNSYLVANIA.

EHRENFELD, KNOWN AS FIFTH STREET,

IN THE TOWNSHIP OF CROYLE, CAMBRIA

FILED:==3-7-55

COUNTY, PENNSYLVANIA.

Report of the Supervisors of Croyle Township
Resolution==FiledD E C R E E

NOW, the 7th day of March 1955, upon consideration of the foregoing petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within report and the exhibits attached hereto.

By the Court=

McKenrick, P. J.

FINAL DECREE

NOW, the 11 day of April, 1955, it appearing that the said petition having been filed on the 7th day of March, 1955, and that no citizen or freeholder of the Township did within thirty days from the filing of this report of the Supervisors file exceptions to the report or a petition for a review, it is ordered and directed that the proposed public road in Ehrenfeld, known as Fifth Street, in the Township of Croyle, Cambria County, Pennsylvania, described as follows: That portion of Fifth Street betinning on the westerly side of the property of Peter Pesci; thence South $87^{\circ} 45'$ East 250 feet to a point; thence along the southerly boundary of the property of the Pennsylvania Coal and Coke Corporation south $69^{\circ} 30'$ East 420 feet to the Ehrenfeld-Summerhill Borough Road, having a combined total distance of 670 feet and a width of 30 feet, be and is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Croyle.

By the Court:

McKenrick, P. J.

Griffith, J.

McWilliams, J.

No. 1

IN RE: Taking over of Road or Street = In The Court of Quarter Sessions of Cambria County
in Middle Taylor Township, Cambria = Pennsylvania
County, Pennsylvania =

FILED: 3/14/55

Clerk of Courts: \$ 10⁵⁰ JUL 7 1955 AUDITED*Recd 10⁵⁰ 6-6-55 J.C.W.* JUL 11 1955 AUDITED DECREE

AND NOW, 14th March, 1955, the foregoing petition having been presented, examined and duly considered, on motion of Harry E. Simmons, Esquire, the prayer of the petition is granted; and

IT IS ORDERED AND DECREED that the road or street described in the foregoing petition shall be and become a part of the public highway system of the Township of Middle Taylor and shall be so recorded in the office of the Clerk of The Court of Quarter Sessions.

By the Court:

McKenrick, P. J.

RESOLUTION

On motion of Frank Zahoran, seconded by Onnie Rose and duly passed, it was RESOLVED that the Board of Road Supervisors of Middle Taylor Township, County of Cambria and State of Pennsylvania, accept as a public highway that section of road or street located in the Valley View Section of the said Township of Middle Taylor:

BEGINNING at the intersection of Pleasant Hill Highway (Penna. State Highway Legislative Route No. 11015) and Earl Street on the Plan of Valley View; thence along the line of the said Earl Street in a southerly direction a distance of 1138 feet to the intersection of Earl Street and Taft Street; thence along the line of Taft Street, in an easterly direction a distance of 1070 feet to Prince Street; said Earl Street and Taft Street being properly dedicated Streets on the Plan of Valley View, laid out by W. M. Updegrave and M. W. Miller on the 11th day of June, 1910, C. P. Collins, C. E., and recorded in the office of the Recorder of Deeds in and for Cambria County, Pennsylvania; in Plat Book Vol. 1 at page 92. The said Street or road which is hereby accepted by the said Township of Middle Taylor as a public highway having a width of thirty (30) feet.

CERTIFICATE

The Board of Road Supervisors of the Township of Middle Taylor, County of Cambria and State of Pennsylvania, hereby certify that the above is a true and correct copy of a resolution passed by the said Board at a regular meeting held on the 2nd day of March, A. D., 1955.

BOARD OF ROAD SUPERVISORS OF MIDDLE TAYLOR TOWNSHIP

By Onnie L. Rose, President

No. 2

IN RE: Appointment of Viewers to : In The Court of Quarter Sessions of Cambria
View the premises of Anna Ethel : County, Pennsylvania
Litzinger Graft and Josephine :
Litzinger Hughes in Chest Springs :
Borough. : FILED.

Clerk of Courts: \$ 19⁰⁰: Rec'd. 19⁰⁰ 9-25-56 J.C.V. OCT 2 - 1956 AUDITD E C R E E

And Now, April 18, 1955, the foregoing petition having been read and considered, it is ordered that Mahlon Baumgardner, John L. Elder, and Raymond Niebauer three members of the permanent Board of Viewers of Cambria County, be and hereby are appointed to view the said premises and make a return of their proceedings according to law.

By the Court:

McKenrick, P. J.

April 20, 1955: Order to View issued to Mahlon Baumgardner.

August 1, 1955: Report of Viewers filed.

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the Court to View and inspect the land and property of Anna Ethel Litzinger Graft and Josephine Litzinger Hughes owners of the hereinafter described real estate in Chest Springs Borough in county of Cambria and State of Pennsylvania and estimate and determine the damages that have resulted of may seem likely to result to their land property in the aforesaid Borough of Chest Springs, County and State aforesaid by reason of the construction, re-construction and improvements of State Highway Number 36 in said borough as it affects the land and property of said owners of the tract and property bounded and described as follows:

BEGINNING at adjoining lots now or formerly of William Ivory on the northeast, on the South by a public road and on the West by an alley and containing four or five lots of ground, having a frontage of two hundred eight (208) feet on the North; two hundred sixty four (264) feet on the East; three hundred sixty Nine (369) feet on said public road and about two hundred sixty-four (264) feet to an alley.

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 said Court,; that due public notice of the time and place of the meeting of the said Viewers was given by posting ten handbills upon the property of said owners and by personal service upon Anna Ethel Litzinger Graft and Josephine Litzinger Hughes the owners aforesaid; upon Randolph Myers, Esq. and attorney for the owners and petitioners and the State Highway Building at Hollidaysburg by H. E. Breniman for V. B. Leopold, District Engineer at least ten days or more to the time and place of the meeting of the viewers as is evidenced by copies of said Notices attached and that a copy of said Notice was given to each of the parties upon whom when personal was made and that each acknowledged to have received a copy of said notice.

In pursuance to said notice we met upon the premises on Friday May 27, 1955, at 10 o'clock A. M. Eastern Standard Daylight Time and proceeded with the duties of our appointment. The Viewers were present, the owners and their Attorney Randolph Myers, Esquire, H. E. Breniman for the State Highway Department and with him Attorney Edward Peduzzi, their Attorney. We made a very careful inspection and view of all the elements of damages pertaining to the road, the center of the new public road as it affected the yard and lawn, the distance of same, the trees and shrubs mutilated and removed, the unsightly wall of the water catch where it was placed in and under the public highway, land taken appertaining to the construction, re-construction and improvements of said State Highway Number 36 as it effects said property of Anna Ethel Litzinger Graft and Josephine Litzinger Hughes owners thereof and petitioners. We carefully and thoroughly examined the real estate. We asked the parties in interest at what time and place we could hear and take testimony. The petitioners felt that it may be better to take testimony at their home on account of some of the witnesses being unable to attend

TRANSFERRED TO PAGE 573.

No. 3

IN RE: Laying out, opening and adoption : In the Court of Quarter Sessions of Cambria
of a certain private road wholly in the : County, Pennsylvania.
Township of Susquehanna, as a public road :
or highway. : Filed.

Clerk of Courts: \$ 7.50 III. & 1 1955 AUDITED

Rec'd 4-22-55 \$7.50 J.C.H. MAY 4 - 1955 AUDITED

To the Clerk of Courts for the County of Cambria, Pennsylvania:

The Supervisors of the Township of Susquehanna, Cambria County, Pennsylvania, make the following report, together with a draft or survey of the road to be layed out and adopted as a public highway, with the width thereof and noting the improvements along the lines thereof and the names of the owners of property abutting on said road or highway, filed in duplicate, in accordance with the Acts of Assembly in such case made and provided.

1. It is the judgment of the Supervisors of the Township of Susquehanna, that a public road or highway be ordained, surveyed layed out, opened and adopted as hereinafter described as a necessity for the public convenience.

2. The Supervisors of the Township of Susquehanna, therefore, report that they have unanimously decided to enact, ordain, survey, lay out, open and adopt the road appearing on the draft or survey hereto attached, tinted in green, which lies wholly within the Township of Susquehanna, to a width of thirty three feet, which width the Supervisors have determined will be sufficient for public use and travel, and upon said draft or survey, the Supervisors have caused to be noted the improvements along the lines of said public road or highway and the names of the owners of the properties which abut on said highway. This report and blue print have been filed in duplicate, with the Clerk of Courts for the County of Cambria in accordance with the Acts of Assembly of the Commonwealth of Pennsylvania in such case made and provided.

3. After the filing of this report and draft or survey with the Clerk of Courts for the County of Cambria, in duplicate, the Supervisors of the Township of Susquehanna will enact the necessary ordinance, enacting, ordaining, surveying, laying out, opening and adopting the said road as a public road or highway, and the public road or highway as layed out, opened and adopted, is described as follows:

Beginning on the Southern right of way line of Highway Route #11062, at a point North 51 degrees no minutes West fifty feet from the Northeast corner of land of Susquehanna Township, said point being in the center line of the public road or highway herein described; thence by the center line of said public road or highway South 39 degrees no minutes West 163 feet to a post; thence by a curve to the west with a radius of two hundred feet, 87 feet to a post; thence by a curve to the East with a radius of 117 feet, a distance of 48 feet to another public road or highway between lots numbers 60 and 61 on the plan of lots of the Village of Emeigh.

In Witness Whereof, the Supervisors of the Township of Susquehanna, have signed and executed this report, in duplicate, this 21st day of April, A. D., 1955.

Stanley Zemrose, Supervisor
Mike Byrne, Supervisor
Alvin Byrnes, Supervisor

No. 4

IN RE: THE Proceedings to take over : In the Court of Quarter Sessions of
 certain roads and streets, hereto fore : Cambria County, Penna.
 dedicated as Public Roads in the Town of Dysart, :
 Township of Dean, County of Cambria and :
 State of Pennsylvania. : Filed.

Clerk of Courts: \$ 7.50 ^{JUL 1955 ADDED} *Recd. 7th 2-5-57 J.C.H.*
 To: The Honorable, the Judges of the Above named Court:

The petition of Elmer P. Crossman, James Cuomo and Roger Cavalet, Supervisors of Dean Township, Cambria County, Pennsylvania, respectfully represent:

1. That your petitioners are the duly elected and qualified and acting Supervisors of Dean Township, County of Cambria and State of Pennsylvania.

2. That the plans of certain dedicated roads, streets and thoroughfares located in the Town of Dysart, Township of Dean and County of Cambria and State of Pennsylvania, have been adopted, approved and recorded in Plat Book Vol. 5, Page 12, records of Cambria County, Pennsylvania, effective the 29th day of August, 1951.

3. That all of the improved land abutting said roads, streets and thoroughfares have been conveyed to individual owners, and that they are in possession of the persons indicated on the map attached hereto and made a part hereof.

4. That your petitioners have been requested by many of the individual owners to take over said thoroughfares, so that they would become subject of maintenance and repair by the Township of Dean.

5. That your petitioners consider it to be the duty and obligation of the Township of Dean to comply with said request, and have so indicated by attaching a Resolution setting forth their intention to take over said public thoroughfares, subject, however, to the approval of your Honorable Court.

6. That there is attached hereto and made a part of this petition a description of said roads, and streets, a copy of said Resolution, and a copy of the map of Dysart, all of which are marked Exhibits A, B, and C Respectively and attached hereto and made a part hereof.

Your petitioners therefore pray your Honorable Court to approve the taking over of the highways, roads, streets and thoroughfares as set forth herein and direct that this petition and Decree of Court be recorded in the Road Docket of Cambria County, Pennsylvania.

Elmer P. Crossman

James Cuomo,

Supervisors of the Township of
 Dean, County of Cambria, and State
 of Pennsylvania.

R E S O L U T I O N

On motion of Elmer P. Crossman, duly seconded by James Cuomo, the following Resolution was unanimously adopted:

Whereas, certain streets, roads and thoroughfares in the Town of Dysart, County of Cambria, and the Township of Dean, have heretofore been dedicated as public roads, streets and thoroughfares, and

Whereas, the lands abutting said roads, streets and thoroughfares are owned and possessed by individuals in the Town of Dysart, Township of Dean and County of Cambria and State of Pennsylvania, and

Whereas, many of the individual owners of said lands, have urgently requested the Township Supervisors of the Township of Dean, through its duly constituted board, to take over said roads streets and thoroughfares, so that they may be subject to maintenance and repair by the said Township, acting through its duly constituted Board of Township Supervisors, and

Whereas, the Supervisors of the Township of Dean consider it to be the obligation of the Township to comply with the request aforesaid of the abutting owners, and

Whereas, plans of the dedicated streets, roads and thoroughfares have been adopted, approved and recorded in Plat Book Vol. 5, Page 12, records of Cambria County, Pennsylvania, under date of August 29, 1951.

JUNE

SESSIONS, 19 55

Transferred from Page 10

No. 4 Continued+

Be it Therefore Resolved, that with the consent of the Court of Quarter Sessions of Cambria County, Pennsylvania, the Supervisors of the Township of Dean, on behalf of the Township of Dean, hereby accept the streets, roads and thoroughfares, as marked and outlined in red on the map hereto attached and made a part hereof, as all and part of the public highways of the Township aforesaid.

Said Road is described as follows:

No. 1: All that certain section of McMuldren Street which begins at a point on Railroad Street, otherwise First Street and extending in a northerly direction sixty-six (66) feet to Front Street; said plan is otherwise designated as Township road No. 507, being also known as Railroad Street to Township road 721, being also known as Front Street.

Said piece or portion of road intended to be taken over by the Township Supervisors is thirty-five (35) feet in width and extends over and across the right-of-way of the Pennsylvania Railroad.

D E C R E E

AND NOW, this 4th day of May, 1955, the foregoing petition having been read and considered, it is ordered that the action of the Supervisors of Dean Township in taking over the roads, and streets in accordance with the plan hereto attached, be and hereby is approved.

By the Court:
McWilliams, J.

No. 5

DEC 27 1955 ADDED

9-6-1955 Recd. 7-50 JEW

IN RE: Matter of the Proceedings to :
 Take over certain roads, streets, here- :
 to fore Dedicated as Public Roads in the :
 Village of Dean, Township of Deank County :
 of Cambria and State of Pennsylvania. :
 Filed.

In the Court of Quarter Sessions of
 Cambria County, Penna.

Clerk of Courts: \$ 7.50

TO THE HONORABLE; THE JUDGES OF SAID COURT:

The petition of ELMER P. CROSSMAN, ROGER CAVALET, and JAMES CUOMO, Supervisors of Dean Township, Cambria County, respectfully represents:

1. That your petitioners are the duly elected qualified, and acting Supervisors of Dean Township, Cambria County, a Township of the second class of Cambria County, Pennsylvania.
2. The plan of certain dedicated roads, streets located in the Village of Dean, Township of Dean, County of Cambria, and State of Pennsylvania, and in the vicinity thereof, has been adopted, approved and recorded, copy of said plan is herewith ~~marked~~ "Exhibit C" and attached hereto.
3. That all of the improved land abutting on said roads, and streets, have been conveyed to individual owners, and are in possession of the persons indicated on the map attached hereto.
4. That your petitioners have been requested by many of the individual owners to take over said thoroughfares, so that they would become subject of maintenance and repair by the said Township of Dean.
5. That your petitioners consider it to be the duly and obligation of the Township of Dean to comply with the said request, and has so indicated by attaching a Resolution setting forth their intention to take over said public thoroughfares, subject, however, to the approval of your Honorable Court.
6. That there is attached hereto and made a part of this petition a description of said roads, and streets, a copy of said Resolution, and a copy of Map of Dean, all on which are marked Exhibits A, B, C, and D respectively.

Your petitioners therefore pray your honorable Court to approve the taking over the highways and the parts of highways herein described and direct that this petition and Decree of Court be recorded in the Road Dockets of Cambria County.

Elmer P. Crossman,
 James Cuomo
 Supervisors of Cambria County,
 Dean Township.

D E C R E E

AND NOW, this 4th day of May, 1955, the foregoing petition having been read and considered, it is ordered that the action of the Supervisors of Dean Township in taking over the roads, and streets in accordance with the plan hereto attached, be and hereby is approved.

By the Court:

McWilliams, J.

R E S O L U T I O N

ON MOTION OF ELMER P. CROSSMAN, duly seconded by JAMES CUOMO, the following Resolution was unanimously adopted on April 2, 1955:

WHEREAS, certain streets, roads and thoroughfares in the Town of Dean, County of Cambria and the Township of Dean, have heretofore been dedicated as public roads, streets and thoroughfares, and

WHEREAS, the lands abutting said roads, streets and thoroughfares are owned and possessed by individuals in the Town of Dean, Township of Dean and County of Cambria, and State of Pennsylvania, and

WHEREAS, many of the individual owners of said lands, have urgently requested the Township Supervisors of the Township of Dean, through its duly constituted board, to take over

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Transferred from Page 12

No. 5 Continued

said roads, streets, and thoroughfares, so that they may be subject to maintenance and repair by the said Township, acting through its duly constituted Board of Township Supervisors, and

WHEREAS, the Supervisors of the Township of Dean consider it to be the obligation of the Township of Dean to comply with the request aforesaid of the abutting owners, and

WHEREAS, plans of the dedicated streets, roads and thoroughfares have been adopted, approved and recorded in the Recorder of Deeds office of Cambria County, Pennsylvania, in Deed Book Vol.

Page .

BE IT THEREFORE RESOLVED, that with the consent of the Court of Quarter Sessions of Cambria County, Pennsylvania, the Supervisors of the Township of Dean, on behalf of the Township of Dean, hereby accept the streets, roads and thoroughfares, as marked and outlined in red on the map hereto attached and made a part hereof, as all and part of the public highways of the Township aforesaid.

Said Roads are described as follows:

No. 1: BEGINNING at a point at the intersection of Route 53, Main Street and Market Avenue, and thence along Market Avenue a distance of eight hundred (800) feet to Oak Street.

Said Market Avenue being sixty (60) feet in width, it being the distance or width to be taken over by the aforesaid Township.

No. 2: BEGINNING at the intersection of Route 53 and Oak Street, thence along Oak Street a distance of five hundred sixty (560) feet to Railroad Avenue.

Said Oak Street, as intended to be taken over by the Township of Dean, being forty (40) feet in width.

No. 3: BEGINNING at a point at the intersection of Route 53 and Locust Street, thence along said Locust Street a distance of five hundred forty (540) feet to Railroad Avenue,

Said Locust Street as intended to be taken over by the Township of Dean, being forty (40) feet in width.

No. 6

IN RE: In the Matter of the Change : In the Court of Quarter Sessions of Cambria
 of Location and Lines of the Highway : County, Pennsylvania
 Known as State Highway Route No. 222, :
 In the Township of Stonycreek, In : Petition of Roy B. Griffith and Catherine Marie
 Said County of Cambria, Pennsylvania : Griffith, Husband and Wife, for the Appointment
 : Of Viewers--Filed.
 :
 :

Clerk of Courts: \$ 52.⁰⁰
 R. 26⁰⁰ SEP 9 1955 AUDITED
 R. 26⁰⁰ 9-13-60

ORDER

NOW, May 24, 1955, at 11 o'clock A. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint F. W. Claflin, Robert Mayer and Theodore W. 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. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of September, 1955. 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:

McKenrick, Pres. Judge.

May 24, 1955: Order to View issued to F. W. Claflin.

June 13, 1955: Date of View filed.

The Board of Viewers will meet upon the premises on the 23rd day of June, 1955, at 10 o'clock A. M. D. S. T. as per order of the Court for the purpose of performing the duties of our appointment.

F. W. Claflin, Robert Mayer, Theodore W. Hunt,
 Viewers.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Roy B. Griffith and Catherine Marie Griffith, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of rule sent to F. W. Claflin.

Filed November 28, 1955=AGREEMENT OF COUNSEL

Now, July 5, 1955; it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins

November 28, 1955: Answer to Petition for Rule and to Rule to show cause heretofore granted.

Filed.

Transferred to Page 577.

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No. 7

IN THE MATTER OF THE CHANGE OF
LOCATION AND LINES OF THE HIGHWAY
KNOWN AS STATE HIGHWAY ROUTE NO.

222, IN THE TOWNSHIP OF STONYCREEK
CAMBRIA COUNTY, PENNSYLVANIA

: In the Court of Quarter Sessions of Cambria County,
: Pennsylvania
: Petition of Carl Montag and Valetta Montag, husband
: and wife, for the Appointment of Viewers.-Filed.

Clerk of Courts: \$ 30⁰⁰ JUN 12 1959 AUDITED
R. 39⁰⁰ 4-23-59 J.C.W. MAY 6 1959 AUDITED ORDER.

*Check
(Postage to Supreme Ct) \$ 1.20*

Now, May 31, 1955, at 12:13 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Wm. P. Kelly, Mahlon Baumgardner and Fred Claflin 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. 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:

Griffith, J.

June 1, 1955: Order to View issued to Wm. P. Kelly.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Carl Montag and Valetta Montag, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

July 24, 1955: Certified copy of rule sent to Wm. P. Kelly.

November 28, 1955: AGREEMENT OF COUNSEL FILED.

And Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins.

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED-Filed.

December 6, 1957: Petition for rule to show cause filed.

ORDER- AND NOW, this 6 day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Dept. of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957.

By the Court, S/ Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause, filed by Wm. Shettig.

July 17, 1958: Brief on behalf of the Pennsylvania Department of Highways, Petitioner filed by Edward Peduzzi, Esq.

February 6, 1959: Brief on behalf of Petitioners filed by Gerald K. Gibson, Esq.

TRANSFERRED FROM PAGE 559

TO

No. 8

In the matter of the change of location : In the Court of Quarter Sessions of Cambria
and lines of the highway known as State : County, Penna.
Highway Route No. 222, in the Township : Petition of Zelpha Penrod for the Appointment of
of Stonycreek, Cambria County, Penna. : Viewers. Filed.

Clerk of Courts: \$ 52.00

SEP 9 1960 AUDITED

R. 26-10 2-13-60

R. 26-10 2-13-60

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Raymond Niebauer, Wm. P. Kelly, and Mahlon Baumgardner 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. The viewers above appointed are hereby directed to give at least ten days' notice in writing to the Secretary of Highways and the petitioner of the day and hour on which they will view the premises within described and conduct their hearing under this appointment.

By the Court:

Griffith, J.

June 2, 1955: Order to view issued to Raymond Niebauer.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Zelpha Penrod to show cause why her petition for the appointment of viewers to ascertain and assess damages to her property caused by the change in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of rule sent to Raymond Niebauer.

November 28, 1955: AGREEMENT OF COUNSEL +FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins.

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED++
FILED.

December 6, 1957: Petition for rule to show cause filed.

O R D E R - AND NOW, this 6 day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957

By the Court, Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by
Wm. Shettig.

July 17, 1958: Brief on behalf of the Pennsylvania Department of Highways, Petitioner filed
by Edward Peduzzi, Esq.

February 6, 1959: Brief on behalf of Petitioners filed by Gerald K. Gibson, Esq.

TRANSFERRED TO PAGE 560

No. 9

In the matter of the change of location : In the Court of Quarter Sessions of Cambria County
and lines of the Highway known as State : Pennsylvania
Highway Route No. 222, in the Township : Petition of Clyde Edwin Keiper and Kathryn Margaret
of Stonycreek, in Cambria County, Penna. : Keiper, husband and wife, for the appointment of
viewers. Filed.

Clerk of Courts: \$

39⁰⁰ JUN 12 1955 AUDITED
E. 39⁰⁰ 4-23-59 MAY 6 1959 AUDITED ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Mahlon Baumgardner, John L. Elder, and Raymond Niebauer 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. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any, Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. 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:

Griffith, J.

June 2, 1955: Order to view issued to Mahlon Baumgardner.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Clyde Edwin Keiper and Kathryn Margaret Keiper, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of Rule sent to Mahlon Baumgardner.

November 28, 1955: AGREEMENT OF COUNSEL +FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins.

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED+FILED.

December 6, 1957: Petition for rule to show cause filed.

ORDER-AND NOW, this 6 day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957.

By the Court, Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by Wm. Shettig.

July 17, 1958: Brief on behalf of the Pennsylvania Department of Highways, Petitioner filed by Edward Peduzzi, Esq.

February 6, 1959: Brief on behalf of Petitioners filed by Gerald K. Gibson, Esq.

TRANSFERRED TO PAGE 561

No. 10

In the matter of the change of location : In the Court of Quarter Sessions of Cambria
and lines of the Highway known as State : County, Pennsylvania
Highway route No. 222, in the Township : Petition of Thomas Richard Smith and Doris Marie
of Stonycreek, Cambria County, Penna. : Smith, husband and wife, for the appointment of
viewers. Filed.

Clerk of Courts: \$ 39⁰⁰ JUN 12 1955 AUDITED
R 39⁰⁰ 4-23-55 ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Mahlon Baumgardner, John L. Elder, and Wm. P. Kelly, 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. 222, taking into consideration any benefits which may accrued to said property by said change of lines and location. It is hereby directed that the above named viewers in assessing the damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August 1955. 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:

Griffith, J.

June 2, 1955: Order to view issued to Mahlon Baumgardner.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Thomas Richard Smith and Doris Marie Smith, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

November 28, 1955: AGREEMENT OF COUNSEL +FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED*
FILED.

December 6, 1957: Petition for rule to show cause filed.

ORDER: AND NOW, this 6th day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957.

By the Court, S/ Griffith, J.

January 16, 1958, Answer of Cambria County to Petition for rule to show cause filed by Wm. Shettig.

July 17, 1958: Brief on behalf of the Pennsylvania Department of Highways, Petitioner filed by Edward Peduzzi, Esq.

February 6, 1959: Brief on behalf of Petitioners filed by Gerald K. Gibson, Esq.

TRANSFERRED TO PAGE 562

No. 11

In the matter of the change of location : In the Court of Quarter Sessions of Cambria County
and lines of the highway known as State : Pennsylvania
Highway Route No. 222, in the Township : Petition of Charles Wissinger and Alda M. Wissinger
of Stonycreek, Cambria County, Penna. : husband and wife, for the appointment of viewers
: Filed.

Clerk of Courts: \$ 39⁰⁰ JUN 12 1955 AUDITED

R. 39⁰⁰ 4-23-59 MAY 6 1958 AUDITED ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Fred Claflin, Theodore Hunt, and Robert S. Mayer, 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st monday of August, 1955. 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:
Griffith, J.

June 2, 1955: Order to view issued to Fred Claflin.

June 22, 1955: Date of View filed.

The Board of Viewers will meet upon the premises on the 6th day of July, 1955, at 10 o'clock A. M. D.S.T. as per order of the Court for the purpose of performing the duties of our appointment.

Fred Claflin, Theodore Hunt, Robert S. Mayer, =Viewers.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Charles Wissinger and Alda M. Wissinger, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of Rule sent to Fred Claflin.

November 28, 1955: AGREEMENT OF COUNSEL +FILED

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED+FILED.

December 6, 1957, Petition for rule to show cause filed.

ORDER:- AND NOW, this 6th day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957.

By the Court, S/ Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by Wm. Shattig.

July 17, 1958: Brief on behalf of the Pa. Dept. of Highways, Petitioner filed by Edw. Peduzzi, Esq.

No. 12

In the matter of the change of location : In the Court of Quarter Sessions of Cambria
and lines of the highway known as State : County, Penna.
Highway Route No. 222, in the Township : Petition of Frederick E. Griffith for the
of Stonycreek, Cambria County, Penna. : appointment of viewers. Filed.

Clerk of Courts: \$ 52⁰⁰

SEP 9 1960 AUDITED

3⁰⁰ ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint John L. Elder, Mahlon Baumgardner, and Wm. P. Kelly, 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. The viewers above appointed are hereby directed to give at least ten days' notice in writing to the Secretary of Highways and the Petitioner of the day and hour on which they will view the premises within described and conduct their hearing under this appointment.

By the Court:

Griffith, J.

June 3, 1955: Order to view issued to John L. Elder. 3⁰⁰June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi. 1⁰⁰3⁰⁰ RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Frederick E. Griffith to show cause why his petition for the appointment of viewers to ascertain and assess damages to his property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of Rule sent to John L. Elder. 3⁰⁰November 28, 1955: AGREEMENT OF COUNSEL. 1⁰⁰

*FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins 1⁰⁰

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED+ FILED.

December 6, 1957: Petition for rule to show cause filed. 1⁰⁰

ORDER:- And Now, this 6th day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957. 3⁰⁰By the Court, S/ Griffith, J. 1⁰⁰

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by Wm. Shettig. 1⁰⁰

July 17, 1958: Brief on behalf of the Pa. Dept. of Highways, Petitioner filed by Edw. Peduzzi, Esq. 1⁰⁰

TRANSFERRED TO PAGE 564

No. 13

In the matter of the change of location : In the Court of Quarter Sessions of Cambria
and lines of the highway known as State : County, Penna.
Highway Route No. 222, in the Township : Petition of Melvin R. Strong and Edna Mae Strong,
of Stonycreek, in Cambria County, Pa. : Husband and wife, for the appointment of viewers.
: Filed.

Clerk of Courts: \$ 39⁰⁰ JUN 12 1955 AUDITEDR. 39⁰⁰ 4-23-59 MAY 6 1955 ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Robert S. Mayer, Fred Claflin, 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. The viewers above appointed are hereby directed to give at least tendays' 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:

Griffith, J.

June 3, 1955: Order to view issued to Robert S. Mayer. 5⁰⁰June 23, 1955: Date of view filed. 1⁰⁰

The Board of Viewers will meet upon the premises on the 7th day of July, 1955, at 10 o'clock A.M. D.S.T. as per order of the court for the purpose of performing the duties of our appointment.

Robert G. Mayer, Fred Claflin, Theodore Hunt=Viewers.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

3⁰⁰ RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Melvin R. Strong and Edna Mae Strong, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of Rule sent to Robert S. Mayer. 3⁰⁰November 28, 1955: AGREEMENT OF COUNSEL 1⁰⁰ +FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED+FILED. 1⁰⁰December 6, 1957: Petition for rule to show cause filed. 1⁰⁰

ORDER:-AND NOW, this 6th day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957. 3⁰⁰

By the Court, S/ Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by Wm. Shettig.

July 17, 1958: Brief on behalf of the Pa. Dept. of Highways, Petitioner filed by Edw. Peduzzi, Esq.

No. 14

In the matter of the change of location : In the Court of Quarter Sessions of Cambria
and lines of the highway known as State : County, Pennsylvania
Highway Route No. 222, in the Township : Petition of Melvin C. Strong and Eileen N.
of Stonycreek, in Cambria County, Penna. : Strong, husband and wife, for the appointment
: of viewers. Filed.

Clerk of Courts: \$ 39⁰⁰ JUN 12 1959 AUDITEDC. 39⁰⁰ 4-23-59

JUN 6 1959 AUDITED

ORDER

Now, May 31, 1955, at 12:15 o'clock P. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint Theodore Hunt, Robert G. Mayer, and Fred Claflin, 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainants, if any. Said viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of August, 1955. 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:

Griffith, J.

June 3, 1955: Order to view issued to Theodore Hunt.

June 23, 1955: Petition for Rule to show cause filed by Edward F. Peduzzi.

RULE

AND NOW, this 22nd day of June, 1955, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the petitioner, a Rule is granted upon Melvin C. Strong and Eileen N. Strong, husband and wife, to show cause why their petition for the appointment of viewers to ascertain and assess damages to their property caused by the changes in existing lines and location of State Highway Route No. 222 should not be dismissed. Rule returnable the 5th day of July, 1955.

It is further ordered that the Clerk of Courts notify the board of viewers appointed in this matter to stay all proceedings pending the final determination of this proceeding.

By the Court: McKenrick, P. J.

June 24, 1955: Certified copy of Rule sent to Theodore Hunt.

November 28, 1955: AGREEMENT OF COUNSEL +FILED.

Now, July 5, 1955, it is agreed by and between the Counsel for the parties in the above entitled case that the time within which an answer to Rule heretofore Granted is to be filed, is extended until the 28th day of November, 1955.

/s/ Edward F. Peduzzi and /s/ Edw. J. Harkins

November 28, 1955: ANSWER TO PETITION FOR RULE AND TO RULE TO SHOW CAUSE HERETOFORE GRANTED+ FILED.

December 6, 1957: Petition for rule to show cause filed.

ORDER:- AND NOW, this 6th day of December, 1957, upon consideration of the foregoing petition and on motion of Edward F. Peduzzi, Attorney for the Department of Highways, a rule is granted upon the Commissioners of Cambria County to show cause why the County of Cambria should not be joined as an additional defendant in all of the above captioned proceedings.

Rule returnable the 10th day of December, 1957.

By the Court, S/ Griffith, J.

January 16, 1958: Answer of Cambria County to Petition for rule to show cause filed by Wm. Shettig.

July 17, 1958: Brief on behalf of the Pa. Dept. of Highways, Petitioner filed by Edw. Peduzzi, Esq.

TRANSFERRED TO PAGE 566

SEPTEMBER

SESSIONS, 19 55

No. 1

IN RE: Laying-out, opening
and accepting portions of a
proposed road in Ruthford,
Croyle Township, Cambria
County, Pennsylvania

* In the Court of Quarter Sessions of Cambria County,
* Pennsylvania

* Filed: July 20, 1955.
*

Recd. # 1550 9-15-55
Clerk of Courts: \$ *15.50*

DEC 2 7 1955

DEC 28 1955 CERTIFIED

Report of the Supervisors of Croyle Township filed=July 20, 1955.

D E C R E E

NOW, the 19th day of July, 1955, upon consideration of the foregoing petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereto directed to file the within report and the exhibits attached hereto.

BY THE COURT:

McKenrick, P. J.

FINAL DECREE

NOW, the 10th day of October, 1955, it appearing that the said petition having been filed on the 19th day of July, 1955 and that no citizen or freeholder of the Township did within thirty days from the filing of this report of the Supervisors file exceptions to the report or a petition for a review, IT IS ORDERED AND DIRECTED that the said portion of a proposed road in Croyle Township, Cambria County, Pennsylvania, at Ruthford, described as follows: Beginning on the middle of State Highway Route 869 at Ruthford; thence across the right of way of the Pennsylvania Railroad South 73° 30' West, a distance of 167 feet to a point between the properties of Guy Wingard and Charles Ickes; thence between the properties of the Johnstown Coal and Coke Company and John E. Kakabar; Thomas Jarvis, Abe Kranstler, Bernard, Hoyer, Richard Green, Emery Horvath and Guy Wingard, North 43° 30' West 125 feet to a point; thence North 41° 08' West 320 feet to the point of termination, said road being a thirty foot wide road, be and is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Croyle.

By the Court:

McKenrick, P. J.



No. 1

IN RE: Petition for the acceptance of Sauers Avenue, a dedicated street in the Township of Lower Yoder, county of Cambria and state of Pennsylvania : In the Court of Quarter Sessions of Cambria County, Pennsylvania

Recd. \$15.50 12-19-55 Jew. DEC 15 1955 AUDITED
Clerk of Courts: \$ 15.50 DEC 31 1955 AUDITED : Petition filed.

D E C R E E

NOW, the 7th day of November, 1955, upon consideration of the foregoing petition, Joseph W. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within report and the exhibits attached hereto.
By the Court:
/s/ McKenrick, P. J.

FINAL DECREE

Now, the 12th day of Dec., 1955, it appearing that the said petition having been filed on the 7th day of Nov., 1955, and that no citizen or freeholder of the Township did within thirty days from the filing of this report of the Supervisors file exceptions to the report or a petition for a review, IT IS ORDERED AND DIRECTED that the said portion of a proposed avenue in Lower Yoder Township, Cambria County, Pennsylvania, described as follows: THAT portion of Sauers Avenue beginning with an unnamed alley along the property of Albert Bohlen, which is the western end of said avenue; thence South 71° 00' East to the eastern end of an unnamed street along the property of the Catherine Sauer Estate, a distance of 705 feet, more or less, being a forty foot wide street known and designated as Sauers Avenue on the plan of lots as laid out by Catherine Sauer, situated in Lower Yoder Township, Cambria County, Pennsylvania, on February 26, 1925, and approved by the City Planning Commission on February 27, 1925, said plan being recorded in the Recorder of Deed's Office in and for Cambria County on October 16, 1925, in Plat Book Vol. 2, Page 116, be and is hereby confirmed as a Township road or avenue, and declared to be a part of the public road and highway system of the said Township of Lower Yoder.

By the Court:
/s/ McKenrick, P. J.

No. 2 IN RE: REPORT IN DUPLICATE OF THE : In the Court of Quarter Sessions of Cambria
 SUPERVISORS OF THE TOWNSHIP OF : County, Penna.
 SUSQUEHANNA, CAMBRIA COUNTY, PENNA., :
 IN RE: LAYING OUT, OPENING AND : Clerk of Courts: \$ 6.50 01221 1955 AUDITED
 ADOPTION OF A CERTAIN PRIVATE ROAD : *Recd 6th 12-5-55 J.C.H.* 01221 1955 AUDITED
 WHOLLY IN THE TOWNSHIP OF SUSQUEHANNA :
 AS A PUBLIC ROAD OR HIGHWAY : Report filed-12/5/55

To the Clerk of Courts for the County of Cambria, Pennsylvania:

The Supervisors of the Township of Susquehanna, Cambria County, Pa., make the following report, together with a draft or survey of the road to be layed out and adopted as a public highway, with the width thereof and noting the improvements along the lines thereof and the named of the owners of property abutting on said road or highway, filed in duplicate in accordance with the Acts of Assembly in such case made and provided.

1. That on the 10th day of October, 1955, a majority in interest of the owners of properties abutting upon the hereinafter described private road, executed and delivered a petition to the Supervisors of the Township of Susquehanna, wherein they requested that a suitable public highway be ordained, surveyed, opened, layed out and adopted in front of their properties now abutting on the hereinafter described private road.

2. In said petition, the petitioners released the Township of Susquehanna from any and all claims for damages to their properties by the laying out, opening and adopting of said public highway or by the use of any part of their premises for highway purposes.

3. Whereupon, the Supervisors gave ten days' written notice to the property owners affected thereby, of the time and place when and where all parties interested may meet and be heard. The hearing was fixed for November 28, 1955, at 7:30 P. M. at the Supervisors Office in the Township Building at Allport. At the appointed hour, the Supervisors met with the petitioners present at the meeting, and after discussing the necessity for the public highway described in the petition, and no objections being offered to the same, it was verbally agreed that the Supervisors would take the necessary action to lay out, open and adopt the private road in question as a public road or highway.

4. The Supervisors of the Township of Susquehanna, therefore, report that they have unanimously decided to lay out, open and adopt the private road appearing on the draft or survey hereto attached, tinted in green, which lies wholly within the Township of Susquehanna, to a width of twenty four feet, which width the Supervisors have determined will be sufficient for public use and travel, and upon said draft or survey, the Supervisors have caused to be noted the improvements along the lines of said public road or highway and the named of the owners of the properties which abut on said highway. This report and blue print have been filed in duplicate with the Clerk of Courts for the County of Cambria in accordance with the Acts of Assembly of the Commonwealth of Pa., in such case made and provided.

5. After the filing of this report and draft or survey with the Clerk of Courts for the County of Cambria, in duplicate, the Supervisors of the Township of Susquehanna will enact the necessary ordinance, laying out, opening and adopting the said private road as a public road or highway, and the public road or highway as layed out, opened and adopted, is described as follows:

Beginning at the center line of the existing Township Highway No. 552 near the lands of Robert J. McCormick and Mike Roebuck; thence South twenty degrees fifty seven minutes East one hundred thirty nine and three tenths feet to a post; thence by a curve to the right with a radius of 162 degrees 143 feet to post; thence South twenty eight degrees ten minutes West two hundred twenty one feet to post; thence by a curve to the right with a radius of 54 degrees 85 feet to a post and thence North sixty four degrees fifty three minutes West seven hundred sixty three and seventy hundredths feet to a post in the center of the aforesaid Township Highway No. 552.

In witness Whereof, the Supervisors of the Township of Susquehanna, have signed and executed this report, in duplicate, this 30th day of November, A. D., 1955.

Stanley Zemrose, Supervisor

Alvin Byrnes, Supervisor

Mike Byrnes, Supervisor

SESSIONS, 19

No. 1

IN RE: MATTER OF THE CHANGE OF LOCATION : In the Court of Quarter Sessions, Cambria County
 AND LINES OF THE HIGHWAY KNOWN AS STATE : Pennsylvania
 HIGHWAY ROUTE NO. 11013 IN THE TOWNSHIP :
 OF CONEMAUGH, CAMBRIA COUNTY, PENNSYLVANIA:

: Petition for appointment of viewers filed.

Clerk of Courts:—\$18.50

Recd. 12⁵⁰ 9-14-56 J.C. 2 - 1956 AUDITED

O R D E R

NOW, this 23rd day of December, 1955, the foregoing petition having been read and presented to the Court, the Court does hereby appoint Fred Claflin, 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:

/s/ Griffith, J.

December 27, 1955: Order to view issued to Fred Claflin.

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, regarding the assessment of damages to the lands of Helen Sekerak Vance, et al, Township of Conemaugh, State of Pennsylvania.

Yours very truly,

Fred Claflin, Chairman

Robert S. Mayer

Theodore Hunt

June 12, 1956: Viewer's Report Filed.

O R D E R

SEPTEMBER 10, 1956—THE WITHIN REPORT CONFIRMED ABSOLUTELY.

By the Court:

McKenrick, P.J.

O R D E R

Now, September 26, 1956, the within report confirmed ABSOLUTELY.

By the Court: McDonald, Judge.

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 the 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'

TRANSFERRED TO PAGE 583

MARCH

SESSIONS, 19 56

No. 2

IN RE: Vacation of a public alley in : In the Court of Quarter Sessions of Cambria
the Village of Echo, East Taylor Township : County, Penna.
Cambria County, Pennsylvania :

Clerk of Courts: : Petition for Vacation filed.

ORDER

And Now, January 16, 1956, at 10:00 o'clock A. M., E.S.T., the within petition having been read and considered, and upon motion of Shettig, Swope and Shettig, attorneys for the petitioners, it is ORDERED AND DECREED that a Rule to show cause why such alley be not closed up and vacated is hereby granted with directions that such Rule shall be published in one newspaper once a week for four weeks and in the Cambria County Legal Journal for like time and that the Rule shall be further served by posting a copy of this Order in the vicinity of the alley to be vacated, and that upon the Court being convinced that all parties interested shall have had notice of the Rule and upon a hearing, if the Court determines such is necessary, the Court will issue a Decree vacating such alley,

Rule returnable the 27th day of February, 1956.

By the Court:
/s/ Alton A. McDonald, J.

No. 3

IN RE: THE VACATION OF PART OF KRAFT STREET, FORMERLY CHRISTINE STREET, EXTENDING FROM THE NORTHERLY SIDE OF KRAFT STREET, FORMERLY CHRISTINE STREET, NORTHWESTWARDLY TO EDWARD STREET.

IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY, PENNSYLVANIA.

Recd. \$7.50 3-14-56
Clerk of Courts: \$ 7.50 APR 16 1956 AUDITED

FILED.

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, Cambria County, Pennsylvania, 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 the 17th day of February, 1956, at 1:30 o'clock, P.M.

At this hearing, the matter was considered and the Supervisors decided in favor of exercising the power so conferred, to vacate part of Kraft Street, formerly Christine Street, extending from the Northerly side of Kraft Street, formerly Christine Street, Northwestwardly to Edward Street.

A draft or survey of the road and noting the improvement along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut, is hereto attached,

Respectfully submitted,

/s/ Blair Hunt

/s/ Curt Barnhart

/s/ Samuel A. Weimer

Supervisors of Upper Yoder Township,
Cambria County, Pennsylvania

February 6, 1956

NOTICE TO PROPERTY OWNERS

NOTICE is hereby given that there will be a hearing on the above matter on the 17th day of February 1956, 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/ Samuel A. Weimer

Supervisors of Upper Yoder Township
Cambria County, Pennsylvania

February 6, 1956, I hereby accept service of the above Notice.

/s/ Merle C. Simmons

ORDINANCE Filed: March 9, 1956

Clerk of Courts: \$ 3.00 *Recd. 3.00 4-6-56 J.C.D.* APR 16 1956 AUDITED

BE IT ENACTED AND ORDAINED by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, that part of Kraft Street, formerly Christine Street, extending from the northerly side of Kraft Street, formerly Christine Street, northwestwardly to Edward Street, a public highway in Upper Yoder Township, Cambria County, Pennsylvania, and extending North 56° 41' West to Edward Street, two hundred thirty-nine and seventy-seven hundredths (239.77) feet from a point in the center line of said Kraft Street, formerly Christine Street, as shown on map attached to Petition to Supervisors for the vacating of part of Kraft Street, formerly Christine Street, extending from the northerly side of Kraft Street, formerly Christine Street northwestwardly to Edward Street, said map being on file with the Secretary of the Township Supervisors, where same may be examined, IS HEREBY VACATED.

* * * *

I hereby certify that the above and foregoing is a true and exact copy of the Ordinance enacted by the Supervisors of Upper Yoder Township on the 8th day of March, 1956.

/s/ Curt Barnhart

Secretary of the Board of Supervisors of
Upper Yoder Township

(SEAL OF TOWNSHIP)

JUNE

SESSIONS, 19⁵⁶

NO. 1

IN THE MATTER OF THE CHANGE OF LOCATION AND LINES OF THE
HIGHWAY KNOWN AS STATE HIGHWAY ROUTE NO. 222, IN THE TOWNSHIP
OF STONYCREEK, IN SAID COUNTY AND STATE.

NO. ROAD DOCKET 1 -- June Sessions 1956

Clerk of Courts-- \$ 30.50

Rec'd. 30⁵⁰ 8-21-57 J.C.H. SEP 8 - 1957 AUDITED

PETITION OF HENRIETTA HEADING FOR THE APPOINTMENT OF VIEWERS..

TO THE HONORABLE JUDGES OF THE ABOVE NAMED COURT:

The petition of Henritta Heading respectfully represents:

1. Your Petitioner is a resident of the City of Johnstown, in Cambria County, Pennsylvania; her residence address being 97 Osborne Street, Johnstown, Pennsylvania.

2. Your Petitioner is the owner of a certain lot or parcel of land situate in the Township of Stonycreek, County of Cambria and the State of Pennsylvania, bounded and described as follows:

FRONTING 50 feet on Adelaide Street and extending back between parallel lines a distance of 150 feet to Lot No. 31 on the herein after plan of Lots in the rear, having Lot No. 26 on said Plan on the one side and Lot No. 28 on said Plan on the other side, and being marked, known and numbered on the Meadowbrook Plan of Lots, laid out July 8, 1926, for Conrad Nees Estate by O. P. Thomas, R. P. E. & L. S., approved by the City Planning Commission July 9, 1926, as Lot No. 27.

Under and subject to all exceptions, reservations, conditions and restrictions as contained in prior deeds of conveyance for said land.

3. The Department of Highways of the Commonwealth of Pennsylvania, in changing the location and grade of the public highway leading from the City of Johnstown, Cambria County, Pennsylvania, to the Borough of Windber, in Somerset County, Pennsylvania, made certain changes which affected the land owned by your Petitioner in that the new highway known as Highway Route No. 222 was extended over and above part of the land owned by your Petitioner, and above described, whereby the Commonwealth of Pennsylvania condemned a portion of the land of your Petitioner, said portion being almost all of the land owned by the Petitioner.

4. Your Petitioner avers that she was the owner of the land hereinabove mentioned at the time of said condemnation, and therefore, she is the only person entitled to recover damages for the taking thereof.

5. 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. 222 to be made at a point on said highway where the same now passes along and above the real estate owned by your Petitioner and hereinabove described. Such change, insofar as that portion of said Highway Route No. 222 is concerned, makes a change therein whereby said Highway has been converted into a three lane highway upon a new location which extends over and above part of the Petitioner's land. As the result of said changes, the land as owned by your Petitioner has been condemned and taken for public use in connection with the changes in lines and location above referred to.

6. Petitioner is advised, believes and therefore avers that almost all of her land was taken for highway purposes, and on account of the manner of taking and the manner in which the highway was built has resulted in the total loss of the land for any purpose to Petitioner.

7. 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 petitioner as above set forth, but did cause injury and damages to the remainder thereof.

8. The Commonwealth of Pennsylvania, under the provision 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. 222.

9. 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 the 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 damages, as well as any benefits accruing to the land owner by reason of the appropriation or taking of the same or a 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 6 years from the date of the approval by the Governor of the plan making the change, but not thereafter. The approval of the plan making the change, in the present case, was dated in the year 1950. While the Viewers to be appointed must take into consideration not only damages suffered by your Petitioner 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 petitioner: nevertheless, petitioner believes that no benefits have been derived by the petitioner thereby.

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TRANSFERRED FROM PAGE 31

NO. 1

10. Your Petitioner alleges that she has suffered a loss of the entire fair market value of the land owned by her at the time of the condemnation.

11. Until this date, Petitioner has not been able to complete an agreement between Petitioner and the Secretary of Highways.

WHEREFORE, YOUR Petitioner prays the Court to appoint Viewers to ascertain and assess the damages which have been suffered by the property of petitioner by reason of the acts of the Secretary of Highways as hereinabove recited, as well as any benefits derived therefrom.

AND SHE WILL EVER PRAY, ETC.

/s/ HENRIETTA HEADING

STATE OF PENNSYLVANIA §

SS:

COUNTY OF CAMBRIA §

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, HENRIETTA HEADING, who being by me duly sworn, deposes and says that the matters set forth in the foregoing petition are true and correct to the best of her knowledge, information and belief.

/s/ Henrietta Heading

Sworn and subscribed to before me

this 15th day of March, A. D. 1956

/s/ Mrs. Dorothy A. Davis

Notary Public

My Comm. Expires: Notary Public

Johnstown, Cambria County, Pa.

My Commission Expires July 12, 1959

(SEAL)

ORDER

NOW, March 16, 1956, at 10 o'clock A. M., the foregoing petition having been read and presented to the Court, the Court does hereby appoint F. W. Claflin, Theodore W. Hunt, and Robert Mayers, 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 Petitioner by reason of the appropriation, injury or destruction of certain property in the change of lines and location of State Highway Route No. 222, 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 damages shall take into consideration the advantages derived from such road passing through the land of the complainant, if any. Said Viewers are directed to make their report in writing to the Court of Quarter Sessions on or before the 1st Monday of June, 1956. The viewers above appointed are hereby directed to give at least ten days' notice in writing to the Secretary of Highways and the petitioner of the day and hour on which they will view the premises within described and conduct their hearing under this appointment.

By the Court:

/s/ McKenrick, P. J.

March 20, 1956: Order to View mailed to F. W. Claflin.

April 6, 1956: Date of View Filed.

The Board of Viewers will meet on the premises on Wednesday, April 18, 1956 at 10 o'clock A.M. E.S.T. for the purposes of performing the duties of our appointment.

Fred Claflin, Robert S. Mayer, Theodore Hunt, Viewers

Now, August 20, 1956, filing of Viewer's Report is extended to the first Monday of December, 1956.

By the Court: /s/ McKenrick, P. Judge.

NOTICE TO VIEW-Filed November 14, 1956

NOTICE TO VIEW

The Board of Viewers will meet upon the premises on the 23rd day of November, 1956, at 3 O'Clock P. M. E. S. T. as per Order of the Court for the purpose of performing the duties of appointment.

Fred W. Claflin

Theodore Hunt
Robert Mayer
Viewers

TRANSFERRED TO PAGE 589

JUNE

SESSIONS, 19 56

NO. 2

IN RE: IN THE MATTER OF THE VACATION
OF CERTAIN ROADS AND HIGHWAYS IN THE
TOWNSHIP OF SUMMERHILL, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

FILED-April 23, 1956

Clerk of Courts- \$ 16.50 1956 AUDITED

L. 16 50 JAN 16 1959 AUDITED
12-1-58 JCS

PETITION FOR VACATION

TO THE HONORABLE, THE JUDGES OF THE ABOVE COURT:

The petition of the Supervisors of the Township of Summerhill, County of Cambria, and State of Pennsylvania, respectfully represents:

1. That they are the duly elected, qualified and acting supervisors of the Township of Summerhill, a Township of the second class in the County of Cambria and the State of Pennsylvania.

2. That within the above Township, Route No. 748 has been relocated in part by the Dept. of Highways of the State of Pennsylvania.

3. That said relocations, which have occurred from time to time in the past, have resulted in an abandonment of portions of the said Highways above referred to, which abandoned portions appear on the maps attached to this petition and made a part hereof.

4. That the abandoned portions of the State Highways above referred to have not been vacated by the Department of Highways of the Commonwealth of Pennsylvania.

5. That it is in the best interests of the Township of Summerhill that the said abandoned portions of State Highway Route No. 748 be formally vacated so that there shall be no present or future obligation on the part of the said Township to maintain or repair the same.

6. That your petitioners have agreed with the various property owners affected by the proposed vacation that the said portions of Highway may be vacated without the formality of a view, as will appear by reference to the consents which are attached to this petition and made a part hereof.

7. That said consents are signed by all of the property owners who would be affected by such vacation.

WHEREFORE, your petitioners under the Act of 1947, P. L. 1481, Section 17, 53 P. S. 19093-1115, pray your Honorable Court for a Decree vacating the portions of State Highway Route No. 748 which were abandoned by relocation of the same and which appear in detail in the maps attached to this petition and made a part hereof.

Frank Frank
Frank Dezelon, Sr.
Frank Amis

Supervisors of Summerhill Township

STATE OF PENNSYLVANIA

SS.

COUNTY OF CAMBRIA

Before me, a Notary Public in and for the above County and State, personally appeared Frank Frank, one of the Supervisors of the Township of Summerhill, who, being duly sworn according to law, deposes and says that he is authorized to take this oath to the foregoing petition on behalf of Supervisors of the said Township; and that the matters and facts set forth in the foregoing petition are true and correct.

Frank Frank

Sworn to and subscribed before me this 12 day of March, 1956.

Margaret L. Nastase, Notary Public

My commission expires 6-3-58

D E C R E E

AND NOW, this 23 day of April, 1956, upon hearing the within petition, it appearing to the Court that the property owners affected by the proposed vacation have agreed to the same, upon motion of Davis and Davis, Attorneys for the petitioners,

TRANSFERRED TO PAGE 34

Continued from Page 33

No. 2

IT IS HEREBY ORDERED AND DECREED that the portions of State Highway Route No. 748 abandoned by relocation of such Highway and which appear in detail on the maps attached to the foregoing petition be and are hereby vacated.

By the Court:

/s/ McKenrick, P. J.

We, the undersigned, being the property owners affected by vacation of portions of State Highway Route No. 748 in Summerhill Township, which portions were abandoned when there was a relocation of sections of the said route in Summerhill Township, do hereby consent and agree with the supervisors of Summerhill Township that such abandoned portions of State Highway Route No. 748 may be vacated in the manner now provided for by law.

JOHNSTOWN COAL & COKE COMPANY

By John N. Crichton, Vict President

Adolphus Rush Burkett

Edna Emma B. Burkett.

JUNE

SESSIONS, 19 56

No. 3

CLERK OF COURTS: \$ 68.00

1-00 Recd 68-12-17-59 JAN 27 1960 AUDITED

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

RE: Appointment of Viewers to
view and lay out a road beginning
in the westerly line of Meadow
Drive, a public highway, and ter-
minating in the southerly line of
Menohr Highway.

Filed: May 15, 1956

To the Honorable, the Judges of said Court:

1. Your petitioners are owners of real estate situate in and taxpayers of the Township of Upper Yoder, County of Cambria and State of Pennsylvania, and for the most part inhabitants thereof.

2. On January 17, 1956 your petitioners presented a petition to the Board of Township supervisors of Upper Yoder Township aforesaid, a true and correct copy of which is attached hereto and marked "Petitioners" Exhibit A" by handing said petition to Curt Barnhart, a member and secretary of the Board of Township Supervisors of Upper Yoder Township.

3. In said petition your petitioners requested that by Ordinance duly enacted a public road be surveyed, laid out and opened in the Township of Upper Yoder from Meadow Drive, a public road in said township, to the Menohr Highway, another public road in said township, the easterly terminus of which said road was in said petition described as being a point in the westerly line of meadow Drive, which is North 3° 20' East 482 feet, more or less from the point of intersection of the division line between the property of Arthur Shaffer and Luther Lehman et ux, and the westerly terminus of said road being a point in the southerly line of the Menohr Highway at or near the northwesterly corner of land of Fred Wertz, et ux.

4. Your petitioners are a majority in interest of the owners of properties through whose land such road shall pass, or upon whose land it will abut, and said road is necessary for the convenience and proper enjoyment of their land and others residing in and upon the same, and for the traveling public and other residents of the Township of Upper Yoder residing in the vicinity of said proposed road.

5. The petition, a true and correct copy of which is attached hereto and marked "Petitioners" Exhibit A", was presented to the Township Supervisors of Upper Yoder Township aforesaid under the provisions of Article XI, Sec. 1101, of the Act of General Assembly, approved May 1, 1933, P. L. 103, as amended by the Act of July 10, 1947, P. L. 1481, Sec. 15, and as finally amended by Act of July 20, 1953, P. L. 511, Sec. 1 (53 P. S. Sec. 19093-1101).

6. George M. Spence, Esq., attorney for your petitioners, has been advised by Curt Barnhart, a member of the Township Supervisors of Upper Yoder Township and the secretary of said Board, that the Board of Township Supervisors has failed to act on the said petition.

7. Your petitioners are of the opinion that the road, the terminus of which is described in Paragraph 3 hereof, is necessary for public convenience.

WHEREFORE, your petitioners pray that your Honorable Court appoint three members of the Cambria County Board of Viewers as a Board of Viewers to view and lay out the road as hereinbefore prayed for.

/s/ Earl J. Long, Pearl L. Long, Marion E. Eisaman, Elva E. Eisaman, Vernon L. Green, Isabel G. Green, Bror Lennart Rix, Joyce S. Rix, Fred Wirtz, Margaret M. Wirtz, Clifford G. Long, Elsie A. Long, Mrs. Burndetta Hudak, Michael Hudak, Jr., Roy Hofecker, Mary Hofecker, Daniel Rohrabough, Barbara Rohrabough, Rhea B. Lehman, Luther E. Lehman, Joseph F. Long, Edith Long, Samuel F. Roddy, W. Jay Roddy, Blanche M. Green.

PETITIONERS' EXHIBIT A

To the Board of Township Supervisors of Upper Yoder Township:

The petition of the undersigned respectfully represents:

1. That your petitioners are the owners of real property situate in the Township of Upper Yoder, County of Cambria and State of Pennsylvania.

2. That your petitioners respectfully request that by Ordinance duly enacted a public road be surveyed, laid out and opened in the Township of Upper Yoder leading from Meadow Drive, a public road in said township, to the Menohr Highway, another public road in said township, the center line of which shall be established and described as nearly as possible as follows:

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No. 3 CONTINUED.

BEGINNING at a point in the westerly line of Meadow Drive which is North $3^{\circ} 20'$ East 482 feet, more or less, from the point of intersection of the division line between property of Arthur Shaffer and Luther Lehman, et ux., and the westerly right of way line of Meadow Drive; thence by a line through land of Luther Lehman, et ux., North $46^{\circ} 30'$ West 280 feet, more or less, to a point; thence by a line South $31^{\circ} 45'$ West 650 feet to a point in the division line between land of Earl Long, et ux and Luther Lehman, et ux; thence South $36^{\circ} 15'$ West 158 feet to a point; thence South $52^{\circ} 30'$ West 455 feet to a point; thence North 63° West 198 feet to a point; thence North $32^{\circ} 15'$ West 636 feet to a point; thence North $7^{\circ} 15'$ East 158 feet to a point; thence North $8^{\circ} 15'$ East 304 feet to a point in the division line between land of Roy Hofecker, et ux and Earl Long, et ux; thence parallel with a fence line and $16\frac{1}{2}$ feet therefrom in a northerly direction 1200 feet, more or less; thence continuing in a north-westerly direction, but leaving said fence line 400 feet more or less, to a point near the southwest corner of the pig yard on land of Roy Hofecker, et ux, which point is $16\frac{1}{2}$ feet distant from the division line between land of Roy Hofecker and the heirs of Samuel Roddy, deceased; thence by a line parallel with said division line and $16\frac{1}{2}$ feet therefrom, North 32° East 520 feet, more or less, to the Schrock Road; thence by the line of the Schrock Road in a northeasterly direction 350 feet, more or less, to a point in the southerly line of the Menoher Highway, at or near the northwesterly corner of land of Fred Wertz, et ux.

3. That the undersigned petitioners are a majority in interest of the owners of properties through whose land such road shall pass or upon whose land it shall abut.

4. That your petitioners are of the opinion, and therefore aver, that said public road is necessary for the convenience and proper enjoyment of their land by the petitioners and others residing in and upon the same, or presently erecting or planning to erect dwellings in and upon their land, and for the traveling public and other residents of the Township of Upper Yoder residing in the vicinity of said proposed road.

5. That the names and addresses of all of the property owners who will or may be affected by the laying out and opening of said road are as follows:

NAME	ADDRESS
Luther E. and Rhea B. Lehman	R. D. 5, Box 252, Johnstown, Pa.
Earl J. and Pearl L. Long	R. D. 5, Johnstown, Pa.
Vernon L. and Isabel G. Green and Blanche M. Green	R. D. 5, Box 253 A, Johnstown, Pa.
Joseph Forest and Edith Long	R. D. 5, Box 251 B, Johnstown, Pa.
Bror Lennart and Joyce Eileen Rix	R. D. 5, Box 252 A, Johnstown, Pa.
Clifford Grant and Elsie Adella Long	R. D. 5, Box 251 A, Johnstown, Pa.
Daniel V. and Barbara C. Rohrabauh	Edwards Hill Apts., Goucher St., Johnstown
Marion E. and Elva E. Eisaman	R. D. 5, Box 299, Johnstown, Pa.
Leslie R. and Anna P. Hoover	42 Venango St., Johnstown, Pa.
Roy and Mary Hofecker	R. D. 5, Box 247 C., Johnstown, Pa.
Wm. K. and Emma D. Good	R. D. 5, Box 159, Johnstown, Pa.
Arthur C. Drummond	270 Strayer St., Johnstown, Pa.
W. Jay and Samuel F. Roddy	R. D. 5, Box 165, Johnstown, Pa.
Michael and Burndetta Hudak	R. D. 5, Box 157 A, Johnstown, Pa.
Fred A. and Margaret M. Wertz.	R. D. 5, Box 157, Johnstown, Pa.
Mabel R. Hutzell	R. D. 2, Holsopple, Pa.

WHEREFORE, your petitioners pray the Township Supervisors of Upper Yoder Township, after hearing, as provided by law, that by Ordinance duly enacted and ordained a road be surveyed, laid out and opened, the center line of which shall be, in so far as it is practical, as described in the second paragraph hereof.

Roy Hofecker, Mary Hofecker, W. Jay Roddy, Samuel F. Roddy, Margaret M. Wertz, Fred Wertz, Luther E. Lehman, Rhea B. Lehman, Earl J. Long, Pearl L. Long, Michael Hudak, Jr., Burndetta Hudak, Marion Ernest Eisaman, Elva Earlynn Eisaman, Vernon L. Green, Isabel G. Green, Blanche M. Green, Bror Lennart Rix, Joyce E. Rix, Joseph F. Long, Edith Long, Clifford Grant Long, Elsie Adilla Long, Daniel V. Rohrabauh, and Barbara C. Rohrabauh

No. 3 CONTINUED

State of Pennsylvania :
 County of Cambria : SS.

On this 2nd day of January, A. D., 1955, personally appeared before me, the undersigned authority, Earl J. Long who being duly sworn according to law, depose and say that they are three of the petitioners above named, and that the facts set forth in the foregoing Petition are true and correct, to the best of their knowledge, information and belief.

Earl J. Long

Sworn to and subscribed before me the day and year
 aforesaid

Elizabeth J. Greiner

(N. P. Seal Affixed)

Elizabeth J. Greiner, Notary Public, Johnstown,
 Cambria County, Pa.

My Commission Expires March 7, 1959

State of Pennsylvania

SS.

County of Cambria.

On this 14th day of May, A. D. 1956, personally appeared before me, the undersigned authority Luther E. Lehman, Earl J. Long, and Roy Hofecker, who being duly sworn according to law, depose and say that they are three of the petitioners above named, and that the facts set forth in the foregoing Petition are true and correct, to the best of their knowledge, information and belief.

/s/ Roy Hofecker

/s/ Earl J. Long

/s/ Luther E. Lehman

Sworn to and subscribed before me the day and the year
 aforesaid.

/s/ Elizabeth J. Greiner

Elizabeth J. Greiner, Notary Public, Johnstown
 Cambria County, Pa.,

My Commission Expires March 7, 1959

500
 D E C R E E

AND NOW, this 14th day of May, 1956, the within petition having been presented, read and considered, the court appoints Fred W. Claflin, Theodore Hunt, and Robert Meyer, Viewers to view the road therein 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: /s/ McKenrick, P. J.
 /s/ Griffith, J.
 /s/ McDonald, J.

May 16, 1956: Order to view mailed to Fred W. Claflin.

June 21, 1956: Notice to view, Friday, June 29, 1956, at 2:30 P. M. D.S.T. filed.

Fred Claflin, Theodore Hunt, Robert Meyer, VIEWERS.

NO. 3 (continued)

NOTICE OF HEARING

PLEASE, be advised that there will be a hearing in the Menoher Heights Community Building, Upper Yoder Township, Cambria County, Pennsylvania, at 1:00 P. M. D. S. T. on July 20, 1956, RE: the laying out of a road beginning in the westerly line of Meadow Drive, a public highway, and terminating at the southerly line of Menoher Heights in the Township of Upper Yoder, Cambria County, Pennsylvania.

Yours very truly,
Fred Claflin, Chairman
Robert S. Mayer

Dated:- July 13, 1956

Theodore Hunt

MOTION AND ORDER FOR EXTENSION OF TIME TO FILE VIEWERS REPORT

AND NOW, this 4th day of September, 1956, at 10:15 o'clock A.M. Eastern Daylight Time, upon motion of George M. Spence, of Spence, Custer, Saylor and Wolfe, attorney for petitioners, and of F. W. Claflin, Chairman of the Board of Viewers in the above matter, it appearing that there is insufficient time for filing of the Viewers report in the September Term of Court, the time for filing of said report is hereby extended to the next term of Court.

By the Court:

Clerk: \$3.00

McKenrick, P.J.

December 10, 1956: Motion and order for extension of time to file viewers' report filed.

And Now, this 10th day of December, 1956, at 10:30 o'clock a.m., E. S. T., upon motion of F. W. Claflin, Chairman of the Board of Viewers in the above matter, George M. Spence of Spence, Custer, Saylor & Wolfe, attorney for petitioners, and Frank P. Barnhart, Solicitor for Upper Yoder Township, it appearing that there is insufficient time for filing of the Viewers' report in the December Term of Court, the time for filing said report is hereby extended to the next term of the Court of Quarter Sessions of Cambria County.

By the Court: McKenrick, P. J.

March 4, 1957: Motion and order for extension of time to file viewers' Report filed.

And Now, this 4th day of March, 1957, at 1:30 o'clock, P. M., upon motion of F. W. Claflin, Chairman of the Board of Viewers in the above matter, George M. Spence, Attorney for the petitioners, and Frank P. Barnhart, Solicitor for Upper Yoder Township, it appearing that there is insufficient time for filing of the Viewers' Report in the March Term of Court, the time for filing said report is hereby extended to the next term of the Court of Quarter Sessions of Cambria County.

By the Court: McKenrick, P. J.

June 6, 1957: AND NOW, THIS 3rd day of June, A. D. 1957, at 4:40 o'clock, P. M. upon motion of F. W. Claflin, Chairman of the Board of Viewers in the above matter, George M. Spence, Attorney for the petitioners, and Frank P. P. Barnhart, Solicitor for Upper Yoder Township, it appearing that the Board of Viewers has been unable to complete a survey to accompany its report and will be unable because of a shortage of surveyors in the area to complete said survey and file the Viewers' report at the June Term of Court, the time for filing said report is hereby extended to the next term of the Court of Quarter Sessions of Cambria County, Pennsylvania.

By the Court: McDonald, Judge

August 6, 1957: Testimony taken at viewers hearing held July 20, 1956 filed.

August 6, 1957: Viewer's Report Filed.

August 26, 1957: Exceptions filed by Frank P. Barnhart, Esq.

August 30, 1957: Exceptions to Viewer's Report filed by Spence, Custer, Saylor & Wolfe.

November 7, 1957: This Action was before the Argument Court. Attorneys for the Petitioners and Frank P. Barnhart Attorney for Upper Yoder Township appeared. Both attorneys were instructed to file briefs.

November 20, 1957: Petitioners' Brief filed.

December 4, 1957: WITHDRAWAL OF EXCEPTIONS FILED BY Frank P. Barnhart, Esq.

January 2, 1958: Opinion of the Court and Decree filed.

D E C R E E

AND NOW, December 31st, 1957, at 3:30 P.M., after argument and upon due consideration, the report of the viewers appointed to view and lay out the proposed road in Upper Yoder Township is hereby referred back to the viewers with directions to proceed consistent with Continued on NEXT PAGE.

No. 3 CONTINUED

this opinion and to report to the Court of Quarter Sessions of Cambria County on or before the first Monday of March, 1958.

By the Court: Griffith, J.

CONCURRED IN BY
McKenrick, P. J.
McDonald, J.

Certified copies of the opinion and decree mailed January 2, 1958 to:

Mr. Fred W. Claflin, Viewers Chairman
Mr. Frank P. Barnhart, Atty. for Township Supervisors
Spence, Custer, Saylor & Wolfe, Attys. for Petitioners.

March 3, 1958: Motion and order for Extension of Time to file viewers' report filed by Spence, Custer, Saylor and Wolfe.

ORDER

And now, March 3, 1958, at 11:30 o'clock P. M., upon motion of F. W. Claflin, Chairman of the Board of Viewers in the above matter, George M. Spence, attorney for the petitioners, and Frank P. Barnhart, Solicitor for Upper Yoder Township, it appearing that the Board of Viewers has been unable to complete a survey to accompany its report and will be unable because of weather conditions in the area to complete said survey and file the Viewers' report at the June Term of Court, the time for filing said report is hereby extended to the next term of the Court of Quarter Sessions of Cambria County, Pennsylvania.

By the Court: S/ McDonald, J.

May 5, 1958: Report of Viewers and drawing of proposed road filed. Copies mailed to Mr. Frank Barnhart, Attorney for Township Supervisors and Mr. Frank E. Roda, Assistant Attorney General, Department of Highways, Harrisburg, Pennsylvania.

June 2, 1958: Exceptions to Viewer's Report and Petition for Re-view filed by Mr. Frank Barnhart. CASE LISTED FOR ARGUMENT COURT.

February 3, 1959: Case before argument Court. Case continued.

July 20, 1959: Motion to remove/^{files} filed by Samuel R. DiFrancesco, Esq.

ORDER

NOW, this 20th day of July, 1959, the above motion is allowed, and permission to remove the said record is hereby given as prayed for.

By the Court, /s/ McKenrick, P. J.

September 15, 1959: Testimony filed.

September 28, 1959: Motion to Quash filed by Frank P. Barnhart, Esq.

September 28, 1959: Additional Exception filed, by Frank P. Barnhart, Esq.

September 28, 1959: Additional reason for Re-View filed by Frank P. Barnhart, Esq.

December 4, 1959: Petitioners Brief filed. Copies distributed to the Judges, McKenrick, Griffith and McDonald.

December 14, 1959: Opinion and Decree quashing Viewers Report filed.

DECREE

AND NOW, December 14, 1959, at 9:00 A.M., after argument and upon due consideration, the petition of the Supervisors of Upper Yoder Township asking for a re-review is denied but their exceptions are sustained and the report of the reviewers is hereby vacated. Costs are placed on petitioners.

By the Court: /s/ Griffith, J.

Concurred in By:
/s/ McKenrick, P. J.
/s/ McDonald, J.

Copy to: Spence, Custer, Saylor, and Wolfe, Mr. Frank P. Barnhart, and DiFrancesco & DiFrancesco.

NO.1

IN RE: LAYING-OUT, OPENING AND ACCEPTING
PORTIONS OF PROPOSED ROAD IN THE TOWNSHIP
OF CROYLE, CAMBRIA COUNTY, PENNSYLVANIA

CLERK:

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA.

FILED: September 20, 1956

Clerk of Courts: \$23.00

Rec'd. 23rd Oct. 29, 1956 J.C.V.REPORT OF SUPERVISORS OF CROYLE TOWNSHIP

The petition of JOSEPH HUBER, FOREST CROYLE and OLIVER W. PLUMMER respectfully represents.

(1) That they are the supervisors of the Township of Croyle, Cambria County, Pennsylvania.

(2) That they propose to lay-out, open and accept portions of a proposed road in Croyle Township, Cambria County, Pennsylvania, which portion of road is described as follows:

BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty foot wide road.

The said portion of road above described appears on a map, draft or survey hereto attached, made part hereof, and marked "Exhibit A", and colored in red line.

(3) That your petitioners have given ten days' notice to the property owners affected by the laying-out, opening and accepting of the said portion of road as required by the Act of Assembly, of a hearing and after said hearing your supervisors deem that the said portion of road is necessary and convenient, and by ordinance duly made and adopted, the said portion of the road was laid out, opened and accepted by the supervisors of Croyle Township as a part of the highway system of the said Township, which ordinance is hereto attached, made part hereof, and marked "Exhibit B."

(4) That attached hereto and made a part hereof is a petition and release of damages executed by the owners of the property abutting on the said proposed portion of road, marked and designated as "Exhibit C."

WHEREFORE, your petitioners pray that this report and exhibits attached hereto may be filed in the Office of the Clerk of Courts of Quarter Sessions of Cambria County, Pennsylvania.

/s/ Joseph Huber

/s/ Forest Croyle

/s/ Oliver W. Plummer

Supervisors of Croyle Township.

STATE OF PENNSYLVANIA |
COUNTY OF CAMBRIA | SS:
 |

Personally appeared before me, a Notary Public in and for said County and State, JOSEPH HUBER, FOREST CROYLE and OLIVER W. PLUMMER, Supervisors of the Township of Croyle, Cambria County, Pennsylvania, who being duly sworn according to Law, depose and say that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information and belief.

/s/ Joseph Huber

/s/ Forest Croyle

/s/ Oliver W. Plummer

SWORN and subscribed before me
this 27th day of August, 1956

/s/ Janet M. Leber

Notary Public

My Comm. expires: April 8, 1958

EXHIBIT A. ATTACHED. (Map, Draft or Survey)

EXHIBIT B. ATTACHED. (Ordinance)

ORDINANCE

WHEREAS, the abutting property owners have petitioned the Board of Supervisors of Croyle Township to open and lay-out the hereinafter described road; and

WHEREAS, the petitioners have signed a release of damages; and

TRANSFERRED TO PAGE 42

NO.1 (con't.)

WHEREAS, it is the desire of the Supervisors of the Township of Croyle to lay-out, open and accept the said portion of the hereinafter described road as part of the public highway system of the said Township of Croyle; and

WHEREAS, the Supervisors have given a ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard, and after hearing and consideration of the matter at such meeting, the Board of Supervisors unanimously decided in favor of exercising the power so conferred in them to lay-out, open and accept the said portion of the road;

NOW, THEREFORE, BE IT RESOLVED, that the following described road be laid out, opened and accepted by the Supervisors of the Township of Croyle as part of the highway system of the said Township after making written report thereof, together with a draft or survey of said portion of road, to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, such portion of road being described as follows:

BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty foot wide road.

AND BE IT FURTHER RESOLVED, that in accordance with the provisions of the Act of Assembly in such case made and provided, any citizen or freeholder of the Township may, within thirty days after the filing of the report of the Supervisors, file exceptions to the report, together with a petition for a review.

TOWNSHIP OF CROYLE

By Joseph Huber,
President

ATTEST:

Michael Kishlock

(SEAL)

Secretary

EXHIBIT C.

PETITION AND RELEASE OF DAMAGES

We, the undersigned, citizens and property owners in the Township of Croyle, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay-out, open and accept the following described road which abuts along side of our respective properties:

BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty foot wide road.

In consideration of the opening of the said road we the undersigned, do hereby remise, release and discharge the Township of Croyle of and from all and all manner of actions or causes of actions in law or in equity, especially from a claim for damages arising out of the laying-out, opening and accepting of the above described road, and we release the Township, for ourselves, our heirs, executors, administrators, successors and assigns, and we further hereby waive our right to receive a ten days' notice of the intention of the Supervisors to adopt an ordinance for the purpose of laying-out, opening and accepting the above road.

/s/ Kelsey W. Smay

/s/ Alvira Vogel

/s/ Mrs. Kelsey Smay

/s/ Minnie P. Cum

/s/ A. P. Hufford

/s/ Mrs. Helen Grow

/s/ Mrs. Martha Hufford

/s/ H. J. Vogel

/s/ John Sivec

THE WILMORE COAL COMPANY

/s/ Mary Sivec

/s/ Chas G. Berwind

/s/ Ralph M. Grow

Vice-President.

Transferred from Page 42

No. 1 Continued.

DECREE

Now, the 20 day of September, 1956, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within report and the exhibits attached hereto.

By the Court: /s/ Griffith, J.

FINAL DECREE

NOW, the 22nd day of October, 1956, it appearing that the said Petition having been filed on the 20 day of September 1956, and that no citizen or freeholder of the Township did within thirty days from the filing of this report of the Supervisors file exceptions to the report or petition for a review, IT IS ORDERED AND DIRECTED that the said portion of a proposed road in Croyle Township, Cambria County, Pennsylvania, described as follows: BEGINNING on TOWNSHIP ROUTE NO. 352; thence North 14° 15' East 165 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty foot wide road, be and is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Croyle.

By the Court: McDonald, Judge.

December 14, 1956: Petition for amended decree filed. CLERK OF COURTS: \$ 12.50

PETITION FOR AMENDED DECREE *Rec'd. 12⁵⁰ 12-31-56 J.C.W.*

The Petition of Samuel R. DiFrancesco, solicitor for the Township of Croyle, respectfully represents:

- (1) That on the 20th day of September 1956, your Honorable Court did direct a Petition to be filed with the Report and exhibits attached thereto, laying-out, opening and accepting portions of a proposed road in the Township of Croyle, said Petition and Report being filed to the above number and term.
- (2) That the said Court did, on the 22nd day of October, 1956, enter a Final Decree whereby the described road therein was confirmed as a township road and declared to be a part of the public road and highway system of the said Township of Croyle, said Decree having been signed by the Honorable A. A. McDonald, Judge.
- (3) That the width of the said road as set forth in the said Petition and Final Decree was provided to be thirty foot wide, which width was then contrary to and in violation of the Act of Assembly in such case made and provided, which required that no township road be less than thirty-three foot in width.
- (4) That since the said Final Decree was signed by your Honorable Court, the Department of Highways of the Commonwealth of Pennsylvania has refused to recognize the said road for the reason that the same is not laid out with a thirty three foot width.
- (5) That in compliance with the request of the Pennsylvania Department of Highways, the Supervisors of the Township of Croyle enacted an amendment to the Ordinance, providing that the said road shall be thirty three foot in width, a copy of which Ordinance is hereto attached and made part hereof and marked "Exhibit A."
- (6) That attached hereto and made a part hereof is a newly executed petition and release of damages signed by the owners of the property abutting on the said proposed portion of the thirty-three foot wide road, marked and designated as "Exhibit B".

WHEREFORE, your petitioner prays that the Final Decree of the Court be amended to provide that the description of the Final Decree of the Court be amended to provide that the description of the road be as follows:

BEGINNING on Township Route No. 362; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty-three foot wide road.

And the petitioner will ever pray.

/s/ Samuel R. DiFrancesco

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

Personally appeared before me, a Notary Public in and for said County and State, Samuel R. DiFrancesco, who being duly sworn according to law, deposes and says that the matters and facts set forth in the within Petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me this 5th day of

December, 1956

/s/ Janet M. Leber, Notary Public

My Commission Expired April 8, 1958

/s/ Samuel R. DiFrancesco

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No. 1 Continued.

AMENDED ORDINANCE

EXHIBIT A

AN ORDINANCE AMENDING PREVIOUS ORDINANCE ENACTED BY THE TOWNSHIP OF CROYLE IN THE LAYING OUT, OPENING AND ACCEPTING OF TOWNSHIP ROUTE NO. 352, PROVIDING THAT THE SAID ROAD SHALL BE OF 33 FOOT WIDTH INSTEAD OF 30 FOOT WIDTH.

WHEREAS, heretofore the Township of Croyle laid out, opened and accepted Township Route No. 352, which is described in the aforesaid Ordinance, and provided that the said Township Route shall be of thirty foot width; and

WHEREAS, the Township Code then provided that no township road should be less than thirty three foot in width and in order to comply therewith and likewise to comply with the requirements of the Department of Highways of the Commonwealth of Pennsylvania;

NOW, THEREFORE, it is resolved that the preceding Ordinance laying out the aforesaid Route be amended so that such portion of road will be described as follows:

BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty three foot wide road.

AND BE IT FURTHER RESOLVED, that a copy of the within Ordinance be attached to a Petition to the Court of Quarter Sessions of Cambria County, Pennsylvania, requesting an amendment to the Final decree of the said Court dated October 22, 1956, and entered to No. 1 December Sessions, 1956, in accordance with the within Amended Ordinance.

Enacted this 30th day of November, 1956.

TOWNSHIP OF CROYLE

ATTEST:

By /s/ Joseph Huber

/s/ Michael Kishlock (SEAL)
Secretary

President

PETITION AND RELEASE OF DAMAGES

We, the undersigned, citizens and property owners in the Township of Croyle, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay-out, open and accept the following described road which abuts along side of our respective properties;

BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty three foot wide road.

In consideration of the opening of the said road, we the undersigned, do hereby remise, release and discharge the Township of Croyle of and from all and all manner of actions or causes of actions in law or in equity, especially from a claim for damages arising out of the laying out opening and accepting of the above described road, and we release the Township for ourselves, our heirs, executors, administrators, successors and assigns, and we further hereby waive our right to receive a ten days' notice of the intention of the Supervisors to adopt an ordinance for the purpose of laying-out, opening and accepting the above road.

/s/ John Sivec	SEAL	/s/ A. P. Hufford	SEAL	/s/ Minnie Crum	SEAL
/s/ Mary I. Sivec	SEAL	/s/ Martha Hufford	SEAL	/s/ Helen Grow	SEAL
/s/ Elsie Smay	SEAL	/s/ H. J. Vogel	SEAL	/s/ Ralph Grow	SEAL
/s/ Kelsey Smay	SEAL	/s/ Alvira Vogel	SEAL		

AMENDED FINAL DECREE

NOW, the 14th day of December, 1956, the within Petition having been read and considered, the prayer thereof is granted and the Final Decree heretofore entered to the above number and term on October 22, 1956, be and is hereby amended to read as follows:

IT IS ORDERED AND DIRECTED that the said portion of a proposed road in Croyle Township, Cambria County, Pa., described as follows: BEGINNING on Township Route No. 352; thence North 14° 45' East 165 feet; thence North 14° 15' West 282 feet; thence North 7° East 100 feet; thence North 25° 10' East 576.5 feet; thence North 11° 40' East 203.7 feet; thence North 16° 30' East 174 feet; thence North 8° 25' East 289 feet; thence North 15° 05' West 664 feet to the end of property line of Kelsey Smay, said road being a thirty three foot wide road, be and is hereby confirmed as a Township road and declared to be a part of the public road and highways system of the said Township of Croyle.

By the Court, /s/ McDonald, Judge.

SESSIONS, 19

No. 1

IN RE:

LAYING OUT OF A PORTION

OF ROAD IN THE VILLAGE OF

NETTLETON, BLACKLICK TOWNSHIP

CAMBRIA COUNTY, PENNSYLVANIA

Clerk of Courts: \$29.00 APR 4 - 1957 AUDITOR

Clerk of Courts: 3.00

IN THE COURT OF QUARTER SESSIONS

OF CAMBRIA COUNTY, PENNSYLVANIA

FILED: DECEMBER 17, 1956

REPORT OF SUPERVISORS OF BLACKLICK TOWNSHIP

In accordance with provisions of Article XI of the Act of May 1, 1933, P. L. 103, as amended 53 P. S. 19093-1101 et seq., Stanley Stupsky, Lloy McDonald and Frank Sabonya hereby make the following report:

-1-

That they are the duly elected and qualified Supervisors of Blacklick Township, Cambria County, Pennsylvania.

-2-

That pursuant to a petition of interested citizens they propose to lay out a portion of road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, which portion of road is described as follows:

Beginning at a point on Township Road No. T459

leading from the Village of Nettleton, Blacklick Township

Cambria County, Pennsylvania, to the Village of Twin Rocks

Blacklick Township, Cambria County, Pennsylvania, said point

of beginning being 0.35 of a mile, Northwardly, from the

intersection of said Township Road No. T459 with Legislative

Route 11032; thence extending from said point of beginning

the following courses and distances to point of ending at land

of Imperial Cardiff Coal Company: South 14° 59' West 196.8 feet;

South 11° 19' West 263.85 feet; South 01° 19' West 164.72 feet and

South 10° 17' East 112.1 feet, containing in length 737.47 feet

and the width is fixed at 33 feet. A print of a survey of the

road is hereto attached, marked Exhibit "A" and made a part thereof.

-3-

That the property owners affected by the proposed laying out of said portion of road were given ten (10) days written notice of a meeting of said Supervisors held on December 6, 1956, at 7:00 P. M., at their office located in Dugan's Hotel, Twin Rocks, Cambria County, Pennsylvania, for the purpose of taking action regarding the laying out of said portion of road. Copies of said notices with acceptance of service by each of the affected property owners are hereto attached and made a part hereof.

-4-

That after a hearing at the aforesaid meeting, said Supervisors deemed the laying out of the aforesaid portion of road necessary and adopted an Ordinance laying out the same as a part of the highway system of said township. A certified copy of said ordinance is hereto attached, marked Exhibit "B" and made a part hereof.

-5-

That the aforesaid petition of interested citizens and release of damages executed by the owners of the property abutting on said portion of road is hereto attached, marked Exhibit "C" and made a part hereof.

-6-

That a release of damages executed by Imperial Cardiff Coal Corporation, an affected property owner, is hereto attached, marked Exhibit "D" and made a part hereof.

-7-

That the aforesaid Ordinance was published prior to its passage in the Johnstown Tribune Democrat, a newspaper of general circulation in Blacklick Township, Cambria County, Pennsylvania, in accordance with the Act of Assembly. Proof of publication of the same is hereto attached, marked Exhibit "E" and made a part hereof.

WHEREFORE, the aforesaid Supervisors pray that this Report and exhibits attached hereto to be filed in the office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

/s/ Stanley Stupsky

/s/ Lloy McDonald

/s/ Frank Sabonya

Supervisors of Blacklick Township

MARCH

SESSIONS, 19 57

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No. 1 Continued

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

Personally appeared before me, a Notary Public in and for said County and State, Stanley Stupsky, Lloy McDonald and Frank Sabonya, Supervisors of the Township of Blacklick, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

/s/ Stanley Stupsky

/s/ Lloy McDonald

/s/ Frank Sabonya

Sworn and subscribed to before me this 15th day of December, 1956.

/s/ Helen F. McDermott

Notary Public

(SEAL)

Ebensburg, Cambria Co., Pa.

My Commission expires August 30, 1960.

Exhibit "A" Plan showing public road in Nettleton as laid by Blacklick Twp. Supervisors filed.

BLACKLICK TOWNSHIP

CAMBRIA COUNTY

PENNSYLVANIA

ORDINANCE NO. 5

AN ORDINANCE LAYING OUT A ROAD WHOLLY WITHIN

BLACKLICK TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

WHEREAS, interested citizens of Blacklick Township, Cambria County, Pennsylvania, have petitioned the Blacklick Township Supervisors, in the interest of public convenience, to lay out, by ordinance, a section of road herein described; and

WHEREAS, The Supervisors have decided, in the interest of public convenience, to lay out said section of road.

NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Supervisors of Blacklick Township and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. That pursuant to the petition aforesaid, the following described road be and the same is hereby laid out:

BEGINNING at a point on Township Road No. T459 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.35 of a mile, Northwardly, from the intersection of said Township Road No. T459 with Legislative Route 11032; thence extending from said point of beginning the following courses and distances to point of ending at land of Imperial Cardiff Coal Company; South $14^{\circ} 59'$ West 196.8 feet; South $11^{\circ} 19'$ West 263.85 feet; South $01^{\circ} 19'$ West 164.72 feet and South $10^{\circ} 17'$ East 112.1 feet, containing in length 737.47 feet and the width is fixed at 33 feet. A print of a survey of the road hereby laid out is attached hereto and made a part hereof.

SECTION 2. That the Township solicitor be and he hereby is authorized and directed to file a certified copy of this ordinance in the office of the Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, together with a draft and survey of the road.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an ordinance this 6th day of December, 1956.

BLACKLICK TOWNSHIP SUPERVISORS

by /s/ Stanley Stupsky

Chairman

ATTEST:

/s/ Webster B. Mahan

(SEAL)

Secretary

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 5 of the Township of Blacklick enacted December 6, 1956.

/s/ Webster B. Mahan

Secretary

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No. 1 Continued

Supervisors of Blacklick Township, Cambria County, Pennsylvania.

We, the undersigned property owners and residents of the village of Nettleton, Blacklick Township, Cambria County, Pa. respectfully submit for your consideration the following:

These properties are now privately owned and the property owners have acquired the streets within this village. It is our desire that the Supervisors take over and maintain sufficient streets to permit travel over them at all times of the year.

It will only be necessary to take over somewhat around 1000 feet considering street starting off Route 459 is beginning point lying North East and ending point laying South West. Ending point also is a dead end street at the C & I Railroad crossing.

It is also requested that the streets be surfaced with Amesite or some similar material. We agree that there will be no damage claims arise from any action you may take and the streets will be drained to your satisfaction.

/s/ Peter Holbin, Nettleton, Pa.

/s/ John Pabrazinsky, Nettleton, Pa.

/s/ Albert Frampton, Nettleton, Pa.

/s/ Jesse L. Bracken, Nettleton, Pa.

/s/ Mrs. Antoniette Cubeta, Nettleton, Pa.

/s/ Joe Hubulak, Nettleton, Pa.

/s/ John Semetosky, Jr., Nettleton, Pa.

/s/ John Semetosky, Nettleton, Pa.

/s/ Dolores Semtosky, Nettleton, Pa.

/s/ Juba Kumik, Nettleton, Pa.

/s/ Anna Uocho, Nettleton, Pa.

/s/ Valentin Zalarnik, Nettleton, Pa.

/s/ Kathryn Pelipesky, Nettleton, Pa.

/s/ George Pelipesky, Nettleton, Pa.

/s/ Pearl Kasecky, Nettleton, Pa.

/s/ Andy Kasecky, Nettleton, Pa.

/s/ Margaret Huska, Nettleton, Pa.

/s/ Teresa Puruczky, Nettleton, Pa.

/s/ Eugene L. Hartle, Nettleton, Pa.

/s/ Carmelita Hartle, Nettleton, Pa.

/s/ Mary Mihalki, Nettleton, Pa.

/s/ Catherine Lendenmuth, Nettleton, Pa.

/s/ George Lendenmuth, Nettleton, Pa.

/s/ Joe Smolensky, Nettleton, Pa.

/s/ Kay Smolensky, Nettleton, Pa.

/s/ George Pitenhalk, Nettleton, Pa.

/s/ Mike Phillip, Nettleton, Pa.

/s/ Stanley J. Hessler, Nettleton, Pa.

/s/ Betty Hessler, Nettleton, Pa.

/s/ Mike Huska, Nettleton, Pa.

/s/ Tgnac Baro, Nettleton, Pa.

/s/ Albert Sackie, Nettleton, Pa.

/s/ Harry McGowan, Nettleton, Pa.

RELEASE

The undersigned, in consideration of the advantages accruing to it from the laying out of a portion of road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, described as follows:

BEGINNING at a point on Township Road No. Th59 leading from the village of Nettleton, Blacklick Township Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.35 of a mile, Northwardly, from the intersection of said Township Road No. Th59 with Legislative Route 11032; thence extending from said point of beginning the following courses and distances to point of ending at land of Imperial Cardiff Coal Company: South 14° 59' West 196.8 feet; South 11° 19' West 263.85 feet; South 61° 19' West 164.72 feet and South 10° 17' East 112.1 feet, containing in length 737.47 feet and the width is fixed at 33 feet,

and at the request of the Supervisors of Blacklick Township, Cambria County, Pennsylvania, does hereby release all claims to damages that may arise from the laying out of the same.

IN WITNESS WHEREOF, Imperial Cardiff Coal Corporation has caused this release to be signed in its corporate name by its President or Vice President and its corporate seal to be hereunto affixed and to be attested by its Secretary this 10th day of December, 1956.

IMPERIAL CARDIFF COAL CORPORATION

By J. N. Geyer,

Vice Pres.

ATTEST:

A. F. Beitel

(SEAL)

Ass't. Secretary

Proof of Publication filed. (Exhibit "E")

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No. 1 Continued.

NOTICE

No IN THE MATTER OF THE LAYING OUT OF A ROAD WHOLLY IN BLACKLICK
TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

Notice is hereby given that the Supervisors of Blacklick Township, Cambria County, Pennsylvania, will hold a meeting on the 6th day of December, 1956, at 7:00 P. M., at the Supervisors' office located in Dugan's Hotel, Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, for the purpose of taking action regarding the petition of interested citizens of said township for the laying out of a road in Blacklick Township, Cambria County, Pennsylvania, described as follows:

BEGINNING at a point on Township Road No. T459 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.35 of a mile, Northwardly, from the intersection of said Township Road No. T459 with Legislative Route 11032; thence extending from said point of beginning the following courses and distances to point of ending at land of Imperial Cardiff Coal Company: South 14° 59' West 196.8 feet; South 11° 19' West 263.85 feet; South 01° 19' West 164.72 feet and South 10° 17' East 112.1 feet.

You, your witnesses and other parties interested may appear at said meeting for the purpose of being heard in this matter.

/s/ Webster B. Mahan

Secretary of the Board of Supervisors of Blacklick Township

ACCEPTANCE OF SERVICE: AND NOW, This 24th day of November 1956, I hereby accept service of the above notice.

/s/ John Pabrazinsky and /s/ Helen Pabrazinsky

ACCEPTANCE OF SERVICE: AND NOW, This 24th day of November, 1956, I hereby accept service of the above notice.

/s/ Peter Holbink and /s/ Stella Holbink

ACCEPTANCE OF SERVICE: AND NOW, This 24th day of November, 1956, I hereby accept service of the above notice.

/s/ Albert Sackie and /s/ Ann Sackie

ACCEPTANCE OF SERVICE: AND NOW, This 24th day of November, 1956, I hereby accept service of the above notice.

/s/ Harry McGowan and /s/ Catherine E. McGowan

PRELIMINARY DECREE

AND NOW, this 17 day of December, 1956, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within report and exhibits attached hereto.

BY THE COURT:

/s/ Griffith, Judge.

FINAL DECREE

AND NOW, this 24 day of January, 1957, it appearing that the said Report having been filed on the 17 day of December, 1956, and no citizen or free holder of the Township did within thirty (30) days from the filing of said Report by the Supervisors file exceptions to the Report or petition for a review, IT IS ORDERED AND DECREED THAT the said portion of a proposed road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, described as follows: Beginning at a point on Township Road No. T459 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pa., said point of beginning being 0.35 of a mile, Northwardly, from the intersection of said Township Road No. T459 with Legislative Route 11032; thence extending from said point of beginning the following courses and distances to point of ending at land of Imperial Cardiff Coal Company; South 14° 59' West 196.8 feet; South 11° 19' West 263.85 feet; South 01° 19' West 164.72 feet and South 10° 17' East 112.1 feet, containing in length 737.47 feet and the width is fixed at 33 feet, be and the same is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Blacklick.

By the Court;

McDonald, Judge.

No. 2

IN RE:

LAYING OUT OF A PORTION
OF ROAD IN THE VILLAGE OF
NETTLETON, BLACKLICK TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

Clerk of Courts: \$29.00

Clerk of Courts: 3.00

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

FILED: DECEMBER 17, 1956

REPORT OF SUPERVISORS OF BLACKLICK TOWNSHIP

In accordance with provisions of Article XI of the Act of May 1, 1933, P. L. 103, as amended, 53 P. S. 19093-1101 et seq., Stanley Stupsky, Lloy McDonald and Frank Sabonya hereby make the following report:

-1-

That they are the duly elected and qualified Supervisors of Blacklick Township, Cambria County, Pennsylvania.

-2-

That pursuant to a petition of interested citizens they propose to lay out a portion of road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, which portion of road is described as follows:

BEGINNING at a point on Township Road No. Th55 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.5 of a mile, Westwardly, from the intersection of said Township Road No. Th55 with Legislative Route 11032; thence extending from said point of beginning North 80° 05' East a distance of 810 feet to a point of ending at land of John Semetosky, Jr., and Delores Semetosky, his wife, and Imperial Cardiff Coal Company, containing in length 810 feet and the width is fixed at 33 feet. A print of a survey of the road is hereto attached, marked Exhibit "A" and made a part hereof.

-3-

That the property owners affected by the proposed laying out of said portion of road were given ten (10) days written notice of a meeting of said Supervisors held on December 6, 1956, at 7:00 P. M., at their office located in Dugan's Hotel, Twin Rocks, Cambria County, Pennsylvania, for the purpose of taking action regarding the laying out of said portion of road. Copies of said notices with acceptance of service by each of the affected property owners are hereto attached and made a part hereof.

-4-

That after a hearing at the aforesaid meeting, said Supervisors deemed the laying out of the aforesaid portion of road necessary and adopted an Ordinance laying out the same as a part of the highway system of said township. A certified copy of said Ordinance is hereto attached, marked Exhibit "B" and made a part hereof.

-5-

That the aforesaid petition of interested citizens and release of damages executed by the owners of the property abutting on said portion of road is hereto attached, marked Exhibit "C" and made a part hereof.

-6-

That a release of damages executed by Imperial Cardiff Coal Corporation, an affected property owner, is hereto attached, marked Exhibit "D" and made a part hereof.

-7-

That the aforesaid Ordinance was published prior to its passage in the Johnstown Tribune Democrat, a newspaper of general circulation in Blacklick Township, Cambria County, Pennsylvania, in accordance with the Act of Assembly. Proof of publication of the same is hereto attached, marked Exhibit "E" and made a part hereof.

WHEREFORE, the aforesaid Supervisors pray that this Report and exhibits attached hereto be filed in the office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

/s/ Stanley Stupsky

/s/ Lloy McDonald

/s/ Frank Sabonya

Supervisors of Blacklick Township

COMMONWEALTH OF PENNSYLVANIA

SS.

County of Cambria

Personally appeared before me, a Notary Public in and for said County and State, Stanley Stupsky, Lloy McDonald and Frank Sabonya, Supervisors of the Township of Blacklick, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

/s/ Stanley Stupsky

/s/ Lloy McDonald

/s/ Frank Sabonya

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No. 2 Continued

Sworn and subscribed to before me this 15th day of December, 1956.

/s/ Helen F. McDermott

Notary Public

Ebensburg, Cambria County, Pa.

My Commission expires August 30, 1960.

Exhibit "A" plan showing public road in Nettleton as laid out by Blacklick Twp. Supervisors filed.

BLACKLICK TOWNSHIP

CAMBRIA COUNTY

PENNSYLVANIA

ORDINANCE NO. 6

AN ORDINANCE LAYING OUT A ROAD WHOLLY WITHIN
BLACKLICK TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

WHEREAS, interested citizens of Blacklick Township, Cambria County, Pennsylvania, have petitioned the Blacklick Township Supervisors, in the interest of public convenience, to lay out, by ordinance, a section of road herein described; and

WHEREAS, the Supervisors have decided, in the interest of public convenience, to lay out said section of road.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Blacklick Township and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. That pursuant to the petition aforesaid, the following described road be and the same is hereby laid out:

Beginning at a point on Township Road No. T 455 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.5 of a mile, Westwardly, from the intersection of said Township Road No. T455 with Legislative Route 11032; thence extending from said point of beginning North 80° 05' East a distance of 810 feet to a point of ending at land of John Semetosky, Jr., and Delores Semetosky, his wife, and Imperial Cardiff Coal Company, containing in length 810 feet and the width is fixed at 33 feet. A print of a survey of the road hereby laid out is attached hereto and made a part hereof.

SECTION 2. That the Township solicitor be and he hereby is authorized and directed to file a certified copy of this ordinance in the office of the Clerk of Court of Quarter Sessions of Cambria County, Pennsylvania, together with a draft and survey of the road.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an ordinance this 6th day of December, 1956.

BLACKLICK TOWNSHIP SUPERVISORS

By /s/ Stanley Stupsky

Chairman

ATTEST:

/s/ Webster B. Mahan

Secretary

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 6 of the Township of Blacklick enacted December 6, 1956.

(SEAL)

/s/ Webster B. Mahan

Secretary

Supervisors of Blacklick Township, Cambria County, Pennsylvania.

We, the undersigned property owners and residents of the village of Nettleton, Blacklick Township, Cambria County, Pa., respectfully submit for your consideration the following:

These properties are now privately owned and the property owners have acquired the streets within this village. It is our desire that the Supervisors take over and maintain sufficient streets to permit travel over them at all times of the year.

It will only be necessary to take over somewhat less than 800 feet of street to fulfill this request. The street starting off Route 455, beginning point laying south west, ending point laying East coming to a dead end at the C & I railroad tracks.

It is also requested that the streets be surfaced with Amesite or similar material. We agree that there will be no damage claims arise from any action you may take and the streets will be drained to your satisfaction.
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No. 2 Continued

/s/ Peter Holbink, Nettleton, Pa.

/s/ John Pabrazinsky, Nettleton, Pa.

/s/ Albert Frampton, Nettleton, Pa.

/s/ Jesse L. Bracken, Nettleton, Pa.

/s/ Mrs. Antoinette Cubeta, Nettleton, Pa.

/s/ Joe Hublak, Nettleton, Pa.

/s/ John Semetosky, Jr., Nettleton, Pa.

/s/ John Semetosky, Nettleton, Pa.

/s/ Dolores Semetosky, Nettleton, Pa.

/s/ Julia Kurnik, Nettleton, Pa.

/s/ Anna Cocho, Nettleton, Pa.

/s/ Valentin Zalarnik, Nettleton, Pa.

/s/ Kathryn Pelipesky, Nettleton, Pa.

/s/ George Pelipesky, Nettleton, Pa.

/s/ Pearl Kasecky, Nettleton, Pa.

/s/ Andy Kasecky, Nettleton, Pa.

/s/ Margaret Huska, Nettleton, Pa.

/s/ Teresa Furuczky, Nettleton, Pa.

/s/ Eugene L. Hartle, Nettleton, Pa.

/s/ Carmelita Hartle, Nettleton, Pa.

/s/ Mary Mehalka, Nettleton, Pa.

/s/ Catherine Lindemuth, Nettleton, Pa.

/s/ George Lindenmuth, Nettleton, Pa.

/s/ George Peterchalk, Nettleton, Pa.

/s/ Mike Chilly, Nettleton, Pa.

/s/ Stanley J. Hessler, Nettleton, Pa.

/s/ Betty Hessler, Nettleton, Pa.

/s/ Mike Huska, Nettleton, Pa.

/s/ Tgnac Baro, Nettleton, Pa.

/s/ Albert Sackie, Nettleton, Pa.

/s/ Harry McGowan, Nettleton, Pa.

RELEASE

The undersigned, in consideration of the advantages accruing to it from the laying out of a portion of road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on Township Road No. T455 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.5 of a mile, Westwardly, from the intersection of said Township Road No. T455 with Legislative Route 11032; thence extending from said point of beginning North 80° 05' East a distance of 810 feet to a point of ending at land of John Semetosky, Jr., and Delores Semetosky, his wife, and Imperial Cardiff Coal Company, containing in length 810 feet and the width is fixed at 33 feet,

and at the request of the Supervisors of Blacklick Township, Cambria County, Pennsylvania, does hereby release all claims to damages that may arise from the laying out of the same.

IN WITNESS WHEREOF, Imperial Cardiff Coal Corporation has caused this release to be signed in its corporate name by its President or Vice President and its corporate seal to be hereunto affixed and to be attested by its Secretary this 10th day of December, 1956.

IMPERIAL CARDIFF COAL CORPORATION

By /s/ J. N. Geyer, Vice President

ATTEST:

/s/ A. F. Beitel

Asst. Secretary.

Proof of publication filed (Exhibit "E")

NOTICE

IN THE MATTER OF THE LAYING OUT OF A ROAD WHOLLY
IN BLACKLICK TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

Notice is hereby given that the Supervisors of Blacklick Township, Cambria County, Pennsylvania, will hold a meeting on the 6th day of December, 1956, at 7:00 P. M., at the Supervisors' office located in Dugan's Hotel, Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, for the purpose of taking action regarding the petition of interested citizens of said Township for the laying out of a road in Blacklick Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on Township Road No. T455 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.5 of a mile, Westwardly, from the intersection of said Township Road No. T455 with Legislative Route 11032; thence extending from said point of beginning North 80° 05' East a distance of 810 feet to a point of ending at land of John Semetosky, Jr., and Delores Semetosky, his wife, and Imperial Cardiff Coal Company. You, your witnesses and other parties interested may appear at said meeting for the purpose of being heard in this matter.

/s/ Webster B. Mahan

Secretary of the Board of Supervisors of
Blacklick Township

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Transferred from page 53.

No. 2 Continued.

ACCEPTANCE OF SERVICE: AND NOW, this 26 day of November, 1956, I hereby accept service of the above notice.

IMPERIAL CARDIFF COAL CORPORATION By J. N. Geyer, Vice Pres.

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Andrew Kasecky, Jr., and /s/ Pearl Kasecky

ACCEPTANCE OF SERVICE: AND NOW, this 24th day of November, 1956, I hereby accept service of the above notice.

/s/ John Semetosky, Jr., and /s/ Dolores Semetosky

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Samuel Dixon and /s/ Estella Mae Dixon

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Michael R. Cocho

ACCEPTANCE OF SERVICE: AND NOW, this 24th day of November, 1956, I hereby accept service of the above notice.

/s/ Mrs. Anna Cocho

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Ignac Bozo

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Michael Huska, and /s/ Margaret Huska

ACCEPTANCE OF SERVICE: AND NOW, this 24 day of November, 1956, I hereby accept service of the above notice.

/s/ Frank Semetosky and /s/ Sarah Jane Semetosky

PRELIMINARY DECREE

AND NOW, this 17 day of December, 1956, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within Report and exhibits attached hereto.

BY THE COURT:

/s/ Griffith, Judge.

FINAL DECREE.

AND NOW, this 24 day of January, 1957, it appearing that the said Report having been filed on the 17 day of December, 1956, and no citizen or freeholder of the Township did within thirty (30) days from the filing of said Report by the Supervisors file exceptions to the Report or petition for a review, IT IS ORDERED AND DECREED that the said portion of a proposed road in the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, described as follows: Beginning at a point on Township Road No. T455 leading from the Village of Nettleton, Blacklick Township, Cambria County, Pennsylvania, to the Village of Twin Rocks, Blacklick Township, Cambria County, Pennsylvania, said point of beginning being 0.5 of a mile Westwardly, from the intersection of said Township Road No. T455 with Legislative Route 11032; thence extending from said point of beginning North 80° 05' East a distance of 810 feet to a point of ending at land of John Semetosky, Jr., and Delores Semetosky, his wife, and Imperial Cardiff Coal Company, containing in length 810 feet and the width is fixed at 33 feet, be and the same is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Blacklick.

By the Court:

McDonald, Judge.

No. 1

IN RE: Petition for the
Appointment of Viewers to
Assess Damages occasioned by
the Widening, Straightening,
Elevating and Relocating of
Barnett Street, Commonly Known
as Route 11011, Spur 6, in the
City of Johnstown, County of
Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of
Cambria County, Pennsylvania

Clerk of Courts: \$ 31.00 JUN 12 1959 AUDITED Filed: April 8, 1957

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 Samuel M. Speranza and Lena Speranza, husband wife, respectfully re-
presents:

(1). That your petitioners are the owners of ALL that certain lot or piece of ground
situated, lying and being in the Eighth Ward of the City of Johnstown, County of Cambria
and State of Pennsylvania, bounded and described as follows:

FRONTING fifty-six and thirty-five hundredths (56.35) feet on Esty Street
and extending back between parallel lines one hundred eighty-nine and thirty-
nine hundredths (189.39) feet on the Westerly Side and one hundred eighty-
four and seventy-three hundredths (184.73) feet on the Easterly side to
Barnett Street; having Lot No. 10 on the hereinafter mentioned Plan of Lots
on the Easterly side and Lot No. 12 on the Westerly side; being marked, known
and numbered on the Joseph F. Mayer Plan of Lots as surveyed by S. E. Dickey
and Company, October 24, 1913, revised July 20, 1915, and recorded in the office
of the Recorder of Deeds in and for Cambria County in Plat Book Vol. 1, page 152,
as Lot No. 11, and also including a five (5) foot strip along Esty Street as
added by Ordinance No. 283 of the said City of Johnston.

BEING the same lot or piece of ground which Donald H. Bradish et ux., by
their deed dated the 26th day of January, 1952, and recorded in the Office of
the Recorder of Deeds, in and for Cambria County, Pennsylvania, on January 28,
1952, in Deed Book Vol. 628, at page 457, granted and conveyed to Samuel M.
Speranza and Lena Speranza,

(2). That recently, to wit, by Ordinance of the City of Johnstown on August 31,
1954, and by Construction plan of the Pennsylvania Department of Highways signed by the
then Governor of the State of Pennsylvania on September 13, 1954, it became necessary to
widen, straighten, elevate and relocate Barnett Street (commonly known as Route 11011,
Spur 6). The said work was done by the Pennsylvania Department of Highways.

(3). In the process of the aforesaid alteration and construction of the said Barnett
Street, the elevation of the said street was raised upwards an approximate distance of
three (3) feet, thereby making the road of such a height beyond the level of the entrance
of the petitioners garage so as to render the garage inaccessible and unusable for any
purpose whatsoever.

(4). That in addition thereto, because of the elevation of the said Barnett Street
as aforesaid, during rains and washouts the land of the petitioners is constantly being
cluttered up by debris from the hillside and road, causing great and irreparable damage.

(5). That your petitioners were greatly injured and damaged by reason the the said
alteration and construction of Barnett Street by the City of Johnstown for public pur-
poses, which damages have not been ascertained or paid.

(CONTINUED ON NEXT PAGE.)

No. 1 Continued

Your petitioners therefore pray your Honorable Court to appoint a Jury of View of three members of the Permanent Board of Viewers of Cambria County to determine and assess the damage they have sustained by reason of the aforesaid changes on Barnett Street, and the damages occasioned thereby to their property, and to make return to this Court.

/s/ Samuel M. Speranza

/s/ Lena Speranza

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

Personally appeared before me, a Notary Public, in and for said County and State, Samuel M. Speranza and Lena Speranza, husband and wife, who being by me duly sworn according to law, depose and say that they are the petitioners within set forth, and that the statements contained in said petition are true and correct to the best of their knowledge, information and belief.

/s/ Samuel M. Speranza

/s/ Lena Speranza

SWORN and subscribed before me
this 4th day of April, 1957

/s/ Samuel R. DiFrancesco

Notary Public

(S E A L)

My Commission Expires

April 13, 1957

DECREE

AND NOW, this 8th day of April, 1957, on motion of Samuel R. DiFrancesco, Esq., for Petitioners, the Court does grant the prayer thereof and does appoint Fred W. Claflin, Mahlon Baumgardner, and Robert Mayer, as Viewers to assess the damages and benefits in the above matter in accordance with the prayer of the foregoing petition; and does further order and direct that the said Viewers make a report of their proceedings to this Court in accordance with the provisions of the Act of Assembly in such case made and provided.

/s/ McDonald, Judge.

NOTICE TO CITY

TO: THE MAYOR AND MEMBERS OF COUNCIL OF THE CITY OF JOHNSTOWN, 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 the said County at 10 o'clock A. M., the 8 day of April, 1957, asking the Court for the appointment of Viewers to determine and assess the damages sustained by the Petitioners, occasioned by the widening, straightening, elevating and relocating of Barnett Street, Commonly known as Route 11011, Spur 6, in the City of Johnstown, Cambria County, Pennsylvania.

You may be present at the above time and place if you wish to be heard on the presentation of the said petition.

/s/ Samuel R. DiFrancesco

Attorney for Petitioners.

NOW, th 4th day of April, 1957, service of the above stated notice is hereby accepted.

/s/ Norman Krumenacker, City Solicitor

/s/ John J. Cullen, City Clerk.

April 10, 1957: Notice to view mailed to Mr. Fred W. Claflin.

Continued on Next Page.-

No. 1 Continued

ORDER

And now, this 29 day of April, 1957, the appointment of Robert G. Mayer as viewer is hereby vacated, and Theodore Hunt is appointed in his place and stead.

By the Court:
McDonald, Judge.

October 21, 1957: Petition to join additional defendants filed, by Norman Krumenacker, Esq.

D E C R E E

AND NOW, this 21 day of October, 1957, on motion of Norman Krumenacker, City Solicitor for the City of Johnstown, Pennsylvania, IT IS ORDERED AND DECREED that the County of Cambria, Pennsylvania and the Pennsylvania Department of Highways be joined in the Petition entered to the above term and number.

By the Court: Griffith, Judge.

November 29, 1957: Petition of the Department of Highways for Rule to Show Cause filed.

ORDER OF COURT

AND NOW, this 13 day of November, 1957, upon consideration of the annexed petition and upon motion of Edward F. Peduzzi, Attorney for your petitioner, a rule is hereby granted on the City of Johnstown of the County of Cambria and State of Pennsylvania to show cause, if any it has, why the Department of Highways of the Commonwealth of Pennsylvania should not be dropped or discharged as an additional defendant in the above captioned action.

Notice of presentation of the annexed petition and the granting of the rule to be given to all parties in interest.

ALL proceedings to stay in the meanwhile.

Rule returnable the 2 day of December, 1957.

By the Court: S/, McDonald, Judge.

All parties in interest notified by Edward F. Peduzzi, Attorney for petitioner.

Stipulation and agreement of counsel filed. —December 16, 1957 by William Shettig.

ORDER: - And Now, November 7, 1957, IT IS HEREBY STIPULATED AND AGREED among counsel of record in the above captioned proceedings that the County of Cambria in the State of Pennsylvania, heretofore joined as a party in this proceedings and is in no way liable for any damages suffered by Samuel M. Speranza and Lena Speranza, husband and wife, property owners who have petitioned for the appointment of Viewers to assess damages occasioned by the widening, straightening, elevating and relocating of Barnett Street in the City of Johnstown.

Samuel R. DiFrancesco, Attorney for Samuel M. Speranza and Lena Speranza

Clerk: \$9.00

Norman Krumenacker, Solicitor for City of Johnstown

William D. Shettig, Solicitor for Cambria County

Michael R. Declaman, Asst. Attorney General

Acting for the Dept. of Highways.

December 23, 1957: Answer for rule to show cause filed.

D E C R E E

NOW, March 24, 1958, after argument and due consideration the rule heretofore issued is made absolute.

By the Court:
McKenrick, Pres. Judge
Griffith, Judge

Clerk: \$3.00

July 3, 1958: VIEWERS REPORT FILED.

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 and assess damages in the matter of widening, straightening, elevating and relocating of Barnett Street, commonly known as Route 11011, Spur 6, in the city of Johnstown, County of Cambria, and the State of Pennsylvania, respectfully report:

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JUNE

SESSIONS, 19 57

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No. 1 Continued

That we have been duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County; as shown by the records of the Court; that having given due public notice of the time and place of meeting, by posting notices as required by law on the premises of Samuel M. Speranza and Lena Speranza, husband and wife, and by service of such notice on the County Commissioners of Cambria County; Mr. Breneman, Pa. State Department of Highways; Mr. Norman Krumenacker, Solicitor for the city of Johnstown; Attorney Samuel DiFrancesco, Attorney for the Speranza's; Clerk of Courts and Prothonotary of the Court of Quarter Sessions, Cambria County; that we met in accordance with the notice given on the 29th day of May, 1957, at 10:00 A. M. D.S.T. and proceeded with the duties of our appointment and viewed the premises and the relocation and change in the grade of Barnett Street along the rear line of the Speranza property. The following interested persons were present; Mr. Krumenacker, Jr., Attorney for the city of Johnstown; Mr. Samuel DiFrancesco, Attorney for Mr. Speranza; Mr. Speranza and the Viewers.

On July 12, 1957, a hearing was called, and all parties concerned were at the Johnstown City Hall. On account of an emergency call from Ebensburg, the city officials present left the meeting before any business was transacted, and this meeting was postponed until July 24, 1957.

At 10:00 A.M., D.S.T., July 24, 1957, a hearing was held in the Johnstown City Hall. Attorney Krumeanker, Mayor Walter Rose, and the Viewers were present. At this meeting considerable discussion was made in an effort to determine the party responsible for the damage to the Speranza property, and the Viewers agreed to hold a future hearing.

On November 7, 1957, a continued hearing was held at City Hall, Johnstown; attended by Attorney Shettig, for the County of Cambria; Attorney Deckman, for the Pennsylvania Department of Highways; Attorney Krumenacker, for the city of Johnstown; and Attorney DiFrancesco, for Mr. Speranza. Mr. Speranza and Mr. T. Elmer Mock were called as witnesses, and Mr. Mock was disqualified as not being able to evaluate the Speranza property before Barnett Street was built. At this hearing, all parties agreed that the County of Cambria was not a party in the damages, and a decision as to the damage liability of the Pa. Dept. of Highways will be determined at a later date by the Court of Quarter Sessions.

A continued hearing was held in the Johnstown City Hall on May 23, 1958, after all parties concerned agreed that the city of Johnstown was solely responsible for damages to the land and premises of Samuel Speranza and Lena Speranza, husband and wife, owners of Lot #12, westerly side of Estey St., Eighth Ward, city of Johnstown, Cambria County, Pa., due to the widening, straightening, elevating, and relocating of Barnett Street, commonly known as Route 11011, Spur 6, in the city of Johnstown, County of Cambria and State of Pennsylvania.

On Saturday, May 24, the Viewers in conference at Mr. Baumgardner's residence in Ebensburg after thorough consideration of the damages sustained by Mr. Speranza and his wife Lena Speranza due to the widening, straightening, elevating and relocating of Barnett Street, commonly known as Route 11011, Spur 6 in the city of Johnstown, County of Cambria and State of Pa., have agreed that the damage to the garage, and access thereto, is \$1728 and for loss of use of the garage for ten months--\$60. The cost of building a gutter along this property to avoid excess storm water on the Speranza property--\$120. The Viewers hereby assessed total damages to Samuel Speranza and Lena Speranza at one thousand nine hundred and eight dollars (\$1908), and the Viewers assess no benefits.

Witness our hands and seals this twenty-fourth day of June, 1958.

F. W. Claflin, Chairman
Mahlon Baumgardner
Theodore Hunt, Viewers.

ORDER

Now, January 6, 1959, the within Viewers' Report is approved Nisi.

By the Court: McDonald, J.

Copy to: Mr. Samuel DiFrancesco, Atty. for petitioners.

Mr. William Shettig, Atty. for Cambria County Commissioners

Mr. Norman Krumenacker, Atty. for City of Johnstown.

Mailed: January 7, 1959

No. 1

IN RE: BRIDGE SPANNING WEST BRANCH OF
THE SUSQUEHANNA RIVER SITUATE IN THE
BOROUGH OF BARNESBORO, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY
PENNSYLVANIA

Rec'd - \$35.00 - 9-6-57 - J.C.W. 1887 ADJ. CLERK OF COURTS: \$ 35.00

Filed: June 14, 1957

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of George T. Atkins, Robert McCormick, Sr., James Sherwin, Ronald Griffin, Thomas Korte, Thomas Paterno and Frank Olear, respectfully represents:

1. Your petitioners are the duly elected and qualified Borough Council members of the Borough of Barnesboro, County of Cambria, Pennsylvania.
2. In furtherance of duties as Borough Council said Borough Council, by Resolution dated the 8th day of May, 1951, and Contract dated the 17th day of April, 1952, with the Commonwealth of Pennsylvania, Department of Forests and Waters, Water and Power Resources Board, entered into a flood control program consisting of the dredging, widening and erection of levies of the West Branch of the Susquehanna River situate in said Borough. A portion of said flood control project was the demolition of a bridge linking Twelfth Street and Park Avenue in said Borough. In replacement thereof, a new bridge is to be erected, linking Philadelphia Avenue, Park Avenue and Maple Avenue.
3. It is the belief of your petitioners that the change of location of said bridge is necessary in order to facilitate the flow of traffic between the various portions of the Borough of Barnesboro and that said change will be to the benefit of the traveling public.
4. It is the belief of your petitioners that said bridge is necessary and would require more expense that would be reasonable for the Borough of Barnesboro to assume solely. Plans and specifications for the new bridge have been prepared. Specifications for the materials necessary to construct said bridge have been given to suppliers, and the lowest estimated figure available for the cost of materials alone is in excess of Fifty Thousand (\$50,000.00) Dollars. The Borough of Barnesboro plans to construct said bridge, using Borough employees, and does not plan to enter into a contract with a regular bridge contractor for the erection of said bridge. In addition to the estimated cost of materials of Fifty Thousand (\$50,000.00) Dollars, the Borough of Barnesboro has already purchased a used bridge span at a cost in excess of Nine Thousand (\$9,000.00) Dollars to be used in conjunction with the erection of said bridge.
5. This Petition is being presented in compliance with the Act of Assembly approved the 9th day of August, 1955, P. L. 323, Section 2650, which provides inter alia as follows:
"Procedure for Taking over bridge by County; Aid to Political Subdivisions in construction and maintenance of Bridge.
(a) Whenever the construction of any new bridge or of any bridge to replace any existing bridge, over a stream or over or under a railroad, and forming part of any road in any city, borough, town or township or between any two or more such political subdivisions is necessary, and requires more expense than it is reasonable that such political subdivision, or any two of them jointly, should bear, the court of quarter sessions shall, upon representation of the proper authorities of any such political subdivision, or on petition of any of the inhabitants thereof, order a view in like manner and with like powers, duties and procedure as provided for in the case of public roads. If on the report of the viewers it shall appear to the court and to the commissioners of the county that such bridge is necessary, and would be too expensive for such political subdivision or adjoining political subdivisions to bear, it may, at the discretion of the County Commissioners, be entered on record as a county bridge. Such bridge shall thereupon be erected, maintained and kept in repair in the same manner as other, county bridges constructed under the provisions of subdivision (a) of this article.
(b) If the county commissioners refuse to have such bridge entered on record as a county bridge, the county may pay the entire cost or any part of the cost of constructing such bridge, including damages. Such bridge shall thereupon be a municipal or township

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No. 11 Continued

bridge to be maintained and kept in repair by such political subdivision. The county commissioners may, at their discretion, furnish such political subdivision the whole or any part of the money necessary to maintain such municipal or township bridge.

(c) Where the cost to the county will not exceed one thousand five hundred (\$1500.00) Dollars, the county commissioners may furnish such aid in the construction of such bridge without following the procedure herein stipulated.

WHEREFORE, your petitioners pray the Court for an Order appointing a Board of Viewers to the end that hearings may be held and that a report of the Viewers will be submitted to the Court for further action in compliance with the above quoted Act of Assembly.

ATTEST:

S/ Harold P. Dixon
Secretary

(BOROUGH SEAL)

BOROUGH OF BARNESBORO

BY S/ George T. Atkins, President

S/ Robert McCormick, Sr.

S/ James Sherwin

S/ Ronald Griffin

S/ Thomas Kortz

S/ Thomas Paterno

S/ Frank Olear

STATE OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

George T. Atkins, being duly sworn according to law, deposes and says that he is President of the Borough Council of the Borough of Barnesboro and personally saw all other members of the Borough Council execute the foregoing Petition and that he is authorized to execute this Affidavit on behalf of the Borough of Barnesboro and Council members, and that the facts contained in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

/s/ George T. Atkins, President
Barnesboro Borough Council

Sworn to and subscribed before me

this 13 day of June, 1957, A. D. (S E A L)

S/ Joseph D. Horne, Notary Public

My Commission Expires: April 4, 1960

ORDER

AND NOW, The 14th day of June, 1957, upon consideration of the foregoing Petition and upon motion of VASIL FISANICK, ESQUIRE, Solicitor for the Borough of Barnesboro, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

That John L. Elder, Raymond Niebauer, and Robert S. Mayer, members of the Cambria County Board of Viewers, are appointed viewers to act on the foregoing Petition in compliance with the Act of Assembly approved the 9th day of August, 1955, P.L. 323, Section 2650, and after hearings thereon to make their report to this Court no later than the 20 day of July, 1957.

By the Court:

S/ McKenrick, Pres. Judge.

June 19, 1957:- Order to view mailed to John L. Elder.

July 24, 1957: Report of Viewers filed.

August 20, 1957: Petition of County Commissioners for order authorizing appropriation in accordance with report of Board of Viewers filed.

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of Pat Farrell, Thomas A. Owens and Hiram F. Ribblett respectfully represents:

1. That they are the duly elected and qualified Commissioners of Cambria County, Pennsylvania.
2. That on the 14th day of June, 1957, Borough Council of the Borough of Barnesboro filed a

No. 2

IN RE:

Condemnation of land by the Board of
School Directors of the School District
of the Township of East Taylor, Cambria
County, Pennsylvania.

In the Court of Quarter Sessions of Cambria
County

Clerk of Courts: \$ 18.00 OCT 15 1957 AUDITED

Filed: July 29, 1957

Petition and order for condemnation and appointment of viewers

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the Board of School Directors of the School District of the Township of East Taylor, respectfully represents:

1. That the School District of the Township of East Taylor is a school district of the fourth class in the County of Cambria, State of Pennsylvania, and on July 8, 1957, the Board of School Directors of said district adopted a resolution providing for the acquisition of a certain plot of ground owned by the heirs of William A. Ribblett, deceased, and George I. Ribblett, and Evelyn Faye Ribblett, his wife, situate in the Township of East Taylor, Cambria County, Pennsylvania, selected by it for school purposes, to wit, -- the construction of a new school building, by condemnation proceedings.

2. That a description of said premises taken by metes and bounds is as follows, to wit:

All that certain piece or parcel of land situate in the Township of East Taylor, County of Cambria and State of Pennsylvania, bounded and described as follows:

Beginning at a point in the center line of U. S. Route 219 or Legislative Route 720 which is South $54^{\circ} 06' 20''$ West a distance of 65.42 feet from the Southwestern corner of land of J. H. Herald; thence through land of the heirs of William A. Ribblett and of George I. Ribblett and Evelyn Faye Ribblett, his wife, of which this is a part, the following courses and distances: South $76^{\circ} 35' 40''$ East a distance of 703.86 feet to a point; thence South $23^{\circ} 40' 30''$ West a distance of 968.75 feet to a point; thence North $65^{\circ} 26' 10''$ West a distance of 1110.91 feet to a point; thence North $18^{\circ} 09' 35''$ East 319.23 feet to a point in the center line of U. S. Route 219 or Legislative Route 720; thence along the center line of the said highway the following courses and distances: North $58^{\circ} 29' 42''$ East 56.60 feet to a point; thence North $67^{\circ} 02' 15''$ East 79.08 feet to a point; thence North $68^{\circ} 38' 11''$ East 297.70 feet to a point; thence North $67^{\circ} 40' 05''$ East 121.55 feet to a point; thence North $59^{\circ} 47' 15''$ East 71.09 feet to a point; thence North $51^{\circ} 29' 55''$ East 54.73 feet to a point and place of beginning; containing 20.03 Acres.

3. That the Estate of William A. Ribblett, deceased, is the owner of an undivided one-half ($\frac{1}{2}$) interest in the above described premises and the Executors of the estate are Hiram F. Ribblett and Ralph B. Ribblett, both of the Township of East Taylor, Cambria County, Pennsylvania. The undivided one half ($\frac{1}{2}$) interest in the above described premises is vested in George I. Ribblett and Evelyn Faye Ribblett, husband and wife, who are also residents of the Township of East Taylor aforesaid.

4. That your petitioner has endeavored to agree with the said Hiram F. Ribblett and Ralph B. Ribblett, Executors, and George I. Ribblett and Evelyn Faye Ribblett, his wife, owners thereof, on the terms of purchase of said land but no agreement can be reached.

5. That the board of School Directors of the School District of the Township of East Taylor, having decided upon the amount and location thereof of said land as set forth in paragraph 2 hereof did on July 29, 1957, enter upon, take possession of and occupy said land which it selected for school purposes and by designating and marking the boundary lines thereof as hereinbefore set forth and thereafter made use of the same for the construction of a new school building.

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6. That the said property so condemned is not used for the purpose of any burial ground and does not belong to any incorporated institution of learning, incorporated hospital association, or unincorporated church, incorporated or unincorporated religious association, which land is actually used or held for the purpose for which such burial ground, incorporated institution of learning, incorporated hospital association, or unincorporated church, incorporated or unincorporated religious association was established.

Wherefore, your petitioner prays your Honorable Court to appoint a jury of viewers consisting of three competent and disinterested residents of said county and further to fix a time for hearing when said viewers shall view said premises, for the purpose of deciding and making a true report to your Honorable Court concerning the aforementioned matter and ascertain and determine what amount of damages, if any, have been sustained by the Estate of Wm. A. Ribblett, deceased, and George I. Ribblett and Evelyn Faye Ribblett, his wife, the said owners of said premises by reason of the taking of said land by your petitioners, and to whom payable.

And it will ever pray.

Board of School Directors of East Taylor Twp.

By S/ Clyde Thomas (Seal)

President.

Attest:

S/ Harold C. Varner (Seal)

Secretary.

State of Pennsylvania

SS:

County of Cambria

Clyde E. Thomas, being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

S/ Clyde Thomas

Sworn and subscribed before me

this 29th day of July, 1957.

S/ Joseph C. Wess

(S E A L)

Clerk of Courts.

ORDER

Now, 29 day of July, 1957, Mahlon Baumgardner, Robert S. Mayer, and Fred Claflin are appointed as a jury of viewers and the 21st day of August, 1957, at 10:00 o'clock A. M. is fixed as a time for a hearing when they shall view and examine the within described premises, decide and make a true report to this Court concerning the matter set forth in the within petition and ascertain and determine what amount of damages, if any, have been sustained by the Estate of William A. Ribblett, deceased and George I. Ribblett, and Evelyn Faye Ribblett, his wife, the said owners of said premises, by reason of the taking of said land by the within petitioners, and to whom payable.

By the Court: S/ McDonald, Judge.

July 31, 1957: Order to view issued to Mahlon Baumgardner.

September 9, 1957: Petition for certification to Court of Common Pleas filed by EDW. PEDUZZI.

ORDER

And Now, September 9, 1957, notice of above presentation of Petition is hereby accepted and it is agreed that the within should be certified to Court of Common Pleas, NUNC PRO TUNC.

Harry E. Simmons, Atty. for owner.

ORDER

AND NOW, this 9th day of September, 1957, the foregoing motion is hereby granted and it is hereby ordered and decreed that the Petition and Order for Condemnation and for the Appointment of Viewers filed in the above captioned action be and the same is hereby certified over to the Court of Common Pleas of Cambria County, nunc pro tunc, without prejudice to any appointment of Viewers, proceedings and hearings held on the basis of the above mentioned petition, the same as though the said petition were originally filed in the Court of Common Pleas.

By the Court: Griffith, J.

No. 3

IN RE: ORDINANCE LAYING OUT ROADS
WHOLLY WITHIN ADAMS TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA.

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

Clerk of Courts: \$

Filed: August 16, 1957

AN ORDINANCE LAYING OUT ROADS WHOLLY WITHIN ADAMS TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

WHEREAS the Supervisors have decided in the interest of public convenience, to lay out, by Ordinance, sections of roads, same being parts of private roads.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Adams Township, and it is hereby ordained and enacted by authority of same as follows:

SECTION I. That the following described roads thirty three feet wide be and the same are hereby laid out:

Beginning at the intersection of the road leading from Elton to Sidman with Center Street in Salix and extending North 89 degrees 08 minutes East 671.20 feet to Wissinger Avenue.

Beginning at Geistown Avenue in the village of Elton and extending North 31 degrees West 463.60 feet to township road.

Beginning at Pitcairn Avenue in the village of Dunlo and extending North 56 degrees 26 minutes West; thence North 51 degrees 54 minutes West; thence North 40 degrees 09 minutes West; thence North 37 degrees 13 minutes West; thence North 31 degrees 32 minutes West; thence North 27 degrees 16 minutes West; thence North 22 degrees 53 minutes West; thence North 34 degrees 02 minutes West; thence North 45 degrees 30 minutes West a total distance of 786 feet to the Adams Township Building.

Beginning at the intersection of Crown Street and Meadow Street in the village of Sidman and extending South 49 degrees East 312 feet to main Street.

Beginning at Adams Township School property in village of Sidman and extending South 49 degrees East a distance of 1465 feet to Main Street.

Beginning at an alley in the village of Sidman thence North 41 degrees East a distance of 1100 feet, being known as Meadow Street.

Beginning at Church Street in the village of Sidman; thence North 41 degrees East a distance of 675 feet to Water Street, being known as Grove Street.

A print or survey of the roads hereby laid out is attached hereto and made a part hereof.

SECTION II. That the Township Solicitor be and he is hereby authorized and directed to file a certified copy of this Ordinance in the office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania.

SECTION III. All ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 15th day of August, 1957.

S/ Charles H. Bender

President, Board of Supervisors.

ATTEST:

S/ Joseph G. Valko, Secretary

I hereby certify the above to be a true and correct copy of the Ordinance passed by the Adams Township Supervisors August 15th, 1957.

S/ Joseph G. Valko, Secretary Board
of Adams Township Supervisors.

IN RE: LAYING OUT OF A PORTION OF
ROAD IN THE VILLAGE OF SLICKPORT,
ELDER TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 30.00 EST. 1st 1957 AUDITED

FILED: AUGUST 27, 1957

No. 4 September Sessions, 1957

Rec'd - \$30.00 - 10-21-57 - J.C. W. NOV 1 - 1957 AUDITED

REPORT OF SUPERVISORS OF ELDER TOWNSHIP.

In accordance with provisions of Article XI of the Act of May 1, 1933, P. L. 103, as amended, 53 P. S. 19093-1101 et seq., Michael A. Novak, Bernard Thomas, Bernard J. Huber hereby make the following report:

- 1 -

That they are the duly elected and qualified Supervisors of Elder Township, Cambria County, Pennsylvania.

- 2 -

That pursuant to a petition of interested citizens they propose to lay out in the Village of Slickport, Elder Township, Cambria County, Pennsylvania, which portion of road is described as follows:

Beginning at a point on the North side of Township Road No. 559 leading from the Village of Plattville, Elder Township, Cambria County, Pennsylvania, to the Borough of Hastings, Cambria County Pennsylvania, said point of beginning being 366 feet from the intersection of said Township Road No. 559 with Township Road No. 551, thence extending from said point of beginning the following courses and distances, North 20 degrees 29 minutes East 640.0 feet; South 69 degrees 31 minutes East 366.0 feet; South 20 degrees 29 minutes West 40 feet; North 69 degrees 31 minutes West, 316.0 feet; South 20 degrees 29 minutes West 600.0 feet; North 69 degrees 31 minutes West 50.0 feet to the point and place of beginning. Containing in length 1006.0 feet and the width of 50 feet on the 640.0 feet section and 40 feet on the 366.0 feet section. A print of a survey of the road is hereto attached marked Exhibit "a" and made a part hereof.

- 3 -

That the property owners affected by the proposed laying out of said portion of road were given ten (10) days written notice of a meeting of said Supervisors held on the 23rd of August, 1957, at 7:00 P. M., at their office located in the White School, St. Boniface Cambria County, Pennsylvania, for the purpose of taking action regarding the laying out of said portion of road. Copies of said notices with acceptance of service by each of the affected property owners are hereto attached and made a part hereof.

- 4 -

That after a hearing at the aforesaid meeting, said Supervisors deemed the laying out of the aforesaid portion of road necessary and adopted an ordinance laying out the same as a part of the highway system of said Township. A certified copy of said Ordinance is hereto attached, marked Exhibit "B" and made a part hereof.

- 5 -

That the aforesaid petition of interested citizens and release of damages executed by the owners of the property abutting on said portion of road is hereto attached, marked Exhibit "D" and made a part hereof.

- 6 -

That a release of damages executed by Rich Hill Coal Company, an affected property owner, is hereto attached, marked Exhibit "D" and made a part hereof.
Continued on next page.

No. 4 Continued

- 7 -

That the aforesaid Ordinance was published prior to its passage in the Johnstown-Democrat, a newspaper of general circulation in Elder Township, Cambria County, Pennsylvania, in accordance with the Act of Assembly. Proof of publication of the same is hereto attached, marked Exhibit "E" and made a part hereof.

WHEREFORE, the aforesaid Supervisors pray that this Report and exhibits attached hereto be filed in the office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

S/ Michael Novak
S/ Bernard Thomas
S/ Bernard J. Huber
Supervisors of Elder Township

STATE OF PENNSYLVANIA Q
 Q. SS.
COUNTY OF CAMBRIA Q.

Personally appeared before me, a Notary Public in and for said County and state, Michael A. Novak, Bernard Thomas and Bernard J. Huber, Supervisors of the Township of Elder, Cambria County Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

S/ Michael A. Novak
S/ Bernard Thomas
S/ Bernard J. Huber

Sworn and subscribed to before me
this 23rd day of August, 1957. (S E A L)
S/ Noel F. Smorto
My Commission expires: 1/27/59

PRELIMINARY DECREE

AND NOW, this 27 day of August, 1957, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby Directed to file the within Report and exhibits attached hereto.

BY THE COURT:
S/ Griffith, Judge

Exhibit "A" -- Map filed.

Exhibit "B" -- Ordinance filed.

ORDINANCE NO. _____

AN ORDINANCE LAYING OUT A ROAD
WHOLLY WITHIN ELDER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA.

WHEREAS, interested citizens of Elder Township, Cambria County, Pennsylvania, have petitioned the Elder Township Supervisors, in the interest of public convenience, to lay out, by ordinance, a section of road herein described; and

WHEREAS, the Supervisors have decided, in the interest of public convenience, to lay out said section of road.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Elder Township and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. That pursuant to the petition aforesaid, the following described road be and the same is hereby laid out:

Beginning at a point on the North side of Township Road No. 559 leading from the Village of Plattville, Elder Township, Cambria County, Pennsylvania, to the Borough of Hastings, Cambria County, Pennsylvania, said point of beginning being 366 feet from the intersection of said Township Road No. 559 with Township Road No. 551, thence extending from said point of beginning the following courses and distances, North 20 degrees 29 minutes East 640.0 feet; South 69 degrees 31 minutes East 366.0 feet; South

Continued on next page.

No. 4 Continued

20 degrees 29 minutes West 40 feet; North 69 degrees 31 minutes West, 316.0 feet; South 20 degrees 29 minutes West 600.0 feet; North 69 degrees 31 minutes West 50.0 feet to the point and place of beginning. Containing in length 1006.0 feet and the width of 50 feet on the 640.0 feet section and 40 feet on the 366.0 feet section. A print of a survey of the road is hereto attached marked Exhibit "A" and made a part hereof.

SECTION 2. That the Township solicitor be and he hereby is authorized and directed to file a certified copy of this ordinance in the office of the Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, together with a draft and survey of the road.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an ordinance this 23rd day of August, 1957.

ELDER TOWNSHIP SUPERVISORS

By S/ Michael A. Novak

ATTEST:

S/ Lucy Kibler

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 5 of the Township of Elder enacted 23rd day of August, 1957.

S/ Lucy Kibler

(S E A L)

Exhibit "C" -- Petition filed.

PETITION

TO THE SUPERVISORS OF ELDER TOWNSHIP:

We the undersigned, residents of Elder Township, Cambria County, Pennsylvania, hereby petition and request the Supervisors of Elder Township to accept the road in front of our properties in Slickport as a public road and to maintain the same. The road leads from the resident of Mrs. Mary Retsic to the residence of Harry Robert Boring.

We hereby release the said township from any and all damages which might be caused by the repair and maintenance of said street.

S/ Clair Westover	Slickport
S/ George Balko, Jr.	"
S/ Harry R. Boring	"
S/ William D. Barnes	"
S/ Clarence W. Westover	"
S/ Mrs. Mary Retsic	"
S/ Mr. Alfred Henico	"
S/ John Kolonay	"
S/ Charles Keefe	"

Exhibit "D" -- Release filed.

RELEASE

The undersigned, in consideration of the advantages accruing to it from the laying out of a portion of road in the Village of Slickport, Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the North side of Township Road No. 559 leading from the Village of Plattville, Elder Township, Cambria County, Pennsylvania, to the Borough of Hastings, Cambria County, Pennsylvania, said point of beginning being 366 feet from the intersection of said Township Road No. 559 with Township Road No. 551, thence extending from said point of beginning the following courses and distances, North 20 degrees 29 minutes East 640.0 feet; South 69 degrees 31 minutes East 366.0 feet; South 20 degrees 29 minutes West 40 feet; North 69 degrees 31 minutes West, 316.0 feet; South 20 degrees 29 minutes West 600.0 feet; North

Continued on next page.

No. 4 Continued

69 degrees 31 minutes West 50.0 feet to the point and place of beginning. Containing in length 1006.0 feet and the width of 50 feet on the 640.0 feet section and 40 feet on the 366.0 feet section. A print of a survey of the road is hereto attached Marked Exhibit "A" and made a part hereof,

And at the request of the Supervisors of Elder Township, Cambria County, Pennsylvania, does hereby release all claims to damages that may arise from the laying out of the same.

IN WITNESS WHEREOF, Rich Hill Coal Company has caused this release to be signed in its name by its President or Vice President and its seal to be hereunto affixed and to be attested by its Secretary this 9th day of August, 1957.

RICH HILL COAL COMPANY
By James Froggatt

ATTEST:

Secretary

Exhibit "E" -- Proof of Publication filed.

NOTICE

IN THE MATTER OF THE LAYING OUT OF A ROAD
WHOLLY IN ELDER TOWNSHIP, CAMBRIA COUNTY
PENNSYLVANIA

Notice is hereby given that the Supervisors of Elder Township, Cambria County, Pennsylvania, will hold a meeting on the 23rd day of August, 1957, at 7:00 P. M., at White School located in St. Boniface, Elder Township, Cambria County, Pennsylvania, for the purpose of taking action regarding the petition of interested citizens of said Township for the laying out of a road in Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the North side of Township Road No. 559 leading from the Village of Plattville, Elder Township, Cambria County, Pennsylvania, to the Borough of Hastings, Cambria County Pennsylvania, said point of beginning being 366 feet from the intersection of said Township Road No. 559 with Township Road No. 551, thence extending from said point of beginning the following courses and distances, North 20 degrees 29 minutes East 640.0 feet; South 69 degrees 31 minutes East 366.0 feet; South 20 degrees 29 minutes West 40 feet; North 69 degrees 31 minutes West, 316.0 feet; South 20 degrees 29 minutes West 600.0 feet; North 69 degrees 31 minutes West 50.0 feet to the point and place of beginning. Containing in length 1006.0 feet and the width of 50 feet on the 640.0 feet section and 40 feet on the 366.0 feet section. A print of a survey of the road is hereto attached marked Exhibit "A" and made a part hereof.

You and your witnesses and other parties interested may appear at said meeting for the purpose of being heard in this matter.

S/ Lucy Kibler
Secretary of the Board of Supervisors
of Elder Township

ACCEPTANCE OF SERVICE

AND NOW, this 9 day of August, 1957, I hereby accept service of the above notice.

S/ Clarence Westover
S/ Mrs. Clarence Westover
S/ John M. Balko, Single
S/ A. F. Baker
S/ Gertrude Baker

Continued on next page.

No. 4 Continued

S/ Rich Hill Coal Mining Corp.

James Froggatt, Supt.

S/ John Kolonay

S/ Elizabeth Kolonay

S/ Mary Restic, widow

S/ Clair Westover

S/ Mary Westover

S/ Harry R. Boring

S/ Mrs. Harry R. Boring

S/ Alfred Henico

S/ Doris Henico

S/ William Barnes

S/ Mildred Barnes

S/ Augusta M. Keefe

S/ Charles Keefe

FINAL DECREE

AND NOW, this 30th day of Sept., 1957, it appearing that the said Report having been filed on the 27th day of August, 1957, and no citizen or freeholder of the Township did within thirty (30) days from the filing of said Report by the Supervisors file exceptions to the Report or petition for a review, IT IS ORDERED AND DECREED that the said portion of a proposed road in the Village of Slickport, Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the North side of Township Road No. 559 leading from the Village of Plattville, Elder Township, Cambria County, Pennsylvania, to the Borough of Hastings, Cambria County, Pennsylvania, said point of beginning being 366 feet from the intersection of said Township Road No. 559 with Township Road No. 551, thence extending from said point of beginning the following courses and distances, North 20 degrees 29 minutes East 640.0 feet; South 69 degrees 31 minutes East 366.0 feet; South 20 degrees 29 minutes West 40 feet; North 69 degrees 31 minutes West, 316.0 feet; South 20 degrees 29 minutes West 600.0 feet; North 69 degrees 31 minutes West 50.0 feet to the point and place of beginning. Containing in length 1006.0 feet and the width of 50 feet on the 640.0 feet section and 40 feet on the 366.0 feet section. A print of a survey of the road is hereto attached marked Exhibit "A" and made a part hereof,

be and the same is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Elder.

By the Court: McKenrick, P. J.

Griffith, J.

McDonald, J.

No. 5

IN RE: LAYING OUT OF A PORTION
OF ROAD IN THE VILLAGE OF FRENCH
HILL, ELDER TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 30.00 SEP 5 1957 PAID FILED: AUGUST 27, 1957

Rec'd - \$30.00 - 10-21-57 - J.C. [signature]

REPORT OF SUPERVISORS OF ELDER TOWNSHIP

In accordance with provisions of Article XI of the Act of May 1, 1933, P. L. 103, as amended, 53 P. S. 19093-1101 et seq., Michael A. Novak, Bernard Thomas, Bernard J. Huber hereby make the following report:

- 1 -

That they are the duly elected and qualified Supervisors of Elder Township, Cambria County, Pennsylvania..

- 2 -

That pursuant to a petition of interested citizens they propose to lay out a portion of road in the Village of French Hill, Elder Township, Cambria County, Pennsylvania, which portion of road is described as follows:

Beginning at a point of the West side of State Highway Route 11070 Spur "E" a public highway leading from the Borough of Hastings to the Borough of Patton, Cambria County, Pennsylvania, said point of beginning being common corner formed by the intersection of the road herein laid out and the Northeast corner of the land of Albert Sral and the said State Highway Route 11070 Spur "E"; thence along the line of said State Highway Route 11070 Spur "E" South 37 degrees 20 minutes East 50.20 feet to Northwest corner of other lands of Albert Sral; thence extending from said point following courses and distances to point of ending and land of Pennsylvania Railroad: South 26 degrees 10 minutes West 342.0 feet to a point; said point being the corner of land of Francis Kaminski an Estate house; thence through land of Francis Kaminski south 23 degrees 40 minutes West 150 feet to a point on right of way on the Pennsylvania Railroad; thence along land of Pennsylvania Railroad right of way North 27 degrees 00 minutes West 42.66 feet to a point on said right of way and corner of land of Andrey Bachleda; thence North 23 degrees 40 minutes East 419.20 feet to a point; thence North 63 degrees 50 minutes West 7 feet to a point on South side of Ubley Street; thence North 26 degrees 10 minutes East 373.0 feet to a point and place of beginning on State Highway Route 11070 Spur "E" containing in length 587 feet and widths fixed at 45 feet narrowing down to 33 feet. A print of the survey of the road is hereto attached, marked Exhibit "A" and made a part hereof.

- 3 -

That the property owners affected by the proposed laying out of said portion of road were given ten (10) days written notice of a meeting of said Supervisors held on the 23rd day of August, 1957, at 7:00 P. M., at their office located in the White School, St. Boniface, Cambria County, Pennsylvania, for the purpose of taking action regarding the laying out of said portion of road. Copies of said notices with acceptance of service by each of the affected property owners are hereto attached and made a part hereof.
Continued on next page.

No. 5 Continued

- 4 -

That after a hearing at the aforesaid meeting, said Supervisors deemed the laying out of the aforesaid portion of road necessary and adopted an ordinance laying out the same as a part of the highway system of said Township. A certified copy of said Ordinance is hereto attached, marked Exhibit "B" and made a part hereof.

- 5 -

That the aforesaid petition of interested citizens and release of damages executed by the owners of the property abutting on said portion of road is hereto attached, marked Exhibit "C" and made a part hereof.

- 6 -

That the aforesaid Ordinance was published prior to its passage in the Johnstown-Democrat a newspaper of general circulation in Elder Township, Cambria County, Pennsylvania, in accordance with the Act of Assembly. Proof of publication of the same is hereto attached, marked Exhibit "D" and made a part hereof.

WHEREFORE, the aforesaid Supervisors pray that this Report and exhibits attached hereto be filed in the office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

S/ Michael A. Novak

S/ Bernard Thomas

S/ Bernard J. Huber

Supervisors of Elder Township

STATE OF PENNSYLVANIA)
) SS.
COUNTY OF CAMBRIA)

Personally appeared before me, a Notary Public in and for the said County and State, Michael A. Novak, Bernard Thomas, and Bernard J. Huber, Supervisors of the Township of Elder, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

S/ Michael A. Novak

S/ Bernard Thomas

S/ Bernard J. Huber

Sworn and subscribed to before me
this 23rd day of August, 1957.

S/ Noel F. Smorto (S E A L)

My commission expires: 1/27/59

PRELIMINARY DECREE

AND NOW, this 27 day of August, 1957, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within Report and exhibits attached hereto.

By the Court:

S/ Griffith, Judge.

Exhibit "A" Map filed.

Exhibit "B" Ordinance filed.

ORDINANCE NO. ____

AN ORDINANCE LAYING OUT A ROAD WHOLLY
WITHIN ELDER TOWNSHIP, CAMBRIA COUNTY
PENNSYLVANIA

WHEREAS, interested citizens of Elder Township, Cambria County, Pennsylvania, have petitioned the Elder Township Supervisors, in the interest of public Convenience, to lay out, by ordinance, a section of road herein described; and

WHEREAS, the Supervisors have decided, in the interest of public convenience, to lay out said section of road.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Elder Township and it is Continued on next page.

No. 5 Continued

hereby ordained and enacted by authority of the same as follows:

SECTION 1. That pursuant to the petition aforesaid, the following described road be and the same is hereby laid out:

Beginning at a point of the West Side of State Highway Route 11070 Spur "E" a public highway leading from the Borough of Hastings to the Borough of Patton, Cambria County, Pennsylvania, said point of beginning being the common corner formed by the intersection of the road herein laid out and the Northeast corner of the land of Albert Sral and the said State Highway Route 11070 Spur "E"; thence along the line of said State Highway Route 11070 Spur "E" South 37 degrees 20 minutes East 50.20 feet to Northwest corner of other lands of Albert Sral; thence extending from said point following courses and distances to point of ending and land of Pennsylvania Railroad: South 26 degrees 10 minutes West 342.0 feet to a point; said point being the corner of land of Francis Kaminski an Estate house; thence through land of Francis Kaminski south 23 degrees 40 minutes West 150 feet to a point on right of way on the Pennsylvania Railroad; thence along land of Pennsylvania Railroad right of way North 27 degrees 00 minutes West 42.66 feet to a point on said right of way and corner of land of Andrey Bachleda; thence North 23 degrees 40 minutes East 410.20 feet to a point; thence North 63 degrees 50 minutes West 7 feet to a point on South Side of Ubley Street; thence North 26 degrees 10 minutes East 373.0 feet to a point and place of beginning on State Highway Route 11070 Spur "E" containing in length 587 and widths fixed at 45 feet narrowing down to 33 feet. A print of the survey of the road is hereto attached, marked Exhibit "A" and made a part hereof.

SECTION 2. That the Township solicitor be and he hereby is authorized and directed to file a certified copy of this ordinance in the office of the Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, together with a draft and survey of the road.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an ordinance this 23rd day of August, 1957.

ELDER TOWNSHIP SUPERVISORS

By S/ Michael Novak

ATTEST:

S/ Lucy Kibler

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 5 of the Township of Elder enacted 23rd day of August, 1957.

S/ Lucy Kibler (S E A L)

Exhibit "C" Petition filed.

TO THE SUPERVISORS OF ELDER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

WE, the undersigned property owners, feeling that the present condition of the road leading to our properties is unsafe and dangerous, hereby petition the Supervisors of Elder Township to take over and accept the road leading from Township Road No. 547, State Highway No. 11098, to P. R. R. leading to Lanark Mine, in Elder Township as part of the road system of Elder Township. We hereby release the said township from any and all damages which might arise to our properties by virtue of the acceptance of said road as a township road.

S/ Mr. and Mrs. Francis Kaminsky

S/ Fannie Hrobochak

S/ Mr. and Mrs. Geo. Finet

S/ James D. Commons

S/ Oscar Everard

S/ John Dvorchak

Continued on next page

No. 5 Continued

S/ Mrs. Sophia Hrobucsak

S/ Stanley K. Batkiwerc

S/ George Beck

S/ Albert Sral

S/ Walter Skutik

S/ Ferd J. Easly

S/ Peter Gresco

S/ James McNellis

S/ H. J. Collina

S/ Joseph Komenski

S/ Paul K. Easly

Exhibit "D" Proof of publication filed.

NOTICE

IN THE MATTER OF THE LAYING OUT OF A ROAD

WHOLLY IN ELDER TOWNSHIP, CAMBRIA COUNTY

PENNSYLVANIA

Notice is hereby given that the Supervisors of Elder Township, Cambria County, Pennsylvania, will hold a meeting on the 23rd day of August, 1957, at 7:00 P. M., at White School located in St. Boniface, Elder Township, Cambria County, Pennsylvania, for the purpose of taking action regarding the petition of interested citizens of said Township for the laying out of a road in Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the West side of State Highway Route 11070 Spur "E" a public highway leading from the Borough of Hastings to the Borough of Patton, Cambria County, Pennsylvania, said point of beginning being the common corner formed by the intersection of the road herein laid out and the Northeast corner of the land of Albert Sral and the said State Highway Route 11070 Spur "E"; thence along the line of said State Highway Route 11070 Spur "E" South 37 degrees 20 minutes East 50.20 feet to Northwest corner of other lands of Albert Sral; thence extending from said point following courses and distances to point of ending and land of Pennsylvania Railroad; South 26 degrees 10 minutes West 342.0 feet to a point; said point being the corner of land of Francis Kaminski an Estate House; thence through land of Francis Kaminski South 23 degrees 40 minutes West 150 feet to a point on right of way on the Pennsylvania Railroad; thence along the land of Pennsylvania Railroad right of way North 27 degrees 00 minutes West 42.66 feet to a point on said right of way and corner of land of Andrey Bachleda; thence North 23 degrees 40 minutes East 419.20 feet to a point; thence North 63 degrees 50 minutes West 7 feet to a point on South side of Ubley Street; thence North 26 degrees 10 minutes East 373.0 feet to a point and place of beginning on State Highway Route 11070 Spur "E" containing in length 587 and widths fixed at 45 feet narrowing down to 33 feet.

You, your witnesses and other parties interested may appear at said meeting for the purpose of being heard in this matter.

S/ Lucy Kibler

Secretary of the Board of Supervisors
of Elder Township

Continued on next page.

No. 5 Continued

ACCEPTANCE OF SERVICE

AND NOW, this 9 day of August, 1957, I hereby accept service of the above notice.

S/ George Finet, Sr.

S/ Victoria Finet

S/ George Beck

S/ Joe Kaminski

S/Francis V. Kaminsky

S/ Mary Kaminsky

S/ Stanley Batkiewicz

S/ Mary Batkiewicz

FINAL DECREE

AND NOW, this 30th day of September, 1957, it appearing that the said Report having been filed on the 27th day of August, 1957, and no citizen or freeholder of the Township did within thirty (30) from the filing of said Report by the Supervisors file exceptions to the Report or petition for a review, IT IS ORDERED AND DECREED that the said portion of a proposed road in the Village of French Hill, Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the West side of State Highway Route 11070 Spur "E" a public highway leading from the Borough of Hastings to the Borough of Patton, Cambria County, Pennsylvania, said point of beginning being the common corner formed by the intersection of the road herein laid out and the Northeast corner of the land of Albert Sral and the State Highway Route 11070 Spur "E"; thence along the line of said State Highway Route 11070 Spur "E" South 37 degrees 20 minutes East 50.20 feet to Northwest corner of other lands of Albert Sral; thence extending from said point following courses and distances to point of ending and land of Pennsylvania Railroad: South 26 degrees 10 minutes West 342.0 feet to a point; said point being the corner of land of Francis Kaminski an Estate house; thence through land of Francis Kaminski south 23 degrees 40 minutes West 150 feet to a point on right of way on the Pennsylvania Railroad; thence along land of Pennsylvania Railroad right of way North 27 degrees 00 minutes West 42.66 feet to a point on said right of way and corner of land of Andrey Bachleda; thence North 23 degrees 40 minutes East 419.20 feet to a point; thence North 63 degrees 50 minutes West 7 feet to a point on South side of Ubley Street; thence North 26 degrees 10 minutes East 373.0 feet to a point and place of beginning on State Highway Route 11070 Spur "E" containing in length 587 and widths fixed at 45 feet narrowing down to 33 feet,

be and the same is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Elder.

By the Court: McKenrick, P. J.

Griffith, J.

McDonald, J.

SESSIONS, 19



No. 1

IN RE: ORDINANCE OF THE TOWNSHIP OF
BARR, CAMBRIA COUNTY, PENNSYLVANIA,
TO ENACT, ORDAIN, SURVEY, LAY OUT AND
ADOPT A CERTAIN ROAD AS A PUBLIC HIGHWAY
WHOLLY WITHIN THE TOWNSHIP

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

Filed: October 1, 1957

JAN 21 1958 AM 10:21

Recd. 7⁵⁰ 10-3-57 J.C.V.
Clerk of Courts: \$ 7.50

ORDINANCE NO. 3

An Ordinance of the Supervisors of the Township of Barr, County of Cambria and State of Pennsylvania, to enact, ordain, survey, lay out, and adopt a certain road as a public road or highway, wholly within the Township, upon petition of a majority in interest, of the owners of properties upon whose land the road abuts.

WHEREAS, a written petition has been presented to the Supervisors of the Township of Barr, Cambria County, Pennsylvania, signed and executed by a majority in interest, of the owners of properties abutting on a certain private road, hereinafter fully described, situate wholly within the Township of Barr, wherein they allege they are in need of a public highway to replace said private road for the use of themselves, tradesmen, doctors and the general public.

AND WHEREAS, said petition respectfully requested the Supervisors that a suitable public highway be enacted, ordained, surveyed, layed out and adopted for said petitioners, in front of their properties now abutting on the hereinafter described private road.

AND WHEREAS, said petition, duly signed and executed as aforesaid, contained a general release of the Township, of all damages which said petitioners may sustain by reason of the laying out, opening and adopting of said public highway or by the use of any part of their premises for highway purposes.

AND WHEREAS, prior to the passage of this ordinance, the Supervisors of the Township of Barr, gave ten days' written notice to the property owners affected thereby, of the time and place when and where all parties interested may meet and be heard.

AND WHEREAS, said meeting was held on August 12, 1957, at 7:00 P. M., at Pfeister's Barber Shop, Nicktown, Pennsylvania, in accordance with the written notice given as above set forth, and said meeting was largely attended by persons affected by the laying out and adoption of said private road as a public highway and everybody present was favorable to the proposal and no one offered any objection thereto.

AND WHEREAS, after said hearing held on August 12, 1957, and after the Supervisors had fully considered the matter, it was unanimously agreed by the Supervisors to exercise the power so conferred, and the Supervisors, on the 16th day of September, 1957 will file a copy of this Ordinance together with a draft or survey of the road fixing the width thereof and noting the improvements along the lines thereof and names of the owners of property whereon said road shall abut, in the office of the Clerk of the Court of Quarter Sessions of Cambria County in accordance with the Acts of Assembly in such case made and provided.

THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Barr, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following private road wholly within the Township of Barr, be layed out, opened and adopted as a public road or highway of the Township of Barr ----- Cambria County, Pennsylvania, to a width of sixteen feet on Beech Alley and sixty feet on St. Joseph's Street, which is hereby determined to be a sufficient width for public use and travel, which shall not be construed to include the width required for necessary slopes in cuts and fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified.

Said road or highway is described as follows:

Beginning at the southern right of way line of a public highway known as St. Nicholas Street, Legislative Route 11045 in the center line of Beech Alley; thence South nineteen degrees five minutes West four hundred feet by the center line of Beech Alley to post in center of St. Joseph St. thence south seventy degrees nine minutes East one hundred feet by the center line of St. Joseph Street to the end of the proposed public highway.

Transferred to next page.

No. 1 Continued

All Ordinances or parts of Ordinances inconsistent herewith, are hereby repealed.
Enacted and Ordained this 9th day of September, A. D., 1957.

S/ O. P. Mastron, Supervisor

S/N. J. Reber, Supervisor

S/ H. W. Eagler, Supervisor

The above Ordinance will be enacted and ordained at a meeting of the Supervisors of the Township of Barr, Cambria County, Pennsylvania, to be held on the 9th day of September, 1957, at 7:00 P. M. in Pfesiter's Barber Shop, Nicktown, Pennsylvania, and is advertised prior to passage in accordance with Section 12, page 2039 P. L. 1955.

S/ Anthony Sabella, Secretary

Supervisors of Barr Township.

October 1, 1957: Map filed.

No. 2

IN RE: ORDINANCE OF THE TOWNSHIP OF
BARR, CAMBRIA COUNTY, PENNSYLVANIA TO
ENACT, ORDAIN, SURVEY, LAY OUT AND
ADOPT A CERTAIN ROAD AS A PUBLIC HIGHWAY
WHOLLY WITHIN THE TOWNSHIP

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

Filed: October 1, 1957

JAN 21 1958 ADMP

Rec'd. 7⁵⁰ 10-3-57 J. C. W.
Clerk of Courts: \$ 7.50

ORDINANCE NO. 4

An Ordinance of the Supervisors of the Township of Barr, County of Cambria and State of Pennsylvania, to enact, ordain, survey, lay out, and adopt a certain road as a public road or highway, wholly within the Township, upon petition of a majority in interest, of the owners of properties upon whose land the road abuts.

WHEREAS, a written petition has been presented to the Supervisors of the Township of Barr, Cambria County, Pennsylvania, signed and executed by a majority in interest of the owners of properties abutting on a certain private road, hereinafter fully described, situate wholly within the Township of Barr, wherein they allege they are in need of a public highway to replace said private road for the use of themselves, tradesmen, doctors and the general public.

AND WHEREAS, said petition respectfully requested the Supervisors that a suitable public highway be enacted, ordained, surveyed, layed out and adopted for said petitioners, in front of their properties now abutting on the hereinafter described private road.

AND WHEREAS, said petition, duly signed and executed as aforesaid, contained a general release of the Township, of all damages which said petitioners may sustain by reason of the laying out, opening and adopting of said public highway or by the use of any part of their premises for highway purposes.

AND WHEREAS, Prior to the passage of this ordinance, the Supervisors of the Township of Barr, gave ten days' written notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard.

AND WHEREAS, said meeting was held on August 12, 1957, at 7:00 P. M., at Pfeister's Barber Shop, Nicktown, Pennsylvania, in accordance with the written notice given as above set forth, and said meeting was largely attended by persons affected by the laying out and adoption of said private road as a public highway and everybody present was favorable to the proposal and no one offered any objection thereto.

AND WHEREAS, after said hearing held on August 12, 1957, and after the Supervisors had fully considered the matter, it was unanimously agreed by the Supervisors to exercise the power so conferred, and the Supervisors on the 16th day of September, 1957, will file a copy of this Ordinance together with a draft or survey of the road, fixing the width thereof and noting the improvements along the lines thereof, and names of the owners of property whereon said road shall abut, in the office of the Clerk of the Court of Quarter Sessions of Cambria County in accordance with the Acts of Assembly in such case made and provided.

THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Barr, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following private road wholly within the Township of Barr be layed out, opened and adopted as a public road or highway of the Township of Barr, Cambria County, Pennsylvania, to a width of Thirty three feet, which is hereby determined to be a sufficient width for public use and travel, which shall not be construed to include the width required for necessary slopes in cuts and fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified.

Said road or highway is described as follows:

Beginning at the center line at the northern end of the existing township highway Route #523 at or near the middle of St. Mary Street in the Village of Nicktown; thence by present private road to a width of thirty three feet the center line of which is North nineteen degrees fifty one minutes East four hundred sixty feet to post and thence South eighty three degrees forty two minutes East seven hundred fifty feet to post.

Continued on next page.

No. 2 Continued

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.
Enacted and ordained this 9th day of September, A. D., 1957.

S/ O. P. Mastron, Supervisor

S/ N. J. Reber, Supervisor

S/ H. W. Eagler, Supervisor

The above Ordinance will be enacted and ordained at a meeting of the Supervisors of the Township of Barr, Cambria County, Pennsylvania, to be held on the 9th day of September, 1957, at 7:00 P. M. in Pfeister's Barber Shop, Nicktown, Pennsylvania, and is advertised prior to passage in accordance with Section 12, Page 2039 P. L. 1955.

S/ Anthony Sabella, Secretary

Supervisors of Barr Township

October 1, 1957: Map filed.

No. 3

IN RE: ACCEPTANCE OF CERTAIN
PORTIONS OF MINNO DRIVE
IN THE TOWNSHIP OF LOWER
YODER, CAMBRIA COUNTY, PA.

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

Clerk of Courts: \$ 21.00

JAN 21 1958 AUDITED

Filed: October 22, 1957

Rec'd 21st 12-4-57 J.C.V. JAN 21 1958 AUDITED

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of the Board of Supervisors of the Township of Lower Yoder respectfully represents:

(1) That the Board of Supervisors did on the 15th day of June, 1957, at 7:30 P. M., at a special meeting, accept the following portion of Minno Drive, as follows:

BEGINNING at the intersection of Willett Drive and Minno Drive;
thence in a northeasterly direction to the intersection of Cinema
Drive and Minno Drive, a distance of 1,366.40 feet.

as appears by a copy of the Resolution hereto attached, made part hereof and marked "Exhibit A."

WHEREFORE, your petitioner prays your Honorable Court to give its consent to the acceptance of portions of Minno Drive described in the Resolution hereto attached, as a public highway or street in the said Township.

TOWNSHIP OF LOWER YODER

By William Sladki, President

ATTEST:

Carl J. Kohler, Secretary.

COMMONWEALTH OF PENNSYLVANIA (SS:
COUNTY OF CAMBRIA)

Personally appeared before me, a Notary Public in and for said County and State, Carl J. Kohler, Secretary Treasurer of Lower Yoder Township, who being duly sworn according to law, deposes and says that the matters and facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

S/ Carl J. Kohler

SWORN and subscribed before me

this 18th day of October, 1957

S/ Janet M. Leber,

Notary Public

My commission expires Apr. 8, 1958

RESOLUTION TO ACCEPT PORTIONS OF MINNO DRIVE
IN THE TOWNSHIP OF LOWER YODER

WHEREAS, Ivy Hills, Inc., did in July of 1946, lay out a plot or plan of lots known as Sunnemannor, part of which was in the Township of Lower Yoder; and

WHEREAS, the said plan was approved by the Johnstown Planning Commission on April 7, 1948, and likewise approved by the Borough of Westmont on April 5, 1948, and likewise approved by the Township of Lower Yoder; and

WHEREAS, the said plan is recorded in the Recorder of Deeds' Office of and for Cambria County in Plat Book Vol. 4, Page 48; and

WHEREAS, upon the said plan there is a street known and designated as Minno Drive; and

WHEREAS, it is the intention and desire of the Supervisors to accept certain portions of Minno Drive as shown in the said plan;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Lower Yoder accepts the following portion of Minno Drive:

BEGINNING at the intersection of Willett Drive and Minno Drive;
thence in a northeasterly direction to the intersection of Cinema
drive and Minno Drive, a distance of 1,366.40 feet.

CONTINUED ON NEXT PAGE.--

Continued from page 81

BE IT FURTHER RESOLVED that the Township Solicitor be authorized to make written report thereof to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

AND BE IT FURTHER RESOLVED, in accordance with the provisions of the Act of Assembly in such case made and provided, that any citizen or freeholder of the Township may, within thirty days after the filing of the report of the Supervisors, file exceptions to the report, together with a petition for a review.

TOWNSHIP OF LOWER YODER

By S/ William Sladki, President

ATTEST:

Carl J. Kohler, secretary

* * * * *

I, CARL J. KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the above Resolution is a true and correct copy of the same adopted at a special meeting of the Board of Supervisors of Lower Yoder Township on the 15th day of June, 1957, and entered into the minutes and records of the said Township.

Carl J. Kohler

ORDER

NOW, the 22 day of October, 1957, the within Petition having been read and considered, the Court hereby gives its consent to the Supervisors of Lower Yoder Township in accepting portions of Minno Drive as follows:

BEGINNING At the intersection of Willett Drive and Minno Drive;
thence in a northeasterly direction to the intersection of Cinema
Drive and Minno Drive, a distance of 1,366.40 feet.

IT IS ORDERED AND DIRECTED that the said portions of Minno Drive as above described, forthwith be and become a part of the highway system of the Township of Lower Yoder, and be it further ORDERED AND DIRECTED that these proceedings be recorded in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania, and if no exceptions are filed to this report within thirty days, then the said street shall be and become a part of the highway system of the Township of Lower Yoder.

By the Court, S/ Griffith, J.

ORDER

And now, 25 November, 1957 no exceptions having been filed the order of October 22, 1957, is made absolute and the street therein referred to is now part of the highway system of Lower Yoder Township.

By the Court: Griffith, J.

No. 4

IN RE: LAYING OUT, OPENING AND
ACCEPTING PORTIONS OF A PROPOSED
ROAD IN THE TOWNSHIP OF
SUSQUEHANNA, CAMBRIA COUNTY, PA.

In the Court of Quarter Sessions of Cambria
County, Pennsylvania

CLERK OF COURTS: \$ 24.00 MAY 27 1958 AUDITED

Filed: November 18, 1957

D. 24⁰⁰ 1-2-58 J.C.W. FEB 15 1958 AUDITED

REPORT OF THE SUPERVISORS OF SUSQUEHANNA TOWNSHIP:

The Petition of Jack Sheredy, Alvin Byrnes and Stanley Zemrose respectfully represents:

1. That they are the Supervisors of the Township of Susquehanna, Cambria County, Pennsylvania.
2. That they propose to lay out, open and accept portions of a proposed road in Susquehanna Township, Cambria County, Pennsylvania, which portion of roads are described as follows:

ROADWAY NO. 1

Beginning at a permanent iron stake, this place of beginning being at point "A" North 53 degrees 0 minutes West 20 feet from the Southwest corner of Lot No. 89 and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point North 71 degrees 43 minutes East a distance of 213 feet to point "B"; thence South 44 degrees 27 minutes East a distance of 1403 feet to point "C"; thence North 85 degrees 10 minutes East, a distance of 94 feet to point "D"; thence North 5 degrees 0 minutes East a distance of 86.5 feet to point "E"; thence North 74 degrees 10 minutes West a distance of 84 feet to point "F"; thence South 53 degrees 40 minutes West a distance of 71 feet to point "G"; thence along Route described from points "B" to "C" to point "H"; thence North 55 degrees .09 minutes East a distance of 178.6 feet to a point "I"; thence North 66 degrees 45 minutes East a distance of 285 feet to point "L" and end of property line of Alice Watso land. Said roadway being a 33 foot wide road.

The said portion of road above described appears on a map, draft or survey hereto attached and made a part hereof, and marked Exhibit "A" and colored in a red line.

ROADWAY NO. 2

Beginning at a permanent iron stake, this place of beginning being a point "A" which is North 9 degrees 45 minutes West a distance of 16.5 feet from the Northwest corner from Lot No. 187 on the Spangler Borough Line in the Benedict Village Co. Lots, Susquehanna Township, Cambria County, Pennsylvania; thence from said beginning of point "A", South 80 degrees 15 MINUTES East a distance of 60 feet to point "B" and end of proposed road.

The said portion of road above described appears on a map, draft or survey hereto attached and made a part hereof, and marked Exhibit "B" and colored in a red line.

3. That your Petitioners have given ten (10) days notice to the property owners affected by the laying out, opening and accepting of the said portions of roads as required by the Act of Assembly, of a hearing and after said hearing your Supervisors deem that the said portion of road is necessary and convenient and by Ordinance duly made and adopted, the said portions of roads were laid out, opened and accepted by the Supervisors of Susquehanna Township, Cambria County, Pennsylvania, as a part of the highway system of the said Township, which Ordinance is hereto attached and made a part hereof, and marked as Exhibit "C".

4. That attached hereto and made a part hereof is a Petition and Release of Damages, executed by the owners of the property abutting on the said proposed portion of road, marked and designated as Exhibit "D".

WHEREFORE, your Petitioner prays that this report and Exhibits attached hereto may be filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

SUPERVISORS OF SUSQUEHANNA TWP.

S/ Jack Sheredy

S/ Alvin Byrnes and S/ Stanley Zemrose

CONTINUED ON NEXT PAGE.

No. 4 Continued

STATE OF PENNSYLVANIA :
 : SS:
 COUNTY OF CAMBRIA ;

Personally appeared before me, a Notary Public in and for Said County and State, JACK SHEREDY, ALVIN BYRNES AND STANLEY ZEMROSE, Supervisors of the Township of Susquehanna, Cambria County, Pennsylvania, who being duly sworn according to Law, deposes and says that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information and belief.

S/ Jack Sheredy

S/ Alvin Byrnes

S/ Stanley Zemrose

Sworn and subscribed before me
 this 18 day of November, 1957.

S/ Joseph D. Horne (SEAL)

Joseph D. Horne, Notary Public

My commission Expires: April 4, 1960.

ORDINANCE

WHEREAS, the abutting property owners have petitioned the Board of Supervisors of Susquehanna Township to open and lay out the hereinafter described roads; and

WHEREAS, the petitioners have signed a release of damages; and

WHEREAS, it is the desire of the Supervisors of the Township of Susquehanna to lay out, open and accept the said portion of the hereinafter described roads as part of the public highway system of the said Township of Susquehanna; and

WHEREAS, the property owners affected thereby have specifically waived their right to receive a ten (10) days notice of the intentions of the Supervisors and adopt an Ordinance for the purpose of laying out, opening, and accepting the said roads, and after hearing and consideration of the matter at a meeting, the Board of Supervisors unanimously decided in favor of exercising the power so conferred in them to lay-out, open and accept the said portions of said roads;

NOW THEREFORE, BE IT RESOLVED, that the following described roads be laid out, opened and accepted by the Supervisors of the Township of Susquehanna as part of the highway system of the said Township after making written report thereof, together with a draft or survey of said portions of roads, to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, such portions of roads being described as follows:

ROADWAY NO. 1

Beginning at a permanent iron stake, this place of beginning being at point "a" North 53 degrees 0 minutes West 20 feet from the Southwest corner of Lot No. 89 and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point North 71 degrees 43 minutes East a distance of 213 feet to point "B"; thence South 44 degrees 27 minutes East a distance of 1403 feet to point "C"; thence North 85 degrees 10 minutes East, a distance of 94 feet to point "D"; thence North 5 degrees 0 minutes East a distance of 86.5 feet to point "E"; thence North 74 degrees 10 minutes West a distance of 84 feet to point "F"; thence South 53 degrees 40 minutes West a distance 71 feet to point "G"; thence along Route described from points "B" to "C" to point "H"; thence North 55 degrees .09 minutes East a distance of 178.6 feet to a point "I"; thence North 66 degrees 45 minutes East a distance 285 feet to point "L" and end of property line of Alice Watso land. Said roadway being a 33 foot wide road.

ROADWAY NO. 2

Beginning at a permanent iron stake, this place of beginning being a point "A" which is North 9 degrees 45 minutes West a distance of 16.5 feet from the North-

CONTINUED ON NEXT PAGE

No. 4 Continued

west corner from Lot No. 187 on the Spangler Borough Line in the Benedict Village Co. Lots, Susquehanna Township, Cambria County, Pennsylvania; thence from said beginning of point "A" South 80 degrees 15 minutes East a distance of 60 feet to point "B" and end of proposed road.

AND BE IT FURTHER RESOLVED, that in accordance with the provisions of the Act of Assembly in such case made and provided, any citizens or freeholder of the Township may, within thirty (30) days after the filing of the report of the Supervisors, file exceptions to the report, together with a Petition for a review.

TOWNSHIP OF SUSQUEHANNA

By S/ Jack Sheredy, President

ATTEST:

S/ Alvin Byrnes, Secretary

PETITION AND RELEASE OF DAMAGES

WE, the undersigned, citizens and property owners in the Township of Susquehanna, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay out, open and accept the following described roads which abuts along the side of our respective properties:

Beginning at a permanent iron stake, this place of beginning being at point "A" North 53 degrees 0 minutes West 20 feet from the Southwest corner of Lot No. 89 and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point North 71 degrees 43 minutes East a distance of 213 feet to point "B"; thence South 44 degrees 27 minutes East a distance of 1403 feet to point "C"; thence North 85 degrees 10 minutes East, a distance of 94 feet to point "D"; thence North 5 degrees 0 minutes East a distance of 86.5 feet to point "E"; thence North 74 degrees 10 minutes West a distance of 84 feet to point "F"; thence South 53 degrees 40 minutes West a distance of 71 feet to point "G"; thence along Route described from points "B" to "C" to point "H"; thence North 55 degrees 09 minutes East a distance of 178.6 feet to a point "I"; thence North 66 degrees 45 minutes East a distance of 285 feet to point "L" and end of property line of Alice Watso land. Said roadway being a 33 foot wide alley.

ROADWAY NO. 2

Beginning at a permanent iron stake, this place of beginning being a point "A" which is North 9 degrees 45 minutes West a distance of 16.5 feet from the Northwest corner from Lot No. 187 on the Spangler Borough Line in the Benedict Village Co. Lots, Susquehanna Township, Cambria County, Pennsylvania; thence from said beginning of point "A", South 80 degrees 15 minutes East a distance of 60 feet to a point "B" and end of proposed road.

In consideration of the opening of the said road we, the undersigned, do hereby remise, release and discharge the Township of Susquehanna of and from all and all manner of actions or causes of actions in law or in equity, especially from a claim for damages arising out of the laying out, opening and accepting of the above described roads, and we release the Township for ourselves, our heirs, executors, administrators, successors and assigns, and we further hereby waive our right to receive a ten (10) days notice of the intentions of the Supervisors to adopt an Ordinance for the purpose of laying out, opening and accepting the above roads.

S/ Adolph Finney, Jr.

S/ Max Dotsko

S/ John Solinski

S/ Allan Stratton

S/ Marshall Bradley

S/ Adolph Finney, Sr.

S/ Charles Wojno

S/ Russell McConnell

S/ Arthur Abrams

S/ Joseph Chunko

S/ Frank Crauls

S/ Allan Hallman

S/ Donald Baum

S. Alvin Boring

S. John Velvira

S/ Everett Hill

S/ Alice Watso

S/ Paul Ashcroft

DECREE

NOW, this 18 day of November, 1957, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within report and the Exhibits attached hereto. By the Court: S/ McDonald, Judge.
CONTINUED ON NEXT PAGE.

No. 4 Continued

November 18, 1957: Maps (2) filed.

FINAL DECREE

NOW, this 20 day of December, 1957, it appearing that the said Petition having been filed on the 18th day of November, 1957, and that no citizens or freeholder of the Township did within thirty (30) days from the filing of this report of the Supervisors, file exceptions to the report or a petition for a review, IT IS ORDERED AND DIRECTED that the said portion of a proposed road or roads in Susquehanna Township, Cambria County, Pennsylvania, described as follows:

ROADWAY NO. 1

Beginning at a permanent iron stake, this place of beginning being at point "A" North 53 degrees 0 minutes West 20 feet from the Southwest corner of Lot No. 89 and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point North 71 degrees 43 minutes East a distance of 213 feet to point "B"; thence South 44 degrees 27 minutes East a distance of 1403 feet to point "C"; thence North 85 degrees 10 minutes East, a distance of 94 feet to point "D"; thence North 5 degrees 0 minutes East a distance of 86.5 feet to point "E"; thence North 74 degrees 10 minutes West a distance of 84 feet to point "F"; thence South 53 degrees 40 minutes West a distance of 71 feet to point "G"; thence along Route described from points "B" to "C" to point "H"; thence North 55 degrees .09 minutes East a distance of 178.6 feet to a point "I"; thence North 66 degrees 45 minutes East a distance of 285 feet to point "L" and end of property line of Alice Watso land. Said roadway being a 33 foot wide alley.

ROADWAY NO. 2

Beginning at a permanent iron stake, this place of beginning being a point "A" which is North 9 degrees 45 minutes West a distance of 16.5 feet from the Northwest corner from Lot No. 187 on the Spangler Borough Line in the Benedict Village Co. Lots, Susquehanna Township, Cambria County, Pennsylvania; thence from said beginning of point "A", South 80 degrees 15 minutes East a distance of 60 feet to point "B" and end of proposed road. -

be and is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township.

By the Court: McDonald, J.



No. 1

IN RE: VACATION OF PARTS OF
STATE HIGHWAY ROUTE 11054,
CHEST TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNA.

CLERK OF COURTS: \$ 7.00 OCT 20 1958 AUDITED

FILED: JUNE 18, 1958

\$ 3.00 OCT 20 1958 AUDITED *Recd 10⁰⁰ 7-9-58 J.C.H.* AUG 22 1958 AUDITED

TO THE HONORABLE JUDGES OF THE ABOVE NAMED COURT.

The petition of the Road Supervisors of Chest Township, Cambria County, Pennsylvania, respectfully represents:

1. That the Department of Highways of the Commonwealth of Pennsylvania have abandoned certain portions of State Highway Route 11054 in Chest Township, Cambria County,
2. That your petitioners deem it advisable to vacate said abandoned portions of said State Highway.
3. That the Department of Highways of the Commonwealth of Pennsylvania has not vacated these portions of said State Highway.
4. That your petitioners have agreed with the property owners affected by such vacation to vacate said parts of said State Highway without the formality of a view, as shown by agreements attached hereto and made a part hereof, being exhibits A and B.
5. That one abandoned portion of said State Highway Route 11054 consists of 882 feet between station 192 + 00 and station 200 + 00, which is shown on Pennsylvania Department of Highway drawing of Route 11054, section 4, which is attached hereto and made a part hereof, and marked Exhibit C.
6. The other abandoned portion of said State Highway consists of 2548 feet between Station 86 + 00 and station 109 + 00 all of which is shown on said Department of Highway drawing attached hereto and made part hereof, and marked Exhibit C.

WHEREFORE, your petitioners pray your Honorable Court to approve the vacation of the above described portions of State Highway Route 11054, pursuant to the authority granted to it by the Act of Assembly of 1933, May 1, P. L. 103, Article XI, Section 1115, as amended, 53 Purdon's Statutes, Section 66115.

S/ Herman J. Leiden

S/ A. X. Baker

S/ Bernard Niebauer

State of Pennsylvania :
County of Cambria : SS.

Herman J. Leiden being duly sworn according to Law, deposes and says that he is one of the Road Supervisors of Chest Township, and that the facts set forth in the foregoing petition for vacation are true and correct to the best of his knowledge, information and belief.

S/ Herman J. Leiden

Sworn to and subscribed before me this 13th day of June, 1958.

S/ Regina Winslow, J. P.

My commission expires: 1st Mon. Jan., 1960.

ORDER

And now, this 18 day of June 1958, the within petition of the Chest Township Road Supervisors having been presented by Paul D. Larimer, Solicitor for Chest Township, it appearing that the Supervisors of said township deem it advisable to vacate certain abandoned portions of State Highway Route 11054 in Chest Township, and it further appearing that the property owners affected by such vacation have agreed to the vacation without the formality of a view, approval is hereby granted to the said Road Supervisors of Chest Township to vacate the following abandoned portions of State Highway Route 11054 in Chest Township:

- (a) 882 feet of said State Highway between Stations 192 + 00 and 200 + 00, as shown on Pennsylvania Highway Department drawing, Exhibit C to this petition, and

TRANSFERRED TO NEXT PAGE.

No. 1

(b) 2548 feet of State Highway Route 11054 between Stations 86 + 00 and 109 + 00, as shown on Pennsylvania Highway drawing Exhibit C to this petition.

By the Court:

S/ Griffith, Judge.

Signatures of property owners filed: June 18, 1958.

June 18, 1958: Map filed.

RESOLUTION OF THE ROAD SUPERVISORS OF CHEST TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

WHEREAS, the Department of Highways of the Commonwealth of Pennsylvania has abandoned certain portions of Pennsylvania Route 11054 in Chest Township, Cambria County, Pennsylvania, and

WHEREAS, the Road Supervisors of said township have agreed with the property owners affected by such vacation and now wish to formally vacate the abandoned portions of Route 11054 without the formality of a view.

NOW THEREFORE BE IT RESOLVED, that the Road Supervisors of Chest Township, Cambria County, Pennsylvania accept the written agreements of hilda Swope and Helena Swope, Executors of the Henry Swope Estate, for the vacation of 882 feet of State Highway Route 11054 between station 192 + 00 and station 200 + 00, as shown on Pennsylvania State Highway drawing of Section 4 of said State Highway in District 9.

It is further resolved that the Road Supervisors of said township accept the agreements of James and Martha Lechene, Robert and Patricia Sever, Herman Yahner, and M. E. and Gertrude Swope for the vacation of 2548 feet of State Highway Route 11054 between station 86 + 00 and station 109 + 00, as shown on Pennsylvania State Highway drawing of Section 4 of said State Highway in District 9.

It is further resolved that the necessary petition required by the Act of 1933 P. L. 103, as amended, setting forth the facts regarding such vacation, accompanied by a map of the same, be presented to the Court of Quarter Sessions of Cambria County for approval so that formal action for such vacation may be taken after the Court grants its approval.

Adopted by the Chest Township Road Supervisors at a special meeting June 12, 1958 and so recorded in the Twp. Minute Book. S/ Herman J. Leiden, Secretary.

RESOLUTION OF THE ROAD SUPERVISORS OF CHEST TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

FILED: June 24, 1958

WHEREAS, the Department of Highways of the Commonwealth of Pennsylvania has abandoned certain portions of Pennsylvania Route 11054 in Chest Township, Cambria County, Pennsylvania; and

WHEREAS, the Road Supervisors of said township deem it advisable to vacate said abandoned portions of said State Highway; and

WHEREAS, the Road Supervisors of said township, on the 12th day of June, 1958, passed a resolution to petition the Court of Quarter Sessions of Cambria County for approval of the vacation of said portions of said State Highway; and

WHEREAS, on June 18, 1958, the Court of Quarter Sessions of Cambria County, Pennsylvania, at No. Road Docket 1 September Sessions, 1958, entered an Order approved the vacation of said portions of said State Highway.

NOW THEREFORE, BE IT RESOLVED

(a) that 882 feet of State Highway Route 11054 between Station 192 + 00 Station 200 + 00 as shown on Pennsylvania State Highway Drawing of Section 4 of said State Highway in District No. 9, and

(b) that 2548 feet of State Highway Route 11054 between Station 86 + 00 and Station 109 + 00 as shown on Pa. State Highway Drawing of Section 4 of said State Highway in District No. 9

be and the same are hereby vacated. Adopted this 23 day of June, 1958.

Attest: S/ A. X. Baker, S/ Bernard Niebauer, S/ Herman J. Leiden,
Herman J. Leiden (S E A L) Road Supervisors of Chest Twp.

SEPTEMBER

SESSIONS, 19 58

No. 2

IN RE: AN ORDINANCE LAYING OUT
ROADS WHOLLY WITHIN ADAMS TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 7.50 OCT 20 1958 AUDITED

FILED: JUNE 24, 1958

R. 7⁵⁰ MAY 6 1959 AUDITED
4-6-59 J.S.

ORDINANCE.

WHEREAS the Supervisors have decided in the interest of public convenience, to lay out, by Ordinance, sections of roads, same being parts of private roads.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Supervisors of Adams Township, and it is hereby ordained and enacted by authority of same as follows:

SECTION I. That the following described roads thirty three feet wide be and the same are hereby laid out:

Beginning at a point at the intersection of Luke Street in the village of Dunlo and a dirt road and extending North 44 degrees 28 minutes East a distance of 2098.69 feet to State Highway Route No. 160.

Beginning at a point at the intersection of Franklin Street with Locust Street in the village of Saint Michael and extending North 56 degrees 24 minutes East a distance of 264 feet to Washington Street.

Beginning at a point at the intersection of State Highway Route No. 53 leading from South Fork to Johnstown about eleven hundred feet Southwest of State Highway Route No. 218 which leads to Saint Michael and extending South 4 degrees 33 minutes West a distance of approximately 623 feet to Park Entrance.

A print or survey of the roads hereby laid out is attached hereto and made a part hereof.

SECTION II. That the Township Solicitor be and he is hereby authorized and directed to file a certified copy of this Ordinance in the office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania.

SECTION III. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 2nd day of June, 1958.

Charles B. Bender
President, Board of Supervisors

ATTEST:

Joseph G. Valko
Secretary

June 2, 1958.

Map of the roads filed: June 24, 1958.

I hereby certify that the above and foregoing to be a true and correct copy of an Ordinance ordained and enacted by the supervisors of Adams Township, Cambria County, Pennsylvania, at a regular meeting held the second day of June, 1958.

S/ Joseph G. Valko
Secretary-Treasurer
Adams Township Supervisors

No. 3

IN RE: ACCEPTANCE OF YEOMAN COURT AND AN
UNNAMED ALLEY IN THE TOWNSHIP OF LOWER YODER,
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 16.00

OCT 20 1958 AUDITED

FILED: JUNE 30, 1958

Rec'd 8/16th 8-9-58 *James* SEP 2 - 1958 AUDITED

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of the Board of Supervisors of the Township of Lower Yoder respectfully represents:

(1) That the Board of Supervisors did on the 2nd day of June, 1958, at 7:00 P. M., at a regular meeting, accept the following portion of Yeoman Court and an unnamed alley, as follows:

Beginning at Ford Street and being 20 feet wide and
extending westerly a distance of 289 feet to a sixteen
foot unnamed alley and the Julia Turkovich property;
the said alley being 16 feet wide extends northeast
132 feet to Chester Street, a dedicated Township street.
BEING a part of the Yeoman Plan of Lots of Lower Yoder
Township, which is recorded in Plat Book Vol. 2 Page 36.

as appears by a copy of the Resolution hereto attached, made part hereof and marked "Exhibit A."

WHEREFORE, your petitioner prays your Honorable Court to give its consent to the acceptance of Yeoman Court and an unnamed alley described in the Resolution hereto attached, as a public highway or street in the said Township.

TOWNSHIP OF LOWER YODER

By William Sladki, President (S E A L)

ATTEST:

Carl J. Kohler, Secretary

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

Personally appeared before me, a Notary Public in and for said County and State CARL J. KOHLER, Secretary-Treasurer of Lower Yoder Township, who being duly sworn according to law, deposes and says that the matters and facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

Carl J. Kohler

Sworn and subscribed before me

this 30th day of June, 1958.

Janet M. Leber,

Notary Public

(S E A L)

Johnstown, Cambria County, Penna.

My Commission Expires April 8, 1962

RESOLUTION TO ACCEPT YEOMAN COURT AND
AN UNNAMED ALLEY IN THE TOWNSHIP OF
LOWER YODER

WHEREAS, Yeoman Court and an unnamed alley at the terminal end thereof was laid out on a Plan or Plot of Lots known as the Yeoman Plan of Lower Yoder Township; and

WHEREAS, the said Plan is recorded in the Recorder's Office of and for Cambria County in Plat Book Vol. 2, Page 36; and

WHEREAS, upon the said Plan there is a street known and designated as Yeoman Court beginning at Ford Street and ending at an unnamed alley and from thence along the unnamed alley sixteen foot wide to Chester Street;

CONTINUED ON NEXT PAGE.

No. 3 CONTINUED

NOW, THEREFORE, BE IT RESOLVED, that the Township of Lower Yoder accepts the said Yeoman Court and the unnamed alley, which is described as follows:

BEGINNING at Ford Street and being 20 feet wide and extending westerly a distance of 289 feet to a sixteen foot unnamed alley and the Julia Turkovich property; the said alley being 16 feet wide extends northeast 132 feet to Chester Street, a dedicated Township street.

BE IT FURTHER RESOLVED that the Township Solicitor be authorized to make written report thereof to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

AND BE IT FURTHER RESOLVED, in accordance with the provisions of the Act of Assembly in such case made and provided, that any citizen or freeholder of the Township may, within thirty days after the filing of the report of the Supervisors, file exceptions to the report, together with a petition for review.

TOWNSHIP OF LOWER YODER

By William Sladki, President

(S E A L)

ATTEST:

Carl J. Kohler, Secretary

I, CARL J. KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the above Resolution is a true and correct copy of the same adopted at a regular meeting of the Board of Supervisors on the 2nd day of June, 1958, and entered into the minutes and records of the said Township.

Carl J. Kohler.

ORDER

NOW, the 30th day of June, 1958, the within Petition having been read and considered, the Court hereby gives its consent to the Supervisors of Lower Yoder Township in accepting Yeoman Court and an unnamed alley as follows:

BEGINNING AT Ford Street and being 20 feet wide and extending westerly a distance of 289 feet to a sixteen foot unnamed alley and the Julia Turkovich property; the said alley being 16 feet wide extends northeast 132 feet to Chester Street, a dedicated Township street. BEING a part of the Yeoman Plan of Lots of Lower Yoder Township, which is recorded in Plat Book Vol. Page .

IT IS ORDERED AND DIRECTED that the said Yeoman Court and the unnamed alley as above described, forthwith be and become a part of the highway system of the Township of Lower Yoder, and be it further ORDERED AND DIRECTED that these proceedings be recorded in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania, and if no exceptions are filed to this report within thirty days, then the said street shall be and become a part of the highway system of the Township of Lower Yoder.

By the Court: S/ McKenrick, P. J.

ORDER

Now, August 4, 1958, it appearing that no exceptions were filed within thirty days, the said Yeoman Court shall and is hereby made a part of the highway system of the Township of Lower Yoder.

By the Court: /s/ McKenrick, P. J.

No. 4

IN RE: LAYING OUT OF A PORTION OF
ROAD IN THE VILLAGE OF SWEDETOWN,
ELDER TOWNSHIP, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PA.

CLERK OF COURTS: \$ 20.50 OCT 2 1958 AUDITED

FILED: JULY 2, 1958

R. 20⁵⁰ 2-9-59 JCV

REPORT OF SUPERVISORS OF ELDER TOWNSHIP

In accordance with provisions of Article XI of the Act of May 1, 1933, P. L. 103, as amended, 53 P. S. 19093-1101 et seq. Peter McGlynn, Bernard Thomas, Bernard J. Huber hereby make the following report:

- 1 -

That they are the duly elected and qualified Supervisors of Elder Township, Cambria County, Pennsylvania.

- 2 -

That pursuant to a petition of interested citizens, they propose to lay out in the Village of Swedetown, Elder Township, Cambria County, Pennsylvania, a road, which portion of road is described as follows:

Beginning at a point on the North side of State Highway Route No. 11089, also known as Blubaker Street, said highway leading from St. Boniface to Hastings, Cambria County, Pennsylvania, said point of beginning being the Southwest corner of land of Norman Sward; thence along line of land of Norman Sward North 46° 00' West 150 feet to a point; thence by a curve along end of Norman Sward, the said curve having an arc radius of 33 feet to the right for 25.92 feet; thence North 44° 00' East a distance of 1,510 feet to a point on line of land of Red Top Coal Co.; thence along line of land Red Top Coal Co. South 46° 00' East a distance of 33 feet to a point on line of land of Red Top Coal Co. and corner of land of Kruise; thence South 44° 00' West a distance of 1,510 feet to a point and Northeast corner of land of Joseph Selestak; thence along line of land of Joseph Selestak South 46° 00' East a distance of 150 feet to a point on the North side of State Highway Route 11089, also known as Blubaker Street; thence along said State Highway Route No. 11089, otherwise known as Blubaker Street, South 44° 00' West a distance of 33 feet to the point and place of beginning, containing in length 150 feet and a width of 33 feet on one portion of the road and a distance of 1,510 feet in length and a 33 feet width on the other section of said road. A print of a survey of the road is hereto attached marked Exhibit "A" and made a part hereof.

- 3 -

That the property owners affected by the proposed laying out of said portion of road were given ten (10) days' written notice of a meeting of said Supervisors held on July 1, 1958, at 7:30 P. M., E.D.S.T. at their office located in Elder Township Cambria County, Pa., for the purpose of taking action regarding the laying out of said portion of road. Copies of said notices with acceptance of service by each of the affected property owners are hereto attached and made a part hereof.

CONTINUED ON NEXT PAGE.

No. 4 CONTINUED

- 4 -

That after a hearing at the aforesaid meeting, said Supervisors deemed the laying out of the aforesaid portion of road necessary and adopted an ordinance laying out the same as a part of the highway system of said Township. A certified copy of said Ordinance is hereto attached, marked Exhibit "B" and made a part hereof.

- 5 -

That the aforesaid petition of interested citizens and release of damages executed by the owners of the property abutting on said portion of road is herto attached, marked Exhibit "C" and made a part hereof.

- 6 -

That the aforesaid Ordinance was published prior to its passage in the Johnstown Democrat, a newspaper of general circulation in Elder Township, Cambria County, Pennsylvania, in accordance with the Act of Assembly. Proof of Publication of the same is hereto attached, marked Exhibit "D" and made a part hereof.

Wherefore, the aforesaid Supervisors pray that this Report and exhibits attached hereto be filed in the office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

/s/ Bernard Thomas
/s/ Bernard Huber
/s/ Peter McGlynn
Supervisors of Elder Township

STATE OF PENNSYLVANIA :
: SS.
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said County and State, Peter McGlynn, Bernard Thomas, and Bernard J. Huber, Supervisors of Elder Township, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

/s/ Peter McGlynn
/s/ Bernard Thomas
/s/ Bernard Huber

Sworn and subscribed to before me
this 1st day of July, 1958
/s/ Noel F. Smorto (S E A L)
My Commission expires: 1/27/59

PRELIMINARY DECREE

AND NOW, this 2nd day of July, 1958, upon consideration of the foregoing Petition, Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within Report and exhibits attached hereto.

By the Court: /s/ McKenrick, P. Judge.

Map filed; Exhibit C Filed; Exhibit B Filed; Proof of publication filed; Releases and Notices filed.

FINAL DECREE

AND NOW, this 11th day of August, 1958, it appearing that the said report having been filed on the 2nd day of July, 1958, and no citizens or freeholders of the Township did within thirty (30) days from the filing of said report by the Supervisors file exceptions to the Report or petition for review, IT IS ORDERED AND DECREED that the said portion of a of a proposed road in the Village of Swedetown, Elder Township, Cambria County, Pennsylvania, described as follows:

Beginning at a point on the North Side of State Highway Route No. 11089, also known as Bluebaker Street, said Highway leading from St. Boniface to Hastings, Cambria County, Pennsylvania, set point of beginning being the Southwest corner of land of Norman Sward; thence along line of land of Norman Sward North 46° 00' West 150 feet to a point; thence by a curve along land of Norman Sward, the said curve having an arc radius of 33 feet to the right for 25.92 feet;

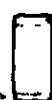
NO. 4 (CONTINUED FROM PAGE 95)

thence North $44^{\circ}00'$ East a distance of 1510 feet to a point on line of land of Red Top Coal Co.; thence along line of land of Red Top Coal Co. South $46^{\circ}00'$ East a distance of 33 feet to a point on line of land of Red Top Coal Co. and corner of land Kruise; thence South $44^{\circ}00'$ West a distance of 1510 feet to a point and Northeast corner of land of Joseph Selestak South $46^{\circ}00'$ East a distance of 150 feet to a point on the North side of State Highway Route No. 11089, also known as Bluebaker St. thence along said State Highway Route No. 11089, otherwise known as Bluebaker Street, South $44^{\circ}00'$ West a distance of 33 feet to the point and place of beginning, containing in length 150 feet and a width of 33 feet on one portion of the road and a distance of 1510 feet in length and a 33 feet width on the other section of said road. A print of a survey of the road is hereto attached, marked Exhibit "A" and made a part hereof be and the same is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Elder.

By the Court:

McDonald, Judge

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97 + 98



No. 1

IN RE: VACATION OF PARTS
OF STATE HIGHWAY ROUTE
11054, CHEST TOWNSHIP,
CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 17.00

JUN 12 1959 AUDITED

FILED: SEPTEMBER 10, 1958

JAN 16 1959 AUDITED

TO THE HONORABLE JUDGES OF THE ABOVE-NAMED COURT.

The petition of the Road Supervisors of Chest Township, Cambria County, Pennsylvania, respectfully represents:

1. That the Department of Highways of the Commonwealth of Pennsylvania have abandoned certain portions of State Highway Route 11054 in Chest Township, Cambria County.
2. That your petitioners deem it advisable to vacate said abandoned portions of said State Highway.
3. That the Department of Highways of the Commonwealth of Pennsylvania has not vacated these portions of said State Highway.
4. That your petitioners have agreed with the property owners affected by such vacation to vacate said parts of said State Highway without the formality of a view, as shown by agreements attached hereto and made a part hereof, being Exhibits A and B.
5. That one abandoned portion of said State Highway Route 11054 consists of 2122 feet between station 155 + 00 and Station 175 + 00, as shown on Pennsylvania Department of Highway drawing of Route 11054, Section 4, which is attached hereto and made a part hereof and marked Exhibit "C".
6. The other abandoned portion of said State Highway Route 11054 consists of 826 feet between Station 134 - 00 and Station 142 - 00, all of which is shown on Pennsylvania Department of Highway drawing of Route 11054, Section 4, which is attached hereto and made a part hereof and made a part hereof and marked Exhibit "C".

WHEREFORE, your petitioners pray your Honorable Court to approve the vacation of the above-described portions of State Highway Route 11054, pursuant to the authority granted to it by the Act of Assembly of 1933, May 1, P. L. 103, Article XI, Section 1115, as amended, 53 Purdon's Statutes, Section 66115.

s/ A. X. Baker

s/ Bernard Niebauer

s/ Herman J. Leiden

State of Pennsylvania :
County of Cambria : SS.

Herman J. Leiden being duly sworn according to law, deposes and says that he is one of the Road Supervisors of Chest Township, and that the facts set forth in the foregoing petition for vacation are true and correct to the best of his knowledge, information and belief.

s/ Herman J. Leiden

Sworn to and subscribed before me this 8th day of September, 1958.

s/ Regina Winslow, J. P. (S E A L)

My Commission Expires: 1st Mon. Jan. 1960

O R D E R

And now, this 10th day of September, 1958, the within petition of the Chest Township Road Supervisors having been presented by Paul D. Larimer, Solicitor of Chest Township, it appearing that the Supervisors of said township deem it advisable to vacate certain abandoned portions of State Highway Route 11054 in Chest Township, and it further appearing the property owners
CONTINUED ON NEXT PAGE.

No. 1

affected by such vacation have agreed to the vacation without the formality of a view, approval is hereby granted to the said Road Supervisors of Chest Township to vacate the following abandoned portions of State Highway Route 11054 in Chest Township:

(a) 2122 feet of State Highway 11054 between Stations 155 ± 00 and Station 175 ± 00 as shown on Pennsylvania Highway Department drawing, Exhibit "c" to this petition, and

(b) 826 feet of State Highway Route 11054 between Stations 134 ± 00 and Station 142 ± 00, as shown on Pennsylvania Highway Department drawing Exhibit "C" to this petition.

By the Court: s/ McKenrick, P. J.

Exhibit A, B, and C Filed.

RESOLUTION OF THE ROAD SUPERVISORS OF
CHEST TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

WHEREAS, the Department of Highways of the Commonwealth of Pennsylvania has abandoned certain portions of Pennsylvania Route #11054 in Chest Township, Cambria County, Pa., and

WHEREAS, the Road Supervisors of said Township deem it advisable to vacate such abandoned portions of said State Highway, and

WHEREAS, the Road Supervisors of said Township have agreed with the property owners affected by such vacation and now wish to formally vacate the abandoned portions of Route #11054 without the formality of a view.

NOW THEREFORE BE IT RESOLVED, that the Road Supervisors of Chest Township, Cambria County, Pennsylvania accept the written agreements of Henry T. Johnson and Mae Johnson, his wife, and George Legros and Regina Legros, his wife, for the vacation of 2122 feet of State Highway Route #11054 between Station 155 ± 00 and Station 175 ± 00 as shown on Pennsylvania State Highway drawing of Section 4 of said State Highway in District 9.

It is further resolved that the Road Supervisors of said Township accept the agreement of Henry T. Johnson and Mae Johnson, his wife for the vacation of 826 feet on said State Highway Route #11054 between Station 134 ± 00 and ending at Station 142 ± 00, as shown on Pennsylvania State Highway drawing of Section 4 of said State Highway in District 9.

It is further resolved that the necessary petition required by the Act of 1933, P. L. 103 as amended, setting forth the facts regarding such vacation, accompanied by a map of the same, be presented to the Court of Quarter Sessions of Cambria County for approval so that formal action for such vacation may be taken after the Court grants its approval of the same.

/s/ A. X. Baker, Chairman

(S E A L)

Road Supervisors of Chest Township

ATTEST:

/s/ Henry J. Leiden, Secretary

RESOLUTION OF THE ROAD SUPERVISORS OF CHEST TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA - Filed Nov. 25, 1958

WHEREAS, the Department of Highways of the Commonwealth of Pa., has abandoned certain portions of Pennsylvania Route 11054 in Chest Township, Cambria County, Pa.; and WHEREAS, the Road Supervisors of said Township deem it advisable to vacate said abandoned portions of said State Highway; and WHEREAS, the Road supervisors of said Township passed a Resolution to petition the Court of Quarter Sessions of Cambria County for approval of the vacation of certain portions of said State Highway; and WHEREAS, on September 10, 1958, the Court of Quarter Sessions of Cambria County, Pa., at No. 1 Road Docket December Sessions, 1958, entered an Order approving the vacation of said portions of said State Highway. NOW THEREFORE, BE IT RESOLVED (a) that 2122 feet of State Highway Route No. 11054 between Station 155 ± 00 and Station 175 ± 00 as shown on Pa. Dept. of Highways drawing of Section 4 of said State Highway in District No. 9, and (b) That 826 feet of State Highway Route No. 11054 between Station 134 ± 00 and Station 142 ± 00 as shown on Pa. Dept. of Highway drawing of Section 4 of said State Highway in District 9, be and the same are hereby vacated. Adopted this 15 day of September, 1958.

/s/ Bernard Niebauer

/s/ Herman J. Leiden

Road Supervisors of Chest Township

(S E A L)

No. 2

IN RE: ACCEPTANCE OF PORTIONS OF
TELFORD STREET, SKYLINE DRIVE,
FINGERHOOT STREET AND LEONARD
STREET IN THE TOWNSHIP OF CONEMAUGH
COUNTY OF CAMBRIA, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 7.00 ~~FILED 12-1958 AUDITED~~

FILED: SEPTEMBER 15, 1958

Rec'd 7.00-10-23-58 J.C.W. NOV 9 - 1958 AUDITED

P E T I T I O N

TO JOSEPH C. WESS, CLERK OF THE COURT OF QUARTER SESSIONS:

The undersigned, the Board of Supervisors of Conemaugh Township, Cambria County, Penna., do hereby certify that the following Resolution for Conemaugh Township, Cambria County, Pa., was duly adopted at a regular meeting held the 16th day of August, A. D., 1958, at which the Board unanimously adopted the same.

RESOLUTION

TOWNSHIP OF CONEMAUGH, CAMBRIA COUNTY, PA.

WHEREAS, the Telford Coal Company, a Pennsylvania Corporation, owner of a tract of land in Conemaugh Township, Pennsylvania, laid out in the year 1928, a plan of lots in said township, a true copy of which plan is attached hereto, marked Exhibit A and made a part hereof: and,

WHEREAS, said plan dedicates certain streets or roads thereon for public use, all of which streets and roads are of a width of not less than forty (40) feet: and,

WHEREAS, subsequent to the laying out of said plan, Telford Coal Company has made numerous conveyances of lots in said plan as noted on the aforesaid Exhibit, all of which conveyances refer to the various streets and roads in said plan: and,

WHEREAS, the Board of Supervisors desires to accept certain portions of the dedicated roads and streets in said plan as part of the public road system for the Township:

NOW, THEREFORE, BE IT RESOLVED:

1 - That the following streets and roads or portions thereof, in the Telford Coal Company Plan be accepted by the Township of Conemaugh and become a part of the public road system of Conemaugh Township:

A. Telford Street, 40 feet in width, beginning at the intersection of Telford Street and Leonard Street and thence continuing South $87^{\circ} 48'$ West 1113.40 feet, more or less, to the intersection of Telford Street and Leonard Street, as shown in red on Exhibit A.

B. Skyline Drive, 40 feet in width, beginning at the intersection of Skyline Drive and Telford Street and thence continuing South $8^{\circ} 19'$ West 187.07 feet; thence South $13^{\circ} 46'$ East 301.26 feet; thence by a curve to the right 131.19 feet, more or less; thence South $30^{\circ} 58'$ West 567.38 feet to the intersection of Skyline Drive and Fingerhoot Street, as shown in red on Exhibit A.

C. Fingerhoot Street, 40 feet in width, beginning at the intersection of Fingerhoot Street and Skyline Drive and continuing thence South $87^{\circ} 48'$ West 1138.50 feet to the intersection of Fingerhoot Street and Leonard Street, as shown in red on Exhibit A.

D. Leonard Street, 40 feet in width, beginning at the intersection of Leonard Street and Fingerhoot Street and continuing thence North $2^{\circ} 12'$ West 280.59 feet, more or less, to the intersection of Leonard Street and Singer Road, as shown in red on Exhibit A.

E. Leonard Street, 40 feet in width, beginning at the intersection of Leonard Street and Telford Street and continuing thence South $9^{\circ} 19'$ East 155.83 feet, more or less, to a point; thence South $22^{\circ} 45'$ West 185.51 feet, more or less, to the intersection of Leonard Street and Frankstown Road, as shown in red on Exhibit A.

2. That a certified and attested copy of this Resolution be filed in the Office of the Clerk of Quarter Sessions of Cambria County, Pa.

CONTINUED ON NEXT PAGE.

No. 2

Resolution adopted this 6th day of August, 1958.

TOWNSHIP OF CONEMAUGH:

By /s/ Leroy Burkhart

President

ATTEST:

/s/ Daniel Sturey

Secretary

Certified to the Clerk of Court of Quarter Sessions this day of September, A.D.,
1958.

TOWNSHIP OF CONEMAUGH:

By /s/ Leroy Burkhart

President

ATTEST:

/s/ Daniel Sturey

Secretary

State of Pennsylvania :

: ss.

County of Cambria :

Before me, a Notary Public in and for the above county and state, personally appeared Leroy Burkhart and Daniel Sturey, who being duly sworn according to law, depose and say, that they are President and Secretary, respectively, of the Board of Supervisors of Conemaugh Township, Cambria County, Pennsylvania and are authorized to execute this oath in its behalf, and do further depose and say that the matters, facts and statements set forth in the foregoing certification are true and correct.

/s/ Leroy Burkhart

/s/ Daniel Sturey

Sworn to and subscribed before me this 8th day of September, 1958.

/s/ Dorothy E. Doubt

Dorothy E. Doubt, Notary Public

Johnstown, Cambria County, Pa.

My Commission Expires March 13, 1958

(S E A L)

Exhibit A Filed.

DECEMBER

SESSIONS, 19 58

No. 3

IN RE: LAYING OUT, OPENING AND
ACCEPTING A PUBLIC ROAD IN THE
TOWNSHIP OF EAST CARROLL, COUNTY
OF CAMBRIA AND STATE OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 24.00 JUN 12 1959 AUDITED

FILED: OCTOBER 10, 1958

E. 24⁰⁰ 12-15-58 JC JAN 16 1959 AUDITED
TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT, AND TO ALL OTHER PERSONS CONCERNED:

E. PAUL HOOVER, W. A. WESTRICK and OTTO CUNNINGHAM RESPECTFULLY REPORT:

1. That they are the road Supervisors of the Township of East Carroll, County of Cambria and State of Pennsylvania.
2. That they propose to lay out, open and accept a public road lying wholly within the Township of East Carroll, County of Cambria and State of Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center of which point is north thirty three degrees fifty minutes west one hundred forty two feet from the center line of Reilly Avenue; thence North thirty eight degrees thirteen minutes West one hundred eighty one feet to a point; thence North forty two degrees sixteen minutes East one hundred eighty one and seventy one hundredths feet to a point; thence North fifty one degrees fifty six minutes East two hundred seventy two and sixty one hundredths feet to a point; thence North thirty seven degrees thirty five minutes West one hundred seventy seven and forty one hundredths feet to a point terminating on the right of way line of East Carroll Township Road, Route No. 527. Being thirty three feet in width and a total of eight hundred twelve and seventy one hundredths feet in length as shown on the survey of Martin Kirsch, dated August, 1958, which is attached hereto, made a part hereof, and marked "Exhibit A".

3. That pursuant to a petition of all the abutting property owners on the proposed road as hereinbefore described, which petition is hereto attached, made a part hereof and marked Exhibit B", the Supervisors of East Carroll Township, at a regular meeting held the 1st day of September, 1958, upon hearing, decided in favor of ordaining the laying out, opening and accepting of the above described road as a public road in the Township of East Carroll, which resolution is hereto attached, made a part hereof and marked "Exhibit C".

4. That the aforesaid petitioners have waived all rights to damages and the right of any notice of the time and place of hearing in the matter of laying out, opening and accepting said road.

5. That the Supervisors of East Carroll Township believe that the laying out, opening and accepting of said road is necessary for the public convenience.

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

Respectfully submitted,

s/ E. Paul Hoover

s/ W. A. Westrick

s/ Otto P. Cunningham

Road Supervisors of East Carroll Township

STATE OF PENNSYLVANIA

SS.

COUNTY OF CAMBRIA

Personally appeared before me, a Notary Public in and for said County and State, E. Paul Hoover, W. A. Westrick and Otto Cunningham, Road Supervisors of the Township of East Carroll, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information

No. 3 CONTINUED

and belief.

s/ E. Paul Hoover

s/ W. A. Westrick

s/ Otto P. Cunningham

Sworn and subscribed before me
this 4th day of September, 1958.

s/ M. J. Farabaugh, J. P. (SEAL)

My commission Expires, Jan. 4, 1960

Exhibit A Filed.

PETITION FOR OPENING OF TOWNSHIP ROAD

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 a certain proposed road, beginning at a point on the Patton Borough line, the center of which point is North thirty three degrees fifty minutes West one hundred forty two feet from the center line of Reilly Avenue; thence North thirty eight degrees thirteen minutes West one hundred eighty one feet to a point; thence North forty two degrees sixteen minutes East one hundred eighty one and seventy one hundredths feet to a point; thence North fifty one degrees fifty six minutes East two hundred seventy two and sixty one hundredths feet to a point; thence north thirty seven degrees thirty five minutes West one hundred seventy seven and forty one hundredths feet to a point terminating on the right of way line of East Carroll Township Road, Route No. 527 being a total of eight hundred twelve and seventy one hundredths feet.

2. That your petitioners have had, for many years, great difficulty in gaining access to their respective properties.

3. That your petitioners request the supervisors of East Carroll Township to open said road under the procedure as outlined in the Township Code.

4. That it is necessary for the public convenience of the residents of East Carroll Township that said road be opened.

5. That your petitioners do hereby release East Carroll Township from all damages to such opening.

6. That your petitioners waive all rights to any notice of the time and place of hearing in the matter of ordaining and opening and accepting said road.

WHEREFORE, your petitioners respectfully request that the Supervisors of East Carroll Township open the above described road according to the laws of the Commonwealth of Pennsylvania applicable thereto and more particularly Section 1101, Article II, Act of Assembly of May 1, 1931, P. L. 101, as amended.

s/ Leonard Balon, Patton, Pa.

s/ Mrs. Leonard Balon, Patton, Pa.

s/ William Ott, Patton, Pa.

s/ Mrs. William Ott, Patton, Pa.

s/ Mrs. Henry Cihan, Patton, Pa.

s/ Henry Cihan, Patton, Pa.

s/ Paul R. Jones, Bpangler, Pa.

RESOLUTION

WHEREAS, E. PAUL HOOVER, W. A. WESTRICK and OTTO CUNNINGHAM, Supervisors of East Carroll Township having been petitioned to open, lay out, and accept the hereinafter described road, and

WHEREAS, said petitioners have signed a release of damages and a waiver of all rights to any notice of the time and place of hearing in the matter of ordaining, opening and accepting

No. 3 CONTINUED

SAID road, and

WHEREAS, the Supervisors of East Carroll Township are of the opinion that the opening, laying out and accepting of said road is necessary for the public convenience, and

WHEREAS, it is the intention of the Township Supervisors to hereby open, lay out and accept the hereinafter described road in accordance with the laws of the Commonwealth of Pennsylvania applicable thereto, more particularly the Act of 1933, May 1, P. L. 103, as amended.

THEREFORE, BE IT RESOLVED by the Supervisors of East Carroll Township that:

Section 1: After the passage of this Resolution, the following public road, lying wholly within the Township of East Carroll, County of Cambria, and State of Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center line of which point is North thirty three degrees fifty minutes West one hundred forty two feet from the center line of Reilly Avenue; thence North thirty eight degrees thirteen minutes West one hundred eighty one feet to a point; thence North forty two degrees sixteen minutes East one hundred eighty one and seventy one hundredths feet to a point; thence North fifty one degrees fifty six minutes East two hundred seventy two and sixty one hundredths feet to a point; thence North thirty seven degrees thirty five minutes West one hundred seventy seven and forty one hundredths feet to a point terminating on the right of way line of East Carroll Township Road, Route No. 527, Being thirty three feet in width and a total of eight hundred twelve and seventy one hundredths feet in length, as shown on the survey of Martin Kirsch, dated August, 1958,

be opened, laid out and accepted as a public road of the Township of East Carroll, Cambria County, Pennsylvania

SECTION 2. That the Secretary of the Board of Supervisors of East Carroll Township shall give public notice of the passage of the within Ordinance by posting handbills in conspicuous places along the line of said road within ten days after the passage of said Resolution. Said Notice shall contain the date of passage of the Resolution, the signers of the petition asking for said passage of the Resolution, and the fact that the petition contained a release of damages in favor of the said Township of East Carroll, and that any person interested may, within thirty days after the filing of the report of the Supervisors, upon entering in Court sufficient surety to indemnify them for all costs incurred in the proceedings, file exceptions to the report, together with a petition for a review.

SECTION 3. Any Ordinance or Resolution, or part of any Ordinance or Resolution, conflicting with this Resolution is hereby repealed insofar as the same affects this Resolution.

RESOLVED, this 1st day of September, A. D., 1958.

TOWNSHIP OF EAST CARROLL

By /s/ E. Paul Hoover, President

ATTEST:

/s/ Aaron A. Prosser, Secretary

I, AARON A. PROSSER, Secretary of the Township of East Carroll, hereby certify that the foregoing Resolution was enacted and approved at a regular meeting of the Supervisors of East Carroll Township, Cambria County, Pennsylvania, and that the same is entered in the minutes and records of said Township.

/s/ Aaron A. Prosser, Secretary

ORDER

NOW, the 7 day of October, 1958, upon consideration of the foregoing report Joseph C. Wess, Clerk of the Court of Quarter Sessions of Cambria County Pennsylvania, is hereby ordered and directed to file the within report and the Exhibits attached thereto.

By the Court:

/s/ Griffith, J.

No. 3 CONTINUED

DECREE

NOW, the 18 day of November, 1958, it appearing that the said report having been filed on the 10th day of October, 1958, and that no citizen or freeholder of East Carroll Township did, within thirty (30) days from the filing of said report of the Supervisors, file exceptions after entering in the Court sufficient surety to indemnify said Supervisors for all costs incurred in the proceedings together with a petition for a review, IT IS ORDERED AND DIRECTED that the following public road lying wholly within the Township of East Carroll, County of Cambria and State of Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center line of which point is North thirty three degrees fifty minutes West (N 33° 50' W) one hundred forty two (142) feet from the center line of Reilly Avenue; thence North thirty-eight degrees thirteen minutes West (N 38° 13' W) one hundred eighty one (181) feet to a point; thence North forty two degrees sixteen minutes East (N 42° 16' E) one hundred eighty-one and seventy one hundredths (181.70) feet to a point; thence North fifty one degrees fifty six minutes East (N 51° 56' E) two hundred seventy two and sixty one hundredths (272.60) feet to a point; thence North thirty seven degrees thirty five minutes West (N 37° 35' W) one hundred seventy seven and forty one hundredths (177.40) feet to a point terminating on the right-of-way line of East Carroll Township Road, Route No. 527. Being thirty three (33) feet in width and a total of eight hundred twelve and seventy one hundredths (812.70) feet in length, as shown on the survey of Martin Kirsch, Reg. Engr., prepared August, 1958.

be opened, laid out and accepted as a public road in the Township of East Carroll, Cambria County, Pennsylvania.

By the Court: McKenrick, P. J.

No. 4

IN RE: PETITION FOR A PUBLIC ROAD
IN THE BOROUGH OF LILLY AND TOWNSHIP
OF WASHINGTON, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 21.50

FILED: OCTOBER 28, 1958

Rec'd. # 21.50-9-6-60
TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of the undersigned citizens of Cambria County respectfully represents:

1. Your petitioners are inhabitants of the Borough of Lilly and the Township of Washington and citizens of Cambria county, owning properties in and near the Borough of Lilly and in the Township of Washington, Cambria County, Pennsylvania.
2. Your petitioners labor under great inconvenience for want of a public road from the Village of Lilly Coal to Lilly Borough.
3. That there exists at the present time a road beginning at a point in the Borough of Lilly on a street known as Jones Street, and extending eastwardly therefrom to the Lilly Borough Washington Township line, and continuing eastwardly therefrom through Washington Township from said Lilly Borough - Washington Township line to the Village of Lilly Coal, Washington Township, Cambria County, Pennsylvania.
4. That said road has been in existence for a period in excess of twenty five (25) years.
5. That the purpose of the proposed road is to furnish better ingress and egress from the properties located along the line of the proposed road to the Borough of Lilly and, in particular, to furnish a public road for the transportation of children in school busses from their homes to the Lilly-Washington Township Joint Schools, located in Lilly Borough, Cambria County, Pennsylvania.
6. That a certified copy of a Resolution by the Supervisors of Washington Township and a certified copy of a Resolution of the Borough Council of Lilly Borough consenting to the laying out and opening of the said proposed road, are attached hereto, made a part hereof, and marked Exhibit "A".
7. That a Release of Land Damages, executed by all the property owners, with the exception of one, along the proposed road, is attached hereto, made a part hereof, and marked Exhibit "B".
8. That a Petition of the residents of the Village of Lilly Coal, requesting that said road be taken over as a public road, is attached hereto, made a part hereof, and marked Exhibit "C".
9. That ^{it} is proposed that a public road be opened, beginning at a point in the Borough of Lilly at the intersection of Jones Street; thence South sixty four degrees East three hundred sixty one feet to a point; thence South seventy seven degrees East ninety five feet to a point; thence across the Bear Rock Run South sixty five degrees East eight hundred forty two feet to a point on the Lilly Borough-Washington Township Line; thence through the properties of W. H. Piper and Company and Hughes Coal Company, the following courses and distances: South sixty five degrees fifteen minutes East six hundred feet to a point; South sixty four degrees five minutes East twelve hundred feet to a point; South fifty six degrees forty nine minutes East two hundred forty nine feet to a point; South sixty four degrees East five hundred seventy eight feet to a point; North eighty one degrees forty five minutes East four hundred seven feet to a point; North seventy eight degrees thirty five minutes East ten hundred ninety four feet to a point; thence through the properties of Lilly Coal, the following courses and distances: South eighty nine degrees East eight hundred fifty four feet to a point; South sixty nine degrees East three hundred twenty seven feet to a point; South fifty seven degrees East two hundred five feet to a point; South sixty five degrees East five hundred seventeen feet to a point; South forty five degrees East three hundred feet to a point on the Western Line of the property of Marion Giblock; as shown on the attached survey of John L. Elder, Registered Engineer.

WHEREFORE, your petitioners pray your Honorable Court in conformity with the provisions of the Act of Assembly of May 1, 1933, P. L. 103, and the amendments and supplements thereto (53 PS 66-104 to appoint a Board of Viewers to lay out a public road between the points described and to
CONTINUED ON NEXT PAGE.

No. 4 CONTINUED

make a report thereon as the laws of the Commonwealth of Pennsylvania in such cases provide.
And they will ever pray, etc.

(Signatures of all the petitioners)

ORDER

AND NOW, this 27 day of October, 1958, at 1:40 P. M. o'clock A. M., upon presentation of the foregoing Petition, a Board of Viewers is appointed as follows:

Donald J. Letizia, Esq.

John L. Elder

Raymond Niebauer

who shall view the ground of the proposed road and make a report as required by law.

By the Court: Griffith, J.

Order to View and description mailed to Donald J. Letizia, Esq., on October 29, 1958.

State of Pennsylvania

SS:

County of Cambria

Before me, the subscriber, personally appeared Steve Dupinack who being duly sworn according to law, depose and say that the facts set forth in the foregoing Petition are true as they verily believe.

/s/ Steve Dupinack

/s/ John Risko

/s/ John Seno

Sworn to and subscribed before me this
13th day of August, A. D., 1958

/s/ Charles D. McCloskey

Justice of the Peace

(S E A L)

My Commission expires January 6, 1964

Exhibit A, Exhibit B, and Exhibit C filed.

April 22, 1960: Motion to appoint a New Board to View the Ground filed by Robert Cassidy, Esq.

ORDER

AND NOW, this 22nd day of April, 1960, at 2:50 o'clock A. M., upon presentation of the foregoing Motion, a Board of Viewers is appointed as follows: John L. Elder, Raymond Niebauer, and Theodore Hunt, who shall view the ground of this proposed road and make a report as required by law.

Returnable the first Monday of June, 1960.

by the Court: Griffith, P. J.

April 23, 1960: Order to View and Copy of above Motion and Order mailed to John L. Elder this date.

VIEWERS' REPORT FILED- June 6, 1960.

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, by order hereto attached and made a part of this report, issued by the Clerk of Courts specifically reciting that the inhabitants of the Twoship of Washington and Borough of Lilly, County and State aforesaid labor under inconvenience for want of a public Road beginning
CONTINUED ON PAGE 541.

No. 5

IN RE: PETITION FOR APPOINTMENT
OF VIEWERS TO OPEN A PUBLIC ROAD
IN JACKSON TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 27.00
JUL 29 1960 AUDITED
6-27-60 6-23-60

FILED: DECEMBER 2, 1958

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

1. The undersigned petitioners are residents and taxpayers of the Township of Jackson, County of Cambria and State of Pennsylvania and are adjoining property owners to the road requested to be opened under this petition.

2. Your petitioners and other taxpayers and inhabitants of the County of Cambria labor at great inconvenience for want of a public road or highway in the Township of Jackson, Cambria County, Pennsylvania to begin and end at the point hereinafter designated, and such a public road or highway is necessary for public travel.

3. A description of the road desired to be opened is as follows:

Beginning at a point on the present township road between Lots 44 and 52 on the plan of lots laid out by Ralph Hagerich and recorded in the Recorder of Deeds Office of Cambria County in Plat Book Vol. 5, Page 47, and extending from this point South 50 degrees 00 minutes West 720 feet (known on said Plan as Fairview Avenue), thence extending North 39 degrees 30 minutes West 250 feet to a point intersecting another township road, as shown on said plan (known on the Plan as part of Orchard Street),

4. The width of the said public road that your petitioners request be opened shall be 33 feet, which width is the minimum provided for public roads opened in Townships of the Second Class, all of which appears in the Act of Assembly of Pennsylvania 1933 May 1, P. L. 103, Article XI, Section 1103, as amended, 53 Purdon's Statutes, Section 66103.

5. Your petitioners presented their petition to the Supervisors of Jackson Township on October 31, 1958, requesting that said Supervisors open the above described road, a copy of which petition is annexed hereto, made a part hereof and marked Exhibit "A".

6. After some discussion and consideration the Supervisors of said Township refused the petition of your petitioners at said meeting on October 31, 1958.

Your petitioners therefore pray that your Honorable Court appoint Viewers to view and lay out a public road as herein prayed for and make report of their proceedings to your Honorable Court at the next term thereof.

Robert C. Engle

Ida Mae Engle

John Welshko

Alice A. Welschko

Earl L. Adams

Hazel L. Adams

Mrs. Elmer Stager

E. M. Stager

Arthur F. Elliott

Mary M. Elliott

William G. Fisher

Patricia L. Fisher

John J. Ragley

Marge L. Ragley

Glenn C. Hagerich

Earlene R. Hagerich

David Hagerich

Janet Hagerich

Steve Barr

George Skubik

Mary I. Martin

Robert D. Martin

State of Pennsylvania

SS

County of Cambria

Robert C. Engle, being duly sworn according to law, deposes and says that he is an inhabitant and taxpayer of the Township of Jackson, County of Cambria and State of Pennsylvania, one of the petitioners herein, and that the facts set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Robert C. Engle

Sworn and subscribed before me this 26th
day of November, 1958. S/ Mary Luther, Notary Public
My commission exp. Mar. 20, 1959. (S E A L)

CONTINUED ON NEXT PAGE.

No. 5

And now, to wit, Dec. 1st, 1958, the Commissioners of Cambria County join herein and respectfully request that the provisions of Rule of Court 301½ be waived.

Maurice A. Springer, Chief Clerk

DECREE

And now, to wit, the 1 day of December, 1958, the within petition having been presented by Englehart, Larimer, and Englehart, attorneys for petitioners Don Letizia, Esq., Raymond Niebauer, and John Elder are hereby appointed viewers to view the ground proposed for the road described in the within petition, and to make report of their proceedings to the court; returnable the first Monday of March, 1959.

By the Court: /s/ McDonald, J.

December 3, 1958: Order to View mailed to Don Letizia, Esq.

VIEWER'S REPORT

Filed: Feb. 1, 1960

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The undersigned Board of View, appointed by your Honorable Court to determine if there is any need for the opening of a public road in the Township of Jackson, Cambria County, Pennsylvania, respectfully

REPORT

That in pursuance of their appointment of the Board of View caused notice to be served upon the owners and occupants of land affected in the above proceeding, as well as counsel of record for said owner and occupant, that they would meet upon the premises on the 28th day of July, 1959, at 10:00 A. M., E.S.T., for the purpose of viewing the premises and of hearing such parties as desired to be heard. Such notices were duly served by personal service and by posting upon the premises more than ten (10) days prior to the date of said meeting.

The Board of View were duly sworn according to law and proceeded with the view of the premises. In attendance were the Township Supervisors, John M. Taylor, Esquire, Counsel for Jackson Township, Harry A. Englehart, Jr., Esquire, Attorney for Petitioners, and Robert C. Engle, John Welshko, Earl L. Adams, and John J. Ragley.

A further meeting was held in the Jackson Township Fire Hall on the 18th day of August, 1959, at 10:00 A. M., E.S.T., at which time all of the above persons were in attendance, in addition thereto, George Skubik, Steve Barr, and William G. Fisher, testified. Notice of said meeting was served upon all parties in interest or upon their counsel of record. Evidence was presented on behalf of the parties in interest and for the benefit of the Board of View.

From the evidence submitted to them and from examination of the premises and locality in question, the Board of View find the following

FACTS

1. The owners of the property on both sides of the proposed road have agreed to give up one and one-half (1½') feet of their property in order to make the necessary Thirty-three foot (33') width.
2. The owners of the property involved herein have all agreed to execute a release of damages.

CONCLUSIONS OF LAW

No questions of law were raised in this proceeding for consideration of the Board of View.

CONCLUSION

The Board of View reports that after a full and impartial consideration of the testimony and evidence submitted to them and after a careful view of the premises, and acting according to their best judgment, they do hereby find that there is occasion for a public road as desired by the petitioners. Said public road shall be set out according to the Plan attached hereto and made a part hereof.

RESPECTFULLY SUBMITTED,

John L. Elder

TRANSFERRED TO NEXT PAGE.

DECEMBER

SESSIONS, 19 58

Transferred from Page 110

Raymond Niebauer

Donald J. Letizia

By /s/ Donald J. Letizia, Chairman
(BOARD OF VIEW)"LEGAL DESCRIPTION OF ROAD TO BE OPENED"

"ALL that certain lot or piece of ground situate, lying and being in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the center line of Fairview Avenue between Lots Nos. 44 and 52 on the Plan of Lots laid out by Ralph Hagerich and recorded in the Recorder of Deeds Office of Cambria County in Plat Book Volume 5, Page 47; thence along the center line of said Fairview South 50 degrees 0 minutes West 736.5 feet to the center line of Orchard Street; thence along the center line of said Orchard Street North 39 degrees 30 Minutes West 283 feet to the center line of Cherry or Courter Street South 62 degrees 0 minutes West 142 feet to the eastern terminus of Cherry or Courter Street:

February 2, 1960: Confirmed NISI.

By the Court: McDonald, Judge

February 29, 1960: Exceptions to Viewers' Report filed by Myers, Taylor, & Peduzzi, Esqs.

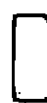
April 7, 1960: Withdrawal of Exceptions filed by John W. Taylor, Esq.

FINAL DECREE

NOW, April 9, 1960, the within report CONFIRMED ABSOLUTELY.

BY THE COURT,

McDonald, Judge.



No. 1

IN RE: ORDINANCE TO LAY OUT AND OPEN
DAHLIA STREET AND HAVERFORD STREET,
BOTH WHOLLY WITHIN UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 16.50 JUN 12 1959 AUDITED

FILED: JANUARY 7, 1959

P. 16 2-16-59 JUC
I HEREBY CERTIFY that the following is a true and correct copy of the following:

- A. (1) ORDINANCE TO LAY OUT AND OPEN DAHLIA STREET AND HAVERFORD STREET, BOTH WHOLLY WITHIN UPPER YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, HERETO ATTACHED AS EXHIBIT A.
- (2) NAMES OF THE OWNERS OF PROPERTY ABUTTING ON DAHLIA STREET, UPPER YODER TOWNSHIP.
- | | |
|-----------------------|------------------------|
| R. L. Claycomb | Mrs. Charles E. Riddle |
| Mrs. R. L. Claycomb | Elizabeth M. Riddle |
| Leslie R. Hoover | Walter Richards |
| Mrs. Leslie R. Hoover | Barbara G. Richards |
| Charles E. Riddle | |
- (b) NAMES OF THE OWNERS OF PROPERTY ABUTTING ON HAVERFORD STREET, UPPER YODER TOWNSHIP.
- | | |
|-----------------------|------------------------|
| Roman F. Lux, Jr. | Joseph R. Heeney |
| Rita N. Lux | Alice L. Heeney |
| Harry B. Schrock | Clarence E. Berry, Jr. |
| C. Ardella Schrock | Edward J. Klym |
| Joseph E. Havel | Dorothy S. Klym |
| Marie A. Havel | Dr. William O. Crain |
| John M. Lichtenfels | Suzanne S. Crain |
| Janet L. Lichtenfels | Arthur L. Koontz |
| Edward A. Kessler | Ellen J. Koontz |
| Margaret M. Kessler | Bernard F. Keelan |
| John B. Stockton | Anne E. Keelan |
| Mary Louise Stockton | Helen R. Baumbaugh |
| Robert J. Anderson | John H. Baumbaugh |
| Jean Anderson | Clara Yacynch |
| Albert Rubis | John Yacynch |
| Mary Rubis | Richard W. O'Connor |
| William H. Georg | Beryl M. O'Connor |
| Jane I. Georg | William A. Daniels |
| Robert H. Miller | Betty J. Daniels |
| Lucille Miller | John F. Kuntz |
| Maurice L. Swanson | Mary Kuntz |
| Barbara H. Swanson | Mary Shoup |
| Edith I. Georg | Frank H. Howard |
| C. Earl Georg | Robert J. Shoup |
| Charles H. Georg | Glays M. Howard |
| Joan Georg | Joseph Such |
| Frank Steinlehner | Mary Lou Such |
| Nellie V. Steinlehner | Dorothy D. Sutton |
| Henry L. Sasinski | Mr. R. J. Sutton |
| Katherine G. Sasinski | William B. Shearer |
| Oland G. Thomas | Roberta C. Shearer |
| Mrs. Oland G. Thomas | B. Mahaffey Williams |
| Francis A. Jakubek | Mildred K. Williams |
| Magdalen D. Jakubek | Bertha Vautar |
| | Louis Vautar, Jr. |

CONTINUED ON NEXT PAGE.

No. 1 Continued.--

- (3) (a) DRAFT AND SURVEY OF DAHLIA STREET.
 (b) DRAFT AND SURVEY OF HAVERFORD STREET.

TO THE END that the same may be filed in the Office of the Clerk of Court, Cambria County, Pennsylvania.

IN WITNESS WHEREOF, I have hereunto set my name as Secretary of the Township Of Upper Yoder, and attached thereto the Seal of the said Township of Upper Yoder.

/s/ Blair Hunt

SECRETARY OF UPPER YODER TOWNSHIP,
 CAMBRIA COUNTY, PENNSYLVANIA

(SEAL OF UPPER
 YODER TOWNSHIP)

ORDINANCE

(EXHIBIT A)

AN ORDINANCE FOR THE OPENING AND LAYING OUT
 OF DAHLIA STREET AND HAVERFORD STREET.

WHEREAS, all the owners of property or properties abutting on the aforesaid streets have petitioned, in the interests of public convenience, the Supervisors of Upper Yoder Township, to lay out and open, by Ordinance, roads hereinafter described, now, therefore;

BE IT ORDAINED AND ENACTED by the Supervisors of Upper Yoder Township, and IT IS HEREBY ORDAINED AND ENACTED by the authority of the same,

SECTION 1. THAT pursuant to the petitions aforesaid, the following described roads be and the same are hereby laid out and opened:

ALL those certain tracts of land situate in the Township of Upper Yoder, County of Cambria, and State of Pennsylvania, being the beds of Dahlia and Haverford Streets and described as follows, are hereby laid out and opened:

BEGINNING at the intersection of the center lines of Dahlia Street and Harshberger Street at Station 0+0, said 0+0 being the dividing line between Southmont Borough and Upper Yoder Township, thence by the center line of said Dahlia Street South 17° - 23' East a distance of 538.96 feet to the Northerly property line of Falcon Avenue at Station 5+38.96.

The center line grade is established as follows:

BEGINNING at Station 0+0 at the center line of Harshberger Street at an elevation of 1686.53, thence descending at the rate of 2.28 feet per hundred feet a distance of 100 feet to Station 1+0 at an elevation of 1684.25, thence descending at the rate of 1.00 feet per hundred feet a distance of 200 feet to Station 3+0 at an elevation of 1682.25, thence descending at the rate of 3.33 feet per hundred feet a distance of 150 feet to Station 4+50 at an elevation of 1677.25, thence descending at the rate of 11.241 feet per hundred feet a distance of 88.96 feet to an elevation of 1667.25 at Station 5+38.96, the Northerly property line of Falcon Avenue, the place of ending. The street and established grade is

CONTINUED ON NEXT PAGE.

No. 1 Continued.--

shown on the Plan and Profile of Dahlia Street as prepared by S. E. Dickey and Company, Upper Yoder Township Engineers, January 21, 1957.

Description of bed of Haverford Street:

ALL that certain strip of piece of ground situate in Upper Yoder Township, Cambria County, Pennsylvania, BEGINNING at the center line of Haverford Street at Station 0/0, said Station being on the line dividing Westmont Borough and Upper Yoder Township, thence by the center line of said Haverford Street south $31^{\circ}42'$ East 2043.4 feet to Station 2043.4, the place of ending. Being shown on the John K. Miller Plan of Lots and also shown on the Plan and Profile of Haverford Street as prepared by Alexander G. Wilson, Jr., R. P. E., May 1958, and approved by T. L. Locher, R. P. E., December 2, 1958. Said Haverford Street being sixty (60) feet in width with eighteen (18) foot sidewalks on each side and a twenty four (24) foot road way.

The center line grade is hereby established as follows:

BEGINNING at Station 0/0 at an elevation of 1784.2, thence by a vertical curve a distance of 150 feet to Station 1/50 at an elevation of 1780.9, thence descending at the rate of 0.56 feet per 100 feet a distance of 250.0 feet to Station 4/0 at an elevation of 1779.4, thence by a vertical curve a distance of 150 feet to Station 5/50 at an elevation of 1781.8, thence descending at the rate of 3.1 feet per 100 feet a distance of 125 feet to Station 6/75 at an elevation of 1777.9, thence by a vertical curve a distance of 200 feet to Station 8/75 at an elevation of 1773.8, thence descending at the rate of 1.0 feet per 100 feet a distance of 75 feet to Station 9/50 at an elevation of 1773.1, thence by a vertical curve a distance of 150 feet to Station 11/0 at an elevation of 1769.6 thence descending at the rate of 3.6 feet per 100 feet a distance of 175 feet to Station 12/75 at an elevation of 1763.7, thence by a vertical curve a distance of 150 feet to Station 14/25 at an elevation of 1760.0, thence by another vertical curve a distance of 100 feet to Station 15/25 at an elevation of 1757.8, thence descending at the rate of 4.5 feet per 100 feet a distance of 75 feet to Station 16/0 at an elevation of 1754.4, thence by a vertical curve a distance of 150 feet to Station 17/50 at an elevation of 1739.8, thence descending at the rate of 15.0 feet per 100 feet a distance of 50 feet to Station 18/0 at an elevation of 1732.3, thence by a vertical curve a distance of 150 feet to Station 19/50 at an elevation of 1716.9, thence descending at the rate of 5.5 feet per 100 feet a distance of 93.4 feet to Station 2043.4 at an elevation of 1711.7, the place of ending.

CONTINUED ON NEXT PAGE.

No. 1 Continued.--

Being shown on the plan and profile of Haverford Street as prepared by Alexander G. Wilson, Jr., R. P. E., May 1958, and approved by T. L. Locher, R. P. E., December 2, 1958.

SECTION 2. That the Township of Upper Yoder is authorized and directed to file a certified copy of the Ordinance in the Office of the Clerk of the Quarter Sessions Court, together with the names of the owners of property affected and a draft and survey of the road.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 5th day of January, 1959.

SUPERVISORS OF UPPER YODER TOWNSHIP.

By Thomas H. Nesbitt,

Chairman.

ATTEST:

Blair Hunt

Secretary

(SEAL)

Draft and survey of Dahlia Street filed.

Draft and survey of Haverford Street filed.

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No. 1

IN RE: ORDINANCE PROVIDING FOR
THE VACATION OF ROAD KNOWN AS THE
OLD SOUTHERN CAMBRIA RAILWAY RIGHT-
OF-WAY BY THE TOWNSHIP OF CROYLE

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

SEP 16 1959 AUDITED
CLERK OF COURTS:

\$7.50

MAY 8 1959 AUDITED
4-17-59

FILED: APRIL 13, 1959

ORDINANCE TO VACATE ROAD

AN ORDINANCE VACATING THAT PORTION OF A PUBLIC
ROAD OR HIGHWAY IN THE TOWNSHIP OF CROYLE
BEGINNING ON A PUBLIC ROAD LEADING FROM THE
VILLAGE OF MINERAL POINT TO SUMMERHILL AT
A POINT APPROXIMATELY 275 FEET NORTHWARD
ALONG THE IMPROVED HIGHWAY FROM THE BRIDGE
OVER THE CONEMAUGH RIVER IN THE SAID VILLAGE
OF MINERAL POINT, AT OR ABOUT THE TERMINI OF
SAID BRICK ROAD AT THE OLD ROAD BED OF WHAT
WAS FORMERLY THE SOUTHERN CAMBRIA RAILWAY,
AND ENDING ON A PUBLIC ROAD LEADING FROM
SOUTH FORK TO GILESTOWN; AT A POINT APPROXI-
MATELY 560 FEET WESTWARD FROM THE INTER-
SECTION OF RAILROAD STREET IN THE BOROUGH OF
SOUTH FORK WITH THE PUBLIC ROAD LEADING TO
GILESTOWN AT THE WESTERLY END OF THE OLD
SOUTHERN CAMBRIA RAILWAY BRIDGE.

THE TOWNSHIP OF CROYLE, hereby ordains as follows:

That all that portion of the hereinafter specifically described road, which is generally described in the preamble of this Ordinance, which lies in the Township of Croyle, Cambria County, Pa., be and the same is hereby vacated, being the same road laid out by the Board of Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to No. 1 December Sessions, 1930, and approved and the breadth fixed at 40 feet on March 9, 1931, by the said Court of Cambria County, and confirmed absolutely on June 8, 1931, reference to the said proceedings hereto made and incorporated herein, which road is described as laid out therein by plot or draft as follows:

BEGINNING at the juncture of the brick road, in the village of Mineral Point, with the right of way of the old Southern Cambria Railway; as above indicated; and extending thence the following courses and distances, viz: S. 45° E. 354 feet, S. 39° 30' E. 986 feet, S. 29° 45' E. 760 feet, S. 42° E. 358 feet, S. 58° 45' E. 169 feet, S. 76° E. 669 feet, S. 73° E. 472 feet, S. 60° 30' E. 780 feet, S. 41° 25' E. 965 feet, S. 26° E. 474.5 feet, S. 4° 30' E. 472 feet, S. 20° 15' E. 137 feet, S. 48° 15' E. 158.5 feet, S. 74° 45' E. 137 feet, N. 78° E. 657 feet, N. 69° 15' E. 623 feet, N. 79° 20' E. 599.8 feet, N. 56° 15' E. 259 feet, N. 87° 30' E. 167 feet, S. 62° E. 297 feet, S. 70° 15' E. 647 feet, S. 60° 35' E. 542.5 feet, S. 65° E. 673 feet, S. 51° E. 375 feet, S. 41° E. 265 feet, S. 43° 30' E. 199 feet, S. 64° 15' E. 184 feet, S. 75° 40' E. 400 feet, S. 77° 45' E. 289 feet, N. 88° E. 257 feet, N. 79° E. 308.6 feet, and N. 69° 30' E. 654 feet to the easterly termini on the South Fork-Gilestown road, as above specified.

CONTINUED ON NEXT PAGE.

No. 1 Continued

IT APPEARING that the Supervisors gave ten (10) days' written notice to the property owners affected thereby of the time and place when and where all parties interested might meet and be heard, and it further appearing that after such hearing, a majority of the Supervisors decided in favor of exercising the power so conferred to vacate, the said Ordinance is hereby adopted and enacted, and a copy thereof, together with a draft and survey of said road showing the location and width thereof, be filed in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania.

ORDAINED AND ADOPTED this 6th day of April, 1959.

TOWNSHIP OF CROYLE

BY /s/ Oliver W. Plummer, President

/s/ Forest Croyle

/s/ Michael Kishlock

ATTEST:

/s/ Michael Kishlock, Secretary.

JUNE

SESSIONS, 1959

NO. R.D. 2

IN RE: ORDINANCE PROVIDING FOR THE
VACATION OF ROAD KNOWN AS THE OLD
SOUTHERN CAMBRIA RAILWAY RIGHT-OF-
WAY BY THE TOWNSHIP OF EAST TAYLOR

*Mineral Point
to South Fork*

IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY

FILED: APRIL 13, 1959

SEP 16 1959 AUDITED MAY 6 1959 AUDITED
Clerk: 7 4-17-59 ORDINANCE TO VACATE ROAD

AN ORDINANCE VACATING THAT PORTION OF A PUBLIC ROAD OR HIGHWAY IN
THE TOWNSHIP OF EAST TAYLOR BEGINNING ON A PUBLIC ROAD LEADING FROM
THE VILLAGE OF MINERAL POINT TO SUMMERHILL AT A POINT APPROXIMATELY
275 FEET NORTHWARD ALONG THE IMPROVED HIGHWAY FROM THE BRIDGE OVER
THE CONEMAUGH RIVER IN THE SAID VILLAGE OF MINERAL POINT, AT OR ABOUT
THE TERMINI OF SAID BRICK ROAD AT THE OLD ROAD BED OF WHAT WAS
FORMERLY THE SOUTHERN CAMBRIA RAILWAY, AND ENDING ON A PUBLIC ROAD
LEADING FROM SOUTH FORK TO GILESTOWN, AT A POINT APPROXIMATELY 560
FEET WESTWARD FROM THE INTERSECTION OF RAILROAD STREET IN THE
BOROUGH OF SOUTH FORK WITH THE PUBLIC ROAD LEADING TO GILESTOWN AT
THE WESTERLY END OF THE OLD SOUTHERN CAMBRIA RAILWAY BRIDGE,

THE TOWNSHIP OF EAST TAYLOR, hereby ordains as follows:

That all that portion of the hereinafter specifically described road, which is generally described in
the preamble of this Ordinance, which lies in the Township of East Taylor, Cambria County, Pennsylvania, be and the same
is hereby vacated, being the same road laid out by the Board of Viewers appointed by the Court of Quarter Sessions of
Cambria County, Pennsylvania, to No. 1 December Sessions, 1931, and approved and the breadth fixed at 40 feet on March
9, 1931, by the said Court of Cambria County, and confirmed absolutely on June 8, 1931, reference to the said proceedings
hereto made and incorporated herein, which road is described as laid out therein by plot or draft as follows:

BEGINNING at the juncture of the brick road, in the Village of
Mineral Point, with the right-of-way of the old Southern Cambria
Railway; as above indicated; and extending thence the following
courses and distances, viz: S. 45° E. 354 feet, S. 39° 30' E. 986
feet, S. 29° 45' E. 760 feet, S. 42° E. 358 feet, S. 58° 45' E. 169
feet, S. 76° E. 669 feet, S. 73° E. 472 feet, S. 60° 30' E. 780 ft.
S. 41° 25' E. 965 feet, S. 26° E. 474.5 feet, S. 4° 30' E. 472 ft.
S. 20° 15' E. 137 feet, S. 48° 15' E. 158.5 feet, S. 74° 45' E.
137 feet, N. 78° E. 657 feet, N. 69° 15' E. 623 feet N. 79° 20'
E. 599.8 feet N. 56° 15' E. 259 feet, N. 87° 30' E. 167 feet, S.
62° E. 297 feet, S. 70° 15' E. 647 feet, S. 60° 35' E. 542.5 ft.
S. 65° E. 678 feet, S. 51° E. 375 feet, S. 41° E. 265 feet, S.
43° 30' E. 199 feet, S. 64° 15' E. 184 feet, S. 75° 40' E. 400 ft.
S. 77° 45' E. 389 feet, N. 88° E. 257 feet, N. 79° E. 308.6 feet,
and N. 69° 30' E. 654 feet to the easterly termini on the South
Fork- Gilestown Road, as above specified.

IT APPEARING that the supervisors gave ten (10) days' written notice to the property owners affected
thereby of the time and place when and where all parties might meet and be heard, and it further appearing that after
such hearing, a majority of the Supervisors decided in favor of exercising the power so conferred to vacate, the said
Ordinance is hereby adopted and enacted, and a copy thereof, together with a draft and survey of said road showing the
location and width thereof, be filed in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania.

ORDAINED AND ADOPTED THIS 9th day of April, 1959.

TOWNSHIP OF EAST TAYLOR

BY: Kenneth Keiper, President

ATTEST: C. D. Cobaugh, Secretary

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No. 13

IN RE: RESOLUTION OF UPPER YODER
TOWNSHIPIN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 11.00

FILED: APRIL 14, 1959

BY \$11.00-5-13-59 - J.C. SEP 16 1959 AUDITED

RESOLUTION OF UPPER YODER TOWNSHIP

WHEREAS, the Johnstown Water Company has dedicated, by deed, for road purposes, to the Township of Upper Yoder a certain piece of a parcel of land sixty feet by four hundred feet, as in said Deed of Dedication set forth; and

WHEREAS, the Supervisors of the said Township desire to accept said piece or parcel of land;

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the said Township of Upper Yoder does hereby accept the said Deed of Dedication, which is as follows:

"DEED OF DEDICATION"

The undersigned, JOHNSTOWN WATER COMPANY, A Pennsylvania corporation, being the owner of the following described tract, piece or parcel of land, situate, lying and being in the Township of Upper Yoder, in the County of Cambria, in the Commonwealth of Pennsylvania, shown outlined in red on the map entitled "Johnstown Water Co. Dedicates Parcel of Land 60' x 400' Designated as Sunray Drive - Situate Upper Yoder Twp. Cambria Co. Penna." hereto attached and made a part hereof, and more particularly bounded and described as follows:

BEGINNING at a point in the westerly line of Goucher Street at the northeasterly corner of land of the General State Authority; thence, along the northerly line of said last-mentioned land, South sixty eight degrees thirty seven minutes West (S. 68° 37' W.) four hundred (400) feet, more or less; thence, crossing the street known as Sunray Drive, North twenty one degrees twenty three minutes West (N. 21° 23' W.) sixty (60) feet to a point in the southerly line of land conveyed by Johnstown Water Company to National U. S. Radiator Corporation by deed dated July 17, 1956, and intended to be recorded; thence, partly along said southerly line of said last mentioned land and partly along the southerly line of other land of said Johnstown Water Co., North sixty eight degrees thirty seven minutes East (N. 68° 37' E.) four hundred (400) feet, more or less, to said westerly line of Goucher Street; thence, along said westerly line of Goucher Street, South fifteen degrees fifty five minutes East (S. 15° 55' E.) sixty (60) feet, more or less, to the point or place of beginning; containing fifty five one hundredths (0.55) of an acre, more or less.

DOES HEREBY DEDICATE said above described tract, piece or parcel of land to be used as and for a public street so long as the same shall be used by the public as a street.

Said above described tract, piece or parcel of land consists partly of a portion of the tract of land which was conveyed to said Johnstown Water Company by William Strauss by deed dated January 30, 1900, and recorded in the office for the Recording of Deeds in and for said County of Cambria, Commonwealth of Pennsylvania, in Deed Book Vol. 125, at page 151, and partly of a portion of the tract of land which was conveyed to said Johnstown Water Company by Upper Yoder Volunteer Fire Company by deed dated April 14, 1954, and recorded in said Office for the Recording of Deeds in Deed Book Vol. 648, at page 693.

EXCEPTING From said above described tract, piece or parcel of land all the iron ore, coal and other minerals and appurtenant mining rights which were conveyed to Cambria Iron Company (a corporation organized and formerly existing under the laws of the Commonwealth of Pennsylvania and which was merged with and into Bethlehem Steel Company pursuant to Article of Merger dated September 21, 1942, and recorded in said Office for the recording of Deeds in Misc. Book Vol. 21, at page 850) by Stephen Stutzman and wife by deed dated Jan. 27, 1883, and recorded in said Office for the Recording of Deeds in Deed Book Vol. 49, at page 95, and EXCEPTING, FURTHER, from said above described tract, piece or parcel of land all the iron ore, coal, fireclay and other minerals and appurtenant mining rights therein and thereunder that were conveyed to said

No. 3

Bethlehem Steel Company by said Johnstown Water Company by Deed and Agreement dated December 26, 1942, and referred to therein as Parcel No. 2 under the heading "A. Mill Creek Watershed" under the heading "IV. GRANTS BY THE WATER COMPANY OF COMPREHENSIVE MINING RIGHTS," and recorded in said Office for the Recording of Deeds in Deed Book Vol. 498, at page 790.

RESERVING, NEVERTHELESS, to said Johnstown Water Company, its successors and assigns, the existing twelve (12) inch water pipe line which extends over and across said above described tract, piece or parcel of land from Goucher Street to other land of said Johnstown Water Company (said water pipe line being located along a line fourteen (14) feet distant northwardly from the southerly line of said above described tract, piece or parcel of land) together with the right to enter upon said above described tract, piece or parcel of land at any time and from time to time and to lay, construct, erect, maintain, operate, repair, replace and remove from said above described tract, piece or parcel of land said existing water pipe line.

SUBJECT, HOWEVER, to the rights heretofore granted to Penn Public Service Corporation, its successors and assigns, by said Johnstown Water Company, dated February 5, 1925, and to Pennsylvania Electric Company, its successors and assigns, by said Johnstown Water Company, dated December 7, 1940, to construct, re-construct, operate, maintain, and repair electric power transmission lines and ground wires, including the necessary poles and fixtures in, on, over, under and across said above described tract, piece or parcel of land.

AND SUBJECT, HOWEVER, to the rights of all others who now own service or utility facilities in place in or on said above described tract, piece or parcel of land, at any time and from time to time to lay, construct, erect, maintain, operate repair and renew in and on, and remove from said land pipes, mains, lines, poles, meters, and other facilities for the furnishing of water, gas, electric, telephone, sewer or other service.

AND SUBJECT, MOREOVER, to all the exceptions, reservations, restrictions, limitations, conditions, covenants and agreements of every kind not specifically hereinbefore mentioned contained in the several deeds or other instruments whereby said Johnstown Water Company or its predecessors in title acquired title to any of the property hereby dedicated, or otherwise affecting said title, insofar as such exceptions, reservations, restrictions, limitations, conditions, covenants and agreements are in effect at the date hereof.

THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND.

IN WITNESS WHEREOF, said Johnstown Water Company has caused this indenture to be signed in its corporate name by its President or one of its Vice Presidents and its corporate seal to be hereunto affixed and to be attested by its Secretary or one of its Assistant Secretaries as of this 17th day of December, 1958.

JOHNSTOWN WATER COMPANY,
by /s/ E. F. Martin,
Vice President

ATTEST:

/s/ B. D. Broeker
Secretary. (SEAL)

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF COCA) SS.:

On this, the 19th day of December, 1958, before me, KATHERINE L. VANNAITA, the undersigned officer, personally appeared E. F. MARTIN, who acknowledged himself to be a Vice President of JOHNSTOWN WATER COMPANY, a corporation, and that he as such Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Company by himself as Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

No. 3 Continued

/s/ Kathrine L. Vannatta

Notary Public

My Commission Expires

March 24, 1959

City of Bethlehem (SEAL)

Northampton County"

IN WITNESS WHEREOF, the said Township of Upper Yoder has caused this Resolution to be signed by its President, attested by its Secretary, and its corporate seal hereto affixed this 13th day of March, 1959.

TOWNSHIP OF UPPER YODER

By Thomas H. Nesbitt, President

ATTEST:

Blair Hunt, Secretary

IN WITNESS WHEREOF, I, BLAIR HUNT, Secretary of the Board of Supervisors of Upper Yoder Township, do hereby certify that the within is a true and correct copy of a Resolution of the Township of Upper Yoder accepting a Deed of Dedication from the Johnstown Water Company to the Township of Upper Yoder, to be used as a road, street or alley, together with a draft or survey of the road, street or alley showing the location and width thereof, all in accordance with the Act of 1933, May 1, P. L. 103, Article XI, Section 1140; 1939, May 26, P. L. 235, Section 1; 1947, July 10, P. L. 1481, Section 17; 1956, June 1, P. L. (1955), 20s1, Section 16; 53 P. S. 66141.

/s/ Blair Hunt, Secretary

(SEAL)

NO. 4

IN RE: Petition of John Kufel and Ethel Kufel,
husband and wife, for appointment of viewers
to assess damages arising from the improvements
to State Highway Route No. 22 in Jackson Township
Cambria County, Pennsylvania

IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY

Clerk of Courts: \$

FILED: May 5, 1959

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of John Kufel and Ethel Kufel, respectfully represents:

- 1 -

That they are the owners of all that certain piece or tract of land situate in the Township of Jackson County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point located by an iron pin, said pin being at the corner of land of Donnelly and land of Louis Sabo, and being on the Old State Highway leading from Mundy's Corner to Nanty-Glo, Pa.; thence along land of Donnelly South $56^{\circ} 24'$ East one hundred and fifty (150) feet to a post; thence continuing along land of Donnelly South 61° East three hundred and thirty-six (336) to a post corner on the right-of-way of the New State Highway leading from Mundy's Corner to Nanty Glo; thence along said right-of-way South $23^{\circ} 11'$ West one hundred and fifty (150) feet to a point on the other land of Louis Sabo; thence North 61° West one hundred and fifty (150) feet to a point on other land of Louis Sabo; thence North 61° West one hundred and fifty (150) feet to a post corner on line of land of Louis Sabo; thence North $23^{\circ} 11'$ East fifty (50) feet to a post; thence along other land of Louis Sabo North 61° West two hundred and twelve (212) feet to an iron pin; thence North $56^{\circ} 24'$ West one hundred and fifty (150) feet to a post on the Old State Highway leading from Mundy's Corner to Nanty Glo; thence along said State Highway North $36^{\circ} 15'$ East one hundred (100) feet to an iron pin, the place of beginning. Being one lot containing one (1) $14/100$ acres as laid out and surveyed by John L. Elder on August 8th, 1950, and also containing another lot $50/150$ as laid out and surveyed by John L. Elder on August 8th, 1950.

- 2 -

That in construction, re-construction and improvements of State Highway No. 22 in the Township of Jackson, Cambria County, Pennsylvania, said property has sustained serious loss and damage and that compensation for such damage has not been fixed or agreed between the Commonwealth of Pennsylvania and your petitioners.

Your petitioners, therefore, pray your Honorable Court to appoint three viewers from the Board of Viewers of the County of Cambria to view the premises and assess the damage, if any, by reason of the construction, re-construction and improvement of said Highway, and to assess the benefits, if any, and report the same to your Honorable Court in such case made and provided.

And your Petitioners will ever pray.

/s/ John Kufel

/s/ Ethel Kufel

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

SS:

John Kufel and Ethel Kufel, being duly sworn according to law, deposes and says that the statements set forth in the foregoing statement are true and correct to the best of their knowledge, information and belief.

/s/ John Kufel

/s/ Ethel Kufel

Sworn and subscribed before me this

17th day of April, A. D., 1959

/s/ Helen F. McDermott, Notary Public

Ebensburg, Pennsylvania

My Commission expires August 30, 1960

(S E A L)

CONTINUED ON PAGE 127

NO. 4 (CONTINUED FROM PAGE 126)

D E C R E E

AND NOW, April 30, 1959, the foregoing petition having been read and considered, it is ordered that Donald J. Letizia, Esq., John L. Elder and William B. Kelly three members of the permanent Board of Viewers of Cambria County, be and hereby are appointed to view the said premises and make a return of their proceedings according to law.

By the Court:

Griffith, Judge

October 23, 1959: Viewers Notice filed.

October 23, 1959: Schedule of Award filed.

October 23, 1959: Report of Viewers' Report filed.

No. 5

IN RE: ORDINANCE NO. 8
TOWNSHIP OF BARR, TO LAY OUT
AND ADOPT A CERTAIN ROAD AS
A PUBLIC ROAD OR HIGHWAY

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNA.

CLERK OF COURTS: \$ 6.50

FILED: MAY 14, 1959

SEP 16 1959 AUDITED

JUN 5 1959 AUDITED

ORDINANCE NO. 8

An Ordinance of the Supervisors of the Township of Barr, Cambria County, State of Pennsylvania, to enact, ordain, survey, lay out, and adopt a certain road as a public road or highway, wholly within the Township, upon petition of a majority in interest, of the owners of properties upon whose land the road abuts.

WHEREAS, a written petition has been presented to the Supervisors of Barr Township, Cambria County, Pennsylvania signed and executed by a majority in interest, of the owners of properties abutting on a certain private road, hereinafter fully described, situate wholly within the Township of Barr, wherein they allege they are in need of a public highway to replace said private road for the use of themselves, tradesman, doctors and the general public.

AND WHEREAS, said petition respectfully requested the Supervisors that a suitable public highway be enacted, ordained, surveyed, layed out and adopted for said petitioners, in front of their properties now abutting on hereinafter described private road.

AND WHEREAS, said petition, duly signed and executed as aforesaid, contained a general release of the Township, of all damages which said petitioners may sustain by reason of the laying out, opening and adopting of said public highway or by the use of any part of their premises for highway purposes.

AND WHEREAS, prior to the passage of this ordinance, the Supervisors of the Township of Barr, gave ten days' written notice to the property owners affected thereby, of the time and place when and where all parties interested may meet and be heard.

AND WHEREAS, said meeting was held on April 6, 1959, at 7:00 P. M. at Pfiester's Barber Shop, Nicktown, Pennsylvania, in accordance with the written notice given as above set forth, and said meeting was largely attended by persons affected by the laying out and adoption of said private road as a public highway and everybody present was favorable to the proposal and no one offered and objection thereto.

AND WHEREAS, after said hearing held on April 6, 1959, and after the Supervisors had fully considered the matter, it was, unanimously agreed by the Supervisors, to exercise the power conferred, and the Supervisors, on the 4th day of May, 1959, will file a copy of this Ordinance together with a draft or survey of the roadfixing the width thereof and noting the improvements along the lines thereof and names of the owners of property whereon said road shall abut, in the office of the Clerk of Court of Quarter Sessions of Cambria County in accordance with the Acts of Assembly in such cases made and provided.

THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Barr, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following private road wholly within the Township of Barr, be layed out, opened and adopted as a public road or highway of the Township of Barr, Cambria County, Pennsylvania, to a width of sixty feet on St. Joseph's Street and thirty three feet on St. Boniface and St. Henry's Streets, which is hereby determined to be sufficient width for public use and travel, which shall not be construed to include the width required for necessary slopes in cuts and fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified.

CONTINUED ON NEXT PAGE.

Continued from page 128

No. 5 CONTINUED

Said road or highway is described as follows:

Beginning at the easter right of way line of a public highway known as Blacklick Street (Legislative Route 11042) in the center line of St. Joseph Street; thence south seventy degrees nine minutes East one thousand eight hundred sixty nine feet by the center line of St. Joseph Street; thence from a center post in the line of St. Joseph Street North nineteen degrees five minutes East three hundred forty six feet by center line of St. Boniface Street to right of way line of a public highway known as St. Nicholas Street (L. R. 11045). Beginning at the southern right of way line of public highway known as St. Nicholas Street (L. R. 11045) in the center line of St. Henry Street; thence South nineteen degrees five minutes West nine hundred fifty feet by the center line of St. Henry Street to the end of the proposed public highway.

All ordinances or parts of Ordinances inconsistent herewith, are hereby repealed.

Enacted and Ordained this 4th day of May, 1959.

s/ W. A. Weber, Supervisors

s/ H. W. Eagler

s/ Joe Wentanine

The above Ordinance will be enacted and ordained at a meeting of the Supervisors of the Township of Barr, Cambria County, Pennsylvania, to be held on the 4th day of May, 1959, at 7:00 P. M. in Pfeister's Barber Shop, Nicktown, Pennsylvania, and is advertised prior to passage in accordance with Section 12, page 2039 P. L. 1955.

s/ Irvin Hoppel, Secretary

Supervisors of Barr Township

Drawing filed.

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No. 1

IN RE: ACCEPTANCE OF HEALY LANE
AND THEATRE DRIVE IN THE TOWNSHIP
OF LOWER YODER, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 23.00 OCT 29 1959 AUDITED

FILED: JUNE 22, 1959

L. 23⁰⁰ 7-22-59 J.V.
TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of the Board of Supervisors of the Township of Lower Yoder respectfully re-
presents:

(1) That the Board of Supervisors did on the 1st day of June, 1959, at 7:30 P. M., at
its regular meeting, accept the following streets in the Township of Lower Yoder, which
streets are as follows:

(a) HEALY LANE - From the intersection of Gurth
Lane to the intersection of Willett Drive,
being fifty (50) feet in width and three
hundred fifty (350) feet, more or less, in
length.

(b) THEATRE DRIVE - From the intersection of
Minno Drive to the intersection of Goucher
Street, being one hundred (100) feet in
width and five hundred twenty (520) feet,
more or less, in length.

as appears by a copy of the Resolution hereto attached, made part hereof and marked "Exhibit
A."

WHEREFORE, your petitioner prays your Honorable Court to give its consent to the acceptance
of the said Healy Lane and Theatre Drive, described in the Resolution hereto attached, as a
public highway or street in the said Township.

TOWNSHIP OF LOWER YODER
By William Sladki, President

ATTEST:

Carl J. Kohler,
Secretary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CAMBRIA

SS:

Personally appeared before me, a Notary Public in and for said County and State, CARL J.
KOHLEK secretary treasurer of Lower Yoder Township, who being duly sworn according to law,
deposes and says that the matters and facts set forth in the foregoing Petition are true and
correct to the best of his knowledge, information and belief.

Carl J. Kohler

Sworn and subscribed before me
this 18th day of June, 1959.

Janet M. Leber

Notary Public

Johnstown, Cambria County, Pa.

My Commission Expires April 8, 1962

RESOLUTION

WHEREAS, there was filed on April 10, 1950, a plan of lots of Westwood Development, situate
in the Township of Lower Yoder, Cambria County, Pennsylvania, which plan is recorded in the
Office for the Recording of Deeds in and for Cambria County in Plat Book Vol. 4, Page 98; and
CONTINUED ON NEXT PAGE.

No. 1 Continued

WHEREAS, in the said plan there is laid out Healy Lane; and

WHEREAS, Westmont Enterprises, Inc., filed a development plan of certain lots located in the Township of Lower Yoder, which plan was laid out by F. L. Gardner, R. P. E., on December 29, 1952, and approved by the Johnstown Planning Committee on April 9, 1953, and approved by the Township of Lower Yoder on October 5, 1953, which plan was recorded in the Office of the Recorder of Deeds in and for Cambria County on October 9, 1953, in Plat Book Vol. 5, Page 37; and

WHEREAS, in the said plan there is laid out Theatre Drive; and

WHEREAS, it is the intention and desire of the Supervisors of the Township of Lower Yoder to accept Healy Lane and Theatre Drive as shown in the said dedicated plans;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Lower Yoder accepts the following streets:

- (a) HEALY LANE - From the intersection of Gurth Lane to the intersection of Willett Drive, being fifty (50) feet in width and three hundred fifty (350) feet, more or less, in length.
- (b) THEATRE DRIVE - From the intersection of Minno Drive to the intersection of Goucher Street, being one hundred (100) feet in width and five hundred twenty (520) feet, more or less, in length.

BE IT FURTHER RESOLVED, that the Township Solicitor be authorized to make written report thereof to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

AND BE IT FURTHER RESOLVED, in accordance with the provisions of the Act of Assembly in such case made and provided that any citizen or freeholder of the Township may, within 30 days after the filing of the report of the Supervisors, file exceptions to the report, together with a petition for a review.

TOWNSHIP OF LOWER YODER
By William Sladki, President

ATTEST:

Carl J. Kohler, Secretary

I, CARL J. KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the above Resolution is a true and correct copy of the same adopted at the regular meeting of the Board of Supervisors of Lower Yoder Township on the 1st day of June, 1959, and entered into the Minutes and records of the said Township.

Carl J. Kohler

ORDER

NOW, the 22 day of June, 1959, the within Petition having been read and considered, the Court hereby gives its consent to the Supervisors of the Township of Lower Yoder in accepting Healy Lane and Theatre Drive, which are described as follows:

- (a) HEALY LANE - From the intersection of Gurth Lane to the intersection of Willett Drive, being fifty (50) feet in width and three hundred fifty (350) feet, more or less, in length.
- (b) THEATRE DRIVE - From the intersection of Minno Drive to the intersection of Goucher Street, being one hundred (100) feet in width and five hundred twenty (520) feet, more or less, in length.

IT IS ORDERED AND DIRECTED that the said Healy Lane and Theatre Drive as above described forthwith be and become a part of the highway system of the Township of Lower Yoder, and be it further ORDERED AND DIRECTED that these proceedings be recorded in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania, and if no exceptions are filed to the
CONTINUED ON NEXT PAGE.

No. 1 Continued.

report within thirty days, then the said streets shall be and become a part of the highway system of the Township of Lower Yoder.

By the Court, Griffith, J.

ORDER

NOW, July 23, 1959, No Exceptions having been filed in the matters herein contained are confirmed absolutely.

By the Court:

McKerrick, Pres. Judge

No. 2

IN RE: ORDINANCE TO VACATE ROAD IN
RICHLAND TOWNSHIPIN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PA.CLERK OF COURTS: \$6.50 **OCT 29 1959 AUDITED**

FILED: July 6, 1959

*P. 650 2-16-60 J. H. MAR 17 1960 AUDITED*ORDINANCE TO VACATE ROAD

AN ORDINANCE VACATING THAT PORTION OF A PUBLIC ROAD OR HIGHWAY IN THE TOWNSHIP OF RICHLAND, COUNTY OF CAMBRIA, STATE OF PENNSYLVANIA, SAID ROAD BEGINNING AT A POINT ON STATE HIGHWAY ROUTE NO. 11091 LEADING FROM STATE HIGHWAY ROUTE NO. 53 TO THE JOHNSTOWN-CAMBRIA COUNTY AIRPORT AT A POINT BETWEEN THE LINE OF LAND OF JOHNSTOWN-CAMBRIA COUNTY AIRPORT AND LAND OF WILLIAM H. FYOCK, ET UX; THENCE ALONG SAID CENTER LINE OF SAID TOWNSHIP ROAD SOUTH $28^{\circ} 51' 10''$ WEST A DISTANCE OF 1406.42 FEET TO LINE OF LAND OF DONALD ADAMS, ET UX. SAID ROAD BEING BOUNDED ON BOTH SIDES FOR THE ENTIRE LENGTH AS ABOVE SET FORTH BY LAND OF THE JOHNSTOWN-CAMBRIA COUNTY AIRPORT AUTHORITY.

THE TOWNSHIP OF RICHLAND, hereby ordains as follows:

That all that portion of the hereinafter specifically described road, which is generally described in the preamble of this Ordinance, which lies in the Township of Richland, Cambria County, Pennsylvania, be and the same is hereby vacated, which road is described as follows:

BEGINNING at a point on State Highway Route No. 11091 leading from State Highway Route No. 53 to the Johnstown-Cambria County Airport at a point between the line of land of Johnstown-Cambria County Airport and land of William H. Fyock, et ux; thence along said center line of said Township Road South $28^{\circ} 51' 10''$ West a distance of 1406.42 feet to line of land of Donald Adams, et ux. Said Road being bounded on both sides for the entire length as above set forth by land of the Johnstown-Cambria County Airport Authority.

IT APPEARING that the Supervisors gave ten (10) days' written notice to the property owners affected thereby of the time and place when and where all parties interest might meet and be heard, and it further appearing that after such hearing, a majority of the Supervisors decided in favor of exercising the power so conferred to vacate, the said Ordinance is hereby adopted and enacted, and a copy thereof, together with a draft and survey of said road showing the location and width thereof, be filed in the Office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania.

ORDAINED AND ADOPTED this 1st day of May, 1959.

TOWNSHIP OF RICHLAND

BY: /s/ Herman O. Weaver, President

ATTEST:

/s/ Harold P. Trent, Secretary

IN RE: APPEAL OF RUSSELL F. WALLACE
AND BETTE J. WALLACE FROM THE
ORDINANCE OF RICHLAND TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

COMPLAINT

RUSSELL F. WALLACE and BETTE J. WALLACE, landowners, being specifically aggrieved by an ordinance of Richland Township, Cambria County, Pennsylvania, appeals therefrom pursuant to the Act of April 9, 1957, P.L. 54, No. 29, Section 1(53 P.S. Section 66102) and respectfully represents:

1. Russell F. Wallace and Bette J. Wallace are citizens of the Township of Upper Yoder, County

Transferred to page 551

No. 3

IN RE: PETITION OF RUSSELL F.
WALLACE AND BETTE J. WALLACE
FOR THE APPOINTMENT OF VIEWERS
TO ASSESS DAMAGES TO THEIR LAND
SITUATE IN RICHLAND TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA, BY
REASON OF THE VACATING OF A ROAD
KNOWN AS THE OLD SHAFFER ROAD

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$

filed: July 13, 1959

PETITION FOR THE APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of RUSSELL F. WALLACE and BETTE J. WALLACE, respectfully represents:

1. That they are the owners in fee of:

ALL that certain parcel or piece of land situate, lying and being in the Township of Richland,
County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a fallen chestnut tree in the southerly line of lands
now or formerly of Ira Berkebille; thence along said southerly line
South 61 degrees 23 minutes East 1543.34 feet to a point in a public
road; thence along the northwesterly and northerly lines of lands now
or formerly of Caspar Shaffer South 40 degrees 02 minutes West 1126.92
feet to the stump of a chestnut tree; thence North 72 degrees 50 minutes
West 328.36 feet to the stump of a poplar tree; thence along the north-
easterly lines of lands now or formerly of William Crist and lands now
or formerly of Salem F. Shank North 26 degrees 08 minutes West 571.29
feet to stones; thence along the northerly lines of said lands of Salem
F. Shank and lands now or formerly of lines of said lands of Salem F.
Shank and lands now or formerly of William Storck South 85 degrees 15
minutes West 646.55 feet to stones; thence along the southeasterly line
of lands now or formerly of Jacob Noon North 29 degrees East 1195.67
feet to the place of beginning; containing 34.5 acres of land; being
part of lands warranted by said Commonwealth in the name of John Noon.
BEING the same parcel or piece of land which August Schneider and Mildred
Schneider, husband and wife, and Russell F. Wallace and Bette J. Wallace,
husband and wife, by their deed dated the 24th day of September, 1956,
and recorded in the Office of the Recorder of Deeds in Deed Book Volume
683, page 180, conveyed to Russell F. Wallace and Bette J. Wallace, hus-
band and wife.

2. That on the first day of May, 1959, the Township Supervisors adopted a Resolution
vacating the township road, known as the "Old Shaffer Road". In the vacating of the said road
Richland Township has taken, injured and destroyed land and buildings of your petitioners,

- a. By vacating the old Shaffer Road.
- b. By depriving said property as a means of ingress and egress.
- c. By turning a valuable piece of land into an isolated lot.
- d. By causing irreputable harm to the use of the property of the petitioner.
- e. By vacating of the said road causing damage to the property of your petitioners.

3. Your petitioners have made diligent effort to obtain a settlement with the Township
Supervisors of the Richland Township for the damages sustained in the vacating of the said road, but
no compensation has been paid to them by the said Township.

WHEREFORE, your petitioners pray your Honorable Court to refer their claim to the
Board of Viewers to ascertain the damages due your petitioners by the reason of the taking, in-
juring and destroying of their property in the vacating of the township road known as the "Old
Shaffer Road".

CONTINUED ON NEXT PAGE.

No. 3 Continued..

And they will ever pray, etc.

KAMINSKY AND KELLY

BY Harold Kaminsky

Attorneys for Petitioners

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF CAMBRIA

Before me, the undersigned authority, a Notary Public in and for the said county and state, personally appeared RUSSELL F. WALLACE and BETTE J. WALLACE, his wife, who, after being duly sworn according to law, depose and say that the facts set forth in the foregoing petition for the appointment of viewers are true and correct.

s/ Russell F. Wallace

s/ Bette J. Wallace

Sworn and subscribed before me
this 3rd day of July, 1959

s/ Mrs. Jo Ann Brewer

Notary Public

My Comm. Expires: Nov. 7, 1961

ORDER

AND NOW, to wit: This 7th day of July, 1959, on motion of Harold Kaminsky, Esq. and William P. Kelly, Esq., Attorneys for Petitioners, a Rule is granted on Richland Township Supervisors to show cause why viewers should not be appointed as prayed for. Returnable August 7, 1959.

By the Court: McKenrick, P. J.

August 10, 1959: Answer of Richland Township to Rule to Show cause why viewers should not be appointed filed by Marlin B. Stephens, Esq.

SEPTEMBER

SESSIONS, 19 59

No. 4

IN RE: ORDINANCE TO LAY OUT AND
OPEN SUNRAY DRIVE IN UPPER YODER
TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: 6.50 OCT 29 1959 AUDITED
SEP 4 1959 AUDITED
E. G. 50 8-21-59 JY

FILED: JULY 20, 1959

I HEREBY CERTIFY that the following is a true and correct copy of the following:

A. ORDINANCE TO LAY OUT AND OPEN SUNRAY DRIVE IN THE TOWNSHIP OF UPPER
YODER, CAMBRIA COUNTY, PENNSYLVANIA, COPY OF SAID ORDINANCE BEING
HERETO ATTACHED.

B. NAMES OF THE OWNERS OF PROPERTY ABUTTING ON SAID SUNRAY DRIVE:

The Johnstown Water Company
National-U. S. Radiator Corporation
The General State Authority

C. DRAFT AND SURVEY OF SUNRAY DRIVE.

TO THE END that the same may be filed in the Office of the Clerk of Courts, Cambria
County, Pennsylvania.

IN WITNESS WHEREOF, I have hereunto set my name as Secretary of the Township of
Upper Yoder, and attached thereto the Seal of the said Township of Upper Yoder.

s/ Blair Hunt
Secretary of Upper Yoder Township,
Cambria County, Pennsylvania.

(SEAL)

AN ORDINANCE

AN ORDINANCE FOR THE OPENING AND LAYING OUT OF SUNRAY
DRIVE.

WHEREAS, all the owners of property or properties abutting on the aforesaid Sunray
Drive have petitioned, in the interest of public convenience, the Supervisors of Upper Yoder Town-
ship, to lay out and open, by Ordinance, all that road hereinafter described, now, therefore;

BE IT ORDAINED AND ENACTED by the Supervisors of Upper Yoder Township, and IT IS HEREBY
ORDAINED AND ENACTED by authority of the same,

SECTION 1. That pursuant to the petition aforesaid, the following described road be
and the same is hereby laid out and opened:

BEGINNING at Station 0+0 on a center line of Sunray Drive and the
Westerly property line of Goucher Street, thence by the center line
of said Sunray Drive South 68° - 37' West 402.87 feet to Station
4+02.87, the place of ending. Said Sunray Drive being sixty (60)
feet in width and shown on the Johnstown Water Company Plan dated
September 16, 1958, and known as Drawing #S1246-S and Sheet #179-A.

The center line grade is hereby established as follows:

BEGINNING at Station 0+0 at an elevation of 1711.36, thence ascending
at the rate of 2.33 feet per 100 feet a distance of 328 feet to Station
3+28 at an elevation of 1719.00, thence ascending at the rate of 6.678
feet per 100 feet a distance of 74.87 feet to Station 4+02.87 at an
elevation of 1724, the place of ending.

BEING shown on the Plan prepared by the National U. S. Radiator Corp.
under date of November 20, 1957, approved by the Supervisors of Upper
Yoder Township, January 31, 1958, approved by the City Planning Com-
mission, February 11, 1958, and approved by T. L. Locher, R. P. E.,
December 2, 1958.

CONTINUED ON NEXT PAGE.

No. 4 Continued.

Said Plan is hereto attached and made a part hereof, and is on file in the Office of the Secretary of the said Board of Supervisors.

SECTION 2. That the Township of Upper Yoder is authorized and directed to file a certified copy of the Ordinance in the Office of the Clerk of the Quarter Sessions Court, together with the names of the owners of property affected and a draft and survey of the road.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 6th day of July, 1959.

SUPERVISORS OF UPPER YODER TOWNSHIP

By Thomas H. Nesbitt, President

ATTEST:

Blair Hunt,
Secretary

(SEAL)



No. 1

IN RE: PETITION OF GEORGE W.
GRIFFITH AND THOMAS F. GRIFFITH
FOR THE APPOINTMENT OF VIEWERS

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 39.00

FILED: OCTOBER 16, 1959

James L. Ladd 39.00 1-14-61 APR 14 1961 AUDITED

IN RE: PETITION OF GEORGE W. GRIFFITH AND
THOMAS F. GRIFFITH FOR THE APPOINTMENT OF
VIEWERS TO ASSESS DAMAGES ARISING FROM THE
CONSTRUCTION OF EBENSBURG BY PASS TO
STATE HIGHWAY U. S. ROUTE 22 IN CAMBRIA
TOWNSHIP, A LIMITED ACCESS HIGHWAY.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of George W. Griffith and Thomas F. Griffith respectfully represents:

1. That they reside at 503 and 419, respectively, West Horner Street in the Borough of Ebensburg, Cambria County, Pennsylvania.
2. That the respondent is the Department of Highways, Commonwealth of Pennsylvania.
3. That the petitioners are the owners of five certain tracts of land which was used as a dairy farm situated in the Township of Cambria, County of Cambria, and State of Pennsylvania, bounded and described as follows:

1. BEGINNING at a post in the Schenkel Mill road, corner of land formerly of James B. Adams and land formerly of Ann McDonald, deceased; thence by last mentioned land South 6 degrees 45 minutes West 1004 feet to a post in line of John A. Jones Estate; thence by same North 85 degrees 30 minutes West 382 feet to a post; thence by same South 36 degrees ten minutes West 696 feet to a post; thence still by same South 19 degrees 5 minutes West 1034 feet to a post in line of road leading from Ebensburg to Wilmore and other land of petitioners; thence by other land of the petitioners the following four courses and distances:

North 25 degrees West a distance of 868 feet to a post;
thence North 21 degrees 45 minutes East a distance of 931 feet to a sugar;
thence North 85 degrees 15 minutes West a distance of 644 feet to a post;
thence North 4 degrees 30 minutes East a distance of 800 feet to a post in line of land of Donald Wolf, formerly Thomas L. Jones Estate;

thence by the same North 4 degrees 30 minutes East a distance of 687 feet to a post in line of land formerly of Abel Lloyd Estate; thence by same South 85 degrees 25 minutes East a distance of 530 feet to a post

CONTINUED ON NEXT PAGE

No. 1 CONTINUED.

on other land of petitioners (Tract # 2 below);
thence by same the two following courses and
distances;

South 4 degrees 30 minutes West 506 feet to
a post; and

South 85 degrees 25 minutes East 445 feet to
a post in the middle of the road leading
from Ebensburg to Wilmore;

thence along the Schenkel Mill road and land
formerly of James B. Adams South 85 degrees
55 minutes East 920 feet to a post the place
of beginning.

Containing 68 Acres and 148 Perches.

2. BEGINNING at corner of road leading from
Ebensburg to Wilmore, the Schenkel Mill road
and other land of the petitioners (Tract # 1
above); thence by other land of the petitioners
North 85 degrees 25 minutes West 445 feet to a
post; thence by same North 4 degrees 30 minutes
East 506 feet to a post; thence by land formerly
of Abel Lloyd Estate South 85 degrees 25 minutes
East, a distance of 200 feet to a post in line
of land of James B. Adams; thence by same South
4 degrees 30 minutes West a distance of 257 feet
to a post; thence still by same South 85 degrees
25 minutes East a distance of 229 feet to a
post in the road leading from Ebensburg to
Wilmore; thence by said road South 4 degrees 30
minutes West a distance of 252 feet to a post in
said road, the place of beginning.
Containing 3.81 Acres.

3. BEGINNING at a post corner of other land of
petitioners (Tract # 1 above) and land of Donald
Wolf, formerly Thomas L. Jones Estate; thence
along other land of the petitioners South 7
degrees West a distance of 800 feet to a post;
thence by other land of petitioners (Tract # 4
below) North 83 degrees 30 minutes West a dis-
tance of 500 feet to a post; thence by land of
Donald Wolf, formerly Thomas L. Jones Estate,
the two following courses and distances:
North 7 degrees East a distance of 800 feet
to a post and South 83 degrees East a distance
of 500 feet to a post, the place of beginning.
Containing 9.18 Acres.

CONTINUED ON NEXT PAGE.

No. 1 CONTINUED.

4. BEGINNING at a post, corner of Tracts #'s 1 and 3 above; thence by Tract # 1 the two following courses and distances:

South 83 degrees 30 minutes East a distance of 673 feet to a sugar; and
South 21 degrees 45 minutes West a distance of 931 feet to other land of petitioners;

thence by same North 87 degrees 15 minutes West a distance of 1281 feet to other land of the petitioners (Tract # 5 below); thence by same North 4 degrees 45 minutes East 946 feet to a post on line of Donald Wolf, formerly Thomas L. Jones Estate; thence by same South 81 degrees East a distance of 626 feet to a post in line of Tract # 3; thence by same South 83 degrees 30 minutes East a distance of 500 feet to a post; the place of beginning.

Containing 28 Acres 35 Perches.

5. BEGINNING at a post, corner of land of Donald Wolf, formerly Thomas L. Jones Estate and other land of petitioners (Tract #4); thence by said Tract #4 South 4 degrees 45 minutes West a distance of 946 feet to a post in line of other land of petitioners; thence by same the following three courses and distances:

North 86 degrees 30 minutes West a distance of 1140 feet;
North 32 degrees West a distance of 435 feet;
North 4 degrees East a distance of 235 feet to a post in line of land of John Kokoski;
thence by same the three following courses and distances:

North 4 degrees 45 minutes East 386 feet to a post;
North 84 degrees West 270.8 feet to a post; and
North 44 degrees 55 minutes West 142.4 feet to a post in the center of the road leading from Ebensburg to Summerhill;

thence by said road North 53 degrees 49 minutes East a distance of 590 feet to a post in line of land of Donald Wolf, formerly Thomas L. Jones Estate; thence by same the four following courses and distances:

South 57 degrees East 165 feet;
South 50 degrees East 396 feet;

CONTINUED ON NEXT PAGE.

No. 1 CONTINUED.

South 46 degrees 30 minutes East 206.25 feet; and

South approximately 75 degrees East a distance of 710 feet to a post in line of Tract #4, the place of beginning.

Containing approximately 36 Acres.

4. That in the construction by the Department of Highways of the Commonwealth of Pennsylvania, of a limited Access State Highway, known as U. S. Route 22, through petitioners' property, above described, said property has sustained serious loss and damage arising out of the outright appropriation of a large portion of petitioners' property and the severance of a still larger portion and for other reasons.

5. That Respondent has not agreed with the petitioners as to the amount of damages sustained or made any payment to them on account thereof, although respondent took petitioners' land more than seventeen months ago, that is, on the 5th day of May, 1958.

6. WHEREFORE, your petitioners pray your Honorable Court, pursuant to the Acts of Assembly in such cases made and provided, to appoint three viewers from the members of the Board of Permanent Viewers of Cambria County to view the above described premises, take such testimony as may be necessary, determine the extent of the damage, assess the benefits, if any, and report the same to your Honorable Court according to law.

/s/ George W. Griffith

/s/ Thomas F. Griffith

STATE OF PENNSYLVANIA

SS

COUNTY OF CAMBRIA

Before me, the subscribed, a Notary Public in and for said County and State, personally appeared George W. Griffith and Thomas F. Griffith, who being duly sworn according to law depose and say that they are the petitioners named in the foregoing petition and that the statements therein set forth are true and correct.

/s/ George W. Griffith

/s/ Thomas F. Griffith

Sworn and subscribed to
before me this 16th
day of October, 1959.

/s/ Verna Williams (SEAL)

Notary Public

My Comm. expires July 24, 1961

DECREE

And now, October 16, 1959, the within petition read and considered and Leopold J. Wendekier, John L. Elder and Raymond Niebauer, three members of the Permanent Board of Viewers of Cambria County be and they hereby are appointed to view the premises described in the within petition, take such testimony as necessary, determine the extent of the damage to the premises described in the within petition, assess the benefits, if any, and report the same to the court according to law.

By the Court: /s/ McDonald, J.

October 17, 1959: Order to view and certified copy of petition mailed to Leopold J. Wendekier.

November 16, 1959: Arnold D. Smorto enters appearance for above case.

November 23, 1959: Robert Rose enters appearance for petitioners.

Transferred to Page 567.

No. 2

IN RE: PETITION OF ANTHONY, (TONY) STEFANON AND ARMENIA STEFANON, HUSBAND AND WIFE, FOR THE APPOINTMENT OF VIEWERS.

CLERK OF COURTS: \$ 33.00 FILED: OCTOBER 19, 1959

IN RE: PETITION OF ANTHONY (TONY) STEFANON AND ARMENIA STEFANON, HUSBAND AND WIFE, FOR THE APPOINTMENT OF VIEWERS TO ASSESS DAMAGES ARISING FROM IMPROVEMENTS TO STATE HIGHWAY ROUTE NO. 22, IN THE TOWNSHIP OF CAMBRIA, CAMBRIA COUNTY, PENNSYLVANIA.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Anthony (Tony) Stefanon and Armenia Stefanon, husband and wife, respectfully presents:

1. That they are the owners of all those certain lots or pieces of ground situate, lying and being in the Township of Cambria, County of Cambria and State of Pennsylvania, bounded and described as follows:

PARCEL NO. 1 BEGINNING at a point in the center of the William Penn Highway at a corner of land of Anna Bowman and extending thence by the line of said land of Anna Bowman, North 25° 15' West 185 feet; thence thru the land of which this land herein conveyed was a part North 77° 00' East (approximate direction) 311.8 feet to line of land now or formerly of Minnie Lloyd; thence along line of Minnie Lloyd South 25° 15' East 100 feet to a point in the center of William Penn Highway; thence by the center of said Highway South 61° West 300 feet to place of beginning.

PARCEL NO. 2 BEGINNING at a point in the center of the Highway known as William Penn Highway, (formerly known as the Pittsburgh Pike) and extending thence by the center of said Highway South 61° West a distance of 515 feet to a point at a corner of land of F. E. Black; thence by the line of said land of F. E. Black, North 25° 15' West a distance of 922.19 feet to a post on line of land of Festus Lloyd; thence by the line of said land of Festus Lloyd, South 82° 41' East a distance of 644.1 feet to a corner of land of W. S. Mack; thence by line of said land of W. S. Mack South 22° 15' East a distance of 553.6 feet to the place of beginning containing 9.06 of an acre.

CONTINUED ON NEXT PAGE.

No. 2 CONTINUED.

PARCEL NO. 3 BEGINNING AT a point in the center of the William Penn Highway at a corner of land of Anna Bowman, and extending thence by line of said land of Anna Bowman North $25^{\circ} 15'$ West a distance of 243.5 feet; thence through land of Minnie Lloyd, of which the land hereby conveyed is a part, by the same course, (North $25^{\circ} 15'$ West), a distance of 1137.66 feet to a point on line of Festus Lloyd; thence by line of the land of Festus Lloyd South $83^{\circ} 20'$ East a distance of 346.29 feet to a point; thence through land of said Minnie Lloyd, of which the land hereby conveyed is a part, South $25^{\circ} 15'$ East a distance of 933.19 feet to a point in the center of William Penn Highway; thence by the center of said Highway South 61° West a distance of 300 feet to the place of beginning; containing 7.01 acres.

PARCEL NO. 4 BEGINNING at a point on line of other land of grantees herein, said point of beginning being North $30^{\circ} 15'$ East 243.5 feet from the center line of State Highway Route No. 22 leading from Ebensburg to Mundys Corner; thence through land of Grantor herein, of which the land hereby conveyed forms a part, the following two courses and distances, North $75^{\circ} 15'$ West 106.1 feet to a point, North $30^{\circ} 15'$ West 875.01 feet to a point on the land of Festus Lloyd Estate; thence along said land of said Festus Lloyd Estate South $83^{\circ} 30'$ East 933.6 feet to a point on land formerly of F. A. Black, now of Tony Stefanon et ux, grantees herein, South 30° degrees $15'$ East 894.01 feet, more or less, to a point of land of grantees herein, the point and place of beginning. Containing 1.52 acre, more or less.

PARCEL NO. 5 BEGINNING at a post at the South-easterly corner of lands of Steve Stefanon, et ux, and the Northeasterly corner of lands of Tony Stefanon, et ux; thence along the line of other lands of said Tony Stefanon North $25^{\circ} 15'$ West 226.5 feet to a post; thence thru land of the said Steve Stefanon, et ux, of which this is a part, south $77^{\circ} 05'$ West 100 feet to a post; thence still continuing thru the land of the said Steve Stefanon, et ux, South $25^{\circ} 15'$ East 226.5 feet to a post on line of Tony Stefanon, et ux; thence along the line of said last mentioned land North $77^{\circ} 05'$ East 100 feet to a post, place of beginning. Containing $\frac{1}{2}$ acres, more or less.

No. 2 CONTINUED.

2. That in construction, re-construction and improvements of State Highway Route No. 22, in the Township of Cambria, Cambria County, Pennsylvania, said property has sustained serious loss and damage, and that compensation for such damage has not been fixed or agreed between the Commonwealth of Pennsylvania and your Petitioners.

3. Your Petitioners, therefore, pray your Honorable Court to appoint three viewers from the Board of Viewers of the County of Cambria to view the premises and assess the damages, if any, by reason of the construction, reconstruction and improvement of said highway, and to assess the benefits, if any, and report the same to your Honorable Court.

And your Petitioners will ever pray.

/s/ Tony Stefanon (SEAL)

/s/ Armenia Stefanon (SEAL)

STATE OF PENNSYLVANIA :

: SS

COUNTY OF CAMBRIA :

Before me, a Notary Public in and for said County and State, personally appeared ANTHONY (TONY) STEFANON and ARMENIA STEFANON, husband and wife, who, being duly sworn according to law, deposes and says that they are the Petitioners named in the foregoing Petition and that the statements therein set forth are true and correct to the best of their knowledge, information and belief.

/s/ Tony Stefanon

/s/ Armenia Stefanon

Sworn to and subscribed before me

this 12th day of August, 1959.

/s/ Rosemarie A. Licastro

Notary Public

(SEAL)

Johnstown, Cambria County, Penna

My Commission Expires Dec. 12, 1962.

DECREE

AND NOW, October 15, 1959, the foregoing Petition having been read and considered, it is ordered that Donald J. Letizia, Esq., John L. Elder and Theodore Hunt, three members of the permanent Board of Viewers of Cambria County be and hereby are appointed to view the said premises and make a return of their proceedings according to law.

By the Court:

/s/ Griffith, J.

October 19, 1959 Order to view mailed to Donald J. Letizia, Esq.

March 7, 1960: Viewers' Report filed by Donald J. Letizia, Esq.

Viewers' Notice filed.

Notice of Hearing filed.

SCHEDULE OF AWARD

From the evidence submitted and the view of the premises affected by the construction, reconstruction and improvements to State Highway Route No. 22 in Cambria Township, Cambria County, Pennsylvania, the Board of View find the damages sustained by the owners and occupants in this proceeding as follows:

ANTHONY (TONY) STEFANON and ARMENIA STEFANON,
his wife

\$99,800.00

ANTHONY (TONY) STEFANON and ARMENIA STEFANON,
his wife, DETENTION DAMAGES

3,648.00

CONTINUED ON PAGE 545

No. 3

IN RE: VACATION OF PARTS OF STATE HIGHWAY
ROUTE 11054, CHEST TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 10.00 MAR 31 1960 AUDITED

FILED: NOVEMBER 17, 1959

P. 10⁰⁰ JAN 27 1960 AUDITED

TO THE HONORABLE JUDGES OF THE ABOVE NAMED COURT.

The petition of the Road Supervisors of Chest Township, Cambria County, Pennsylvania, respectfully represents:

1. That the Department of Highways of the Commonwealth of Pennsylvania have abandoned certain portions of State Highway Route 11054 in Chest Township, Cambria County.

2. That your petitioners deem it advisable to vacate said abandoned portions of said State Highway.

3. That the Department of Highways of the Commonwealth of Pennsylvania has not vacated these portions of said State Highway.

4. That your petitioners have agreed with the property owners affected by such vacation to vacate said parts of said State Highway without the formality of a view, as shown by agreements attached hereto and made a part hereof, being Exhibits A and B.

5. That one abandoned portion of said State Highway Route 11054 consists of approximately 450 feet, beginning at the Elder Township Line and extending in a northerly direction to the relocation of said State Highway Route 11054, as shown on the Pennsylvania Department of Highway Drawing of Route 11054, Section 4, which is attached hereto and made a part hereof and marked Exhibit "c".

WHEREFORE, your petitioners pray your Honorable Court to approve the vacation of the above described portion of said Pennsylvania State Highway Route 11054, pursuant to the authority granted to it by the Act of Assembly of May 1, 1933, P. L. 103, Article XI, Section 1115, as amended, 53 Purdon's Statutes, Section 66115.

/s/ William E. Baker

/s/ Bernard Niebauer

/s/ Herman J. Leiden

State of Pennsylvania :

: SS.

County of Cambria :

Herman J. Leiden being duly sworn according to law, deposes and says that he is one of the Road Supervisors of Chest Township, and that the facts set forth in the foregoing petition for vacation are true and correct to the best of his knowledge, information and belief.

/s/ Herman J. Leiden

Sworn to and subscribed before me this 12th day of November, 1959.

/s/ M. W. Nedimyer, J. P.

My Commission expires: January 6, 1964.

ORDER

AND NOW, this 17 day of November, 1959, the within petition of the Chest Township Road Supervisors having been presented by Paul D. Larimer, Solicitor for Chest Township, it appearing that the Supervisors of said Township deem it advisable to vacate certain abandoned portions of State Highway Route 11054 in Chest Township, and it further appearing that the property owners affected by such vacation have agreed to the vacation without the formality of a view, approval is hereby granted to the said Road Supervisors of Chest Township to vacate the following abandoned portions of State Highway Route 11054 in Chest Township:

Approximately 450 feet of State Highway Route 11054 beginning at the Elder Township Line and extending in a northerly direction to the re-location of State Highway Route 11054, as shown on Pennsylvania Highway Department drawing Exhibit "C", to this petition.

BY THE COURT: /s/ McDonald, Judge.

RESOLUTION OF THE ROAD SUPERVISORS OF
CHEST TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

WHEREAS, the Department of Highways of the Commonwealth of Pennsylvania has abandoned certain portions
CONTINUED ON NEXT PAGE.

Transferred from Page 148.

No. 3 Continued.

of Pennsylvania Route #11054 in Chest Township, Cambria County, Pennsylvania, and

WHEREAS, The Road Supervisors of said Township deem it advisable to vacate such abandoned portions of said State Highway, and

WHEREAS, the Road Supervisors of said Township have agreed with the property owners affected by such vacation and now wish to formally vacate the abandoned portions of Route #11054 without the formality of a view.

NOW THEREFORE BE IT RESOLVED, that the Road Supervisors of Chest Township, Cambria County, Pennsylvania accept the written agreements of the Clearfield Bituminous Coal Corporation and Doctor Edward J. Haluska for the vacation of approximately 450 feet of State Highway Route #11054, beginning at the Elder Township Line and extending in a northerly direction a distance of approximately 450 feet, as shown on Pennsylvania State Highway Drawing of Section 4, of said State Highway in District 9.

It is further resolved that the necessary petition required by the Act of 1933, P. L. 103 as amended, setting forth the facts regarding such vacation, accompanied by a map of the same, be presented to the Court of Quarter Sessions of Cambria County for approval so that formal action for such vacation may be taken after the Court grants its approval of the same.

/s/ William E. Baker

Chairman

Road Supervisors of Chest Township.

ATTEST:

/s/ Herman J. Leiden,
Secretary

Exhibit "A" filed.

Exhibit "B" filed.

Exhibit "C" filed.

RESOLUTION OF THE ROAD SUPERVISORS OF CHEST
TOWNSHIP, CAMBRIA COUNTY, PENNA.

Filed: Dec. 9, 1959

WHEREAS, the Department of Highways of the Commonwealth of Pennsylvania has abandoned certain portions of Pennsylvania Route 11054 in Chest Township, Cambria County, Pa.; and

WHEREAS, the Road Supervisors of said Township deem it advisable to vacate said abandoned portions of said State Highway; and

WHEREAS, THE Road Supervisors of said Township passed a Resolution to Petition the Court of Quarter Sessions of Cambria County for approval of the vacation of certain portions of said State Highway; and

WHEREAS, on November 17, 1959, the Court of Quarter Sessions of Cambria County, Pa., at No. 3 Road Docket December Sessions 1959, entered an Order approving the vacation of certain portions of said highway.

NOW THEREFORE, BE IT RESOLVED

"Approximately 450 feet of State Highway Route 11054, beginning at the Elder Township Line and extending in a northerly direction to the relocation of said State Highway Route 11054 as shown on the Pennsylvania Department of Highway Drawing of Route 11054, Section 4.

be and the same is hereby vacated.

Adopted this 3rd day of December, 1959.

/s/ William E. Baker.

/s/ Bernard Niebauer

/s/ Herman J. Leiden

Road Supervisors of Chest Township.

No. 4

IN RE: RESOLUTION TO ACCEPT A PORTION OF NINTH AVENUE AND A PORTION OF ASH STREET ON THE PARK HILL EAST PLAN OF LOTS IN THE TOWNSHIP OF EAST TAYLOR

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PA.

CLERK OF COURTS: \$ 10.00 MAR 3 1 1960 AUDITED

FILED: NOVEMBER 27, 1959

C. 10-10 JAN 27 1960 AUDITED 12-2-59

WHEREAS, there is filed in the Office of the Recorder of Deeds of Cambria County the Park Hill East Plan of Lots, which is recorded in Plat Book Vol. 1, Page 90, and also Plat Book Vol. 3, Page 178; and

WHEREAS, the said plan shows thereon Beech Street, Ninth Avenue and Ash Street; and

WHEREAS, it is the intention and desire of the Supervisors of the Township of East Taylor, Cambria County to accept certain portions of Ninth Avenue and Ash Street as shown on the aforesaid dedicated plan;

NOW, THEREFORE, BE IT RESOLVED, that the Township of East Taylor accepts the following streets:

- (1) NINTH AVENUE, beginning at the southeasterly end of Township Route 380, known as Beech Street; thence along Ninth Avenue in a northeasterly direction a distance of 300 feet, it being a 40 foot wide street.
- (2) ASH STREET, beginning at the intersection of Ninth Avenue and Ash Street (where 1 terminates); thence along Ash Street in a northwesterly direction to the intersection of Eighth Avenue and Ash Street, also known as Township Route 736, a distance of 540 feet, it being a 40 foot wide street.

Motion made by Wm. B. Rosenbaum, seconded by Charles Colbert, to adopt said Resolution. The vote was as follows: Three (3) for Resolution; None (0) Against.

TOWNSHIP OF EAST TAYLOR

By /s/ Kenneth Keiper

President

ATTEST:

/s/ Chas. D. Cobaugh
Secretary

Dated: November 23, 1959

CERTIFICATION

I, CHARLES COBAUGH, Secretary of the Township of East Taylor, hereby certify that the foregoing Resolution is a true and correct copy of the same adopted at the regular meeting of the Board of Supervisors of East Taylor Township on the 23rd day of November, 1959, and entered into the Minutes and Records of the said Township.

/s/ Charles Cobaugh.

No. 5

IN RE: RESOLUTION TO ACCEPT A PORTION OF WEBSTER STREET
FROM FILLMORE AVENUE TO TAYLOR AVENUE IN THE TOWNSHIP OF
EAST TAYLOR

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PA.

CLERK OF COURTS: \$ 10.00 MAR 31 1960 AUDITED
JAN 27 1960 AUDITED

FILED: NOVEMBER 27, 1959

WHEREAS, there is filed in the Office of the Recorder of Deeds of Cambria County, the Woodvale Heights Plan of Lots, recorded in Plat Book Vol. 1, Page 50; and

WHEREAS, the said plan shows thereon Webster Street in the Township of East Taylor; and

WHEREAS, it is the intention and desire of the Supervisors of the Township of East Taylor, Cambria County, Pennsylvania, to accept a certain portion of Webster Street between Fillmore Avenue, known as Township Route 737, and Taylor Avenue, known as Township Route 370, as shown on the said dedicated plan;

NOW, THEREFORE, BE IT RESOLVED, that the Township of East Taylor accepts the following street; THAT section of WEBSTER STREET between Fillmore Avenue, known as Township Route 737, and Taylor Avenue, known as Township Route 370, which is a distance of approximately 265 feet in length and 40 feet in width, as shown on the Woodvale Heights Plan of Lots, recorded in the Office of the Recorder of Deeds in and for Cambria County, in Plat Book Vol. 1, Page 50.

Motion made by Wm. B. Rosenbaum, seconded by Chas. Colbert, to adopt said Resolution. The vote was as follows: Three (3) For Resolution; None (0) Against.

TOWNSHIP OF EAST TAYLOR

By /s/ Kenneth Keiper
President

ATTEST:

/s/ Chas. Cobaugh
Secretary

Dated: November 23, 1959.

CERTIFICATION

I, CHARLES COBAUGH, Secretary of the Township of East Taylor, hereby certify that the foregoing Resolution is a true and correct copy of the same adopted at the regular meeting of the Board of Supervisors of East Taylor Township on the 23rd day of November, 1959, and entered into the Minutes and records of the said Township.

/s/ Charles Cobaugh

No. 6

IN RE: ORDINANCE VACATING A PORTION
OF THEATRE DRIVE AT THE WESTMONT SHOPPING
CENTER IN THE TOWNSHIP OF LOWER YODER

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PA.

CLERK OF COURTS : \$ 7.00 MAR 3 1 1960 AUDITED

FILED: DECEMBER 10, 1959

R. 7th JAN 27 1960 AUDITED

THE TOWNSHIP OF LOWER YODER hereby ordains as follows:

ALL that portion of Theatre Drive, which is located in the Westmont Shopping Center,
bounded and described as follows:

BEGINNING at a point at the Southwesterly corner
of Lyter Drive and Theatre Drive; thence along the
Southerly side of Theatre Drive, North $59^{\circ} 49' 10''$
West 180.25 feet to a point at the Southeasterly corner
of Minno Drive and Theatre Drive; thence along the
Easterly side of Minno Drive, North $27^{\circ} 10' 30''$ East
25.03 feet to a point; thence through Theatre Drive,
of which this is a part, South $59^{\circ} 49' 10''$ East
180.25 feet to a point on the Westerly side of Lyter
Drive extended; thence along the Westerly side of
Lyter Drive extended, South $27^{\circ} 10' 30''$ West
25.03 feet to a point, the place of beginning.

Being marked, known and numbered as the Southerly
25 feet of Theatre Drive. Theatre Drive being
originally 100 feet in width and after the above
vacation being 75 feet in width.

be and the same is hereby vacated.

ORDAINED AND ENACTED this 7th day of December, 1959.

TOWNSHIP OF LOWER YODER

By /s/ William Sladki, President

ATTEST:

/s/ Carl J. Kohler

I, CARL J. KOHLER, Secretary of Lower Yoder Township, hereby certify that the
above is a true and correct copy of the Ordinance adopted by the Township Supervisors at
their regular meeting held on December 7, 1959, and duly entered into the Minutes of the
said Township.

/s/ Carl J. Kohler

No. 7

IN RE: ORDINANCE VACATING THE PORTION
OF SLAGLE ROAD IN THE TOWNSHIP OF LOWER
YODER

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNA..

CLERK OF COURTS: \$ 4.00 MAR 31 1960 AUDITED

FILED: DECEMBER 10, 1959

JAN 27 1960 AUDITED
P. 4th 12-16-59 J. K.

THE TOWNSHIP OF LOWER YODER hereby ordains as follows:

All that portion of Slagle Road located in the Township of Lower Yoder, bounded and
described as follows:

BEGINNING at a point on the Menoher Highway,
on the northerly side of Menoher Highway at the
corner of the property of the Johnstown Water
Comapny; thence North $33^{\circ} 33'$ West 814.4 feet;
thence North $26^{\circ} 35' 40''$ East 142.47 feet; thence
North $50^{\circ} 31' 40''$ East 33 feet; thence North 29
28' 20" West 308.12 feet.

be and the same is hereby vacated.

ORDAINED AND ENACTED this 7th day of December, 1959.

TOWNSHIP OF LOWER YODER

By /s/ William Sladki, President

ATTEST:

/s/ Carl J. Kohler, Secretary

I, CARL J. KOHLER, Secretary of Lower Yoder Township, hereby certify that the above is
a true and correct copy of the Ordinance adopted by the Township Supervisors at their regular
meeting held on December 7, 1959, and duly entered into the Minutes of the said Township.

/s/ Carl J. Kohler

○

JUNE

SESSIONS, 19 60

No. 1

IN RE: ACCEPTING THE DEDICATION OF
CERTAIN STREETS ON THE JAMES MACKALL
PLAN OF LOTS AND DECLARING THE SAME
TO BE A PART OF THE PUBLIC ROAD SYSTEM
IN JACKSON TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 7.50 AUG 26 1960 AUDITED
R 7 JUN 17 1960 AUDITED
5-17-66

RESOLUTION FILED BY JOHN TAYLOR, ESQ. 4/1/60

RESOLUTION

RESOLVED, that the following described Streets on the James Mackall Plan of Lots in Jackson Township, Cambria County, Pennsylvania, approved the 25th day of March, 1960, by the Supervisors of Jackson Township, and recorded in the Recorder of Deeds Office in and for Cambria County, Pennsylvania, on March 28, 1960, be and hereby are accepted as public streets and declared to be a part of the public road system of Jackson Township:

1. Poplar Street from its Northerly intersection with Route 419 as shown on the attached blueprint, and extending thence in a Southeasterly direction a distance of 1258 feet, more or less, to the Southerly line of First Avenue as shown on said blueprint.
2. Kinney Avenue from its intersection with the Easterly side of Poplar Street as shown on the attached blueprint, and extending thence in a North-easterly direction a distance of 479 feet, more or less, to the Easterly terminus of said Kinney Avenue as shown on said blueprint.
3. Mackall Avenue from its intersection with the Easterly side of Poplar Street as shown on the attached blueprint, and extending thence in a Northeasterly direction a distance of 512 feet, more or less, to the Easterly terminus of said Mackall Avenue as shown on said blueprint.
4. First Avenue from its intersection with the Easterly side of Poplar Street as shown on the attached blueprint, and extending thence in a Northeasterly direction a distance of 550 feet, more or less, to the Easterly terminus of said First Avenue as shown on said blueprint.

RESOLVED, further, that said streets shall be laid out and opened as public streets in Jackson Township, and the right-of-way width of each of said streets be and hereby is fixed at 33 feet in accordance with the copy of the James Mackall Plan of Lots which is attached hereto and made a part hereof.

Read and adopted this 30th day of March, 1960.

TOWNSHIP OF JACKSON,
By Harry A. Leidy, Chairman
Wayne Horner
Warren Smtih
Supervisors

ATTEST:

Gail Howie, Secretary

The undersigned, Secretary of Jackson Township Board of Supervisors, hereby certified that the foregoing is a true and correct copy of a Resolution adopted by the Supervisors of Jackson Township at a meeting held March 30, 1960. /s/ Gail Howie, Secretary
Apr. 1, 1960: Copy of resolution mailed to Dept. of Highways, Hollidaysburg, Pa.

No. 22

IN RE: ACCEPTING THE LAND DEDICATED
BY DEED OF WALTER E. WALKER, ET UX,
ET AL, AS A PUBLIC ROAD

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 7.50 AUG 26 1960 AUDITED

RESOLUTION FILED BY JOHN TAYLOR, 4/1/60

R 7 St JUN 17 1960 AUDITED

RESOLUTION

WHEREAS, Walter E. Walker, et ux, et al, by deed dated the 26th day of March, 1960, and recorded in the Recorder of Deeds office in and for Cambria County, Pennsylvania, on March 29, 1960, as Document No. 1355 dedicated the hereinafter described parcel of land in Jackson Township for road purposes; and

WHEREAS, the Supervisors of Jackson Township have dedicated to accept the said dedication and declare the same a public road or street in Jackson Township.

RESOLVED, that the aforesaid dedication of the following described land for road purposes be and hereby is accepted:

ALL that certain piece or parcel of land situate in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Southerly side of First Avenue on the Fairfield Plan of Lots as recorded in Cambria County in Plat Book Volume 3 at page 155, at the common corner of Lots Nos. 33 and 32 on said Plan; thence along the line of Lot No. 32 South 35° 46' East a distance of 490 feet to the common corner of Lots Nos. 40 and 41 on Second Avenue on said Plan; thence along the Northerly line of said Second Avenue North 54° 14' East a distance of 33 feet to the line of land of Michael Holub, et ux, grantors herein; thence along line of land of said Michael Holub, et ux, and line of land of William A. Fulton, et ux, grantors herein. North 35° 46' West a distance of 490 feet to a point on the Southerly side of First Avenue; thence along the southerly line of said First Avenue South 54° 14' West a distance of 33 feet to the common corner of Lots Nos. 33 and 32 and place of beginning; being a portion of Lots Nos. 40 and 33 on the said Fairfield Plan of Lots.

Being a portion of premises, title to which became vested in Walter E. Walker and Emma M. Walker, his wife, grantors herein, by deed of William W. Campbell, et al, Trustees, dated July 29, 1942, and recorded in Cambria County in Deed Book Volume 508 at page 594.

RESOLVED, further, that said parcel of land be and hereby is laid out and opened as an extension to Poplar Street on the James Mackall Plan of Lots, and the right-of-way width is hereby established at 33 feet.

RESOLVED, further, that the blueprint attached hereto be and hereby is made a part hereof.

READ AND ADOPTED this 30th day of March, 1960.

TOWNSHIP OF JACKSON

By Harry A. Leidy, Chairman.

Wayne Horner and Warren Smith, Supervisors

ATTEST: /s/ Gail Howie, Secretary

The undersigned, Secretary of Jackson Township Board of Supervisors, hereby certifies that the foregoing is a true and correct copy of a Resolution adopted by the Supervisors of Jackson Township at a meeting held March 30, 1960.

/s/ Gail Howie, Secretary.

Apr. 1, 1960: Copy of Resolution
mailed to Pa. Dept. of Highway, Hollidaysburg, Pa.

No. 3

IN RE: PETITION OF STEVE
SZEKERESH FOR THE APPOINTMENT
OF VIEWERS TO ASSESS DAMAGES
ARISING FROM THE IMPROVEMENTS
IN STATE HIGHWAY ROUTE NO. 22
IN JACKSON TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY
PENNSYLVANIA

CLERK OF COURTS: \$ 16.50

FILED: APRIL 13, 1960

R. 16⁵⁰ 9-1-60

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Steve Szekeresh respectfully represents:

-1-

That he is the owner of all that certain lot or parcel of land situate in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Easterly side of Legislative Route No. 11030; said point being at corner of land of John Ceneski; thence South $95^{\circ} 25'$ East 320.8 feet to a stone on line of land now or formerly of Samuel Davis; thence along line of said land South $28^{\circ} 55'$ West 360.5 feet to a point corner of Lot No. 27 on the hereinafter mentioned plan; thence North $67^{\circ} 00'$ West 267.2 feet to a point on line of the aforesaid Legislative Route No. 11030; thence along line of said highway North $23^{\circ} 00'$ East 257.30 feet to point and place of beginning. Being known and designated as Lot No. 28 on the Plan of John Szekeresh estate laid out by L. Robert Kimball, Civil Engineer, and dated April, 1953, and of record in the Office of the Recorder of Deeds of Cambria County in Plot Book Volume 5 at Page 32.

-2-

That in the construction, re-construction and improvements of State Highway No. 22 in the Township of Jackson, Cambria County, Pennsylvania, said property has sustained serious loss and damage and that compensation for such damage has not been fixed or agreed between the Commonwealth of Pennsylvania and your petitioner.

Your petitioner, therefore, prays your Honorable Court to appoint three viewers from the Board of Viewers of the County of Cambria to view the premises and assess the damage, if any, by reason of the construction, re-construction and improvement of said Highway, and to assess the benefits, if any, and to report the same to your Honorable Court in such case made and provided.

And your petitioner will ever pray.

/s/ Steve Szekeresh

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

SS:

STEVE SZEKERESH, being duly sworn according to law, deposes and says that the statements set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

/s/ Steve Szekeresh

Sworn to and subscribed before me

this 5th day of April, A.D., 1960

/s/ Lillian G. Kubat, Notary Public

Ebensburg, Pa., My Commission Expires Dec. 11, 1963

(SEAL)

No. 3 CONTINUED.

DECREE

AND NOW, April 11th, 1960, the foregoing petition having been read and considered, it is ordered that Leopold J. Wendekier, Esq., John L. Elder, and Raymond Niebauer, three members of the permanent Board of Viewers of Cambria County, be and hereby are appointed to view the said premises and make a return of their proceedings according to law.

/s/ Griffith, P. J.

April 13th, 1960: Notice to View mailed to Leopold J. Wendekier, Esq.

ORDER

And now, April 19, 1960, the order of court heretofore made on April 11, 1960, appointing Leopold J. Wendekier, John L. Elder and Raymond Niebauer as viewers in the above entitled matter is hereby modified so that the viewers shall be as follows:

John L. Elder
Raymond Niebauer
Theodore Hunt.

By the Court: /s/ Griffith, P. J.

Copy of Order mailed to: John L. Elder
Raymond Niebauer
Theodore Hunt
Leopold J. Wendekier, Esq.

July 20, 1960: Report of Viewers filed.

REPORT OF VIEWERS

We, the undersigned Viewers of the Permanent Board of Viewers of Cambria County, Pennsylvania, having been appointed by the above named Court to view and inspect the land and premises owned by Steve Szekeresh situate in Jackson Township, Cambria County, Pennsylvania and to determine and estimate the damages that have resulted or that may seem likely to result by reason of the improvement of Route 22, Jackson Township, Cambria County, Pennsylvania and being more particularly described as follows:

BEGINNING at a point of the Easterly side of Legislative Route No. 11030; said point being at corner of land of John Ceneski; thence South 95 degrees 25 minutes East 320.8 feet to a stone on line of land Now or formerly of Samuel Davis; thence along line of said land South 28 degrees 55 minutes West 360.5 feet to a point corner of Lot No. 27 on the hereinafter mentioned plan; thence North 67 degrees 00 minutes West 267.2 feet to a point on line of the aforesaid Legislative Route No. 11030; thence along line of said highway North 23 degrees 00 minutes East 257.30 feet to a point and place of beginning. Being known and designated as Lot No. 28 on the Plan of John Szekeresh estate laid out by L. Robert Kimball, Civil Engineer, and sated April 1953, and of record in the office of the Recorder of Deeds of Cambria County in Plot Book Volume 5 at Page 32.

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania as shown by the records filed in said Court; that due public Notice of the time and place of meeting of the Viewers was given by posting hand bills upon the premises and by personal service upon Attorneys for the Petitioner and Attorney for the State Highway Department.

Pursuant to the said Notice designating the day and hour of said View, the Viewers

CONTINUED ON PAGE 532.

JUNE

SESSIONS, 19 60

No. 4

IN RE: PETITION OF JOHN BUCKUS
AND ELIZABETH MARY BUCKUS, HIS
WIFE, FOR THE APPOINTMENT OF VIEWERS TO
ASSESS DAMAGES ARISING FROM IMPROVEMENTS
TO STATE HIGHWAY U. S. ROUTE NO. 22 IN
THE TOWNSHIP OF CAMBRIA, COUNTY OF CAMBRIA
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 32.50 AUG 26 1960 AUDITED
50 APR 14 1961 AUDITED
R. 32 3-17-61

FILED: MAY 2, 1960

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of John Buckus and Elizabeth Mary Buckus, his wife, respectfully represents:

1. That they are husband and wife and reside in the Township of Cambria, County of Cambria and State of Pennsylvania.
2. That the respondent is the Department of Highway, Commonwealth of Pennsylvania.
3. That the petitioners are the owners of all that certain piece or parcel of land situate, lying and being in the Township of Cambria, County of Cambria and State of Pennsylvania, bounded and described as follows:

The place of beginning is found by starting at a post being the southwest corner of land now or formerly of Mike and Ida Cook fronting on the right of way of the William Penn State Highway, Route 22, leading from Ebensburg to Mundy's Corner, where the same corners with the Jane Jones tract of land at a point marked "A" on the blue print hereinafter referred to; thence by the line of said right of way of the William Penn Highway, Route 22 north 59° 32' east a distance of five hundred (500) feet to a post and corner marked "B" on the blue print heretofore mentioned, being the place of beginning; thence by line running north 30° 28' west along lands now or formerly of Mike and Ida Cook eight hundred seventy-one and two-tenths (871.2) feet to a post, corner of land now or formerly of Mike and Ida Cook; thence by a line running parallel with the right of way of the William Penn State Highway, Route 22, north 59° 32' east a distance of one hundred (100) feet to a post; thence by a line running south 30° 28' east a distance of eight hundred seventy-one and two-tenths (871.2) feet to a post in line of the right of way of William Penn Highway, Route 22; thence continuing by the line of the right of way of the William Penn Highway, Route 22, south 59° 32' west a distance of one hundred feet (100) to the place of beginning; containing 2 acres strict measure according to survey of said land made by H. F. Dorr, Engineer, May 23, 1941, a draft of which is attached to deed of Mike Cook, et ux to Joseph M. Vargo dated June 14, 1941, and recorded in the office for the recording of deeds, etc., in Cambria County, Pennsylvania, in Deed Book Vol. 504 at Page 339.

CONTINUED ON NEXT PAGE.

No. 4

4. That in the construction by the Department of Highways of the Commonwealth of Pennsylvania, of a limited access State Highway known as U. S. Route No. 22, through petitioners' property above described, said property has sustained serious loss and damage arising out of the outright appropriation of a large portion of petitioners' property and for other reasons.

5. That respondent has not agreed with the petitioners as to the amount of damages sustained or made any payment to them on account thereof, although respondent took petitioners land more than twenty-three (23) months ago, that is, on the 5th day of May, 1958.

WHEREFORE, Your petitioners pray your Honorable Court, pursuant to the Acts of Assembly in such cases made and provided, to appoint three viewers from the members of the Board of Permanent Viewers of Cambria County to view the above described premises, take such testimony as may be necessary, determine the extent of the damages, assess the benefits, if any, and report the same to your Honorable Court according to law.

/s/ John Buckus

/s/ Elizabeth Mary Buckus

STATE OF PENNSYLVANIA :

: SS.

COUNTY OF CAMBRIA :

Before me , the subscriber, a Notary Public in and for said County and State, personally appeared JOHN BUCKUS and ELIZABETH MARY BUCKUS, his wife, who, being duly sworn according to law, depose and say that they are the Petitioners named in the foregoing Petition and that the statements therein set forth are true and correct to the best of their knowledge, information and belief.

/s/ John Buckus

/s/ Elizabeth Mary Buckus

Sworn to and subscribed before me

this 28th day of April, 1960

/s/ Elizabeth S. Allison

Notary Public

Ebensburg Borough, Cambria County

My commission expires: April 25, 1961

D E C R E E

And now, May 2nd, 1960, the within petition read and considered and Leopold Wendekier, Esq., Raymond Niebauer, and John L. Elder, three members of the Permanent Board of Viewers of Cambria County, be and they hereby are appointed to view the premises described in the within petition, take such testimony as necessary, determine the extent of the damage to the premises described in the within petition, assess the benefits, if any, and report the same to the court according to law.

BY THE COURT: /s/ Griffith, P. J.

May 3, 1960: Order to View mailed to Leopold Wendekier, Esq.; this date.

June 6, 1960: Viewers' Report filed.

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The undersigned Board of View, appointed by your Honorable Court to assess damages and benefits, if any, caused by the appropriation of a right of way in Cambria Township for the purpose of constructing and maintaining a limited access highway, respectfully,

CONTINUED ON PAGE 537

JUNE

SESSIONS, 19 60

No. 5

IN RE: LAYING OUT, OPENING AND
ACCEPTING PORTIONS OF PROPOSED
ROADS IN THE TOWNSHIP OF SUSQUEHANNA,
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

OCT 25 1960 AUDITED AUG 23 1960 AUDITED
CLERK OF COURTS: \$ 24.00 - R-24.00 - 7-28-60 FILED: June 6, 1960

REPORT OF THE SUPERVISORS OF SUSQUEHANNA TOWNSHIP

The Petition of Jack Sheredy, Alvin Byrnes and Stanley Zemrose respectfully represents:

1. That they are the Supervisors of the Township of Susquehanna, Cambria County, Pennsylvania.
2. That they propose to lay-out, open and accept portions of proposed roads in Susquehanna Township, Cambria County, Pennsylvania, which portions of roads are described as follows:

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at point "A" of Road No. 1 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 250 feet to a point; thence South 32 degrees 30 minutes West a distance of 90 feet to a point; thence South 44 degrees 00 minutes West a distance of 285 feet to a point and center line of Township route No. 576. Said roadway being a 33 foot wide road.

ROADWAY NO. 2

BEGINNING at a permanent iron stake, this place of beginning being at point "B" of Road No. 2 on attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 340 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 3

BEGINNING at a permanent iron stake, this place of beginning being at point "C" of Road No. 3 on attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 365 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 4

BEGINNING at a permanent iron stake, this place of beginning, being at point "D" of Road No. 4 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 360 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 5

BEGINNING at a permanent iron stake, this place of beginning, being at point "E" of Road No. 5 on the attached map, draft or survey hereto attached and made a part hereof and in the center

CONTINUED ON NEXT PAGE.

No, 5 CONTINUED.

line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 530 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 6

BEGINNING at a permanent iron stake, this place of beginning, being at point "F" of Road No. 6 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 460 feet to a stake and end of road. Said roadway being a 33 foot wide road.

The said portions of roads described appear on a map, draft or survey as Road No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6. Said map, draft or survey hereto attached and made a part hereof, and marked "Exhibit A" and colored in red line.

ROADWAY NO. 7

BEGINNING at a permanent iron stake, this place of beginning, being at point "I". South 70 degrees 00 minutes East 325 feet from the point where the center lines of Legislative Route No. 11062 and Township Route No. 571 conveys in the Township of Susquehanna Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street North 10 degrees 00 minutes East a distance of 243 feet to a point; thence North 0 degrees 20 minutes East a distance of 118 feet to a point; thence North 9 degrees 50 minutes East a distance of 140 feet to a stake on Southerly right-of-way of Township Route No. 571. Said roadway being a 33 foot wide road.

The said portion of road above described appears on a map, draft or survey as road No. 7. Said map, draft or survey is hereto attached and made a part hereof, and marked as "Exhibit B" and colored in red line.

3. That your Petitioners have given ten (10) days notice to the property owners affected by the laying-out, opening and accepting of the said portions of roads as required by the Act of Assembly, of a hearing and after said hearing your Supervisors deem that the said portion of road is necessary and convenient and by Ordinance duly made and adopted, the said portions of roads were laid out, opened and accepted by the Supervisors of Susquehanna Township, Cambria County, Pennsylvania, as a part of the highway system of the said Township, which Ordinance is hereto attached and made a part hereof, and marked as Exhibit "C".

4. That attached hereto and made a part hereof is a Petition and Release of Damages executed by the owners of the property abutting on the said proposed portion of roads, marked and designated as Exhibit "D".

WHEREFORE, your Petitioners pray that this report and Exhibits attached hereto may be filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

SUPERVISORS OF SUSQUEHANNA TWP.

/s/ Jack Sheredy

/s/ Alvin Byrnes

/s/ Stanley Zemrose

CONTINUED ON NEXT PAGE.

No. 5. CONTINUED.

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said County and State, JACK SHEREDY, ALVIN BYRNES and STANLEY ZEMROSE, Supervisors of the Township of Susquehanna, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.

/s/ Jack Sheredy
/s/ Alvin Byrnes
/s/ Stanley Zemrose

Sworn and subscribed before me
this 27th day of May, 1960.

/s/ Joseph D. Horne, Notary Public (SEAL)
My Commission Expires: 4-4-64

ORDINANCE-Exhibit "C" filed.

PETITION AND RELEASE OF DAMAGES-Exhibit "D" filed.

D E C R E E

NOW, this 6 day of June, 1960, upon consideration of the foregoing Petition, James T. Fagan, Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to file the within Report and the Exhibits attached hereto.

BY THE COURT: /s/ McDonald, Judge.

FINAL DECREE

NOW, this 11th day of July, 1960, it appearing that the said Petition having been filed on the 6th day of June, 1960, and that no citizens or free holder of the Township did, within thirty (30) days from the filing of this Report of the Supervisors, file exceptions to the Report or a Petition for a review, IT IS ORDERED AND DIRECTED that the said portions of proposed road or roads in Susquehanna Township, Cambria County, Pennsylvania, described as follows:

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at point "A" of Road No. 1 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania, thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 250 feet to a point; thence South 32 degrees 30 minutes West a distance of 90 feet to a point; thence South 44 degrees 00 minutes West a distance of 285 feet to a point and center line of Township Route No. 576. Said roadway being a 33 foot wide road.

ROADWAY NO. 2

BEGINNING at a permanent iron stake, this place of beginning being at point "B" of Road No. 2 on attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 340 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 3

BEGINNING at a permanent iron stake, this place of beginning being at point "C" of

CONTINUED ON NEXT PAGE.

No. 5 CONTINUED

Road No. 3 on attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 365 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 4

BEGINNING at a permanent iron stake, this place of beginning being at point "D" of Road No. 4 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 360 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 5

BEGINNING at a permanent iron stake, this place of beginning being at point "E" of Road No. 5 on the attached map, draft, or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 530 feet to a stake and end of road. Said roadway being a 33 foot wide road.

ROADWAY NO. 6

BEGINNING at a permanent iron stake, this place of beginning being at Point "F" of Road No. 6 on the attached map, draft or survey hereto attached and made a part hereof and in the center line of Legislative Route No. 11062 in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street South 13 degrees 00 minutes West a distance of 460 feet to a stake and end of road. Said roadway being a 33 foot wide road.

The said portions of roads described appear on a map, draft or survey as Roads No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6. Said map, draft or survey is hereto attached and made a part hereof, and marked "Exhibit A" and Colored in red line.

ROADWAY NO. 7

BEGINNING at a permanent iron stake, this place of beginning being at point "I" South 70 degrees 00 minutes East 325 feet from the point where the center lines of Legislative Route No. 11062 and Township Route No. 571 conveys in the Township of Susquehanna, Village of Emeigh, County of Cambria and State of Pennsylvania; thence from said point along center line of what formerly was a private street North 10 degrees 00 minutes East a distance of 243 feet to a point; thence North 0 degrees 20 minutes East a distance of 118 feet to a point; thence North 9 degrees 50 minutes East a distance of 140 feet to a stake on Southerly right-of-way of Township Route No. 571. Said roadway being a 33 foot wide road.

The said portion of road above described appears on a map, draft or survey as Road No. 7. Said map, draft or survey is hereto attached and made a part hereof, and marked as Exhibit B and colored in red line.

be and are hereby confirmed as Township roads and declared to be a part of the public roads and highway system of the said Township.

BY THE COURT: /s/ Wolfe, Judge.

SESSIONS, 19

No. 1

IN RE: ORDINANCE TO ACCEPT A CERTAIN
PORTION OF WILLETT DRIVE IN THE TOWNSHIP
OF LOWER YODER

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 3.00 *CLW 12 1961 AUDITED*

FILED: OCTOBER 3, 1960

L. 3rd 10-13-60 OCT 4 1960 AUDITED

ORDINANCE TO ACCEPT A CERTAIN PORTION OF WILLETT DRIVE IN THE
TOWNSHIP OF LOWER YODER

WHEREAS, there was filed on April 10, 1950, a plan of lots of Westwood Developments, situate in the Township of Lower Yoder, Cambria County, Pennsylvania, which plan is recorded in the Office for the Recording of Deeds in and for Cambria County, Plat Book Vol 4, at Page 98, and

WHEREAS, in the said plan there is laid out Willett Drive; and

WHEREAS, it is the intention and desire of the Supervisors of the Township of Lower Yoder to accept a certain portion of Willett Drive as shown in the said dedicated plan;

NOW, THEREFORE, BE IT ORDAINED, that the Township of Lower Yoder accept the following:

WILLETT DRIVE - Beginning at the intersection of
Willett Drive and Granger Drive and going north-
easterly to the intersection of Willett Drive, Judith
Drive and Healy Lane, a distance of five hundred
thirty-seven (537) feet, more or less, and being
fifty (50) feet in width.

ORDAINED, this 30th day of September, 1960.

TOWNSHIP OF LOWER YODER

By /s/ William Sladki,
President

ATTEST:

/s/ Carl J. Kohler
Secretary

I, CARL KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the above Ordinance is a true and correct copy of the same adopted at a special meeting of the Board of Supervisors of Lower Yoder Township on the 30th day of September, 1960, and entered into the Minutes and records of the said Township.

/s/ Carl J. Kohler

No. 2

MARVIN L. ESHELMAN and
CAROLYN E. ESHELMAN, husband
and wife,

vs.

THE STATE HIGHWAY DEPARTMENT OF
THE COMMONWEALTH OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 31.00

FILED: NOVEMBER 1, 1960

PETITION FOR APPOINTMENT OF BOARD OF
VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Marvin L. Eshelman and Carolyn E. Eshelman, husband and wife,
respectfully represent:

1. That Marvin L. Eshelman and Carolyn E. Eshelman are the owners of the
hereinafter described adjoining tracts of ground situate, lying and being in the Borough of
Geistown, County of Cambria and State of Pennsylvania, more particularly bounded and des-
cribed as follows:

No. 1 Starting at a point on the northerly side of Belmont Street, which is the Easterly
corner of Plot No. 23, as shown on the Suburban Realty Company Plan of Lots. Purparts
Hilltop Section, as made by the Fetterman Engineering Company and dated November 6, 1929, and
of record in the office of the Recorder of Deeds in and for Cambria County in Plat Book
Volume 3, at page 69; thence North 80 degrees 18 minutes West along Belmont Street a distance
of 100 feet, thence by an arc curving to the left whose radius is 212 feet a distance of
14.19 feet along said street to a point and corner of said piece of ground, thence North
26 degrees no minutes West a distance of 236 feet to a point and corner of said piece of
ground, thence North 70 degrees 10 minutes East a distance of 206.91 feet, more or less, to
a corner of said piece of ground on Park Way, thence along Park Way South 47 degrees 02
minutes East a distance of 342.69 feet, more or less, to a corner of said piece of ground at
the intersection of Belmont Street and Park Way, thence along Belmont Street South 64
degrees no minutes West a distance of 112.0 feet, more or less, to a stake, thence by an
arc curving to the right, whose radius is 212 feet a distance of 132.09 feet to the point
of beginning.

No. 2 Starting at a point 240.45 feet northeast of a post in common with Lots No. 22 and
23 on the northerly side of Belmont Street, thence North 26 degrees 0 minutes West 216.96
feet to a point in common with lands of Zitella Wertz, thence North 70 degrees 10 minutes
East a distance of 60.35 feet to a point, thence South 26 degrees 0 minutes East a distance
of 236 feet to a point on Belmont Street, thence in a Northwesterly direction on a curved
line with a radius of 212 feet a distance of 65.55 feet along Belmont Street to the point
of beginning.

2. That the State Highway Department, Commonwealth of Pennsylvania, is vested
with the power to acquire real estate by eminent domain.

3. Pursuant to the powers conferred upon it by law, the Commonwealth of
Pennsylvania, condemned part of the herein before described tract of ground belonging to
the petitioners by approval of Sheet No. 13 of the Right of Way Plan for Route No. A1591B
Section 3 of Cambria County by the Governor of the Commonwealth of Pennsylvania on December
1, 1959.

CONTINUED ON NEXT PAGE.

Continued from Page 168

No. 2 Continued.

4. That the Petitioners and the State Highway Department of the Commonwealth of Pennsylvania have been unable to agree upon the compensation to be made for the property condemned and appropriated.

WHEREFORE your Petitioners therefore Pray your Honorable Court to appoint three (3) viewers from the Board of Viewers of Cambria County to assess the damages to which your Petitioners are entitled by reason of the appropriation of part of the petitioners land and report the same to Your Honorable Court sec. leg.

AND your Petitioners will ever pray, et c.

/s/ Roger W. Hager, Attorney for Petitioners.

COMMONWEALTH OF PENNSYLVANIA

I

SS:

COUNTY OF CAMBRIA

I

Marvin L. Eshelman and Carolyn E. Eshelman, husband and wife, being first duly sworn according to law, depose and say that the statements and facts contained in the above Petition are true and correct upon their personal knowledge, information and belief.

/s/ Marvin L. Eshelman

/s/ Carolyn E. Eshelman

Sworn to and subscribed

before me this 25th day
of October, 1960.

/s/ Janis D. Glass, (SEAL)

Notary Public

My Comm. Exp. July 2, 1963

D E C R E E

AND NOW, the 1 day of November, 1960, upon consideration of the foregoing Petition and upon motion of Roger W. Hager, Esquire, for Petitioners, the Court appoints:

Leopold J. Wendekier, Esq.

John L. Elder

Theodore Hunt

as a Board of Viewers to assess the damages caused by the taking of the property as described in the foregoing Petition and do direct that said Board of Viewers shall hold its first meeting as required by the Acts of Assembly and Rules of Court in such case made and provided, after evidence is given and report filed, give due notice of filing of the report, as required by law, the cost thereof to be taxed as part of the cost of said proceeding, and do further direct that said Board of Viewers shall report to the Court in accordance with existing laws and rules of Court.

By the Court: /s/ McDonald, Judge..

November 1, 1960: Notice to View and Copy of above Petition mailed to Leopold Wendekier, Esq.

November 4, 1960: Certified copy of Above petition mailed to Frank E. Roda, Assistant Attorney General, Department of Highways, Harrisburg, Pennsylvania.

No. 3

IN RE: ORDINANCE TO ACCEPT A
CERTAIN PORTION OF PALMER AVENUE
IN THE TOWNSHIP OF LOWER YODER

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 7.50 DEC 2 1961 AUDITED

FILED: NOVEMBER 14, 1960

L. 7⁵⁰ 11-22-60

ORDINANCE TO ACCEPT A CERTAIN PORTION OF PALMER
AVENUE IN THE TOWNSHIP OF LOWER YODER,
CAMBRIA COUNTY, PENNSYLVANIA

BE IT ORDAINED, and it is hereby ordained that the Township of Lower Yoder, Cambria County, Pennsylvania, hereby accepts as a public highway in the said Township that portion of Palmer Avenue beginning at the northeast intersection of Burly Street and Palmer Avenue; thence eastwardly and southeastwardly to the property now or formerly of Catherine Sauer, a distance of five hundred twenty-four (524) feet, said street being a forty (40) foot street as laid out on the Plan of Lots by Catherine Sauer in the Township of Lower Yoder, Cambria County, Pennsylvania, on February 26, 1925, and recorded in the Office of the Recorder of Deeds of Cambria County, in Plat Book Vol. 2, page 116.

ORDAINED, this 7th day of November, 1960.

TOWNSHIP OF LOWER YODER
By /s/ William Sladki, President

ATTEST:

/s/ Carl J. Kohler
Secretary.

I, CARL KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the above Ordinance is a true and correct copy of the same adopted at a regular meeting of the Board of Supervisors of Lower Yoder Township on the 7th day of November, 1960, and entered into the Minutes and records of the said Township.

/s/ Carl J. Kohler

No. 4

IN RE: PETITION OF CORDILLA WATSON
WHO SURVIVED HOMER WATSON AND CORDILLA
WATSON, HUSBAND AND WIFE, FOR THE
APPOINTMENT OF VIEWERS

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PA.

CLERK OF COURTS: \$ 41.00

FILED: NOVEMBER 23, 1960

PETITION OF CORDILLA WATSON WHO SURVIVED HOMER WATSON AND CORDILLA WATSON, HUSBAND AND WIFE,
FOR THE APPOINTMENT OF VIEWERS TO ASSESS DAMAGES ARISING FROM THE CONSTRUCTION OF A ROAD KNOWN
AS U. S. ROUTE NO. 22 IN JACKSON TOWNSHIP

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The Petition of Cordilla Watson who survived Homer Watson and Cordilla Watson, husband and wife, respectfully represents:

1. That Cordilla Watson who survived Homer Watson and Cordilla Watson, husband and wife, is a resident of the Township of Jackson, County of Cambria and State of Pennsylvania.
2. That the respondent is a Department of Highways of the Commonwealth of Pa. where the principal office is in the City of Harrisburg, County of Dauphin, and State of Pa., and with a district office located in Hollidaysburg, County of Blair and State of Pennsylvania and with a maintenance office located in Cambria Township, Cambria County, Pennsylvania.
3. That your petitioner is the owner by right of survivorship of the following described land:

ALL those two certain pieces or parcels of land situate, lying and being in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

No. 1 BEGINNING at a point on the State Road leading from Nanty Glo to Mundys Corner at the Southeastern corner of the tract of land belonging to Joseph and Theresa Suvages; thence along said last mentioned land North forty five degrees twenty five minutes West one hundred and fifty (150) feet to a point; thence through land of which this is a part in an Easterly direction by a line parallel with the State Road hereinbefore mentioned, a distance of fifty (50) feet to a point; thence in a Southerly direction a distance of one hundred and fifty (150) feet to a point on the State Road; thence along said State Road in a Westerly direction a distance of sixty five (65) feet to the place of beginning.

Excepting and reserving such minerals and mining rights as were conveyed by prior owners of said land.

No. 2 Beginning at a point or post on the State Road leading from Nanty Glo to Mundys Corner, said post being the northeastern corner of land of parties of the second part; thence along line of land of the parties of the second part in a northwesterly direction one hundred fifty feet to a point; thence by line of land of parties of the second part in a southwesterly direction fifty feet to a point on line of land now or late of Joseph and Theresa Suvages; thence along line of land now or late of Joseph and Theresa Suvages North forty five degrees twenty five minutes West one hundred seventy two feet to a post; thence North forty four degrees thirty five minutes East seventy feet to a post; thence by line of land to be conveyed to Calvin and Mariam Watson South forty six degrees twenty two minutes East two hundred fifty two feet, more or less, to a post or point on State Road leading from Nanty Glo to Mundys Corner; and thence by said State Road South three degrees East forty one feet to point or post and place of beginning.

Excepting and reserving, however, such minerals and mining rights as were conveyed by prior owners of said described land.

4. That in the construction by the Department of Highways of the Commonwealth of Pennsylvania of a portion of U. S. Route No. 22 lying in Jackson Township through your petitioner's property above described, said property has sustained serious loss and damages arising out of out-right appropriations of a large portion of this property.

CONTINUED ON PAGE 173

DECEMBER

SESSIONS, 19 60

Transferred from Page 172

No. 4 CONTINUED.

5. That the respondent has not agreed with the petitioner as to the amount of damages sustained to said property or made any payment to the petitioner on account of said damages even though said appropriation was made over eighteen (18) months ago.

WHEREFORE, your petitioner prays this honorable court pursuant to the Acts of Assembly to appoint three members of the permanent Board of Viewers of Cambria County to view the premises hereinabove described, take such testimony as necessary, determine the extent of the damages to the premises described, assess the benefits, if any, and report the same to this Court in accordance with law.

Cordilla Watson

STATE OF PENNSYLVANIA

SS

COUNTY OF CAMBRIA

Cordilla Watson being duly sworn according to law deposes and says that she survives Homer Watson, her husband, and that she is the petitioner in the foregoing Petition, and that the matters set forth in the said Petition are true and correct to the best of her knowledge, information and belief.

/s/ Cordilla Watson

Sworn and subscribed before me this

4th day of November, 1960

/s/ Margaret M. Kachik

Notary Public

(SEAL)

My commission expires: January 27, 1963

Ebensburg, Cambria County, Pennsylvania

DECREE

AND NOW, November 23, 1960, at 10:00 o'clock A. M., the within Petition having been read and considered and Leopold J. Wendekier, Esq., Theodore Hunt and John L. Elder three members of the permanent Board of Viewers of Cambria County be and they are hereby appointed to view the premises described in the within Petition, take such testimony as necessary, determine the extent of the damages to the premises described in the within Petition, assess the benefits, if any, and report the same to this Court in accordance with law.

By the Court: /s/ McDonald, Judge.

Notice to View and copy of above Petition mailed to Leopold J. Wendekier, Esq. & Copy of above Petition mailed to- Frank E. Roda, Ass't. Att. General, Dept. of Highways, Harrisburg, Penna.

May 16, 1961: Viewers' Report filed by Leopold Wendekier, Esq.

VIEWERS' REPORT

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

On November 23, 1960, the Court, after consideration of a petition presented for that purpose by Cordilla Watson, appointed Leopold J. Wendekier, Theodore W. Hunt and John L. Elder as a Board of Viewers to assess the damages and benefits, if any, caused by the condemnation by the Commonwealth of Pennsylvania Department of Highways of a portion of certain real estate owned by the

CONTINUED ON PAGE 519.

SESSIONS, 19



No: 1

IN RE: ORDINANCE FOR
CAMBRIA TOWNSHIPIN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 3.50

FILED: December 10, 1960

Rec'd. 50 APR 14 1961 AUDITED
4-11-61
MAY 11 1961 AUDITEDORDINANCE

BE IT ENACTED AND ORDAINED BY AUTHORITY OF THE SUPERVISORS OF THE TOWNSHIP OF CAMBRIA, AND IT IS HEREBY ENACTED AND ORDAINED:

That a street 40 feet in width known and designated as Maple Avenue on the Plan of Mylo Park, recorded in Cambria County in Plat Book Volume 2 at page 137, situate in Cambria Township, is hereby opened and adopted as a public street from a point on what is known as high Street, William Penn Highway, and extending in a northwesterly direction a distance of about 680 feet to Penn Street; and thence in a northerly direction a distance of about 260 feet to Woodland Street.

ENACTED AND ORDAINED this 2nd day of December, 1960..

SUPERVISORS OF CAMBRIA TOWNSHIP

By /s/ Ralph Fulton

Chairman of the Board of Supervisors

ATTEST:

CHARLES R. SHARBAUGH
Secretary

(S E A L)

Map filed.

No. 2

IN RE: AN ORDINANCE FOR THE ACCEPTANCE,
OPENING AND LAYING-OUT OF BRADDOCK STREET
IN UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 ^{APR 14 1961} AUDITED

FILED: JANUARY 13, 1961

R. 6 ^{MAR 9 1961} 2-6-61 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Braddock Street, being 40 feet in width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center line of Goucher Street and the center line of Braddock Street, formerly Derby Street, at Station 0+0, thence by the center line of said Braddock Street South 35° 32' West a distance of 1086.66 feet to Station 10+86.66, thence by a curve to the left having a radius of 70 feet a distance of 63.55 feet to Station 11+50.21, thence South 17° 36' East a distance of 340.0 feet to Station 14+90.21 at the intersection of the center line of South Clearfield Street, the place of ending.

a map, draft and survey showing said Braddock Street and also the centerline grade established thereon, as prepared by Fetterman Engineering Company on October 3, 1952, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn

President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

Secretary

No. 3

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF ELM DRIVE IN
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 13, 1961

R. 6 ⁵⁰ MAR 9 1961 AUDITED

BE IT ORDAINED, and it hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Elm Drive, being 40 feet in width, having a 24 foot roadway and an 8 foot sidewalk on each side, more particularly described as follows:

BEGINNING at the intersection of the center line of Elm Drive
at Station 0+0, thence by the center line of said Elm Drive
North 35° 20' West 550 feet to Station 5+50, the place of
ending:

a map, draft and survey showing said Elm Drive and also the center line grade established thereon, as prepared by S. E. Dickey and Company on September 22, 1959, is attached hereto and made a part of this Ordinance.

ORDAINED AND enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,
President

ATTEST:

/s/ Thomas H. Nesbitt,
Secretary

I hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt,
Secretary

No. 4

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF GAY VIEW
TERRACE, UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 13, 1961

R. G. S. MAR 9 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Gay View Terrace, being 40 feet in width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center lines of Menoher Highway and Gay View Terrace at Station 0+0, thence by the center line of said Gay View Terrace North 49° 43' East 1405.71 feet to Station 14+05.71, the place of ending:

a map, draft and survey showing said Gay View Terrace and also the center line grade established thereon, as prepared by S. E. Dickey and Company on October 12, 1959, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,
President

ATTEST:

/s/ Thomas H. Nesbitt
Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt,
Secretary

No. 5

IN RE: AN ORDINANCE FOR THE ACCEPTANCE,
OPENING AND LAYING OUT OF GARLAND AVENUE
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

APR 14 1961 AUDITED
CLERK OF COURTS: \$ 6.50

FILED: JANUARY 13, 1961

2-6-61 MAR 9 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Garland Avenue, being 40 feet in width, having an 8 foot side walk on each said and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center line of Elm Drive and Garland Avenue at Station 0+0, thence by the center line of Garland Avenue North $54^{\circ} 40'$ East a distance of 426 feet to Station 4+26 at the intersection of the center lines of Garland Avenue and Bremen Street, the place of ending;

a map, draft and survey showing said Garland Avenue and also the center line grade established thereon, as prepared by Hinks and Locher Engineers, Inc., June 10, 1960, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,
President

ATTEST:

/s/ Thomas H. Nesbitt
Secretary

I hereby certify that the foregoing is a true and correct copy of Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt
Secretary

No. 6

IN RE: AN ORDINANCE FOR THE ACCEPTANCE,
OPENING AND LAYING OUT OF KENRUTH AVENUE
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

APR 14 1961 AUDITED
CLERK OF COURTS: \$ 6.50

FILED: JANUARY 13, 1961

MAR 9 1961 AUDITED
R. C. 50 2-6-61

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Kenruth Avenue, being 40 feet in width, having a 24 foot roadway and an 8 foot sidewalk on each side, more particularly described as follows:

BEGINNING at the intersection of the center line of Rosemont Avenue and the center line of Kenruth Avenue at Station 0+0

thence by the center line of said Kenruth Avenue North $79^{\circ} 55'$

West a distance of 274.23 feet to Station 2+74.23, thence by a

curve to the left having a radius of 145 feet a distance of

148.34 feet to Station 4+22.57, thence South $41^{\circ} 28'$ West a

distance of 274.33 feet to Station 6+96.9 at the intersection

of the center line of Goucher Street, the place of ending;

a map, draft and survey showing said Kenruth Avenue and also the center line grade established thereon, as prepared by S. E. Dickey and Company, September 30, 1959, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,

President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt,

Secretary

No. 7

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF LYLE COURT
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED
L. 6⁵⁰ MAR 9 1961 AUDITED
2-6-61

FILED: JANUARY 13, 1961

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Lyle Court, being 40 feet in width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center lines of Menoher Highway and Lyle Court at Station 0+0, thence by the center line of said Lyle Court North 49° 43' East 1292. 07 feet to Station 12+02.07, the place of ending;

a map, draft and survey showing said Lyle Court and also the center line grade established thereon, as prepared by Hinks and Locher Engineers, Inc. on March 1, 1960, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,

President

ATTEST:

/s/ Thomas H. Nesbitt

I hereby certify that the above is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

No. 8

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF MOHAWK DRIVE
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 13, 1961

L. C. 50 MAR 9 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Mohawk Drive, being 40 feet in width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at Station 0+0 at the intersection of the center line of Wonder Street, formerly Adams Street, and Mohawk Drive, thence by the center line of said Mohawk Drive South 50° 03' West a distance of 386 feet to Station 3+86 at the intersection of center line of Truman Street, thence continuing by the center line of Mohawk Drive South 50° 03' West a distance of 300 feet to Station 6+86 at Antonia Street;

a map, draft and survey showing said Mohawk Drive and also the center line grade established thereon, as prepared by S. E. Dickey and Company on November 21, 1938 and revised on June 13, 1960 by Hinks and Locher Engineers, Inc., is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,

President

ATTEST:

/s/ Thomas H. Nesbitt
Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt,
Secretary

No. 9

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF NICE AVENUE
UPPER YODER TOWNSHIP

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 13, 1961

L. 6 MAR 9 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Nice Avenue being 40 feet width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center lines of Goucher Street
and Nice Avenue at Station 0+0, thence along the center line of Nice
Avenue South 35° 32' West a distance of 935.61, the place of ending;

a map, draft and survey showing said Nice Avenue and also the center line grade established thereon, as prepared by Fetterman Engineering Company on May 11, 1959, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn

President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the
Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

Secretary

No. 10

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF RAVINE AVENUE
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 13, 1961

L. C. 50 MAR 8 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Ravine Avenue, being 40 feet in width, having an 8 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center lines of Elm Drive and Ravine Avenue at Station 0+0, thence along the center line of said Ravine Avenue North $54^{\circ} 40'$ East 426.0 feet to the intersection of the center line of Bremen Street, the place of ending;

a map, draft and survey showing said Ravine Avenue and also the center line grade established thereon, as prepared by S. E. Dickey and Company on October 23, 1959, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP
By /s/ Edward F. DeFrehn
President

ATTEST:

/s/ Thomas H. Nesbitt
Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

No. 11

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF POCAHONTAS DRIVE
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 30, 1961

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Pocahontas Drive, more particularly described as follows:

BEGINNING at Station 0+0 at the intersection of center line of Wonder Street, formerly Adams Street and Pocahontas Drive, thence by the center line of said Pocahontas Drive South $30^{\circ} 12'$ West 285.40 feet to Station 2+85.4, thence continuing by the center line of said Pocahontas Drive South $50^{\circ} 03'$ West 106.21 feet to Station 3+91.61, thence continuing by the center line of said Pocahontas Drive and by a curve to the right having a radius of 80 feet a distance of 123.29 feet to Station 5+14.90 at the center line of Truman Street, the place of ending:

a map, draft and survey showing said Pocahontas Drive and also the center line grade established thereon, as prepared by S. E. Dickey and Company on September 5, 1959 and revised by Hinks and Locher Engineers, Inc. on June 14, 1960, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,
President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt,
SECRETARY

No. 12

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF SUSQUEHANNA
STREET, CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 1 10 1961 AUDITED

R. 6 50 MAR 9 1961 AUDITED

FILED: JANUARY 30, 1961

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Susquehanna Street, being 60 feet in width, having an 18 foot sidewalk on each side and a 24 foot cartway, more particularly described as follows:

BEGINNING at the intersection of the center lines of Luzerne Street and Susquehanna Street at Station 0+0 thence by the Center line of said Susquehanna Street South 31° 42' East 949.31 feet to Station 9+49.31, the place of ending:

a map, draft and survey showing said Susquehanna Street and also the center line grade established thereon, as prepared by the abutting property owners and checked by T. L. Locher, Upper Yoder Township Engineer, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January, 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFreha

President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

MARCH

SESSIONS, 19 61

No. 13

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF TRUEMAN STREET
CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 30, 1961

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Trueman Street, more particularly described as follows:

BEGINNING at Station 0+0 at the intersection of the center line of Mohawk Drive and Trueman Street, thence by the center line of Trueman Street South $41^{\circ} 39'$ East a distance of 221.10 feet to Station 2+1.10, said point being Station 5+14.90 on center line of Pocahontas Drive as accepted as of this date.

a map, draft and survey showing said Trueman Street and also the center line grade established thereon, as prepared by S. E. Dickey and Company on September 5, 1959 and revised by Hinks and Locher Engineers, Inc. on June 14, 1960, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn

President

ATTEST:

/s/ Thomas H. Nesbitt

I hereby certify that the foregoing is a true and exact copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt

Secretary

No. 14

IN RE: AN ORDINANCE FOR THE ACCEPTING,
OPENING AND LAYING OUT OF WONDER STREET
FORMERLY ADAMS STREET, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 APR 14 1961 AUDITED

FILED: JANUARY 30, 1961

L. 650 MAR 9 1961 AUDITED
2-6-61

BE IT ORDAINED, and it is hereby ordained that the Township of Upper Yoder, Cambria County, Pennsylvania, hereby accepts, opens and lays out as a public road in said Township Wonder Street, formerly Adams Street, more particularly described as follows:

BEGINNING at Station 0+0 at the intersection of the center lines of Pocahontas Drive and Wonder Street, thence by the center line of said Wonder Street North $59^{\circ} 48'$ West a distance of 412.75 feet to the center line of Keppler Drive, the place of ending, being shown on the Plan 10-B-146:

a map, draft, and survey showing said Wonder Street and also the center line grade established thereon, as prepared by S. E. Dickey and Company on July 14, 1938 and revised by Hinks and Locher Engineers, Inc. on August 15, 1960, is attached hereto and made a part of this Ordinance.

ORDAINED and enacted this 2nd day of January 1961.

SUPERVISORS OF UPPER YODER TOWNSHIP

By /s/ Edward F. DeFrehn,
President

ATTEST:

/s/ Thomas H. Nesbitt

Secretary

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Supervisors of Upper Yoder Township on January 2, 1961.

/s/ Thomas H. Nesbitt
Secretary

No. 15

IN RE: RESOLUTION OF ACCEPTANCE
BY ADAMS TOWNSHIP SUPERVISORS

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 10.50 APR 14 1961 AUDITED

FILED: MARCH 2, 1961

E. 10⁵⁰ APR 14 1961 AUDITED.
3-15-61

RESOLUTION OF ACCEPTANCE BY ADAMS
TOWNSHIP SUPERVISORS

WHEREAS, the Berwind White Coal Mining Company has offered to dedicate all the streets and alleys as established upon six (6) sheets or maps of the Plan of Lots as laid out by The Berwind White Coal Mining Company at Saint Michael in Adams Township, Cambria County, Pennsylvania, for the use of the public generally, together with the right of maintenance thereof through and over its property as dedicated on the said six (6) sheets or maps, and

WHEREAS the dedication of the streets and alleys as established hereby are subject to, and without modification of, present ownership and right of occupancy for power and electric lines and appurtenances, water lines and mining facilities as the same may exist under, over or upon the said premises at the time of the dedication hereof.

RESOLVED, the Township of Adams, County of Cambria and State of Pennsylvania, a municipal corporation, by virtue of this resolution of the Board of Supervisors thereof does hereby accept and dedicate forever for public use by the public generally all drives, roads, streets, lanes and ways shown upon the six (6) sheets or maps of the Plan of Lots as laid out by the The Berwind-White Coal Mining Company of Saint Michael in Adams Township, Cambria County, Pennsylvania, with the same force and effect as if the same had been opened through legal proceedings.

ON MOTION of Joseph B. Valko, seconded by Joseph G. Valko, the above resolution was passed unanimously the 15th day of September 1960.

I hereby certify the above to be a true and correct copy of the Resolution of Acceptance of the Highways in the Village of Saint Michael, Adams Township, Cambria County, Pennsylvania, by the Board of Supervisors of said Adams Township.

Taken from the minutes of the meeting of said Board of Supervisors of Adams Township, Cambria County, Pennsylvania, this 12th day of December 1960.

/s/ Joseph G. Valko

Secretary-Treasurer of Board of Supervisors of
Adams Township, Cambria County, Pennsylvania

Six (6) maps filed.

No. 1

IN RE: PETITION OF RICHLAND
TOWNSHIP SUPERVISORS -

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

CLERK OF COURTS: \$ 20.50

FILED: APRIL 10, 1961 by Marlin B. Stephens, Esq.

R-20.50 MAY 11 1961 AUDIT JUL 20 1961 AUDITED

TO THE HONORABLE JUDGES OF SAID COURT:

The Petition of the Supervisors of Richland Township, Cambria County, Pennsylvania, respectfully represents:

FIRST

That the residents and citizens of Richland Township, Cambria County, Pennsylvania, owning property and living along various roads as hereinafter set forth, have requested and petitioned the Supervisors of Richland Township to adopt, take over and open up the said roads as Township Highways.

SECOND

That the said proposed Township Highways have been laid out and dedicated to public use for many years by the original Grantors and adjoining property owners, but the Richland Township Supervisors have never adopted the same as Township Highways.

THIRD

That the said roads proposed to be adopted as Richland Township Highways are as follows:

BEGINNING at a point on the Township Highway leading from State Highway Route No. 56 to Elton Road, known as Theatre Drive, where the Township Road connects Schoolhouse Road with Theatre Drive; thence North 63° 35' East a distance of 400 feet, more or less, to a point; thence North 14° 11' West a distance of 550 feet, more or less, to center line of Schoolhouse Road; and from a point on center line of Theatre Drive South 14° 11' East a distance of 375 feet, more or less, to a point at the driveway to the Richland Township School District Junior High School.

Said Township Highway covered by the above courses and distances shall be 60 feet in width in accordance with the right-of-way dedicated for public use for highways by Wilmore Coal Company in accordance with their survey of said road dated September 30, 1960, and recorded in Cambria County on November 2, 1960, in Plat Book Volume 6, page 28, set forth in detail on the second sheet of said Plan.

FOURTH

That the Supervisors of Richland Township are desirous of adopting the said streets as Township Highways so as to better serve and meet the needs of the citizens, taxpayers, and property owners of Richland Township, Cambria County, Pennsylvania.

FIFTH

That the said Supervisors of Richland Township have passed a resolution adopting said streets as Township Highways and authorized this Petition to your Honorable Court asking its approval, a certified copy of said resolution of Richland Township Supervisors is hereto attached and made a part hereof as well as a map of the Wilmore Coal Company showing said proposed Township Highways in the color red.

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THEREFORE, your Petitioners pray your Honorable Court/approve the said
adoption of the aforesaid streets as Richland Township Highways.

And they will forever pray.
RICHLAND TOWNSHIP SUPERVISORS

/s/ Herman O. Weaver
/s/ Robert G. Harris
/s/ Harold P. Trent

STATE OF PENNSYLVANIA ()
COUNTY OF CAMBRIA () SS:

Personally appeared before me, a Notary Public in and for the said
County and State, HERMAN O. WEAVER, HAROLD P. TRENT and ROBERT HARRIS, Supervisors of
Richland Township, Cambria County, Pennsylvania, who being duly sworn according to law,
depose and say that the facts set forth in the foregoing petition are true and correct to the
best of their knowledge, information and belief.

/s/ Herman O. Weaver
/s/ Robert G. Harris
/s/ Harold P. Trent

Sworn and subscribed to
before me this 10th day
of April, 1961
/s/ Marion E. Gojmerac
Notary Public
Johnstown, Cambria County, Pa.
My Commission Expires Jan. 29, 1964

R E S O L U T I O N

At the regular meeting of the Richland Township Supervisors held on the
30th day of September, 1960, it was regularly moved and seconded and unanimously passed that
the following described streets in Richland Township, as set forth and marked on the map of
the Wilmore Coal Company in the color red, are hereby adopted as Richland Township Highways
and further that the Township's Solicitor, Marlin B. Stephens, is hereby authorized and
directed to petition the Court of Quarter Sessions of Cambria County, Pennsylvania, for ap-
proval of the adoption of the aforementioned streets as Richland Township Highways; and the
officers of the Supervisors of Richland Township are hereby authorized, instructed and dir-
ected to execute the said Petition together with any and all papers necessary for the adopting
of the said streets as Richland Township Highways. Said streets are described as follows:

BEGINNING at a point on the Township Highway leading
from State Highway Route No. 56 to Elton Road, Known
as Theatre Drive, where the Township Road connects
Schoolhouse Road with Theatre Drive; thence North
63° 35' East a distance of 400 feet, more or less,
to a point; thence North 14° 11' West a distance of
550 feet, more or less, to center line of Schoolhouse
Road; and from a point on center line of Theatre Drive

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JUNE

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No. 1 CONTINUED-

South 14° 11' East a distance of 375 feet, more or less, to a point at the driveway to the Richland Township School District Junior High School.

Said Township Highway covered by the above courses and distances shall be 60 feet in width in accordance with the right-of-way dedicated for public use for highways by Wilmore Coal Company in accordance with their survey of said road dated September 30, 1960, and recorded in Cambria County on November 2, 1960, in Plat Book Volume 6 page 28, set forth in detail on the second sheet of said Plan.

I hereby certify that the aforesaid Resolution was adopted and is a part of the minutes of the Richland Township Supervisors at their regularly held meeting held on the 20th day of September, 1960.

/s/ Marcella Wilkinson
Secretary of the Richland
Township Supervisors

(SEAL)
MAP FILED.

D E C R E E

NOW, this 10 day of April, 1961, the foregoing petition having been read and duly considered and it appearing to the Court that the Supervisors of Richland Township are desirous of adopting the said proposed streets as Township Highways, and it appearing to be for the best interests of the residents of Richland Township as well as the gen^eral driving public to have the said streets adopted as Township Highways;

THEREFORE, it is ordered and decreed that the Streets above set forth in the foregoing petition all of which are shown on the map of the Wilmore Coal Company marked in the color red, whichsaid map is attached hereto and made a part hereof, are approved for adoption as Township Highways and a part of the Richland Township Highway System and under the care, supervision and responsibility of the Supervisors of Richland Township, Cambria County, Pennsylvania.

BY THE COURT: /s/ Griffith, P. J.

No. 2

ORDINANCE FOR CAMBRIA
TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 3.50

FILED: APRIL 17, 1961 by RALPH FULTON,
CHAIRMAN OF THE BOARD OF SUPERVISORS

R. 3 ⁵⁰ JUN 20 1961 AUDITED

ORDINANCE

BE IT ENACTED AND ORDAINED BY AUTHORITY OF THE SUPERVISORS OF THE TOWNSHIP OF
CAMBRIA, AND IT IS HEREBY ENACTED AND ORDAINED:

That a portion of a public road beginning at a point in the center line of the intersection of the Township Road No. 456 running from Winterset to State Highway Route No. 219 and Township Road No. 454 running from Ebensburg to Bradley Junction and extending through land of Cambria County and land of Herman H. Hoover North 43° 31' East 272 feet to a point; North 42° 47' East 185 feet to a point; North 47° 18' East 122 feet to a point; North 61° 45' East 198 feet to a point; North 38° 00' East 89 feet to a point; North 19° 02' East 892 feet to a point and North 17° 58' East 255 feet to a spike, be vacated, and that there be laid out and opened as a public highway to replace the portion of the roadway herein vacated, a road 40 feet in width, beginning at a point in the said Highway known as Township Route No. 454 leading to Bradley Junction and extending in a Westerly direction, with a curve to the right having a radius of 380 feet, an arc distance of 429.95 feet to a point; and thence South 82° 45' West 1345 feet to the Township Road known as Route No. 456 leading from Winterset to State Highway Route No. 219. A map showing the portion of the road to be vacated and the portion to be supplied is on file and may be examined at the Office of the Supervisors of Cambria Township, 112 S. West Street, Ebensburg, Pennsylvania.

ENACTED AND ORDAINED this 2nd day of December, 1960.

SUPERVISORS OF CAMBRIA TOWNSHIP

By /s/ Ralph Fulton

Chairman of the Board of Supervisors

ATTEST:

CHARLES R. SHARBAUGH

Secretary

MAP FILED- April 17, 1961

No. 3

IN RE: PETITION OF MIKE C. BUCKUS, FOR
THE APPOINTMENT OF VIEWERS TO ASSESS
DAMAGES ARISING FROM IMPROVEMENTS TO
STATE HIGHWAY U. S. ROUTE NO. 22 IN
THE TOWNSHIP OF JACKSON, COUNTY OF
CAMBRIA AND STATE OF PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

APR 5 1962 AUDITED
CLERK OF COURTS: \$ 22.50

FILED: MAY 4, 1961 by

FERDINAND F. BIONAZ

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The ^{4.50}petition of Mike C. Buckus, respectfully represents:

1. That he resides in the Township of Jackson, County of Cambria, and State Of Pennsylvania
2. That the respondent is the Department of Highways, Commonwealth of Pennsylvania.
3. That the petitioner is the owner of all that certain piece or parcel of land situate, lying and being in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

Beginning at a point in the center of a public road which was formerly known as the William Penn Highway (the new William Penn Highway having been relocated) and one line of land of Steele Shaw, formerly Davis Bros. Heirs; thence along line of land of Steel Shaw, foermerly Davis Bros. Heirs north 4 degrees 15 minutes east 3930 feet to a post in line of land of Heisley Coal Company, formerly Webster Griffith; thence along land of Heisley Coal Company, formerly Webster Griffith South 86 degrees east 200 feet to a post in line of land of Heisley Coal Company, formerly Webster Griffith; thence along land of which the part hereby conveyed was formerly a part, now owned by Roy Dean South 9 degrees 55 minutes East 3551.2, feet to a point to the center of road (formerly William Penn Highway); thence along said road the three following courses and distances; South 88 degrees 55 minutes west 546.6 feet to a point; north 89 degrees 58 minutes west 300 feet to a point; south 74 degrees 5 minutes west 242.12 feet to a point, the place of beginning; containing 51.77 acres.

4. That in the construction by the Department of Highways of the Commonwealth of Pennsylvania, of a limited access State Highway known as U. S. Route No. 22, through petitioner's property above described, said property has sustained serious loss and damage arising out of the outright appropriation of a large portion of petitioner's property and for other reasons.

5. That respondent has not agreed with the petitioner, as to the amount of damages sustained or made any payment to him on account thereof, although respondent took petitioner's land approximately thirty six (36) months ago, that is, on the 5th day of May, 1958.

WHEREFORE, your petitioner prays your Honorable Court, pursuant to the Acts of Assembly in such cases made and provided, to appoint three viewers from the members of the Board of Permanent Viewers of Cambria County to view the above described premises, take such testimony as may be necessary, determine the extent of the damages, assess the benefits, if any, and report the same to your Honorable Court according to law.

/s/ Mike C. Buckus

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No. 3 CONTINUED.

STATE OF PENNSYLVANIA :

SS

COUNTY OF CAMBRIA :

Before me, the subscriber, a Notary Public for and in said County and State, personally appeared MIKE C. BUCKUS, who, being duly sworn according to law, deposes and says that he is the Petitioner named in the foregoing Petition and that the statements therein set forth are true and correct to the best of his knowledge, information and belief.

/s/ Mike C. Buckus

Sworn to and subscribed before me

this 4th day of May, 1961.

/s/ Stephen Oblackovich

(S E A L)

Justice of the Peace

My Comm. Exp.: Jan. 1, 1962

D E C R E E

AND NOW, May 4, 1961, the within petition read and considered and Donald J. Letizia, Esq. Raymond Niebauer, and John L. Elder, three members of the Permanent Board of Viewers of Cambria County, be and they hereby are appointed to view the premises described in the within petition, take such testimony as necessary, determine the extent of the damage to the premises described in the within petition, assess the benefits, if any, and report the same to the court according to law.

BY THE COURT:

/s/ McDonald, J.

May 5, 1961: NOTICE TO VIEW mailed to Donald J. Letizia, Esq.

JANUARY 15, 1962: VIEWERS' REPORT FILED BY DONALD J. LETIZIA, ESQ.

VIEWERS' REPORT

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

DONALD J. LETIZIA, Esquire, RAYMOND NIEBAUER, and JOHN L. ELDER, three members of the permanent Board of Viewers of Cambria County, Pennsylvania, appointed to view the premises of MIKE C. BUCKUS, to assess damages to said property arising from the condemning of the said property by the Commonwealth of Pennsylvania, Department of Highways, and return the proceedings according to law, respectfully report:

Pursuant to their appointment on May 4, 1961, the Board of View set June 5, 1961, at 2:00 P. M. E.D.S.T. as the time to view and inspect the premises owned by Mike C. Buckus. Due notice thereof was given to Mike C. Buckus, Petitioner, as shown by acceptance of service of notice hereto attached and made a part hereof. Notice was likewise given to Edward F. Peduzzi, Esquire, Attorney for the Commonwealth of Pennsylvania, as shown by acceptance of service of notice hereto attached and made a part hereof. The Board of View thereafter set June 26, 1961, at 2:00 P. M. E.D.S.T., in Courtroom No. 4, Cambria County Courthouse, Ebensburg, Pennsylvania, as the time and place for hearing. Due notice thereof was given to Ferdinand F. Bionaz, Esquire, Attorney for Plaintiff, as shown by acceptance of service of notice hereto attached and made a part hereof. Notice was likewise given to Edward F. Peduzzi, Esquire, Attorney for Defendant, as shown by acceptance of service of notice hereto attached and made a part hereof. At the request of Ferdinand F. Bionaz, Attorney for Plaintiff, the hearing scheduled for June 26, 1961, was continued and August 28, 1961, at 1:30 p.m., E.D.S.T. at Courtroom No. 4, Cambria County Courthouse, Ebensburg, Pennsylvania, was scheduled as the time and place for hearing. The hearing was held at the time and place appointed and was attended thereat by Ferdinand F. Bionaz, Esquire, Attorney for Plaintiff, and Mike C. Buckus, the petitioner. The Commonwealth of

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SESSIONS, 19



NO. 1

IN RE: AN ORDINANCE OF LOWER YODER TOWNSHIP
TO ACCEPT A CERTAIN PORTION OF WILSON STREET,
HAWS STREET, AVALON AVENUE, BLAWN STREET,
ORANGE AVENUE AND HILLSIDE TRAIL IN THE
TOWNSHIP OF LOWER YODER, CAMBRIA COUNTY,
PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

CLERK OF COURTS: \$ 6.50 OCT 19 1961 AUDITED

FILED: AUG. 1, 1961 by Samuel R. DiFrancesco, Sr.

R. 6⁵⁰ SEP 19 1961 AUDITED

BE IT ORDAINED, and it is hereby ordained that the Township of Lower Yoder, Cambria County, Pennsylvania, hereby accepts as public highways in the said Township the following portions of highways:

- (1) WILSON STREET - From the City line approximately 1,585 feet, more or less, northeasterly to a dead end; it being a forty (40) foot street in width.
- (2) HAWS STREET - From the City line approximately 475 feet northeasterly to a dead end; being forty (40) feet in width.
- (3) AVALON AVENUE - From Haws Street west approximately 265 feet; being forty (40) feet in width.
- (4) BLAWN STREET - From Mountain Road northwest approximately 300 feet to Orange Avenue; it being a fifty (50) foot wide street.
- (5) ORANGE AVENUE - Beginning at an unnamed alley and City line and extending westerly to the intersection of Blawn Street approximately 400 feet; being (50) feet in width.
- (6) HILLSIDE TRAIL - Beginning at Grange Drive and extending northwesterly approximately 1,045 feet; being forth (40) feet in width.

Said streets being a part of the Sunnymanor Plan of Lots; the Strayer Plan of Lots; and the Hillside Trail Plan of Lots.

ORDAINED this 31st day of July, 1961.

TOWNSHIP OF LOWER YODER

By /s/ William Sladki, Chairman

ATTEST:

/s/ Carl J. Kohler
Secretary

I, CARL J. KOHLER, Secretary of the Township of Lower Yoder, hereby certify that the foregoing Ordinance is a true and correct copy of the same adopted at a special meeting of the Board of Supervisors of Lower Yoder Township on the 31st day of July, 1961, and entered into the Minutes and records of the said Township.

/s/ Carl J. Kohler.

(S E A L)

No. 2

IN RE: COPY OF ORDINANCE ADOPTED BY THE
SUPERVISORS OF ALLEGHENY TOWNSHIP RELATIVE
TO THE VACATION OF A PORTION OF THE TOWNSHIP
ROAD AND THE OPENING OF A NEW ROAD TO
FRANCISCAN FATHERS--OUR LADY OF LORETTO
SEMINARY

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNA.

OCT 19 1961 AUDITED
CLERK OF COURTS: \$ 3.50

FILED: SEPTEMBER 5, 1961

10-13-61

ORDINANCE

BE IT ENACTED AND ORDAINED BY AUTHORITY OF THE SUPERVISORS OF THE
TOWNSHIP OF ALLEGHENY, AND IT IS HEREBY ENACTED AND ORDAINED:

That a portion of the public road extending from State Highway
Route No. 276 between Loretto and Cresson at a corner of land of Franciscan Fathers-- Our Lady
of Loretto Seminary and corner of land of Province of the Most Sacred Heart of Jesus, Third
Order Regular of Saint Francis of Penance; South 50° West 80 feet, South 43° 15' West 250 feet,
North 82° 45' West 67 feet, North 69° West 306 feet and South 17° 20' East 300 feet, be
vacated and that there be laid out and opened as a public highway to replace the portion of
the roadway herein vacated, a road 40 feet in width, beginning at a point, corner of land of
Henry Callan, Franciscan Fathers--Our Lady of Loretto SEMinary, and Province of the Most Sacred
Heart of Jesus, Third Order Regular of Saint Francis of Penance and extending North 89° 20'
East 1050 feet to a point and South 41° 15' West 100 feet to the State Highway above mentioned.
A map showing the portion of the road to be vacated and the portion of the road to be supplied
is on file and may be examined at the Office of the Clerk of Courts of Cambria County.

ENACTED AND ORDAINED this 4th day of November, 1960.

SUPERVISORS OF ALLEGHENY TOWNSHIP

By /s/ Gordon Trexler

Chairman of the Board of Supervisors

ATTEST:

/s/ James J. Thomas

Secretary.

9/5/61: Map filed.