

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

In the Matter
Of the petition of John A. Rose and others, inhabitants of Jackson Township, Cambria County, Pennsylvania, for appointment of Viewers to view ground proposed for a public road in said Township of Jackson.

Petition for appointment of Viewers.

Decree

And now, April 24, 1944, the within petition presented, and D. J. Gandy, Thomas Gandy and M. J. Morgan are hereby appointed Viewers to view the ground proposed for the road within prayed for, and to make report of their proceedings to the next term of court.


MORGAN W. EVANS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

acceptance of Notice of Jackson
and now, April 22, 1944, the supervisors of Jackson
Township, Carbon County, Pennsylvania, hereby acknowledge
that we have received notice of the presenting of the petition
petition, and that we have received a copy of said petition.

Horsey Cash
Secretary of Board.

<p>In the Matter</p> <p>of the Petition of John A. Rose and others, inhabitants of Jackson Township, Cambria County, State of Pennsylvania, for appointment of Viewers to view ground proposed for a public road in said Township of Jackson.</p>	<p>‡ In the Court of Quarter Sessions of Cambria County, Pennsylvania.</p> <p>‡ No. <u>2</u>, <u>March</u> Term, 1944.</p>
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PETITION FOR APPOINTMENT OF VIEWERS

To the Honorable the Judges of said Court:

The petition of the undersigned, inhabitants and taxpayers of Jackson Township, Cambria County, State of Pennsylvania, respectfully represents:

1. That your petitioners labor under great inconvenience for want of a public road or highway beginning at a point on the westerly side of the public Road, leading from Monday's Corner to Johnstown, known as State Highway Route No. 219, eight-tenths of a mile from the point where said State Highway Route No. 219 intersects with State Highway Route No. 22, known as Monday's Corner, and ending at a point on the westerly side of said State Highway Route No. 219 one mile from the junction of State Highway Routes 219 and 22, traversing lands of Lawrence Costlow, George Rose, John A. Rose, Joel Simmons Heirs, Jacob Waligora and Elmer Rhodes and possibly others, all in Jackson Township.

2. That the Supervisors of Jackson Township have received notice of the present petition, as appears by their acceptance of notice hereto attached.

3. That notice of the present petition has, likewise, been accepted by the Commissioners of Cambria County, and they have waived the issuance of a rule to shown cause, provided for by Rule 301½ of your honorable Court.

The petitioners, therefore, pray the Court to appoint three members of the Permanent Board of Viewers to view the ground proposed for said road, and, if they see the necessity therefor, to lay out the same, and make report of their proceedings to the next Term of Court.

<u>John A. Rose</u>	<u>John Karkinsky</u>
<u>Clive H. Simmons</u>	<u>Amie Altshuler</u>
<u>Geo B. Rose</u>	<u>J. M. Miller</u>
<u>Jacob Haligora</u>	<u>J. H. Bracken</u>
<u>L. B. Baetlow</u>	<u>Harry M. Bracken</u>
<u>Yega Csicsmanyi</u>	<u>George C. Leidy</u>
<u>Elmer S. Rhoades</u>	<u>Harvey C. Hunt</u>
<u>Isaac Miller</u>	<u>Joseph Rager</u>
<u>Edwin Gillin</u>	<u>Charles Kern</u>
<u>Theodore Mayer</u>	<u>Ross Rager</u>
<u>George Paul</u>	<u>A. B. Joseph</u>
<u>C. W. Hoffman</u>	<u>Margaret Rose</u>
<u>J. E. Mickell</u>	<u>Adam Deamin</u>
<u>Earl Warner</u>	<u>H. C. Snyder</u>
<u>A. B. Sharske</u>	<u>Mary E. Stinger</u>

State of Pennsylvania | SS:
County of Cambria

John A. Rose, a tax-payer and an inhabitant of Jackson Township, Cambria County, Pennsylvania, and one of the foregoing petitioners, being duly sworn according to law, deposes and says that the matters and statements contained and set forth in the within petition are true as he verily believes.

Sworn and subscribed before me
this 15th day of April, 1944.

John A. Rose

S. C. Cunningham
Counemaugh R 101 P

S. C. CUNNINGHAM
JUSTICE OF THE PEACE
My Commission Expires 1946

ACCEPTANCE OF NOTICE BY SUPERVISORS

And now, April 22, 1944, we, the undersigned, supervisors of Jackson Township, Cambria County, Pennsylvania, hereby acknowledge that we have received notice of the presenting of the within petition to the Court of Quarter Sessions of Cambria County, Pennsylvania, and join with the other petitioners in the prayer of the present petition.

Henry A. Leidy

Supervisors of Jackson
Township, Cambria County,
Pennsylvania.

Acceptance of Notice by County Commissioners

And now, April 24, 1944, we, the undersigned, Commissioners of Cambria County, Pennsylvania, hereby acknowledge that we have received notice of the presenting of the within petition and that we have also received a copy of said petition. We also waive the issuance of the rule to show cause provided for in Rule No. 301 $\frac{1}{2}$ of the Rules of Court, and agree that the petition be presented without the issuance of such a rule.

H. F. Dow
Clark L. C. Comins
Commissioners of Cambria
County, Pennsylvania.

Original filed 11: 5 a.m.

No. 2 - March Sessions
1944

Proposed Highway in
Jackson Township
Cambria County

Report of Viewers

Filed 6/8/44

**ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA**

12/11/44
Confirmed Absolutely

Dec 11-1944
Report of Viewers approved
and width of road fixed as
Hopes.
By the Court,
McKenrick
Judge

Waldo D Smith
John Sherman
Harry A Seely

In Re: Proposed Public Highway
in Jackson Township,
Cambria County, Pennsylvania.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 2, March Sessions, 1944

REPORT OF VIEWERS

To the Honorable, the Judges of the Court of Quarter
Sessions of Cambria County, Pennsylvania.

We, the undersigned members of the Permanent Board of Viewers of Cambria County, appointed by your Honorable Court and directed to view the premises to determine as to the necessity for a public highway as prayed for by the Petitioners, beginning at a point on the westerly side of the public road leading from Mundy's Corner to Johnstown, known as State Highway Route No. 219, eight-tenths of a mile from State Highway Route No. 22 at Mundy's Corner, and ending at a point on the westerly side of said State Highway Route No. 219 one mile from the junction of said State Highway Routes Nos. 219 and 22 at Mundy's Corner.

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of said county, to two of the Supervisors of Jackson Township (the third, Weldon D. Smith, being in the United States Navy) and to the public by printed hand bills posted at and in the immediate vicinity of the premises to be viewed for the proposed public highway, as is required by the Act of the General Assembly.

All of us met upon the premises in Jackson Township, Cambria County, Penna., on Saturday May 20, 1944, at 9:30 o'clock a. m. to perform the duties of our appointment, together with the said two Supervisors, and John A. Rose, George B. Rose and Elmer H. Simmons, three of the Petitioners, who assured us they were authorized to represent petitioners who were absent, they being busily engaged at Johnstown on defense work.

The said John A. Rose, George B. Rose and Elmer H. Simmons signed a paper, attached hereto, advising that the petitioners would release from all claims for damages that may arise from opening of said public road.

The viewers having agreed that there is occasion for a public road, on May 27th, 1944, laid out the same, having respect to the shortest distance and the best ground for the road, and in such manner as shall do the least injury to private property and also be, as far as practicable, agreeable to the desire of the petitioners.

The courses and distances of the road as laid out are as follows: Beginning at the point on State Highway Route No. 219, leading from Mundy's Corner to Johnstown, eight-tenths of a mile from Mundy's Corner, thence north 59 degrees 30 minutes west, crossing a strip of land owned by a Mrs. Custer of Echo and onto lands of L. B. Costlow, 648.5 feet; north 53 degrees west 274.2 feet; south 88 degrees west 356.9 feet; north 53 degrees west 139.3 feet; north 37 degrees west 249.1 feet onto lands of George Rose; north 24 degrees 30 minutes west 254.9 feet; north 72 degrees 30 minutes west 405 feet; north 30 degrees 30 minutes west 261.2 feet; north 35 degrees 30 minutes west 94.5 feet; north 35 degrees west 228.4 feet; north 61 degrees west 259.8 feet, crossing Hinkston Run and on land of John Rose, at station 31 plus 71.8; south 66 degrees 30 minutes west 40 feet; south 23 degrees west 64.4 feet; south 4 degrees west 96 feet, crossing the St. Clair Oil Company's pipe line; south 10 degrees east 188 feet; south 3 degrees west 190 feet onto lands of the Joel Simmons Estate; south 9 degrees west 149.8 feet; south 3 degrees

west 194.6 feet; south 7 degrees 30 minutes west 157.4 feet; south 13 degrees 30 minutes west 198.9 feet; south 12 degrees west 209.8 feet; south 13 degrees 30 minutes west 180.8 feet; due south 191.3 feet; south 8 degrees east 189.3 feet to point or station 52 plus 22.2 in a driveway; south 63 degrees 30 minutes east 505.9 feet; south 51 degrees east 396.2 feet onto lands of Jacob Walagora; north 88 degrees east 407.9 feet, again crossing Hinkston Run and land of L. B. Costlow; north 79 degrees 30 minutes east 227 feet onto land of Elmer Rhodes; north 81 degrees east 347.6 feet; south 79 degrees 30 minutes east 219 feet over lands of O. L. Goughnour to point of ending on said State Highway Route No.219; said point of ending being 945 feet distant from the place of beginning.

The total distance from place of beginning to place of ending is 6,330 feet, as shown by draft hereto attached and made a part hereof.

Referring to the draft or map attached hereto, at present there is a driveway from the place of beginning to John A. Rose's property at said station 31 plus 71.8. At station 19 plus 22.9 a lane turns off to buildings on the George Rose farm.

And from station 52 plus 22.2, noted above, to place of ending we followed another driveway, leading from buildings on the Joel Simmons Estate to the place of ending on State Highway Route No.219. The line run from said station 31 plus 71.8 to said station 52 plus 22.2 being a connecting link between the two said driveways.

In compliance with our duties as viewers we have estimated and determined the benefits, agreeing there is occasion for a public road, with the understanding, however, that Jackson Township be released from all claims for damages that may arise from opening of said road.

We have notified the parties interested that this report will be filed with the Clerk of the Court of Quarter Sessions of Cambria County, Pennsylvania, the week of June 4th, 1944.

Witness our hands this 7th day of June, 1944.

A. H. Jewers
Theodore W. Hunt
Melvin Zimmerman

Viewers

May 20, 1944.

We, the undersigned, who petitioned the Court of Quarter Sessions of Cambria County, Pennsylvania, for a public highway on the westerly side of State Highway Route #219 in Jackson Township, within one mile south of Mundy's Corner, do hereby release from all claims for damages that may arise from opening of said public road.

John a Rose
Geo B Rose
Charles Simmons

In Re: Proposed Public Highway
in Jackson Township,
Cambria County, Pennsylvania

| In the Court of Quarter Sessions
| of Cambria County, Penna.
| No. 2, March Sessions, 1944

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public highway as prayed for by the Petitioners, beginning at a point on the westerly side of the public road, leading from Mundys Corner to Johnstown, known as State Highway Route #219, eight-tenths of a mile from the point where said State Highway Route No. 219 intersects with State Highway Route No. 22, known as Mundys Corner, and ending at a point on the westerly side of said State Highway Route No. 219 one mile from the junction of State Highway Routes 219 and 22, traversing lands of Lawrence Costlow, George Rose, John A. Rose, Joel Simmons Heirs, Jacob Waligora and Elmer Rhodes and possibly others, all in Jackson Township, will meet at the place of beginning of said proposed highway on the 20th day of May A. D. 1944 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

May 8, 1944

S. H. JENCKS
THEODORE W. HUNT
M. J. BAUKGARDNER
Viewers

I hereby accept service of the above notice on this 16th day of May, 1944.

Walter Port
Asst. Clerk
County Commissioners

No. 2 - March Sessions, 1944.

In Re: View of Proposed Public Highway on the westerly side of the public road leading from Mundy's Corner to Johnstown, known as State Highway Route No. 219, beginning at a point eight-tenths of a mile from said Mundy's Corner, in Jackson Township, Cambria County, Pennsylvania.

S. H. Jencks:

Obtaining data, preparing notices and services of stenographer	\$12.00
Serving and posting notices of view	12.00
18 miles at .10	1.80
Viewing proposed road on May 20, 1944	12.00
18 miles at .10	1.80
Surveying proposed road on May 27, 1944	12.00
2 assistants at 5.00	10.00
18 miles at .10	1.80
Plotting and drafting same and 3 sets of blue-prints	12.00
Preparing report of view, and stenographer	<u>12.00</u>
	\$87.40

Theodore W. Hunt:

Day on View	12.00
16 miles at .10	<u>1.60</u>
	13.60

M. J. Baumgardner:

Day on View	12.00
18 miles at .10	<u>1.80</u>
	13.80

Now, June 8, 1944, I hereby certify the above bill is an exact copy of the original bill filed with the Report of Viewers in the proceedings entered to No. 2 - March Sessions, 1944.

S. H. Jencks

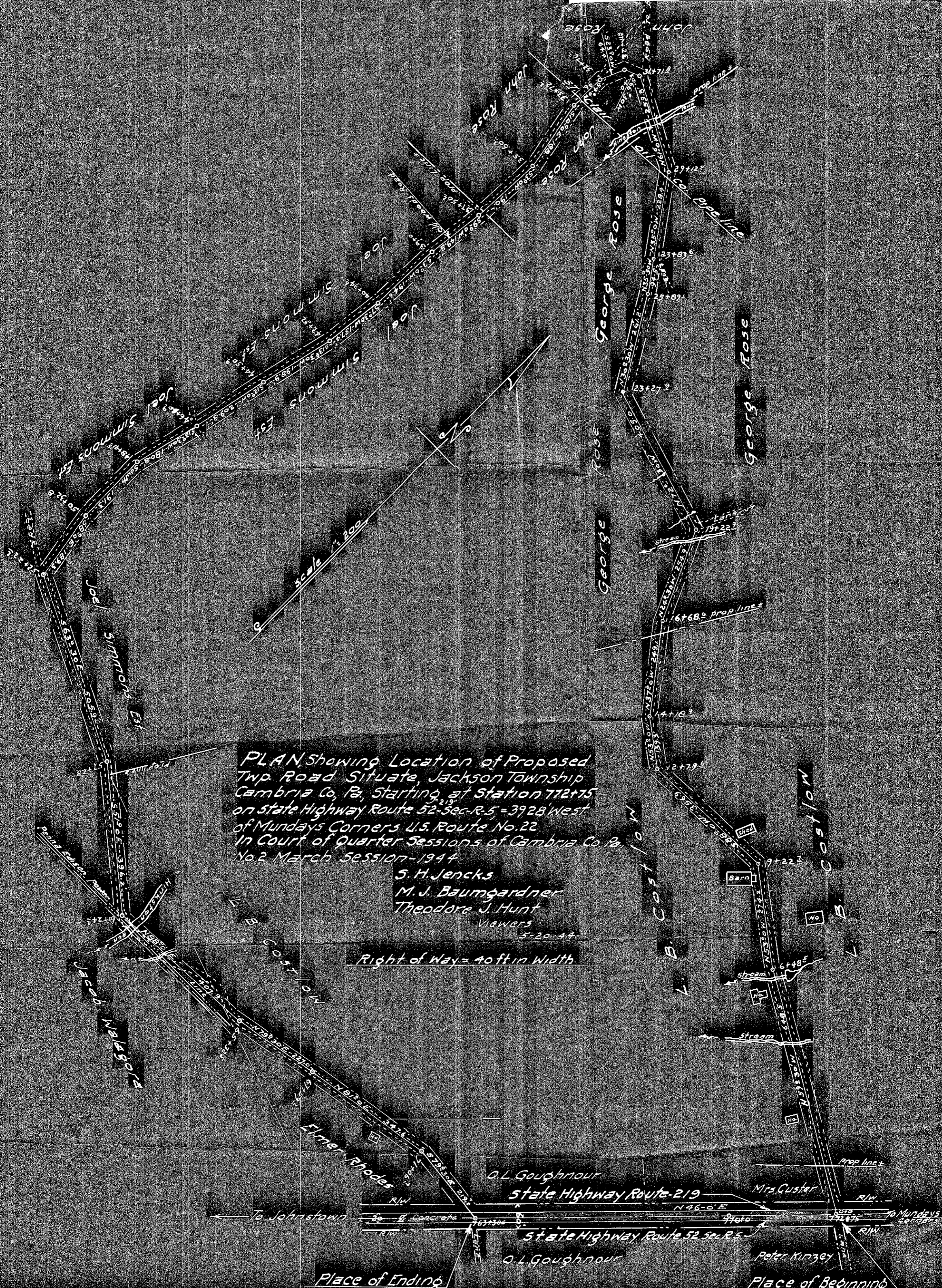
JUN 26 1944 ENTERED

JUN 26 1944 ENTERED

JUN 26 1944 ENTERED

Rat Mucia filmed

RO#2 Mar. 1944



PLAN Showing Location of Proposed
 Twp. Road Situate, Jackson Township
 Cambria Co, Pa, Starting at Station 712+75
 on State Highway Route 52-sec-R.5-3928 West
 of Munday's Corners U.S. Route No. 22
 In Court of Quarter Sessions of Cambria Co. Pa
 No. 2 March Session-1944

S. H. Jencks
 M. J. Baumgardner
 Theodore J. Hunt
 Viewers
 5-20-44

Right of Way = 40 ft in Width

Place of Ending

Place of Beginning