

1 March 1944

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

IN RE: Vacating Public Road
in Adams Township,
Cambria County, Pa.

PETITION FOR APPOINTMENT
OF VIEWERS

Filed 4/3-44

ALBERT L. O'CONNOR, ESQ.

LAW OFFICES

EBENSBURG, PA.

EBENSBURG, PA.

Order to view 4/3/44

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

In the Matter of Vacating Public Road in Adams Township,
Cambria County, Pennsylvania.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned inhabitants, citizens, and
Supervisors of Adams Township, Cambria County, Pennsylvania,
respectfully represents:

That a certain piece of public road hereinafter described
has become useless, inconvenient, and burdensome to the tax
payers of said Township by reason of the fact that traffic here-
tofore passing over this piece of road has been diverted to a
more modern constructed highway leading from Salix to Elton.

The particular portion of said public road herein requested
to be vacated begins at State Highway Route #160 near the
village of Salix and extends in a southerly direction a distance
of 0.87 of a mile to where it intersects with Highway Routh
#316.

Said route proposed to be vacated was not laid out by Act
of Assembly.

Your Petitioners therefore pray your Honorable Court to
appoint three members of the Permanent Board of Viewers as a
Board of view, to view and report upon the advisability of
vacating said road, between the termini above mentioned, and
to return with their report of said road proposed to vacated,
a plot or draft thereof as required by the Act of General
Assembly and supplements thereto, in such case made and provided.

And they will ever pray, etc.

Board of Supervisors of Adams Township.

Frank Fiere Pres

Joseph J. Valko Sec. Treas

Joseph B. Valko V. Pres

DE CR EE

And now this 3 day of April, 1944, the within
petition having been read and considered the Court appoint
L. B. Keyser, Theodore Hunt and
James M. Cannon, three members from the Per-
manent Board of Viewers to view the said road proposed to be
vacated and to make their report at the next term of this Court.

BY THE COURT:

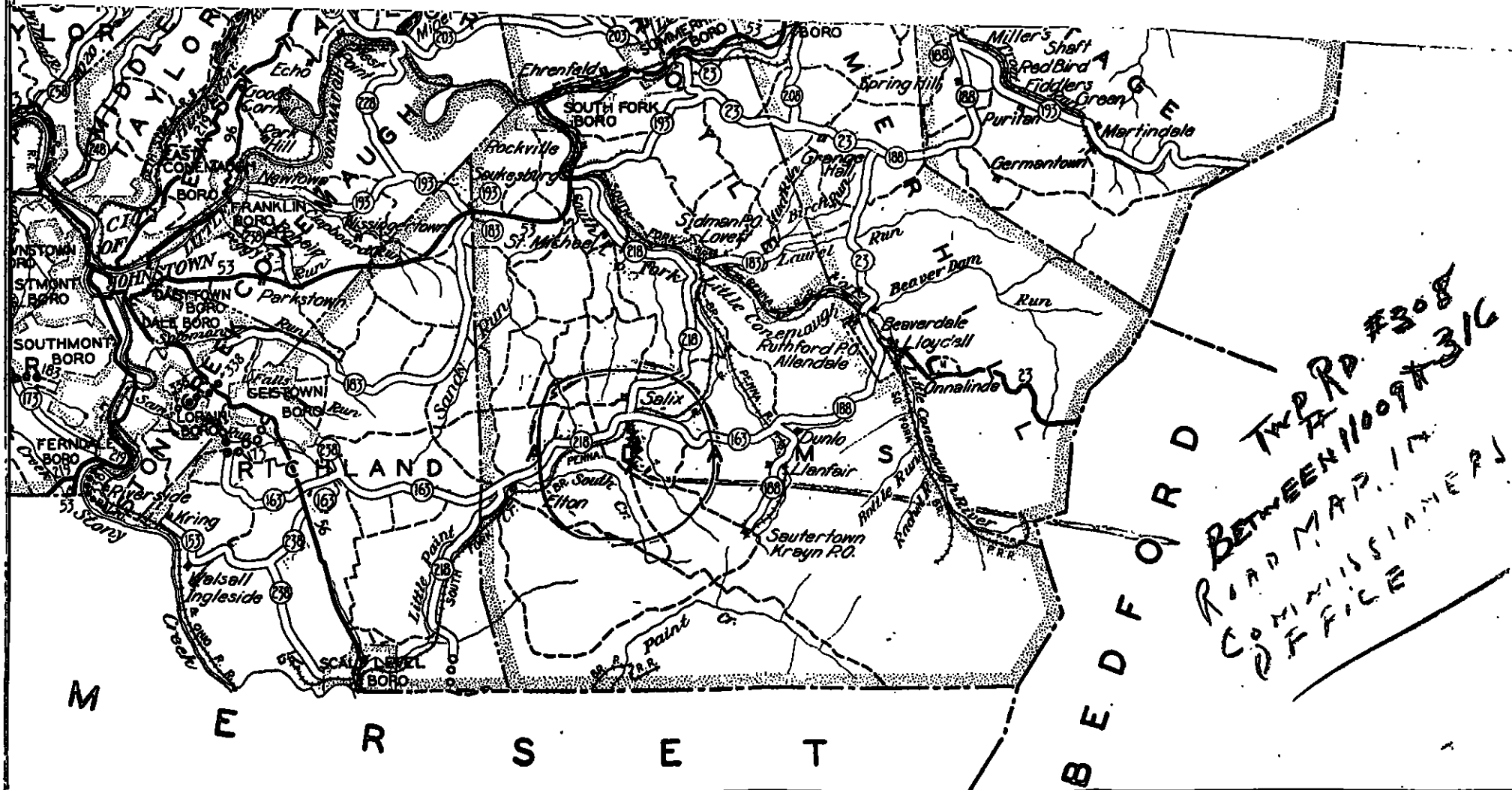
M. Stennick
Judge

The Commissioners of Cambria County hereby accept service of a copy of the foregoing petition and consent to the appointment of the viewers as prayed for therein.

4/2/14

A. J. Don






Chief Clerk to the Commissioners
of Cambria County



*John Thomas H.
Frank P. Hollen*
County Commissioner
May - 1937

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HIGHWAYS
HARRISBURG

LEGEND

-  STATE HIGHWAYS-NEW
-  STATE HIGHWAYS-OLD
-  173
STATE AID ROADS
-  COUNTY ROADS
-  TOWNSHIP ROADS

NUMBERS INDICATE TRAFFIC ROUTES

Dec 29-1944

Report in approval.

By the Board

of Directors
Judges

Confidential
to be used only
for the purpose
of the Board

12/29/44

No. 1 March Term 1944,

IN RE : Appointment of
Viewers to vacate a
piece of Public Road in
Adams Township, Cambria
County, Pennsylvania.

REPORT OF VIEWERS.

Filed April 28, 1944.



IN-RE, Appointment of Viewers I. No. 1, March Term, 1944
to vacate a piece of Public I.
Road in Adams Township, Cambria I
County, Pennsylvania. I

REPORT OF VIEWERS

We, the viewers appointed by the above named Court to view the location and report on the advisability of vacating a piece of Township Road, in Adams Township, in Cambria County, Pennsylvania near the village of Salix, respectfully report as follows:-

That we have given the required public notice of the time, place and purpose of our meeting by printed notices properly posted at the terminals of the road to be vacated and by notices to the supervisors of Adams Township and the commissioners of Cambria County, copies of said notice being made a part of this report.

That we met at the time and place specified and personally drove over the road proposed to be vacated, that we interviewed persons acquainted with the situation, the supervisors, who by the way are the petitioners, and found the facts, as stated in the petition for vacation to be true and correct and that the road in question is no longer necessary, because the travel formerly passing over it has been diverted to improved highways and that being neglected and not being kept in repair by the township supervisors the road becomes a potential liability to the taxpayers, Therefore,

we the viewers unanimously agree that the road be promptly vacated as prayed for by the petitioners and precluding any payment for any purpose to any for damages which might be imagined or sustained.

THEREFORE, the piece of roadway fully described in the notice of view as extending in a Southerly direction from the Village of Salix for a distance of 0.87 of a mile is this 21st. day of April, in the year 1944 finally vacated,

Viewers,

Louis E. Taylor
Theodore W. Hunt
James M. Cass

NOTE. THIS IS TOWNSHIP ROAD # 308
in Southerly Direction BETWEEN ROAD
11009 and TWP. ROAD # 316

IN RE Appointment of Viewers
to vacate a piece of public
road in Adams Township,
Cambria County, Pennsylvania.

No. I , March Term, 1944

NOTICE OF VIEW.

We, the undersigned viewers, appointed by the above named Court to view the location and report on the advisability of vacating a piece of public road in Adams Township, Cambria County, which the petitioners aver is no longer used because traffic has been diverted from it by or to a newly constructed modern highway leading from Salix to Elton.

The particular portion of said highway or public road herein requested to be vacated begins at State Highway # 160, near the village of Salix and extending in a Southern direction a distance of 0.87 of a mile to where it intersects with Highway Route # 316.

Said route, proposed to be vacated was not laid out by Act of Assembly.

We, the viewers, will meet at the place of beginning, as above, on State Highway # 160 in the village of Salix, on Friday, April 21st., 1944 at eleven O'clock, A. M. to perform the duties of our appointment and at which time and place all persons interested should be present.

Viewers,

L. E. Kaylor,
Theodore Hunt,
James McCann, Sr.,

IN RE Appointment of Viewers
To vacate a piece of public
road in Adams Township,
Cambria County, Pennsylvania.

No. I, March Sessions, 1944

NOTICE OF VIEW.

We, the undersigned viewers, appointed by the above named Court to view the premises and report on the advisability of vacating a piece of public road in Adams Township which the petitioners aver is no longer necessary, untraveled and a source of expense and responsibility on the taxpayers.

The particular portion of said public road herein requested to be vacated begins at State Highway Route #160, near the village of Salix and extending in a Southerly direction for a distance of 0.87 of a mile to where it intersects with Highway Route #316. Said Route proposed to be vacated was not laid out by Act of Assembly.

We the viewers will meet at the place of beginning, as above, on State Highway # 160, in the village of Salix, on Friday, April 21st., 1944 at eleven o'clock, A. M. to perform the duties of our appointment and at which time and place all persons interested should be present.

L. E. Kaylor,
VIEWERS, Theodore Hunt
James McCann, Sr.,

IN RE Appointment of Viewers
to vacate a piece of Public
Road in Adams Township,
Cambria County, Pennsylvania

NO. I March Term, 1944

NOTICE OF VIEW.

We, the undersigned Viewers, appointed by the above named Court to view the location and report on the advisability of vacating a piece of public road in Adams Township, Cambria County, which the petitioners aver is no longer used because traffic has been diverted from it by a newly constructed modern highway leading from Salix to Elton.

The particular portion of said public road herein requested to be vacated begins at State Highway Route # 160, near the village of Salix and extending in a Southerly direction for a distance of 0.87 of a mile to where it intersects with Highway Route # 316. Said route proposed to be vacated was not laid out by Act of Assembly.

We, the viewers, will meet at the place of beginning, as above, on State Highway # 160 in the village of Salix on Friday, April 21st., at Eleven O'clock, A. M. to perform the duties of our appointment and at which time and place all persons interested should be present.

L. E. Kaylor,
VIEWERS, Theodore Hunt,
James McCann, Sr.,

IN RE, Appointment of Viewers
to vacate a piece of road in
Adams Township, In Cambria County,
Pennsylvania.

No. I, March Sessions, 1944

Statements of Viewers Costs.

Commissioners of Cambria County To James McCann, Sr. Viewer.

April 21st, 1944, To day on view,	\$12.00
" " " Mileage, Westmont to Salix and return,	
26 miles plus 12 miles driven on the view, 38 miles,	3.80
	<u>\$15.80</u>

Commissioners of Cambria County To Theodore Hunt, Viewer.

April 21st, To day on View,	\$12.00
" " " To Mileage, Mineral Point, R. D. and return,	
38 miles plus 12 miles driven on view, 50 miles,	5.00
	<u>\$17.00</u>

Commissioners of Cambria County to Louis E. Kaylor, Viewer Chairman.

April 7th. To preparing Notices of View,	\$12.00
" 8th., To posting Notices of view and advertising same	12.00
" " to mileage, Ebensburg to Salix and return, 58 miles plus 12 miles driven on view, 70 miles,	7.00
" 21st. To one day on View,	12.00
" " To mileage, Ebensburg to Salix and return, 58 miles,	5.80
22 Preparing Report of View	12.00
To filing Report of View, April 27th.	12.00
	<u>\$72.80</u>

Louis E. Kaylor.

Theodore W. Hunt.

James McCann

Ebensburg, Pa. April 22nd., 1944

Viewers

MAY 9 1944 CERTIFIED

MAY 9 1944 CERTIFIED

MAY 9 1944 CERTIFIED

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the person or persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report at the next term of said Court, and in the said report shall state particularly: First, who of them were present at the view, second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances; and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees (except at the crossing of ravines and streams), where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

No. 1, March sessions, 1844

Order to view

And vacate road within

described in Adams Township,

Cambria County, Penna.

Viewers

L. E. Kaylor

Theodore Hunt

James McCann

Clerk

90 cts.

J. Deane

Commonwealth of Pennsylvania, }
County of Cambria. } SS.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the 3rd day of April A. D. 1914, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams, in the said County, setting forth that they labor under incon-

~~venience of a certain piece of public road hereinafter described, to lead from~~
That a certain piece of public road hereinafter described has become useless, inconvenient, and burdensome to the tax payers of said Township by reason of the fact that traffic heretofore passing over this piece of road has been diverted to a more modern constructed highway leading from Salix to Elton.

The particular portion of said public road herein requested to be vacated begins at State Highway Route #160 near the village of Salix and extends in a southerly direction a distance of 0.87 of a mile to where it intersects with Highway Route #316.

Said route proposed to be vacated was not laid out by Act of Assembly

and therefore praying the Court to appoint proper persons to view and ^{vacate} ~~lay out~~ the same according to law. The Court, upon due consideration had of the premises, do order and appoint

L. E. Kaylor

surveyor, and

Theodore Hunt and James McCann

viewers, to view the ground proposed for ^{vacation} ~~said road~~, and if they view the same, and shall agree that there is ^{no} occasion for such road, they shall proceed to ^{vacate} ~~lay out~~ the same, having respect to the shortest distance and the best ground for a road; and in such manner as shall do the least injury to private property, and also bear in mind the practicability of the same to the desires of the petitioners, and that they make a report of their proceedings to the Court of Quarter Sessions to be held for said County, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances, and references to the improvements through which it may pass.

By the Court.

Attest:

J. H. [Signature] Clerk.