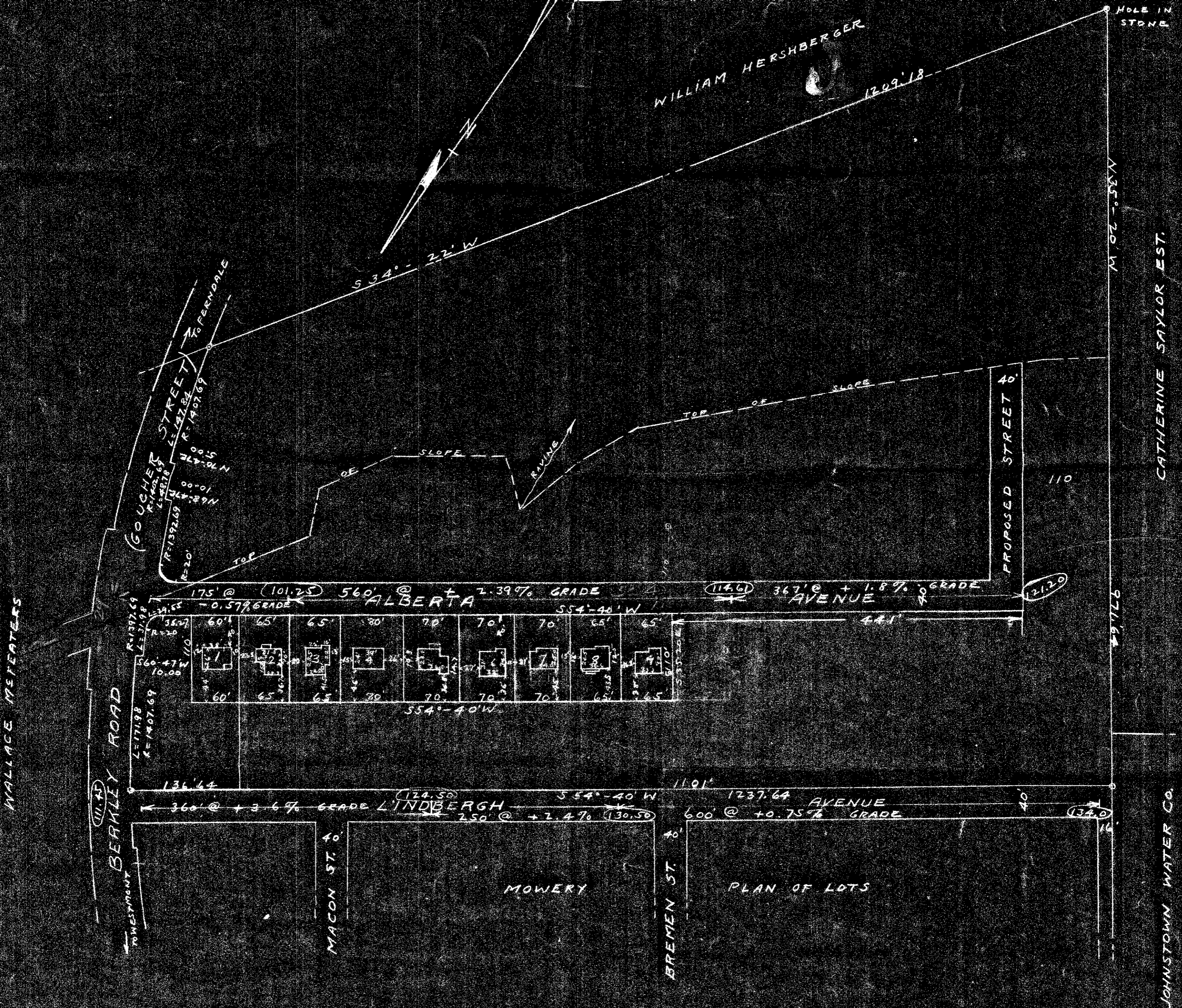


Rat Mischelmed

RD# 1 Mar. 1943
map # 1



MAP SHOWING
 HOMESTEAD ACRES
 AS LAID OUT BY
P. C. ALBERT YOUNG
 SITUATE IN
 UPPER YODER TWP - CAMBRIA CO. PA.
 JUNE 17, 1941 SCALE - 1" = 100'
 FETTERMAN ENG CO.
 4356 - B³ - 188

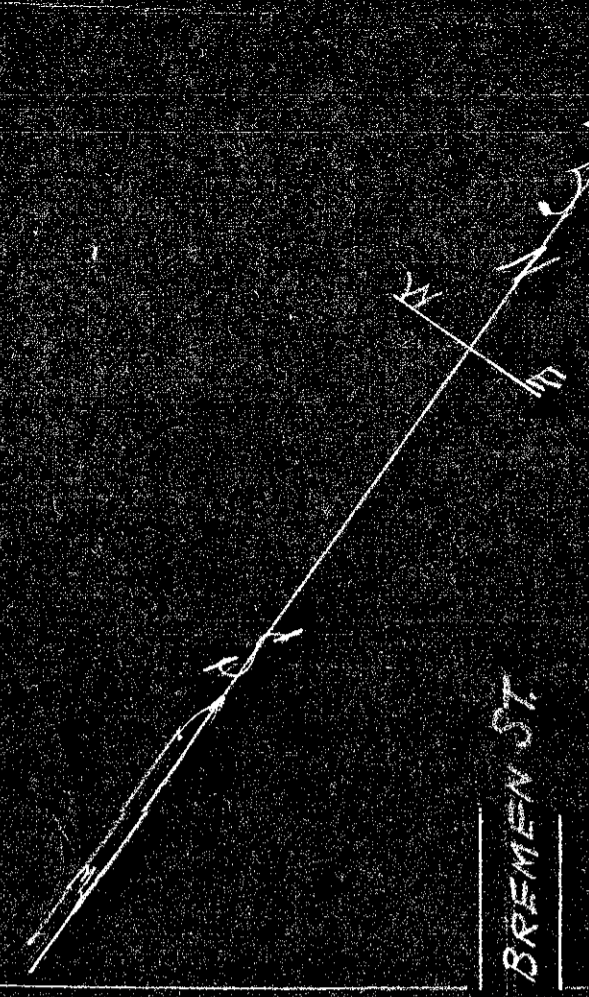
Rut Microfilm

RD# 1 Mar. 1943

map# 2

JOHNSTOWN WATER CO.

CATHERINE SAYLOR EST.



BREMEN ST.

LINDBERG ST.

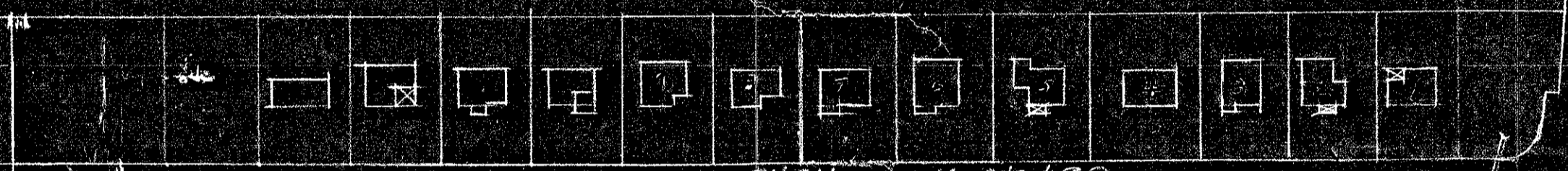
TO MENONIER HIGHWAY

TO CONGRESS AVENUE

BROMOX ST.

Beginning

Ending



1137.0' 554.40' W

ALBERTA AVENUE

Cleared Land

Top of steep hill

Drain 17 pipe

State Route 11007 BERKLEY ROAD

To Fendak

COURT OF QUARTER SESSIONS
 CAMBRIA COUNTY PA
 No. 1 - March Sessions
 S. E. Dickey
 Theodore Hunt
 James M. Conn
 Viewers

UPPER YODER TOWNSHIP,
 SHOWING
 ALBERTA AVENUE
 Situate in
 U. HOMESTEAD - ACERS
 PLAN OF LOTS
 UPPER YODER TOWNSHIP CAMBRIA CO. PA.
 Scale - 1" = 100' S. E. Dickey & Co. May-15-1943
 Civil & Mining Engineers.
 Johnstown Pa.

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

No. 1 *MARK* Sessions, 1943

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF CAMBRIA,
STATE OF PENNSYLVANIA.

Filed 4/28-43

PETITION FOR APPOINTMENT
OF VIEWERS

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.

map

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF
CAMBRIA, STATE OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA
No. 1 *Mar* Sessions 1943

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA;

The petition of the undersigned inhabitants of the
said Township of Upper Yoder, County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience
for want of a public road or highway in the said Township of Upper Yoder,
to begin at a point in the Berkley Road, designated as State Highway Route
11007, Section 1, and extending over and across what is known as Alberta
Street S. 54° 40' W. a distance of 1137 feet to a proposed street, all of
which is shown on map showing Homestead Acres as laid out by P. C. Albert
Young, situate in Upper Yoder Township, Cambria County, Pennsylvania by
Petterman Engineering Company, which map is hereto attached, made part
hereof and marked "EXHIBIT A".

The exact location of the beginning of said proposed
road from the nearest intersecting highway, namely Bronx Street, leading
from said Route 11007 to Congress Avenue is 29 feet, measured along the
center line of said Route 11007 in a southerly direction from the inter-
section of the center line of said Bronx Street. The exact place of ending
of said proposed road, designated as Alberta Avenue on said "Exhibit A", is
a distance of 1137 feet measured along the center line of said Alberta
Avenue from its intersection with the center line of said Berkley Road,
designated State Highway Route 11007.

The beginning of the said proposed road is in a public
highway as stated above but the ending of said proposed road, that is the

other of the termini of said proposed road, is at a point other than in a public highway or place of public resort; but the said proposed road is necessary for public travel.

Copy of the written notice to the Supervisors of said Upper Yoder Township of the intended presentation of this application, with the acceptance of service thereon, is hereto attached, made part hereof and marked "EXHIBIT B".

A release of damages whereby the owners of property abutting the aforesaid proposed road, releasing the said Township of Upper Yoder from any damages they have sustained or may seem likely to sustain by reason of the said accepting, opening, grading, draining, improving and maintaining of said proposed highway, is hereto attached, made part hereof and marked "EXHIBIT C".

Your petitioners therefore pray the Court to appoint three members of the Permanent Board of Viewers of Cambria County to view the ground proposed for such road and if they see the necessity therefor, lay out the same and make report of this proceeding to the next session of Court.

Wm. B. Berman

D. H. Berman

F. A. DeLozier

Clara Stonebaugh

S. A. Weimer

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF
CAMBRIA, STATE OF PENNSYLVANIA

{ IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA
:
: No. 9 *Mar* Sessions, 1943

PRELIMINARY ORDER

NOW, April *14* 1943, the within petition having been presented and considered, a Rule is granted upon the Commissioners of Cambria County, Pennsylvania, to show cause, if any they have, why Viewers should not be appointed as within prayed for; and said Rule is returnable at ten (10) o'clock, A. M. the *26* day of April, 1943. Service of the Rule, together with a copy of this petition, shall be made upon the said County Commissioners not less than ten (10) days before the said Return Day.

By the Court
McKewick

Judge

* * * *

ACCEPTANCE OF SERVICE BY THE COMMISSIONERS
OF CAMBRIA COUNTY, PENNSYLVANIA

NOW, April *27* 1943, service of the above Rule is hereby accepted, together with a copy of the within Petition.

H. L. Dou.

Clerk.

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF
CAMBRIA, STATE OF PENNSYLVANIA

| IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA
:
| No. 1 *Mar* Sessions, 1943

DECREE

AND NOW, this *28th* day of April, 1943, the within
petition having been read and considered, the Court appoints *J. E. Richey*
Chairman and *Theodore Hunt* and
James McCann Viewers to view the road herein referred to and
made a report of their proceedings to the next term of the Court of Quarter
Sessions of said County.

By the Court
Driffel
J.

" EXHIBIT B "

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
UPPER YODER, COUNTY OF
CAMBRIA, STATE OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA
N o. 1 *MA* Sessions, 1943

NOTICE TO SUPERVISORS

TO CURT BARNHART, D. H. WEIMER AND EPHRAIM HERSHBERGER,
SUPERVISORS OF UPPER YODER TOWNSHIP, 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 said County, at ten o'clock A.M. the day of April, 1943, asking the Court for the appointment of Viewers to view and lay out a proposed road in the said Township of Upper Yoder to begin at a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Street S. 54° 40' W. a distance of 1137 feet to a proposed street, all of which is shown on map showing Homestead Acres as laid out by P. C. Albert Young, situate in Upper Yoder Township, Cambria County, Pennsylvania by Fetterman Engineering Company, which map is attached to said petition and made part thereof.

The exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx Street, leading from said Route 11007 to Congress Avenue is 29 feet, measured along the center line of said Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street. The exact place of ending of said proposed road, designated as Alberta Avenue on said "Exhibit A", is a distance of 1137 feet measured along the center line of said Alberta Avenue from its intersection with the center line of said Berkley Road, designated State Highway Route 11007.

The beginning of the said proposed road is in a public highway as stated above but the ending of said proposed road, that is the other of the termini of said proposed road, is at a point other than in a public highway or place of public resort; but the said proposed road is necessary for public travel.

Frank P. Zarnham
ATTORNEY FOR PETITIONERS

* * * * *

April 1943, service of the above stated Notice is hereby accepted.

X Blair A. Hunt
X D. A. Weaver
X Carl Zarnham
SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA

"EXHIBIT C"

TO THE SUPERVISORS OF UPPER YODER TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

Petition and release of damages for the opening and maintaining of a certain Highway leading Westwardly from (Berkley Road) State Highway Route 11007 Section 1 to a proposed street in Homestead Acres, in Upper Yoder Township, Cambria County, Pennsylvania.

We the undersigned, your petitioners, respectively represent:

That we are the owners of all of the property abutting on a dedicated Highway, known as Alberta Avenue, leading from a point in the (Berkley Road) State Highway Route 11007 Section 1, beginning at a point near the intersection of Bronx Street; thence S.54° 40'W., a distance of 1137 feet, to a proposed Street. That we are in need of a public road for the benefit of the traveling public and the abutting property owners on said Alberta Avenue. That said road is of the class known as a, dead end road, but same is necessary.

Therefore, we respectfully petition your honorable body to proceed with the necessary legislation required for the accepting, opening, improving and maintaining of said Alberta Avenue, as a public highway, at a width of 40 feet, as above described. The exact location of the place of beginning of said road from the nearest intersecting public highway, namely, Bronx Street, leading from Route 11007 to Congress Avenue, is at a distance of 29 feet measured along the center line of Route 11007 in a Southerly direction from the intersection of the center line of said Bronx Street. The exact place of ending of said Alberta Avenue is at a distance of 1137 feet measured along the center line of said Alberta Avenue from its intersection with the center line of (Berkley Road) State Highway Route 11007.

In consideration of the accepting, opening, grading and maintaining of said proposed road above described, we the undersigned property owners do hereby release the Township of Upper Yoder, its officials, agents and employees of any and all damages we have sustained or may seem likely to sustain by reason of the accepting, opening, grading, draining, improving and maintaining of said Alberta Avenue.

Witness our hands and seals this 25th day of February
A. D. 1943.

<u>Witness</u>	<u>Signature</u>	<u>Lot No.</u>
<u>Mr. M. Cain</u>	<u>Jordan Cain</u>	<u>1</u>
<u>Wm. H. Bittorf</u>	<u>Anne Bittorf</u>	<u>1</u>
		<u>2</u>
		<u>2</u>
<u>Janet Clawson</u>	<u>P. C. Albert Young</u>	<u>3</u>
<u>Janet Clawson</u>	<u>Helma P. Young</u>	<u>3</u>
<u>Janet Clawson</u>	<u>P. C. Albert Young</u>	<u>4</u>

1843 Confirmed
1843 Absolute

Approved this 14th day of June A. D. 1943.

Width fixed at 40 feet.

By the Court,

McKenzie

Judge.

No. 1, MARCH SESSIONS, 1943.

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

REPORT OF VIEWERS

Filed 5/27 - 43

In re: Order to View and lay
out a Public Road in the
Township of Upper Yoder,
Cambria County, Pennsylvania

S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

S. E. DICKEY & CO.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

map #2

In re: Order to View and lay out a public road in the Township of Upper Yoder, Cambria County, Pennsylvania. In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 1, March Sessions, 1943.

To S. E. DICKEY, THEODORE HUNT & JAMES McCANN Dr.

To S. E. DICKEY Dr.

May 3-4	Preparing, posting and serving Notices of View -----	\$ 18.00	
	Mileage, 8 miles @ \$.10 -----	.80	
	Stenographer, stationery & stamps -----	2.42	
" 14	Making View -----	12.00	
	Mileage, 8 miles @ \$.10 -----	.80	
" 15	Data on survey and preparing draft -----	12.00	
	Tracing paper, 2 paper and 1 linen print --	1.35	
" 18	Data and preparing Report -----	12.00	
	Stenographer, stationery & stamps -----	2.35	\$ 61.72

JUN 4 1943 CERTIFIED

To THEODORE HUNT Dr.

May 14	Making View -----	\$ 12.00	
	Mileage, 24 miles @ \$.10 -----	2.40	\$ 14.40

JUN 4 1943 CERTIFIED

To JAMES McCANN, Dr.

May 14	Making View -----	\$ 12.00	
	Mileage, 14 miles @ \$.10 -----	1.40	\$ 13.40

JUN 4 1943 CERTIFIED

TOTAL COST OF VIEW ----- \$ 89.52

I hereby certify that the above bill is an exact duplicate of the bill presented to the Cambria County Commissioners.

S. E. Dickey
S. E. Dickey, Chairman of Board of View.

In re: order to view and lay out a public road in the Township of Upper Yoder, Cambria County, Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 1, March Sessions, 1943.

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 the proposed road within mentioned, respectfully report:

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 along the route and at the termini of the said proposed new road, as evidenced by copies of said notice hereto attached, and by service of said notice on the County Commissioners of Cambria County and Solicitor for the Supervisors of Upper Yoder Township, evidence of which is shown by copies of said Notices hereto attached and made a part of this report; that we met in accordance with the notice given on the 14th day of May A. D. 1943 at 10:00 o'clock A. M. and proceeded with the duties of our appointment and viewed the premises and route of the proposed new road. All three Viewers and some of the residents were present; that the said proposed new road is now a dedicated highway 40' in width and known as Alberta Avenue in the Homestead Acres plan of lots as shown in blue print hereto attached and made a part hereof, said proposed road being colored green thereon; one of the termini, named in the petition and in this Report is at a point other than in a public highway or place of public resort. The other terminus is in a public highway, namely, State Highway Route 11007. We find however, that said proposed road is necessary for public travel and for the use of property owners abutting thereon.

Thirteen of the building lots on the westerly side of the proposed Highway are now occupied with modern residences. The description of said proposed road is as follows:

BEGINNING at a point in State Highway Route 11007; thence S. $54^{\circ} 40'$ W., a distance of 1137.0 feet to a proposed Street shown on said map of Homestead Acres as laid out by P. C. Albert Young, the exact location of the beginning of said proposed road from the nearest intersecting public highway, namely, Bronx Street, leading from said Route 11007 to Congress Avenue is at a distance of 29 feet measured along the center line of Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street, the exact place of ending of the proposed road designated as Alberta Avenue is at a distance of 1137.0 feet measured along the center line of said proposed road from the center of Berkley Road designated as State Highway Route 11007; that we have been informed by the Supervisors of Upper Yoder Township that they have no objections to the opening of said proposed road; that after taking into consideration all the matters before us we are of the opinion that said road as prayed for by the Petitioners and laid out by us is necessary and convenient for the abutting property owners and the traveling public and that same will not be burdensome to the taxpayers of Upper Yoder Township. Therefore, we recommend that the prayer of the petitioners be granted.

We are informed by the Supervisors of Upper Yoder Township that all the abutting property owners have signed a release of damages, being part of the Petition for said proposed new road which was filed with the Court. However, we assess no

benefits and no damages to any of the abutting property owners.

Witness our hands and seals this 21st day of May

A. D. 1943.

S. E. Dickey
James M. Cannon
Theodore Hunt.
Viewers.

In re: Order to View and lay
out a Public Road in the
Township of Upper Yoder,
Cambria County, Pennsylvania

In the Court of Quarter Sessions
of Cambria County, Pennsylvania
No. 1, March Sessions, 1943.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Avenue, S. $54^{\circ} 40'$ W. a distance of 1137 feet to a proposed street, shown on map of Homestead Acres as laid out by P. C. Albert Young, the exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx Street, leading from said Route 11007 to Congress Avenue, is 29 feet, measured along the center line of said Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street, the exact place of ending of the proposed road designated as Alberta Avenue is at a distance of 1137 feet measured along the center line of said Berkley Road designated as State Highway Route 11007, will meet at the place of beginning on the 14th day of May A. D. 1943 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear and be heard.

May 3, 1943

S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

In re: Order to View and lay
out a Public Road in the
Township of Upper Yoder,
Cambria County, Pennsylvania.

In the Court of Quarter Sessions,
of Cambria County, Pennsylvania.
No. 1, March Sessions, 1943.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Avenue, S. $54^{\circ} 40'$ W. a distance of 1137 feet to a proposed street, shown on map of Homestead Acres as laid out by P. C. Albert Young, the exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx Street, leading from said Route 11007 to Congress Avenue, is 29 feet, measured along the center line of said Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street, the exact place of ending of the proposed road designated as Alberta Avenue is at a distance of 1137 feet measured along the center line of said Berkley Road designated as State Highway Route 11007, will meet at the place of beginning on the 14th day of May A. D. 1943 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear and be heard.

May 3, 1943

S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

Now this 4 day of May A. D. 1943, service of the above notice is hereby accepted for the County Commissioners of Cambria County, Pennsylvania.

By


Chief Clerk

In re: Order to View and lay
out a Public Road in the
Township of Upper Yoder,
Cambria County, Pennsylvania

In the Court of Quarter Sessions
of Cambria County, Pennsylvania
No. 1, March Sessions, 1943.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Avenue, S. 54° 40' W. a distance of 1137 feet to a proposed street, shown on map of Homestead Acres as laid out by P. C. Albert Young, the exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx Street, leading from said Route 11007 to Congress Avenue, is 29 feet, measured along the center line of said Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street, the exact place of ending of the proposed road designated as Alberta Avenue is at a distance of 1137 feet measured along the center line of said Berkley Road designated as State Highway Route 11007, will meet at the place of beginning on the 14th day of May A. D. 1943 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear and be heard.

May 3, 1943

S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

Now this 5 day of May A. D. 1943, service of the
above notice is hereby accepted for the Supervisors of Upper Yoder
Township, Cambria County, Pennsylvania.

By Frank P. Baruchani
Solicitor

In re: Order to View and lay
out a Public Road in the
Township of Upper Yoder,
Cambria County, Pennsylvania.

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

No. 1, March Sessions, 1943.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and laying out a proposed public road in Upper Yoder Township, Cambria County, Pennsylvania, beginning at a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Avenue, S. 54° 40' W. a distance of 1137 feet to a proposed street, shown on map of Homestead Acres as laid out by P. C. Albert Young, the exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx Street, leading from said Route 11007 to Congress Avenue, is 29 feet, measured along the center line of said Route 11007 in a southerly direction from the intersection of the center line of said Bronx Street, the exact place of ending of the proposed road designated as Alberta Avenue is at a distance of 1137 feet measured along the center line of said Berkley Road designated as State Highway Route 11007, will meet at the place of beginning on the 14th day of May A. D. 1943 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear and be heard.

May 3, 1943

S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

Now this 5 day of May A. D. 1943, services of the above notice is hereby accepted for the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania.

By *Carl Barnhart*
Secretary

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 43 SESSIONS, 1923

Order to view

and layout a Public Road in
the Township of Upper Yoder,
Cambria County, Pennsylvania.

Viewers

S. E. Dickey

Theodore Hunt

James McCann.

Clerk

90 cts.

[Signature]
Acting Clerk of Courts.

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 28th day of April A. D. 1943, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Upper Yoder, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from a point in the Berkley Road, designated as State Highway Route 11007, Section 1, and extending over and across what is known as Alberta Street, S. 54°-40' W. a distance of 1137 feet to a proposed Street, all of which is shown on may showing Homestead Acres as laid out by P. C. Albert Young, situate in Upper Yoder Township, Cambria County Pennsylvania, by the Fetterman Engineering Co. That the exact location of the beginning of said proposed road from the nearest intersecting highway, namely Bronx St., leading from said route 11007 to Congress Ave., is 29 feet, measured along the center line of said Route 11007 in a Southerly direction from the intersection of the center line of said Bronx St. The exact place of ending of the proposed road designated as Alberta Ave., on said Exhibit A, is a distance of 1137 feet measured along the center line of said Alberta Ave., from the intersection with the center line of said Berkley Road, designated State Highway route 11007.

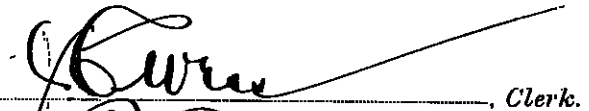
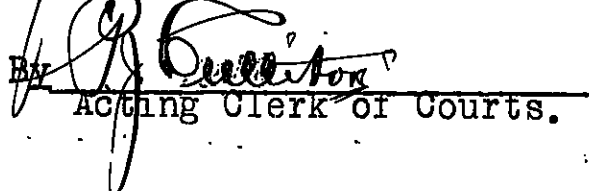
and therefore praying the Court to appoint proper persons to view and lay out the same according to law. The Court, upon due consideration had of the premises, do order and appoint

S. E. Dickey, Theodore Hunt and James McCann ^{surveyors} and

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such road, they shall proceed to lay out the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private property, and also be as far as practicable, agreeable to the desires of the petitioners, and that they make a report of their proceedings to the next Court of Quarter Sessions to be held for said County, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances, and references to the improvements through which it may pass.

By the Court.

Attest:


Clerk.

Acting Clerk of Courts.