

Not Microfilmed

RD# 4 June 1943

map# 1

- MICHAEL BIMEAL -

- GEORGE VARNER -



- PLAN -
of **ICELO**

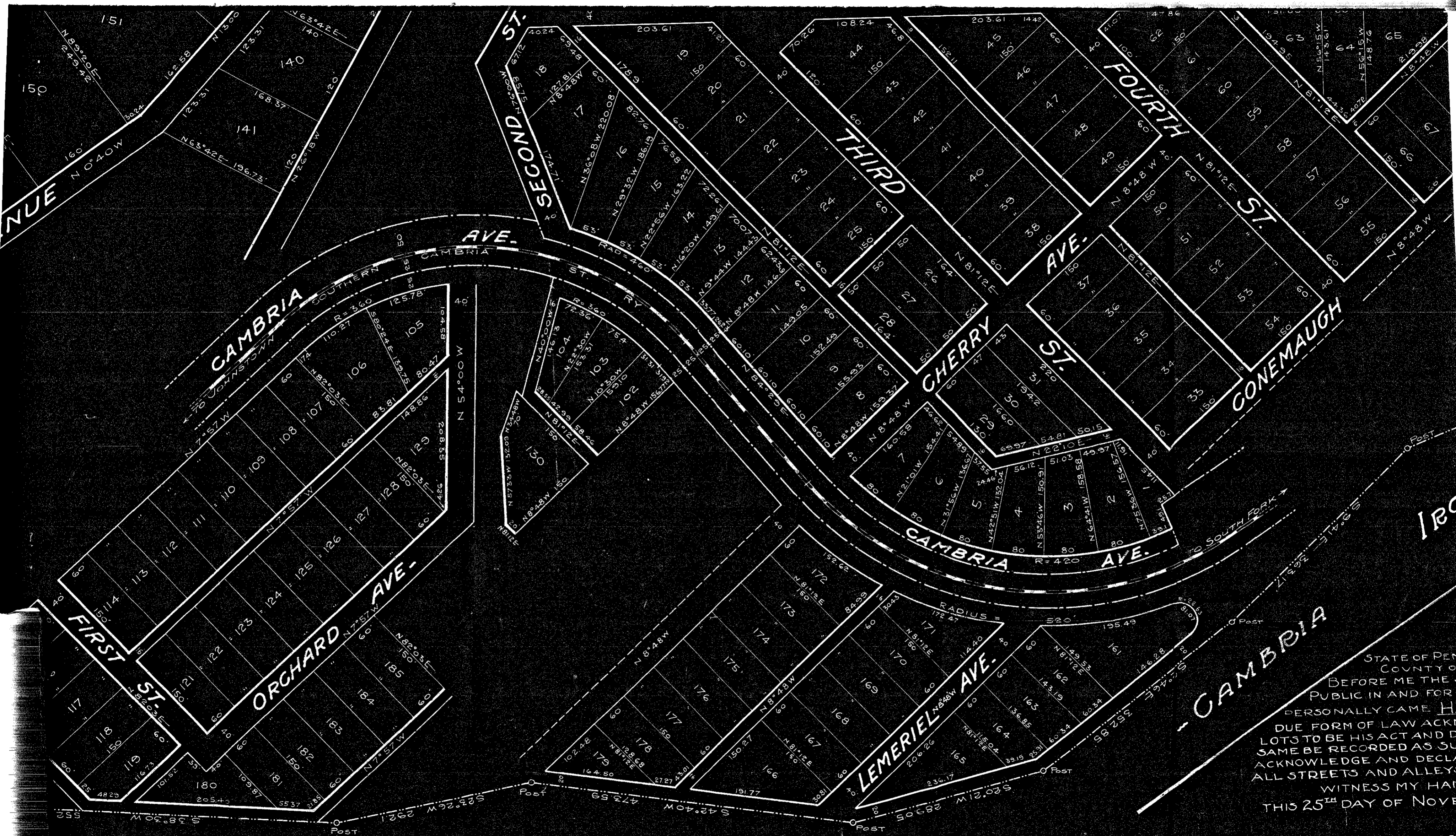
NO. 4 ONE SESSIONS 1945
 E. Dickey
 Theodore Hunt
 James McCann
 VIEWERS

EAST TAYLOR TOWNSHIP
 CAMBRIA COUNTY, PA.
 PROPOSED NEW TWP. ROAD
 SCALE 1"=100' AUG. 20-1945
 Proposed Road Colored Green
 Total Length 228852 Feet

Rat. Microfilmed

RO# 4 June 1943

Map # 2



STATE OF PEN
 COUNTY OF
 BEFORE ME THE S
 PUBLIC IN AND FOR S
 PERSONALLY CAME H
 DUE FORM OF LAW ACK
 LOT TO BE HIS ACT AND DE
 SAME BE RECORDED AS SU
 ACKNOWLEDGE AND DECL
 ALL STREETS AND ALLEYS
 WITNESS MY HAN
 THIS 25TH DAY OF NOVE

MY COMMISSION EXPIRES FEB. 8TH

Co. -

And Nov 7-43

Approved and worth fixed at 100 ft

By the Court
J. McTernick
Judge

12/17/43
Confirmed Absolute
J. B. Moran

No. 4 June Sessions, 1943.

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

Filed 8/24-43

REPORT OF VIEWERS

In Re: Order to View and lay out a Public Road in the Township of East Taylor, Cambria County, Pennsylvania.

S. E. DICKEY
THEODORE HUNT
JAMES McCANN

VIEWERS.

Map # 1

In Re: Order to View and lay out a Public Road in the Township of East Taylor, Cambria County, Pennsylvania.

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

No. 4 June Sessions, 1943.

REPORT OF VIEWERS

To the Honorable, the Judges of the above names Court, we the undersigned Viewers, appointed by the attached 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, the Supervisors of East Taylor Township and the Solicitor for the Supervisors of East Taylor 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 17th day of August 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, three Supervisors and some of the residents were present; that the route of the said proposed new road follows the abandoned right of way of the Southern Cambria Street Railway Company now the property of the Johnstown Traction Company 50' and 75' in width as it traverses the Plan of Echo. The said Plan of Echo shows a dedicated highway 25' in width on the Westerly side of said abandoned right of way extending Northwardly from 2nd Street,

a public highway, to the intersection of 3rd Street; and a dedicated highway on the Easterly side of said abandoned right of way extending Northwardly from the Southerly boundary line of lot No. 115 to the intersection of 3rd Street as shown on the Plan of Echo dated May 2, 1910; and as referred to by lot numbers and the recital of title in deeds conveying lots sold from the Plan of Echo. A blue print copy of said Plan of Echo being hereto attached and made a part hereof; that sixteen properties of individuals abutting on said proposed new road have good houses erected thereon access to which is now by use of the abandoned roadbed of the Southern Cambria Street car track which formerly occupied this right of way; that a part of said proposed road will form a connection between two now existing dead-end public highways namely 2nd Street and Cherry Avenue; that the proposed new road extending Southwardly from 2nd Street a Township Highway comes to a dead-end at the Southern boundary line of lot No. 115 in said Plan of Echo and that said proposed new road extending Northwardly from Cherry Avenue a Township road comes to a dead-end at the intersection of 3rd Street as shown on said Plan of Echo. Therefore said proposed road really consists of three sections forming one continuous section of highway; section one forming a connection between 2nd Street and Cherry Avenue both of which are public or Township Highways; section two extending Southwardly from 2nd Street to the beginning at the Southerly boundary line of lot No. 115 as shown on the Plan of Echo; section three extending Northwardly from Cherry Avenue to the ending at the intersection of 3rd Street as shown on said Plan of Echo, which makes said proposed road the type of road or highway known as a dead-end road. However, after viewing the

premises and taking into consideration all matters before us we are of the opinion that said road as prayed for by the Petitioners is necessary for public travel and for the use of the property owners along the route of said proposed road. Therefore we proceeded to lay out same as follows:

BEGINNING at a point in the abandoned right of way of the Southern Cambria Street Railway Company now Johnstown Traction Company on the line of the extension of the Southerly line of lot No. 115 as shown on the Plan of Echo; thence extending by a line 25' Westwardly from the Easterly boundary line of said abandoned right of way N. 7° 57' W., 677.4 feet to the point of a curve to the right having a radius of 410 feet; thence by said curve in a Northerly direction an arc distance of 659.05 feet to the point of a tangent; thence by same N. 84° 29' E., 276 feet to the point of a curve to the left having a radius of 470 feet; thence by said curve in a Northerly direction an arc distance of 676.07 feet to the place of ending or a total length of 2288.52 feet from the beginning to the end; that the exact location of the place of beginning of said new road from the nearest intersecting public road, namely 2nd Street, is at a distance of 1128 feet measured in a Southerly direction along the center line of said proposed new road from 2nd Street; that the exact place of ending of said new road from the nearest intersecting public road, namely Cherry Avenue, is at a distance of 663 feet measured along the center line of said proposed new road in a Northerly direction from Cherry Avenue; that taking into consideration the fact that the abandoned right of way of the Southern Cambria Street Railway is 50' to 75' in width and that the width of Cambria Avenue a dedicated Highway is 25' in width on either side of said street car track right of way and that there is a possibility of this section

of highway being used as a State Highway Route we recommend that the width of the right of way of the proposed new road be 100 feet as indicated and colored in green on the blue print attached hereto.

After taking into consideration all matters before us we recommend that the prayer of the Petitioners be granted,

We did not secure any releases of damages, taking into consideration the fact, however, that all of the abutting properties along the route of the proposed new road now abut on a dedicated highway or the abandoned right of way of the Southern Cambria Street Railway and the benefits and damages that will accrue by the reason of opening, improving and maintaining said proposed new road as a public highway we assess no benefits and no damages to any of the abutting property owners. Further we assess no benefits and no damages to the Johnstown Traction Company for the section of the Southern Cambria Street Railway right of way required for this proposed new road.

Witness our hands and seals this 23rd day of August
A. D. 1943.

S. E. Dickey

Theodore Hunt

James M. Cannon
Viewers.

In Re: Order to View and lay
out a Public Road in the
Township of East Taylor,
Cambria County, Pennsylvania

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

No. 4 June Sessions, 1943.

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

To S. E. DICKEY Dr.

Aug 5-6	Preparing, posting and serving Notices of View -----	\$ 18.00	AUG 30 1943 CERTIFIED
	Mileage, 14 miles @ .10-----	1.40	
	Stenographer, stationery & stamps ----	2.40	
" 17	Making View -----	12.00	
	Mileage, 14 miles @ .10 -----	1.40	
" 18	Data on survey and preparing draft ----	12.00	
	(3) blue prints -----	2.10	
" 19	Data and preparing Report -----	12.00	
	Stenographer, stationery & stamps ----	2.35	
		<u>\$ 63.65</u>	

To THEODORE HUNT, Dr.

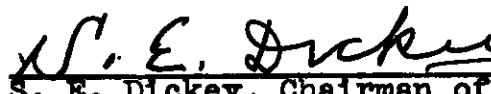
Aug. 17	Making View -----	\$ 12.00	AUG 30 1943 CERTIFIED
	Mileage, 10 miles @ .10-----	1.00	
		<u>\$ 13.00</u>	

To JAMES McCANN, Dr.

Aug. 17,	Making View -----	\$ 12.00	AUG 30 1943 CERTIFIED
	Mileage, 18 miles @ .10 -----	1.80	
		<u>\$ 13.80</u>	

TOTAL COST OF VIEW ----- \$ 90.45

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


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

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

In the Court of Quarter Sessions,
of Cambria County, Pennsylvania.
No. 4 June 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 East Taylor Township, Cambria County, Pennsylvania beginning at a point opposite the Southerly end of lot No. 115 on the Plan of Echo, on the line of the right of way, formerly of the Southern Cambria Street Railway; thence, along the line of the right of way of the Southern Cambria Street Railway, as shown on the Plan of Echo a distance of Twenty-two Hundred feet (2200 ft.) to a point on the said Southern Cambria Street Railway right of way opposite the Northerly property line of lot No. 1 on the Plan of Echo, will meet at the place of beginning on the 17th day of August 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.

S. E. DICKY
THEODORE HUNT
JAMES McJANN
VIEWERS.

August 5, 1943.

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

In the Court of Quarter Sessions,
of Cambria County, Pennsylvania.
No. 4 June Sessions, 1943.

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S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

August 5, 1943.

Now this 6th day of August A. D. 1943 service of the above notice is hereby accepted for the Commissioners of Cambria County.

BY

H. J. Don
Chief Clerk.

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

In the Court of Quarter Sessions,
of Cambria County, Pennsylvania.
No. 4 June Sessions, 1943.

NOTICE OF VIEW

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S. E. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

August 5, 1943.

Now this *6th* day of August A. D. 1943 service of the above notice is hereby accepted for the Supervisor of East Taylor Township.

BY

H. G. Wilson Sec.

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

In the Court of Quarter Sessions,
of Cambria County, Pennsylvania.
No. 4 June 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 East Taylor Township, Cambria County, Pennsylvania beginning at a point opposite the Southerly end of lot # 115 on the Plan of Echo, on the line of the right of way, formerly of the Southern Cambria Street Railway: thence, along the line of the right of way of the Southern Cambria Street Railway, as shown on the Plan of Echo a distance of Twenty-two Hundred feet (2200 ft.) to a point on the said Southern Cambria Street Railway right of way opposite the Northerly property line of lot # 1 on the Plan of Echo, will meet at the place of beginning on the 17th day of August 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.

S. B. DICKEY
THEODORE HUNT
JAMES McCANN
VIEWERS

August 5, 1943.

Now this 6th day of August A. D. 1943 service of the above notice is hereby accepted for the Solicitor for East Taylor Township.

BY


Solicitor

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. 4 JUNE SESSIONS, 1822

Order to view and layout

a public road in the town-
ship of East Taylor as
within described.

Viewers

S. S. Dickey

Theodore Hunt

James McConn

Clerk 90 cts.

R. H. Dickey

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 2ND day of August A. D. 1943, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of EAST TAYLOR, in the said County, setting forth that they labor under inconvenience for want of a PUBLIC road or highway, to lead from

A POINT OPPOSITE THE SOUTHERLY END OF LOT NO. 115 ON THE PLAN OF ECHO, ON THE LINE OF RIGHTWAY, FORMERLY OF THE SOUTHERN CAMBRIA STREET RAILWAY: THENCE, ALONG THE LINE OF RIGHTWAY OF THE SOUTHERN CAMBRIA STREET RAILWAY : AS SHOWN ON THE PLAN OF ECHO, A DISTONCE OF TWENTY-TWO HUNDRED FEET (2200) TO A POINT ON THE SAID SOUTHERN CAMBRIA STREET RAILWAY RIGHTWAY OPPOSITE THE NORTHERLY PROPERTY LINE OF LOT NO. 1 ON PLAN OF ECHO: A PORTION OF THE RIGHTWAY, WHICH IS PROPOSED TO BE MADE A PUBLIC RAOD BEIGN SHOWN ON THE PLAN OF ECHO, AS LAID OUT BY THE FETTERMAN ENGINEERING COMPANY, MAY 2, 1910, FOR H. R. GOCHNOUR.

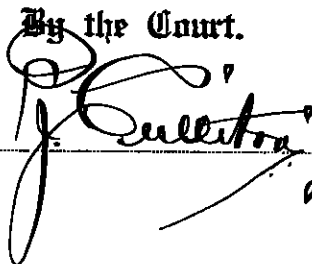
NOTE : Please make two extra copies of the View.

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 ~~surveyor~~, and James McCann

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.

Ebensburg, Pa. December 17, 1943

Cambria County Clerk of Courts, Ebensburg, Pa.

To John U. Shroyer, Sec. Dr.
Harrisburg, Pa.

		Filing and recording proceedings in the laying out of a public road in the Town- ship of East Taylor, Cambria County, Pa., and entered to No. 4 June Sessions 1943. \$ 3.50			
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*filed in full by check # 684087
Recd 1-7-44*

RETURN BY SUPERVISORS

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

On the 23rd day of December 1943, before me
a Notary Public, personally came Charles Colburn,
Clyde Gerald and H. G. Wilson
supervisors of the township of East Taylor, who being duly sworn
[or affirmed] according to law, do depose and say that they effectually opened the road designated by
the order of the Court bearing date the 17th day of December
1943, in accordance with the directions of the said order.

Sworn [or affirmed] and subscribed before me this
23rd day of December 1943.

E. E. Weaver, N.P.

My commission expires Jan. 5th, 1947.

Charles Colburn
Clyde Gerald
H. G. Wilson
Supervisors.

No. 4 June Sessions 19 43

Order to open public road in
the Township of East Taylor
as within described.

File
12/27/43

Clerk

J. E. Weaver

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

To

supervisors of the township of East Taylor, in the county of Cambria,
greeting:

Whereas, at a Court of Quarter Sessions of the Peace held at Ebensburg, in and for the county
of Cambria, aforesaid, on the day of 17th Dec., 1943 said court did approve and
confirm for public use a certain road theretofore reported, and directed the same to be opened of the
breadth of 100 feet, which said road so reported, approved for public use, confirmed and

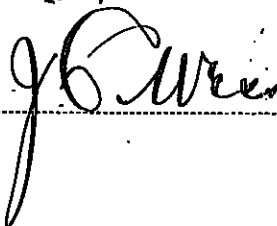
directed to be opened begins at, a point in the abandoned right of way of the
Southern Cambria Street Railway Company now the Johnstown
Traction Company on the line of the extension of the Southerly
line of lot No. 115 as shown on the Plan of Echo; thence
extending by a line 25' Westwardly from the Easterly boundary
line of said abandoned right of way N. 7° 57' W. 677.4 feet
to the point of a curve to the right having a radius of 410 feet
thence by said curve in a northerly direction an arc distance
of 659.05 feet to the point of a tangent; Thence by same N.
84° 29' E. 276 feet to the point of a curve to the left having
a radius of 470 feet; Thence by said curve in a Northerly
direction an arc distance of 676.07 feet to the place of end-
ing or a total length of 2288.52 feet from the beginning to
the end; that the exact location of the place of beginning
of said proposed new road from the nearest intersecting public
road namely 2nd Street, is at a distance of 1128 feet measured
in a Southerly direction along the center line of said proposed
new road from 2nd Street; that the exact place of ending of
said new road from the nearest intersecting public road, namely
Cherry Avenue is a distance of 663 feet measured along the center
line of said proposed new road in a Northerly direction from
Cherry Avenue; that taking into consideration the facts that
the abandoned right of way or the Southern Cambria Street
Railway is 50' to 75' in width and that the width of Cambria
Avenue a dedicated Highway is 25' in width on either side of said
street car track right of way and that there is a possibility
of this section of highway being used as a State Highway Route
we recommend that the width of the right of way of the proposed
new road be 100 feet 17 day of December, 1943, ordered and di-
rected by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be
a lawful public road or highway:

Now, this is to authorize, empower, command and require you the said supervisors aforesaid, in
which district the said road lies, as soon as may be practicable, effectually to open the said road, by
the courses and distances aforesaid, and the breadth of 100 feet, as ordered and directed
by the said court; and you are hereby further required to make return of this order to the next stated
Court of Quarter Sessions, after the opening of the road in accordance with this order, and the man-
ner of its execution by you, verified by the affidavit of one or both of you, setting forth that you have
effectually opened the said road of the breadth of 100 feet, and upon the line hereinbefore
directed.

Witness, the Honorable Ivan J. McKenrick, Judge
said court at Ebensburg, this 17 day of December, 19 43, President of our

By the Court:

Attest:



Clerk:

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

No. 4 ~~September~~ Sessions, 1943
June

IN RE:

APPOINTMENT OF VIEWERS TO VIEW
AND MAKE RECOMMENDATION CON-
CERNING THE OPENING AND LAYING
OF PUBLIC ROAD IN EAST TAYLOR
TOWNSHIP

PETITION TO OPEN AND LAY ^{OUT} PUBLIC
ROAD

Filed 8/11-43

HARRY E. SIMMONS
Attorney at Law
902 U. S. Nat'l Bank Bldg.
Johnstown, Penna.

STATE OF PENNSYLVANIA }
 } SS:
COUNTY OF CAMBRIA }
 }

HARRY E. SIMMONS, being duly sworn according to law, deposes and says that he is Solicitor for the Board of Road Supervisors of East Taylor Township, Cambria County, Pennsylvania; that he is the petitioner in the foregoing petition; and that the facts therein contained are true and correct.

Harry E. Simmons

Sworn and subscribed to before me
this 20th day of July, A.D. 1943.

Esther E. Weaver
Notary Public

My commission expires January 5th, 1947.

DE C R E E

AND, NOW, 2 August, A. D. 1943, the foregoing petition having been presented in open Court, read and duly considered, IT IS ORDERED AND DECREED THAT Samuel E. Dechey,
Theodore W. Hunt, James Mc Conn
are hereby appointed to view the portions of highway described in the foregoing petition and to make recommendations concerning the opening and laying ^{OUT} of the said portion of highway, according to law.

BY THE COURT:

Griffith
J. J.