

-RD# 4 Mar. 1945

Not Microfilmed

← TO JOHNSTOWN

TO ELTON →

RICHLAND
HIGH SCHOOL

EUCLID AVENUE

GROVE ST.

ITALIAN
CEMETERY

CEMETERY DRIVE

FIRST STREET

SECOND STREET

THIRD STREET

In re: Order to View certain streets in Richland Township County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 March Sessions 1945.

□ JACOBY'S TAVERN
FORMERLY SHAPPERS TAVERN

CHARLES STREET

TO WINDBERG →

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

IN RE: Petition of Citizens
of Richland Township for
the Appointment of Viewers
in Connection With the Open-
ing of Certain Streets as
Public Highways

PETITION AND ORDER THEREON

SEYMOUR S. SILVERSTONE
ATTORNEY AT LAW
JOHNSTOWN, PENNA.

U. S. NATIONAL BANK BUILDING

Filed 7/21/45

*and now this 21st day of May 1945 Notice
of the presentation of the within petition is
accepted and reads as set forth and a
copy of same*

*By Cambria County Commissioners
Walter O. Fox
Clerk*

IN RE: Petition of Citizens
of Richland Township for the
Appointment of Viewers in
Connection with the Opening
of Certain Streets as Public
Highways.

(IN THE COURT OF QUARTER
) SESSIONS OF CAMBRIA COUNTY,
(PENNSYLVANIA
) NO. 4 ~~3~~^{MARCH} SESSIONS, 1945
)

TO THE HONORABLE JUDGES OF SAID COURT:

The petition of the undersigned citizens of Richland Township respectfully represents:

1. That they are the owners and purchasers of houses and lots abutting on Grove Street, Third Street, Charles Street and Second Street in Richland Township, Cambria County, Pennsylvania.

2. That they labor under a great inconvenience by reason of the fact that said streets or parts of the same have not been taken over by the Township of Richland. The said streets are as follows: Grove Street between Euclid Avenue and Third Street, Third Street between Grove Street and Charles Street, Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond the Geistown Borough limit or boundary thereof. A sketch of said streets is attached hereto and marked "Exhibit A".

WHEREFORE, your petitioners pray the Court to inquire of said streets and open the same as public highways, and for that purpose to appoint viewers according to law to view the same and inquire of the premises and make Return of their proceedings according to the Act of Assembly in such case made and provided.

And they will ever pray.

Clarence H. Goughnow

Hilda M. Goughnow

DeVan A. Barrett

Sara Jane Barnett

Louis J. Corneil

Clifford Corneil

Forest M. Creary

Margaret M. Creary

Sara Mae Getty

Ben Getty

Eugene A. Flowers

Vida M. Flowers

Howard H. Weaver

Ruth L. Weaver

Josiah Custer

Sally Custer

Mary E. Albert

Lawrence W. Albert

Victor Kukenberger

Irene Kukenberger

George P. Kleener

Agnes C. Kleener

STATE OF PENNSYLVANIA ()
COUNTY OF CAMBRIA) ss:

VICTOR KUKENBERGER, being duly sworn according to law, deposes and says that the facts contained in the foregoing petition are true and correct to the best of his knowledge, information and belief.

SWORN to and subscribed before me this 18th day of May, 1945.

Paulie M. Dickie

Victor Kukenberger

NOTARY PUBLIC
MY COMMISSION EXPIRES
JANUARY 7, 1948

D E C R E E

AND NOW, this *21st* day of May, 1945, the foregoing petition having been read and considered, it is ordered that F. W. Caplin, James Mc Conn and Theresa Hunt, members of the Board of Viewers of Cambria County, be and they are hereby appointed to view and report on the above matter, according to law.

BY THE COURT,

Griffith
T.

← Johnstown Elton Rd. Elton →

Richland
High
School

Euclid Ave.

←
Johnstown

Italian
Cemetery

Grove St.

Third St.

Stimber Rd.

Cemetery Drive

First St.

Second St.

Stimber →

← Jacoby's Tavern

Charles St.

12/17/45

#4 March Sessions 1945.

IN RE: Order to view certain streets in Richland Township, County of Cambria and State of Pennsylvania.

REPORT OF VIEWERS.

Filed 9/5/45

Sept. 10-1945 - Report of Viewers approved -

By the Court

McKenzie

justice

See 17-1945 'exp. med. at 10/10/45'

J. Dea. Jy, Clerk of Ct.

W. J. ... 5/1945

In Re: Order to View certain streets in Richland Township, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 4 March Sessions 1945.

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court, we the undersigned Viewers, appointed by the attached order of the above named Court to view the proposed roads 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 said proposed new roads, as evidenced by copy of said notice hereto attached and by service of said notice on the County Commissioners of Cambria County, Mr. Seymour Silverstone, Attorney for the property owners, Mr. Francis A. Dunn, Attorney for the Supervisors of Richland Township, Mr. William Mayer, Supervisor of Richland Township and Mr. John L. Bloom, Supervisor of Richland Township, evidence of which is shown by copies of said notice hereto attached and made a part of this report; that we met in accordance with the notice given on the sixth day of July, 1945, at 10:30 o'clock, E.W.T., and proceeded with the duties of our appointment and viewed the premises and route of the proposed new roads. All three Viewers and five interested property owners were present; that the said proposed roads are dedicated highways; Charles Street being forty (40') feet in width, Third Street being forty (40') feet in width and Grove Street being forty (40') feet in width, as shown and colored in green on the blueprint

hereto attached and made a part hereof, that one of the termini named in the petition and in this report is at the intersection of Euclid Avenue and Grove Street and the other termini is at the intersection of Charles Street and the Windber Road. The extension of Second Street and all Borough lands and boundary thereof, was viewed. Due to over-sight, the supervisors of Richland Township and their attorney, did not receive their notification of the aforesaid mentioned view, therefore, notices were posted a second time on July 9, 1945 and these roads were again viewed on the 27th day of July, 1945, at 10:30 a.m. E.W.T., and at this view, neither the attorney nor the supervisors were present. The description of said proposed roads is as follows:

Grove Street between Euclid Avenue and Third Street, Third Street between Grove Street and Charles Street, Charles Street extending from its intersection with Third Street, and the continuation or extension of second street beyond the Geistown Borough limit or boundary thereof.

We find, however, that the said proposed roads, namely, Grove Street and Third Street and Charles Street are necessary for public travel and for the use of property owners abutting thereon and convenient for the several houses erected hereon and those hereinafter to be erected and will not be burdensome to the taxpayers of Richland Township, except the extension of Second Street beyond the Geistown Borough limits, therefore, we recommend that the prayer of the petitioners be granted, except the extension of Second Street and we assess no benefits and no damages to any of the abutting owners.

Witness our hands and seals this twenty-ninth day of
August, 1945.

Fred W. Clavin.
James M. Cannon
Theodore W. Hunt.
Viewers

In re: Order to View certain streets in Richland Township, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 4 March Sessions 1945.

To Fred W. Claflin, James McCann and Theodore Hunt

To Fred W. Claflin, Dr.

June 25	Data and preparing notices of view	\$12.00	
	Stenographer, stationery and stamps	2.40	
26	Posting and serving notices of view	12.00	
	Mileage, 12 miles @ \$0.10	1.20	
July 6	Making View	12.00	
	Mileage, 12 miles @ \$0.10	1.20	
27	Making review	12.00	
	Mileage, 12 miles @ \$0.10	1.20	
31	Data and preparing report	12.00	
	Tracing paper, 1 cloth print and two paper prints	1.00	
	Stenographer and stationery	2.80	
Sept. 5	Filing report of viewers	12.00	
	Mileage, 40 miles @ \$0.10	4.00	\$85.80

To James McCann, Dr.

July 6	Making View	\$12.00	
	Mileage 12 miles @ \$0.10	1.20	
27	Making review	12.00	
	Mileage 12 miles @ \$0.10	1.20	26.80

To Theodore Hunt, Dr.

July 6	Making View	\$12.00	
	Mileage, 14 miles @ \$0.10	1.40	
27	Making review	12.00	
	Mileage, 14 miles @ \$0.10	1.40	26.80

TOTAL AMOUNT OF VIEW- - - - - \$139.00

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

Fred W. Claflin
 Fred W. Claflin
 Chairman Board of View

July 10, 1945

Mr. John L. Bloom
R.D.#7
Johnstown, Pa.

Dear Mr. Bloom:

Enclosed please find copy of Notice of View
for No. 4 March Sessions 1945.

Yours very truly,

GRAY & CLAFLIN

Per

PWC:wb
Incl:1

July 10, 1945

Mr. William Myers,
Supervisor of Richland Township
R.D.#2,
Johnstown, Pa.

Dear Mr. Myers:

Enclosed herewith, please find copy of Notice
of View for No. 4 March Sessions 1945.

Yours very truly,

GRAY & CLAPLIN

Per

FWC:wb
Incl:1

In re: Order to View certain streets in Richland Township, County of Cambria, and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 March Sessions 1945.

NOTICE OF VIEW

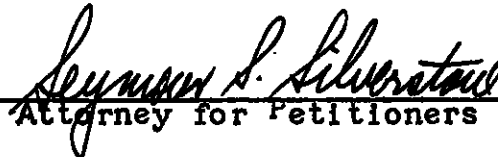
We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and acting upon petition of the Owners to have certain streets taken over by the Township of Richland, County of Cambria and State of Pennsylvania. The said streets are as follows: Grove Street between Euclid Avenue and Third Street; Third Street between Grove Street and Charles Street; Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond all Borough lands or Boundary thereof, will meet at the place of beginning on the Sixth day of July, 1945, at 10:30 o'clock a.m. E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Claflin
James McCann
Theodore Hunt

Viewers

June 26, 1945

Now, this 26th day of June, 1945, service of the foregoing Notice of View is hereby accepted and receipt is acknowledged of a copy of the same.


Attorney for Petitioners

In re: Order to view certain streets in Richland Township, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 March Sessions 1945.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and acting upon petition of the Owners to have certain streets taken over by the Township of Richland, County of Cambria and State of Pennsylvania. The said streets are as follows: Grove Street between Euclid Avenue and Third Street; Third Street between Grove Street and Charles Street; Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond all Borough lands or Boundary thereof, will meet at the place of beginning on the Sixth day of July, 1945, at 10:30 o'clock a.m. E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Clafflin
James McCann
Theodore Hunt

Viewers

June 26, 1945

H. F. Gow, for County Commissioner

FRANCIS A. DUNN
ATTORNEY AT LAW
UNITED STATES NATIONAL BANK BLDG.
JOHNSTOWN, PA.

July 13, 1945

Gray and Claflin
Consulting Civil Engineers
Johnstown, Pennsylvania

Gentlemen:

I hereby acknowledge that I have received copy
of Notice of View for the No. 4 March Sessions, 1945.

Yours truly,

Francis A. Dunn
attorney for Richard T. ...

In re: Order to View certain streets in Richland Township, County of Cambria, and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 March Sessions 1945.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court for the purpose of viewing and acting upon petition of the Owners to have certain streets taken over by the Township of Richland, County of Cambria and State of Pennsylvania. The said streets are as follows: Grove Street between Euclid Avenue and Third Street; Third Street between Grove Street and Charles Street; Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond all Borough lands or Boundary thereof, will meet at the place of beginning on the Sixth day of July, 1945, at 10:30 o'clock a.m. E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Claflin
James McCann
Theodore Hunt

Viewers

June 26, 1945

In re: Order to view certain streets in Richland Township, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.
No. 4 March Sessions 1945.

NOTICE OF VIEW

We, the undersigned viewers, appointed by the above named Court for the purpose of viewing and acting upon petition of the Owners to have certain streets taken over by the Township of Richland, County of Cambria and State of Pennsylvania. The said streets are as follows: Grove Street between Euclid Avenue; and Third Street; Third Street between Grove Street and Charles Street; Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond all Borough Lands or Boundary thereof, will meet at the place of beginning on the twenty-seventh day of July, 1945, at 10:30 a.m. o'clock E.W.T. for the purpose of performing the duties of our appointment at which time and place all interested persons may appear and be heard.

Fred W. Claflin
James McCann
Theodore Hunt
Viewers

July 9, 1945

In Re: Order to View certain streets in Richland Township, County of Cambria and State of Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 4 March Sessions 1945.

RELEASE OF DAMAGE

Certain streets to be taken over by the Township of Richland, County of Cambria and State of Pennsylvania. The said streets are as follows: Grove Street between Euclid Avenue and Third Street; Third Street between Grove Street and Charles Street; Charles Street extending from its intersection with Third Street, and the continuation or extension of Second Street beyond all Borough lands or Boundary thereof.

We the undersigned property owners abutting on the above described streets, for and in consideration of the opening, grading draining, improving and maintaining same by the Supervision of Richland Township, County of Cambria and State of Pennsylvania, do hereby release said Richland Township, its supervising agents and employees of any damage we have sustained or seem likely to sustain by reason of the said opening, grading, draining, improving and maintaining of said streets.

Witness our hands and seal this 30th day of June, 1945, A.D.

WITNESS

NAME

<u>Clarence H. Gaughman</u>	<u>Bon A. R. Gittin</u> (SEAL)
<u>G. Boyer</u>	<u>Clarence H. Gaughman</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Forest E. McCreary</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Myrtle Albert</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Lawrence M. Albert</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Eugene A. Flowers</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Viola M. Flowers</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>DeVere A. Barrett</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Lore Jane Barrett</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Lore Mae Gitty</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Angeline Jacoby</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>John Jacoby</u> (SEAL)
<u>Clarence H. Gaughman</u>	<u>Victor Rubenheyer</u> (SEAL)

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to 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, March SESSIONS, 1925.

Order to view Certain streets
in Richland Township.

Viewers

F. W. Claflin

James McCann

Theodore Hunt

Clerk 90 cts.

