

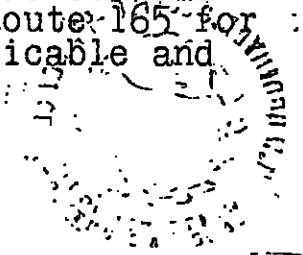
Commonwealth of Pennsylvania, }
County of Cambria. } SS.

To John Hensky, David Gates, and John Noel

supervisors of the township of White, 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 December 6th, 1946, said court did approve and
confirm for public use a certain road theretofore reported, and directed the same to be ~~opened~~ ^{vacated} of the

~~breadth of xxxxxxxxxx feet, which said road so reported, approved for public use, confirmed and~~
~~directed to be opened beginning at~~ ^{vacated} is the Baker Road extending through the said
White Township leading from the Flinton-Patton Road to the Coal-
port-St. Lawrence Road beginning at the intersection of the said
Baker Road with the Flinton-Patton Road by the way of the Beaver
Valley in White Township, at a point about 100 feet North of the
intersection of said Beaver Valley-Patton-Flinton Road with
Traffic Route 165 at the Beaver Valley Church, and extending in
a westerly direction a distance of 10,088 feet to the place where
the said public road (Baker Road) intersects with the Coalport-
Saint Lawrence Road, at a distance of approximately 2640 feet
North of the intersection of the Coalport-Saint Lawrence Road
with the Flinton-Patton Road now known as Traffic Route 165 for
the reason that it has become inconvenient, impracticable and
burdensome.



which said road was, on the 18th day of March, 1946, ordered and di-
rected by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be
~~a local public road or highway~~ ^{vacated}.

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 vacate} ~~to open~~ the said road, by
the courses and distances aforesaid, ~~and the breadth of xxxxxxxxxx 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 ^{vacating} ~~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 ^{vacated} ~~opened~~ the said road ~~of the breadth of xxxxxxxxxx feet~~ ^{on the line hereinbefore}
directed.

Witness, the Honorable Ivan J. McKenrick Judge, ~~President~~ of our
said court at Ebensburg, this 18th day of March, 1946.

By the Court:

Attest:
J. Deay Joy Clerk.
J. DEAY JOY

RETURN BY SUPERVISORS

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

On the Second day of April 1946, before me
a Justice of the Peace _____, personally came John Noel and John Hemskey

supervisors of the township of White, who being duly sworn
[or affirmed] according to law, do depose and say that they effectually ~~opened~~ Vacated the road
the order of the Court bearing date the 18th day of March
1946, in accordance with the directions of the said order.

Sworn [or affirmed] and subscribed before me this
Second day of April 1946

M. J. [Signature]

John Noel
John Hemskey

Supervisors.

My Commission Expires
First Monday January 1948.

No. 1 September Sessions 1945

Order to ~~Open~~ Vacate Public Road
White Township.

Clerk J. Dean Joy

Filed 4/18/46



3/15

#1 Sept Sessions
1945

Vacating a Public
Good in White
M.P., Austria Co. P.S.

Report of Viewers

Dec. 6 - 1945 Report
of Viewers approved
By the Council
W. Kerrick
Judge

Filed 12/4/45

76

IN RE: VACATION A PUBLIC ROAD	¶	IN THE COURT OF QUARTER SESSIONS OF
IN WHITE TOWNSHIP, CAMBRIA	¶	CAMBRIA COUNTY, PENNSYLVANIA.
COUNTY, PENNSYLVANIA KNOWN AS	¶	
THE BAKER ROAD.	¶	NUMBER 1 SEPTEMBER SESSIONS, 1945.

REPORT OF VIEWERS

We, the undersigned Viewers, Members of the Permanent Board of Viewers of Cambria County, Pennsylvania having been duly qualified according to law and having been appointed by the above named Court for the purpose of viewing a certain road known as the Baker Road in the Township of White, Cambria County and state aforesaid to ascertain and determine the advisability of vacating same, said road being known as the "Baker Road" in White Township, County and State aforesaid extending through said White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley Flinton-Patton Road with Traffic Route 165 at the Beaver Valley church and extending in a westerly direction of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165 and that the same has become inconvenient, impracticable and burdensome. In accordance with said notice to View the time and place for said view were posted setting forth Saturday afternoon at 1:30 o'clock October 27, 1945 and the place of beginning of said notice therein stated. 10 notices were posted one at the terminus of the road to be vacated and 8 other notices posted along the route of said road a copy of same being hereto attached and made a part of this report. David Gates one of the supervisors accepted service of same for the Supervisors of White Township and acknowledges receipt of copy of said notice. Hon. Albert O'Connor, Solicitor for the Supervisors of said White Township also accepted service of same in behalf of the Supervisors a copy of his acceptance being likewise attached to this report and a similar notice was accepted by H. F. Dorr, Chief Clerk to the Commissioners of Cambria County a copy of which was given to said Chief Clerk and the original being hereto attached and

likewise made a part of this Report.

Pursuant to said Notice to View, the Viewers all of them being present met on Saturday Afternoon at 1:30 o'clock October 27, 1945 and the point designated and proceeded with the duties of our appointment. There were present at the View David Gates, Esq., a Supervisor of the Township of White and Thomas F. Griffith of Ebensburg who was interested in the proceedings. Thomas F. Griffith with others is interested in the removal of some timber at the Patton-Saint Lawrence section of said Baker Road and it was mutually agreed by all of the parties in attendance that the said Baker Road be vacated but that same be made a Private Road thereby relieving the Supervisors of White Township of further maintaining the said Baker Road and the ends of fairplay and justice be maintained by declaring same a private road. We traveled over said Baker Road and it is the unanimous opinion of the members of the Board of Viewers that same be vacated as a public highway and road but that it be retained as a Private Road. We therefore vacate the "Baker

Road extending through said White Toenship leading from the Flinton Patton Road to the Coalport-Saint Lawrence Road beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley-Patton-Flinton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a west-erly direction a distance of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton road now known as Traffic Route 165 for the reason that it has become inconven-ient, impracticable and burdensome and we the members of the Board of Viewers make and declare the above described road now vacated to be a private road without any liability accruing to the Supervisors of White Township and their successors in office. The members of the Board of Viewers feel that for all practical purposes the ends of justice have been met by our unanimous action as above outlined in our Report. There being no further business pertaining to the view the meeting adjourned.

We the members of the Board of Viewers in the above view are all duly qualified members of the Permanent Board of Viewers as will more fully by the records on file in their respective office..

AND NOW the third day of December, A. D. 1945 we affix hereto our hands and seals.

A. H. Jenkins
Ed. F. Dunnington
Mahlon Barrington
Viewers.

IN RE: VACATION A PUBLIC ROAD | IN THE COURT OF QUORTER SESSIONS OF
 IN WHITE TOWNSHIP; CAMBRIA | CAMBERLACOUNTY, PENNSYLVANIA.
 COUNTY, PENNSYLVANIA KNOWN AS |
 THE BAKER ROAD | NUMBER 1 SEPTEMBER SESSIONS, 1945

EXPENSES INCIDENT TO THE ABOVE VIEW

Mahlon Baumgardner Viewer

Oct 12- Prepared notices to View and got acceptances of service	\$12.00
Oct 13- Posted Notices to View	12.00
Mileage 56 miles at 10 cents per mile	5.60
Oct 27- Made View	12.00
Mileage 56 miles at 10 cents per mile	5.60
Nov 1 Prepared Report of Viewers	12.00
Nov 3 Filed Report of Viewers in Clerk of Court's Office	12.00
	59.20

S. H. Jencks Viewer

Oct 27 Made View	\$12.00
Mileage 56 miles at 10 cents per mile	5.60
	17.60

E. D. Duragan Viewer

Oct 27 Made View	12.00
Mileage 50 miles at 10 cents per mile	5.00
	17.00

I hereby certify that the above is a correct account of the expenses involved in make said view by the respective viewers.

Mahlon Baumgardner
 Mahlon Baumgardner
 Chairman

DEC 6 1945 CERTIFIED

DEC 6 1945 CERTIFIED

DEC 6 1945 CERTIFIED

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 19th day of September A. D. 1945, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of White, in the said County, setting forth that they labor under inconvenience for want of a Vacate Public road or highway, to lead from

That a public road known as "Baker Road" was long since laid out and opened through White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road. That said public road (Baker Road) beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley, Flinton-Patton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a Westerly direction a distance of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165, has become inconvenient, impracticable and burdensome, by reason of the fact that improved highways have been constructed to carry the traffic formerly passing over it, and the said road is no longer necessary for the traveling public.

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

PLEASE MAKE 3 COPIES OF YOUR REPORT.

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

Mahlon Baumgardner surveyor, and S. H. Jencks,

and Ed F. Dunegan to view the ground proposed to vacate and if they view the same, and shall agree that there is occasion to vacate the same, they shall be and they are hereby authorized to view the same, and shall 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 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. [Signature] Clerk.

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. Sept. SESSIONS, 1825.

Order to vacate Road

in White Township, known

as Baker Road.

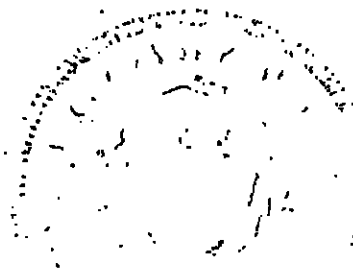
Viewers

Mahlon Baumgardner

S. H. Jencks

Ed F. Dunegan

Clerk 90 cts.



IN RE: VACATING A PUBLIC ROAD
IN WHITE TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA KNOWN AS
THE BAKER ROAD

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

Number 1 September Sessions, 1945

ORDER TO VIEW

We, the undersigned Viewers, Members of the Permanent Board of Viewers of Cambria County, Pennsylvania having been appointed by the above named Court for the purpose of viewing a certain road known as the Baker Road, in White Township, Cambria County, state aforesaid to determine the advisability of vacating same, said road being known as the "Baker Road" in White Township,

County and State aforesaid extending through said White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road. That said public road (Baker Road) beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley Flinton-Patton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a westerly direction a distance of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165 and that the same has become inconvenient, impracticable and burdensome will meet at the PLACE OF BEGINNING

SATURDAY AFTERNOON at 1:30 o'clock October 27, 1945 for the purpose of performing the duties of our appointment.

MAHLON BAUMGARDNER

ED F. DUNEGAN

S. H. JENCKS
Viewers.

12 October 1945

NOW OCTOBER 13, 1945 I hereby accept service of the above notice to View as Chief Clerk to the County Commissioners and acknowledge receipt of copy of said Notice.

H. F. Dorr
H. F. Dorr,
Chief Clerk.

IN RE: VACATING A PUBLIC ROAD)	IN THE COURT OF QUARTER SESSIONS OF
IN WHITE TOWNSHIP, CAMBRIA)	CAMBRIA COUNTY, PENNSYLVANIA.
COUNTY, PENNSYLVANIA KNOWN AS)	
THE BAKER ROAD)	NUMBER 1 SEPTEMBER SESSIONS, 1945.

ORDER TO VIEW

We, the undersigned Viewers, Members of the Permanent Board of Viewers of Cambria County, Pennsylvania having been appointed by the above named Court for the purpose of viewing a certain road known as the Baker Road, in White Township, Cambria County, state aforesaid to determine the advisability of vacating same, said road being known as the "Baker Road" in White Township,

County and State aforesaid extending through said White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road; That said public road (Baker Road) beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley - Flinton-Patton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a westerly direction a distance of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165 and that the same has become inconvenient, impracticable and burdensome will meet at the PLACE OF BEGINNING

SATURDAY AFTERNOON at 1:30 o'clock October 27, 1945 for the purpose of performing the duties of our appointment.

MAHLON BAUMGARDNER

ED F. DUNEGAN

S. H. JENCKS
Viewers

12 October 1945

NOW October 13 1945 I hereby accept service of the within Notice to View as Solicitor for the Supervisors of White Township, Cambria County, Pa. and hereby acknowledge receipt of copy of said Notice to View.

Albert L. O'Keefe
Solicitor for Supervisors of
White Township.

IN RE: VACATING A PUBLIC ROAD } IN THE COURT OF QUARTER SESSIONS OF
IN WHITE TOWNSHIP, CAMBRIA } CAMBRIA COUNTY, PENNSYLVANIA.
COUNTY, PENNSYLVANIA KNOWN AS }
THE BAKER ROAD } NUMBER 1 SEPTEMBER SESSIONS, 1945.

ORDER TO VIEW

We, the undersigned Viewers, Members of the Permanent Board of Viewers of Cambria County, Pennsylvania having been appointed by the above named Court for the purpose of viewing a certain road known as the Baker Road, in White Township, Cambria County, state aforesaid to determine the advisability of vacating same, said road being known as the "Baker Road" in White Township,

County and State aforesaid extending through said White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road; That said public road (Baker Road) beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley - Flinton-Patton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a westerly direction a distance of 10,088 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-Saint Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165 and that the same has become inconvenient, impracticable and burdensome will meet at the PLACE OF BEGINNING

SATURDAY AFTERNOON at 1:30 o'clock October 27, 1945 for the purpose of performing the duties of our appointment.

MAHLON BAUMGARDNER

ED F. DUNEGAN

S. H. JENCKS
Viewers

12 October 1945

NOW 13 day of October, 1945 I hereby accept service of the above notice to view as a Supervisor of White Township and acknowledge to have received a copy of said Notice to View.

David H. Allen
Supervisor White Township.

IN RE VACATING A PUBLIC ROAD
IN WHITE TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA, KNOWN AS
THE BAKER ROAD

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

(0) NUMBER 1 SEPTEMBER SESSIONS, 1945

ORDERS TO VIEW

We, the undersigned Viewers Members of the Permanent Board of Viewers of Cambria County, Pennsylvania having been appointed by the above named Court for the purpose of viewing a certain road known as the Baker Road and to determine the advisability to vacate same being that public road known

known as Baker Road laid out and opened through White Township leading from the Flinton-Patton Road to the Coalport-Saint Lawrence Road. That said public road (Baker Road) beginning at the intersection of the said Baker Road with the Flinton-Patton Road by the way of the Beaver Valley in White Township, at a point about 100 feet North of the intersection of said Beaver Valley, Flinton-Patton Road with Traffic Route 165 at the Beaver Valley Church, and extending in a westerly direction a distance of 10,000 feet to the place where the said public road (Baker Road) intersects with the Coalport-Saint Lawrence Road, at a distance of approximately 2640 feet North of the intersection of the Coalport-St. Lawrence Road with the Flinton-Patton Road now known as Traffic Route 165 and that the same has become inconvenient, impracticable and burdensome will meet at the place of

BEGINNING on Saturday afternoon at 1:30 o'clock October 27, 1945 and proceed with the duties of our appointment.

12 October 1945

MAHLON BAIRD ROSSER

ED F. DUNNEAN

G. H. JENCKE
Viewers.

#1 Sept Sessions 1945

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY
PENNSYLVANIA

In the Matter of Vacating
Public Road in White Town-
ship, Cambria County,
Pennsylvania

PETITION FOR APPOINTMENT
OF VIEWERS

Filed 9/27/45

ALBERT L. O'CONNOR
Attorney-at-Law
Ebensburg, Pa.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

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

That a public road known as the "Baker Road" was long since
laid out and opened through White Township leading from the
Flinton-Patton Road to the Coalport-Saint Lawrence Road. That
said public road (Baker Road) beginning at the intersection of
the said Baker Road with the Flinton-Patton Road by the way of
the Beaver Valley in White Township, at a point about 100 feet
North of the intersection of said Beaver Valley, Flinton-Patton
Road with Traffic Route 165 at the Beaver Valley Church, and ex-
tending in a Westerly direction a distance of 10,088 feet to the
place where the said public road (Baker Road) intersects with the
Coalport-Saint Lawrence Road, at a distance of approximately
2640 feet North of the intersection of the Coalport-Saint Lawrence
Road with the Flinton-Patton Road now known as Traffic Route 165,
has become inconvenient, impracticable and burdensome, by reason
of the fact that improved highways have been constructed to carry
the traffic formerly passing over it, and said road is no longer
necessary for the traveling public.

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 the ir report of said road proposed to be vacated, a plot or draft thereof as required by the Act of the General Assembly and supplements thereto, in such case made and provided.

And they will ever pray, etc.

Board of Supervisors of White Township.

John Hensbeck
David Bates

STATE OF PENNSYLVANIA 0
 : SSE
COUNTY OF CAMBRIA 1

Before me, the subscriber, a *Justice of The Peace*
in and for said County and State, personally came,

John Kemmerly who being by me duly sworn according to
law, deposes and says, that the matters set forth in the foregoing
petition are true and correct as he verily believes, and that the
signatures attached hereto and made a part of the petition are
in the proper handwriting of the parties thereby indicated.

Sworn to and subscribed
before me this *17th*
day of September, 1945.

M. M. Hedinger, Jr.
My Commission Expires
First Monday January 1946.

John Kemmerly

DECREE

AND NOW, this 19 day of September, 1945, the within petition having been read and considered the Court appoint Matlow Baumgardner, D. H. Jencks and Ed P. Hume, three members from the Permanent 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:

McKenzie
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.

asw Walter C. Port
Chief Clerk to the Commissioners,
of Cambria County