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In Re: Petition of the Supervisors  
of Clearfield Township, County of  
Cambria, Pennsylvania to lay out a  
Public Road in said Township

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

Co. 1 June Sessions, 1949

RETIRE TO VIEW

We, the undersigned, members of the permanent Board of Viewers, appointed by the above named Court to view a proposed public road or highway in the Township of Clearfield, Cambria County, Penna. BEGINNING at a

point near the Bridge over Chest Creek below Schenck's mill; thence through improved lands of Rosalia Litsinger South 74 degrees 37 perches; thence through the same South 85 degrees East 8 perches and South 61 degrees East 60 perches to improved lands of John Mulligan; thence through same South 61 degrees East 14 perches; thence South 90 degrees East 66 perches; thence South 30 degrees East 14 perches; thence North 64 degrees East 35 perches to improved land of Peter Wolonier; thence through same North 64 degrees East 8 perches and same North 64 degrees East 40 perches to land of heirs of Simon F. Noel and between lands of Martin Link, Joseph Noel and James Wiley North 46 degrees East 120 perches to the Glen Connel and Chest Springs road on lands of James Wiley

and further there is in existence at the present time a Township road more fully recited in the Petition so will more fully appear therein, will meet at the place of BEGINNING on Saturday April 30, 1949 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and for the further purpose of taking testimony and hearing all matters pertaining thereto.

JOHN L. ELDER

W. J. McGRATH

EARLON BAIRD-REILLY  
Viewers.

IN COURT OF QUARTER SESSIONS OF  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1 JUNE SESSIONS, 1949

IN RE: PETITION FOR APPOINTMENT OF  
VIEWERS TO VIEW AND LAY OUT A PUBLIC  
ROAD IN CLEARFIELD TOWNSHIP, CAMBRIA  
COUNTY, PENNSYLVANIA, AND TO VACATE  
PARTS OF A PUBLIC ROAD IN CLEARFIELD  
TOWNSHIP, CAMBRIA COUNTY, PENNA.

REPORT OF VIEWERS

Filed  
6-7-49

And now 70 June 1949.  
The within Report of  
Viewers is hereby confirmed  
vise By the Court  
Griffith

IR RE: Petition for Appointment of Viewers to view and lay out a public road in Clearfield Township, Cambria County, Penna. and to vacate parts of a public road in Clearfield Township, Cambria County, Penna.

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

No. 1 June Sessions, 1949

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the above named Court for the purpose of viewing a certain proposed public road, Beginning at a point near the Bridge over Chest Creek below Eckenrod's mill and ending on a public road leading from Chest Springs to Patton and determine the necessity for such a public road all in the Township of Clearfield, County of Cambria and State of Pennsylvania.

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of said Court; that due public notice of the time and place of the meeting of said Viewers was given by the posting of ten hand bills at the point of beginning and at the point of ending and along the line of said proposed public road; by the acceptance of service of J. J. Sheehan, Secretary to the Board of Supervisors of Clearfield Township, petitioners in the proceedings; by acceptance of service of Maurice A. Springer, Chief Clerk to the Commissioners of Cambria County, Penna. and by notice to Charles Hasson, Jr., Esq. of law firm of Hasson and Hasson, Solicitors for the Supervisors of Clearfield Township at least ten days prior to the time and place of the meeting of the Viewers as is evidenced by acceptance of services hereto attached and made a part of this report.

In pursuance to said notices we met upon the premises as advertised on April 30, 1949 at 9:30 o'clock A. M. EST and proceeded with the duties of appointment. There were present at the view L. A. Cretin, W. J. Bender and

A. J. Marra. or

Supervisors of Clearfield Township and petitioners, Charles Hasson, Jr. Esq., of law firm of Hasson & Hasson, Solicitors for the Supervisors of Clearfield Township and a great number of inhabitants most of whom were property owners; and John L. Elder, W. J. McGrain and Mahlon Baumgardner, all of the Viewers. We viewed carefully the ground for the proposed road and having due respect for the shortest distance and the best ground for the location of said public road as well as the desires of the petitioners and the property owners. The entire route was covered from the two termini and gone over very thoroughly. It was mutually agreed by the Supervisors, their solicitor, property owners and others interested that a public hearing be held at a date to be determined by the viewers. The proposed road was surveyed and courses and distance placed on blue print and this having been done the time for public hearing was fixed for June 1st, 1949 at 7 o'clock P.M. EDT at public school building near end of the road. The Viewers had unanimously agreed that a public road was necessary. At the time of the hearing J. J. Sheehan, Secretary aforesaid more than 20 people mostly property owners assembled at the public school building. The tracing showing courses and distances was displayed and all parties were acquainted with the blue print. All the viewers were present. All elements incident to such a hearing were discussed.

The viewers unanimously agreed that the inhabitants living along said road are greatly inconvenienced for want of a public road and that there is occasion for such a road and we proceeded to lay out same, having respect for the shortest distance and the best ground for a road and in such manner as shall do the least injury to the property owners and also as far as practicable, agreeable to the desires of the petitioners and also to the property owners, we therefore lay out a public road or highway, following substantially the old road now used, together with a plot or draft thereof and hereto attached showing the courses and distances and the names of adjoining property owners through whose premises the said public road passes.

The following are the courses and distances: BEGINNING at a point on a public road leading from Chest Springs to Patton, known as Route #221, said point being distant 189 feet from Station of Highway 5 over 56 , which said point is the center line of the road, thence from said point South  $49^{\circ} 30'$  West Twelve hundred fifty six and eight tenths (1256.8) feet to a point; thence North  $49^{\circ}$  West a distance of Nine hundred and thirty eight (938) feet to a point on a private road; thence South  $87^{\circ} 0'$  West a distance of Five hundred eighty three (583) feet to a point ; thence South  $69^{\circ} 20'$  West a distance of One hundred Seventy (170) feet; thence from said point being the center of the road, South  $60^{\circ} 7'$  West a distance of Four hundred ninety-six and five tenths (496.5) feet to a point; thence South  $64^{\circ} 55'$  West a distance of Three Hundred (300) feet to a point; thence South  $68^{\circ} 0'$  West a distance of Eight hundred and ninety (890) feet to a point; thence South  $70^{\circ} 20'$  West a distance of One hundred ninety-two (192) feet to a point on a private road; thence South  $65^{\circ} 37'$  West a distance of Two hundred thirty-three (233) feet on a private road, herein mentioned in distance immediately proceeding this distance; thence from the center line of the herein above private road and the course of the road being laid out, North  $77^{\circ} 50'$  West to a point on private road aforesaid and continuing same course Eleven hundred (1100) feet to a point; thence North  $55^{\circ} 5'$  West Eleven hundred Ninety-two and seven tenths (1192.7) feet to a point; thence North  $87^{\circ} 56'$  West a distance of Eight hundred two and three tenths (802.3) feet to a point; thence from said point North  $69^{\circ} 38'$  West a distance of One hundred forty and five tenths (140.5) feet to a point; thence North  $34^{\circ} 27'$  West a distance of One hundred

eighty-six (186) feet to a point; thence North  $0^{\circ} 26'$  East a distance of Five hundred forty-eight and five tenths (548.5) feet; thence North  $24^{\circ} 42'$  East a distance of one hundred ninety-five and five tenths (195.5) feet to a point; thence from said point, which is the center of the public road, herein laid out, North  $10^{\circ} 33'$  East a distance of One hundred six and two tenths (106.2) feet to a point; thence North  $6^{\circ} 28'$  West a distance of ninety-six and six tenths (96.6) feet to a point; thence North  $17^{\circ} 45'$  West a distance of one hundred ninety-five and three tenths (195.3) feet to a point; thence still continuing North  $23^{\circ} 53'$  West a distance of one hundred sixty-nine and eight tenths (169.8) feet to a point; thence North  $35^{\circ} 12'$  West a distance of four hundred thirty-two (432) feet to a point; thence from said point North  $35^{\circ} 50'$  West a distance of one hundred fifty-three and nine tenths (153.9) feet to a point; thence from said point North  $9^{\circ} 39'$  West a distance of eighty-eight and three tenths (88.3) feet; thence North  $23^{\circ} 0'$  East one hundred thirty-six and three tenths (136.3) feet to a point; thence from said point North  $40^{\circ} 21'$  East a distance of eleven hundred eighty-five (1185) feet to a point; which point is the center line of the public road herein laid out; thence from said point North  $48^{\circ} 7'$  East a distance of one hundred seventy-three and six tenths (173.6) feet to a point; thence from said point North  $61^{\circ} 51'$  East a distance of one hundred twenty-seven (127) feet to a point; thence from said point North  $66^{\circ} 47'$  East a distance of four hundred and ninety (490) feet to a point; thence North  $53^{\circ} 28'$  East a distance of one hundred sixty seven and three tenths (167.3) feet to a point; thence North  $27^{\circ} 42'$  East a distance of three hundred and three and five tenths (303.5) feet to a point; thence North  $2^{\circ} 16'$  East a distance of two hundred sixty-four and seven tenths (264.7) feet to a point; thence North  $0^{\circ} 17'$  West a distance of five hundred ninety (590) feet to a point; thence from said point North  $12^{\circ} 10'$  East a distance of three hundred seventy-five (375) feet to a point; thence North  $30^{\circ} 17'$  East a distance of eight hundred thirty-two (832) feet to a point;

thence from said point North 30° 5' East ninety-five (95) feet to a point; thence from said point North 15° 53' East a distance of one hundred sixty-six and three tenths (166.3) feet to a point; thence from said point North 6° 52' West a distance of one hundred sixty-one (161) feet to a point, which said point is the center line of the road herein laid out; thence from said point North 20° 12' West a distance of seven hundred and thirty-nine (739) feet to the Patton Borough line and meeting with Third Avenue Extended in said Borough, a total distance of sixteen thousand one hundred five and three tenths (16,105.3) feet.

The following are abutting property owners: John Chveuko, Leo Dulco, James Link, Ida Eckenrode, --- Stier, James Mulligan, Carl Pontrella, Einar Bloomberg, Pauline Reede, Warren Litzinger, George Ranish, John Litzinger, Bernard Litzinger, Anthony Litzinger, John Saltgiver, Mike Strasko, Mike Senyitka, and The Pennsylvania Coal & Coke Company. The Pennsylvania Coal and Coke Company was not represented in the proceedings. All of the aforesaid property owners through whose land the public road crosses advised the Members of the Board of Viewers and agreed among and between themselves that no claim for damages would be made and that they waive all such claims and would keep free the present board of supervisors and their successors from the payment of any damages which may be caused by the opening and maintaining said road. We, the members of the board of viewers are of the unanimous opinion that the benefits accruing to the above named property owners and such who have not been named are far in excess of any damages which may accrue therefore we assess no damages in favor of James Link, Ida Eckenrode, \_\_\_\_\_ Stier, James Mulligan, Carl Pontrella, Einar Bloomberg, Pauline Reede, Warren Litzinger, George Ranish, John Litzinger, Bernard Litzinger, Anthony Litzinger, John Saltgiver, Mike Strasko, Mike Senyitka, John Chveuko, James Dulco, James Link and hereby discharge the board of supervisors from any damages growing out of the above proceedings for and in lieu of the Above Release of Damages by agreement above stipulated.

The Report has stated that the road laid out by your viewers substantially follows a road which the blue print calls a private road, yet is the same public road or route which was laid out in August 1891 as shown in proceedings entered to Number 3 December Sessions, 1888 and filed in the Office of the Clerk of Courts of Cambria County, Pennsylvania in Road Docket Volume 4 page 183. The petition for the appointment of Viewers filed in Clerk of Courts Office aforesaid on April 1, 1949 sets forth the above facts. In paragraph 4 in same petition it recites- "That your petitioners (Supervisors of Clearfield Township) labor under great inconvenience and hardship in the discharge of their duties as Supervisors of the Township of Clearfield, Cambria County, Pennsylvania, because of dissatisfaction and uncertainty as to the positive location of said above described road", and then again in paragraph Number 5 it recites- "That your petitioners (Supervisors of Clearfield Township) believe the best interest of Clearfield Township and the citizens thereof would be served if the said above described roads were practically vacated, re-located and so altered as to meet the needs of the general public now using the same and the residents living in properties abutting thereon." In pursuance of the presentation of the above petition by the Supervisors of Clearfield Township to the above named Court, we the undersigned Viewers were appointed by said Court. In its decree of April 1, 1949, the undersigned Viewers were directed and ordered to "view the ground proposed for the proposed public road prayed for\*\*."

No vacation of any part of the public road as set forth in Proceedings #3 Dec. 1888 were vacated but slight changes were made to straiten out said road which are shown in blue print hereto attached and which mustv be carefully stidied by those interested.

We, the undersigned Viewers have very faithfully performed our duties to the best of our ability in carrying out the above order of Court. The situations involved in the view were most extraordinary and very unusual because of the fact of a prior proceedings arising out of the same public road, which complicated the situation very materially. All parties in interest, however, have agreed to the facts in form and principle. Further all parties have agreed that they will abide by the decision of the Viewers and no appeal would be taken from the report filed in the proceedings.

IN WITNESS WHEREOF we have hereunto set our hands and seals on this  
\_\_\_\_\_ day of June, A. D. 1949.

  
John L. Elder

  
W. J. McGrain

  
Mahlon Baumgardner

IN RE: Petition for Appointment of Viewers to View and Lay Out a Public Road in Clearfield Township, Cambria County, Pennsylvania and to Vacate Parts of a Public Road in Clearfield Township, Cambria County, Penna.

In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 1 June Sessions, 1949

JOHN L. ELDER & W. J. McGRAIN  
and MAHLON BAUMGARDNER

JOHN L. ELDER

1949

Apr	16- Posting and Service of Notices to View	\$12.00
	Mileage 32 mi at 10¢ per mi	3.20
"	30- Making of View	12.00
	Mileage	3.20
May	7- Making Survey to Locate Property Lines	12.00
	Mileage	3.20
"	9- Making Road Survey	12.00
	Mileage	3.20
"	14- Making Road Survey	12.00
	Mileage	3.20
"	18- Making Road Survey	12.00
	Mileage	3.20
" 26 &	23- Plotting, Tracing and 3 blue prints - 2 days	24.00
Jun	1- Meeting with Property Owners	12.00
	Mileage	3.20
		\$130.40

W. J. McGRAIN

Apr	30- Making of View	12.00
	Mileage 38 mi at 10¢ per mi	3.80
May	7- Assisting in Survey to Locate Property Lines	12.00
	Mileage	3.80
"	14- Assisting in Road Survey	12.00
	Mileage	3.80
Jun	1- Meeting with Property Owners	12.00
	Mileage 32 mi	3.20
		\$62.80

MAHLON BAUMGARDNER

Apr	11- Data & Preparing Notices to View	12.00
"	30- Making of View	12.00
	Mileage 32 mi at 10¢ per mi	3.20
May	14- Assisting in Making View	12.00
	Mileage	3.20
Jun	1- Meeting with Property Owners	12.00
"	4- Data, Examining Records, Preparing Report of Viewers	12.00
		12.00 - 3.00 Mileage
		\$69.60

*Supervisor*

IN RE: Petition of the Supervisors  
of Clearfield Township, County of  
Cambria, Pennsylvania to lay out a  
Public Road in said Township

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

No. 1 June Sessions, 1949

NOTICE TO VIEW

We, the undersigned, members of the Permanent Board of Viewers, appointed by the above named Court to view a proposed public road or highway in the Township of Clearfield, Cambria County, Penna. BEGINNING at a

point near the Bridge over Chest Creek below Eckenrod's mill; thence through improved lands of Rosalia Litzinger South 74 degrees 37 perches; thence through the same South 85 degrees East 8 perches and South 61 degrees East 60 perches to improved lands of John Mulligan; thence through same South 61 degrees East 14 perches; thence South 80 degrees East 46 perches; thence South 30 degrees East 14 perches; thence North 64 degrees East 35 Perches to improved land of Peter Delozier; thence through same North 64 degrees East 8 perches and same North 84 degrees East 40 perches to land of heirs of Simon P. Noel and between lands of Martin Link, Joseph Noel and James Riley North 46 degrees East 130 perches to the Glen Connel and Chest Springs road on lands of James Riley

and further there is in existence at the present time a Township Road more fully recited in the Petition as will more fully appear therein, will meet at the place of BEGINNING on Saturday April 30, 1949 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and for the further purpose of taking testimony and hearing all matters pertaining thereto.

JOHN L. ELDER

W. J. MCGRAIN

HARLON BAUMGARDNER  
Viewers.

AND NOW 16 April 1949 I hereby accept service of the above notice to View for the Supervisors of Clearfield Township, Cambria County, Pa.

*J. J. Sheehan*

IN RE: Petition of the Supervisors  
of Clearfield Township, County of  
Cambria, Pennsylvania to lay out a  
Public Road in said Township.

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

No. 1 June Sessions, 1949

NOTICE TO VIEW

We, the undersigned, members of the Permanent Board of Viewers, appointed by the above named Court to view a proposed public road or highway in the Township of Clearfield, Cambria County, Penna. BEGINNING at a

point near the Bridge over Chest Creek below Eckenrod's mill; thence through improved lands of Rosalia Litzinger South 74 degrees 37 perches; thence through the same South 85 degrees East 8 perches and South 61 degrees East 60 perches to improved lands of John Mulligan; thence through same South 61 degrees East 14 perches; thence South 80 degrees East 46 perches; thence South 30 degrees East 14 perches; thence North 64 degrees East 35 Perches to improved land of Peter Delozier; thence through same North 64 degrees East 8 perches and same North 84 degrees East 40 perches to land of heirs of Simon P. Noel and between lands of Martin Link, Joseph Noel and James Riley North 46 degrees East 130 perches to the Glen Connel and Chest Springs road on lands of James Riley

and further there is in existence at the present time a Township Road more fully recited in the Petition as will more fully appear therein, will meet at the place of BEGINNING on Saturday April 30, 1949 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment and for the further purpose of taking testimony and hearing all matters pertaining thereto.

JOHN L. ELDER

W. J. McGRAIN

MAHLON BAUMGARDNER  
Viewers.

AND NOW 18 April, 1949 I hereby accept service of the above notice to view for the Commissioners of Cambria County, Pennsylvania.

*Maurice A. Springer*

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 1st day of April A. D. 19 49 before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Clearfield, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, ~~to be laid out~~ part to be opened and part to be vacated.

See description attached.

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

John L. Elder, W. J. McGrain

surveyor, and

Mahlon Baumgardner

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, <sup>and vacate</sup> 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:

Griffith

Joseph C. Hess, 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 June SESSIONS, 19 49

Order to view to open and lay

out a public road in Clear-

field Twp. and to vacate a

certain parts of a road in

Clearfield Twp. Cambria Co.

Pa.

Viewers

John LeElders

W. J. McGrain

Mahlon Baumgardner

Clerk Joseph C. Wess

*Joseph C. Wess*

In Re: Petition  
for Appointment of Viewers to open  
and lay out a public road in  
Clearfield Township, Cambria County,  
Pennsylvania, and to vacate certain  
parts of a road in Clearfield Town-  
ship, Cambria County, Pennsylvania.

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

No. June Term, 1949

ROAD DOCKET

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, duly elected Supervisors of the Township of Clearfield, County of Cambria and State of Pennsylvania, respectfully represents:

1. That your petitioners, William J. Bender, Lawrence A. Cretin and Angelo Marra, are the duly elected Supervisors of the Township of Clearfield, County of Cambria and State of Pennsylvania.

2. That your Honorable Court, by an Order dated August 7, 1891, laid out a public road in Clearfield Township, Cambria County, Pennsylvania, between a point over the Chest Creek below Eckenrod's Mill to a point on the Highway between Patton and Chest Springs. The proceedings in this matter are more fully described in the records of the Clerk of Courts of Cambria County in No. 3 December Term, 1888, 4 Road Docket 183. Said road as laid out by your Honorable Court is described as follows:

BEGINNING at a point near the Bridge over Chest Creek below Eckenrod's mill; thence through improved lands of Rosalia Litzinger South 74 degrees East 37 perches; thence through the same South 85 degrees East 8 perches and South 61 degrees East 60 perches to improved lands of John Mulligan; thence through same South 61 degrees East 14 perches; thence South 80 degrees East 46 perches; thence South 30 degrees East 14 perches; thence North 64 degrees East 35 perches to improved land of Peter Delozier; thence through same North 64 degrees East 8 perches and North 58 degrees East 40 perches and through improved land of same North 84 degrees East 40 perches to land of heirs of Simon P. Noel, deceased; thence on line between said heirs and Peter Delozier and between lands of Martin Link, Joseph Noel and James Riley North 46 degrees East 130 perches to the Glen Connell and Chest Springs road on lands of James Riley as shown by the draft annexed to proceedings entered to No. 3 December Term, 1888, 4 Road Docket 183.

3. That there is in existence at the present time a Township road between the termini below Eckenrod's Mill mentioned in an Order of your



STATE OF PENNSYLVANIA |  
                                  |  
COUNTY OF CAMBRIA |

SS:

Lawrence A. Gretin, being 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.

Sworn and Subscribed before me  
this 29 day of March 1949.

Lawrence A. Gretin

L. G. Goranch  
Justice of the Peace

My Commission expires 1st Monday  
in Jan. 1952.

(SEAL)

WAIVER OF NOTICE BY COUNTY COMMISSIONERS

And Now, March , 1949, we, the undersigned Commissioners of Cambria County, Pennsylvania, hereby acknowledge that we have received a copy of the within petition and notice of its presentment to the Court on the day of March, 1949.

/s/ Pat Farrell

/s/ Thomas A. Owens

Commissioners of Cambria County.

D E C R E E

And Now, ~~March~~ April, 1949, the within petition having been presented and considered, the Court does hereby appoint John L. Elder,  
W. J. McGrain and Mahlon H. Baumgardner,

members of the permanent Board of Viewers, to view the ground proposed for the public road prayed for in the foregoing petition, to lay out the same and to vacate the existing described public roads wherever the same is found necessary and to make report thereof to the next Session of Court.

BY THE COURT:

/s/ Griffith

JUDGE

No. *1*

June Term, 1949 R.Dkt.

IN THE COURT OF QUARTER SESSIONS  
OF CAMBRIA COUNTY, PENNSYLVANIA

In Re: Petition for Appointment  
of Viewers to open and lay out a  
public road in Clearfield Town-  
ship, Cambria County, Pennsylvania  
and to vacate certain parts of a  
road in Clearfield Township,  
Cambria County, Pennsylvania

*Filed 4-1-49*

PETITION FOR APPOINTMENT OF  
VIEWERS.

**HASSON & HASSON**

ATTORNEYS AT LAW

LAW BUILDING

EBENSBURG, PA.

In Re: Petition  
for Appointment of Viewers to open  
and lay out a public road in  
Clearfield Township, Cambria County,  
Pennsylvania, and to vacate certain  
parts of a road in Clearfield Town-  
ship, Cambria County, Pennsylvania.

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

No. 1 June Term, 1949

ROAD DOCKET

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, duly elected Supervisors of the Township of Clearfield, County of Cambria and State of Pennsylvania, respectfully represents:

1. That your petitioners, William J. Bender, Lawrence A. Cretin and Angelo Marra, are the duly elected Supervisors of the Township of Clearfield, County of Cambria and State of Pennsylvania.

2. That your Honorable Court, by an Order dated August 7, 1891, laid out a public road in Clearfield Township, Cambria County, Pennsylvania, between a point over the Chest Creek below Eckenrod's Mill to a point on the Highway between Patton and Chest Springs. The proceedings in this matter are more fully described in the records of the Clerk of Courts of Cambria County in No. 3 December Term, 1888, 4 Road Docket 183. Said road as laid out by your Honorable Court is described as follows:

BEGINNING at a point near the Bridge over Chest Creek below Eckenrod's mill; thence through improved lands of Rosalia Litzinger South 74 degrees East 37 perches; thence through the same South 85 degrees East 8 perches and South 61 degrees East 60 perches to improved lands of John Mulligan; thence through same South 61 degrees East 14 perches; thence South 80 degrees East 46 perches; thence South 30 degrees East 14 perches; thence North 64 degrees East 35 perches to improved land of Peter Delozier; thence through same North 64 degrees East 8 perches and North 58 degrees East 40 perches and through improved land of same North 84 degrees East 40 perches to land of heirs of Simon P. Noel, deceased; thence on line between said heirs and Peter Delozier and between lands of Martin Link, Joseph Noel and James Riley North 46 degrees East 130 perches to the Glen Connell and Chest Springs road on lands of James Riley as shown by the draft annexed to proceedings entered to No. 3 December Term, 1888, 4 Road Docket 183.

3. That there is in existence at the present time a Township road between the termini below Eckenrod's Mill mentioned in an Order of your

Honorable Court dated August 7, 1891, and the borough line of the Borough of Patton, Cambria County, Pennsylvania. Said road follows a general course parallel to the banks of the Chest Creek in proceeding from the point below Eckenrod's Mill to the borough line of the Borough of Patton.

4. That your petitioners labor under great inconvenience and hardship in the discharge of their duties as Supervisors of the Township of Clearfield, Cambria County, Pennsylvania, because of dissatisfaction and uncertainty as to the positive location of said above described public roads.

5. That your petitioners believe the best interest of Clearfield Township and the citizens thereof would be served if the said above described roads were partially vacated, relocated or so altered as to meet the needs of the general public now using the same and the residents living in properties abutting thereon.

6. THEREFORE, your petitioners pray that your Honorable Court appoint a Board of Viewers who shall, in accordance with the laws governing public roads in this Commonwealth, lay out a public road between the two termini described in the Order of your Honorable Court dated August 7, 1891, and extending further from said termini in the above Order to the Borough line of the Borough of Patton, Cambria County, Pennsylvania, thereby making one complete public road from a point at the said borough line of the Borough of Patton to a point along the public road leading from Patton to Chest Springs. And they further pray that to accomplish said results your Honorable Court shall order said Board of Viewers to vacate portions of the existing public road whenever the same is necessary in accordance with this order and to make a report of their proceedings to the next Session of your Honorable Court.

L. A. Curtis

W. J. Bender

A. J. Manna

Supervisors of Clearfield  
Township.

STATE OF PENNSYLVANIA |  
                                  |    SS:  
COUNTY OF CAMBRIA    |

Lawrence A. Cretin, being 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.

Sworn and Subscribed before me  
this 29<sup>th</sup> day of March 1949.

Lawrence A. Cretin

[Signature]  
Notary Public in and for the State of Pennsylvania  
My Commission Expires 1st Monday in Jan. 1952  
My Commission expires \_\_\_\_\_

WAIVER OF NOTICE BY COUNTY COMMISSIONERS

And Now, ~~March~~ <sup>April</sup> / , 1949, we, the undersigned Commissioners of Cambria County, Pennsylvania, hereby acknowledge that we have received a copy of the within petition and notice of its presentment to the Court on the 1st day of ~~March~~ <sup>April</sup>, 1949.

[Signature]  
[Signature]

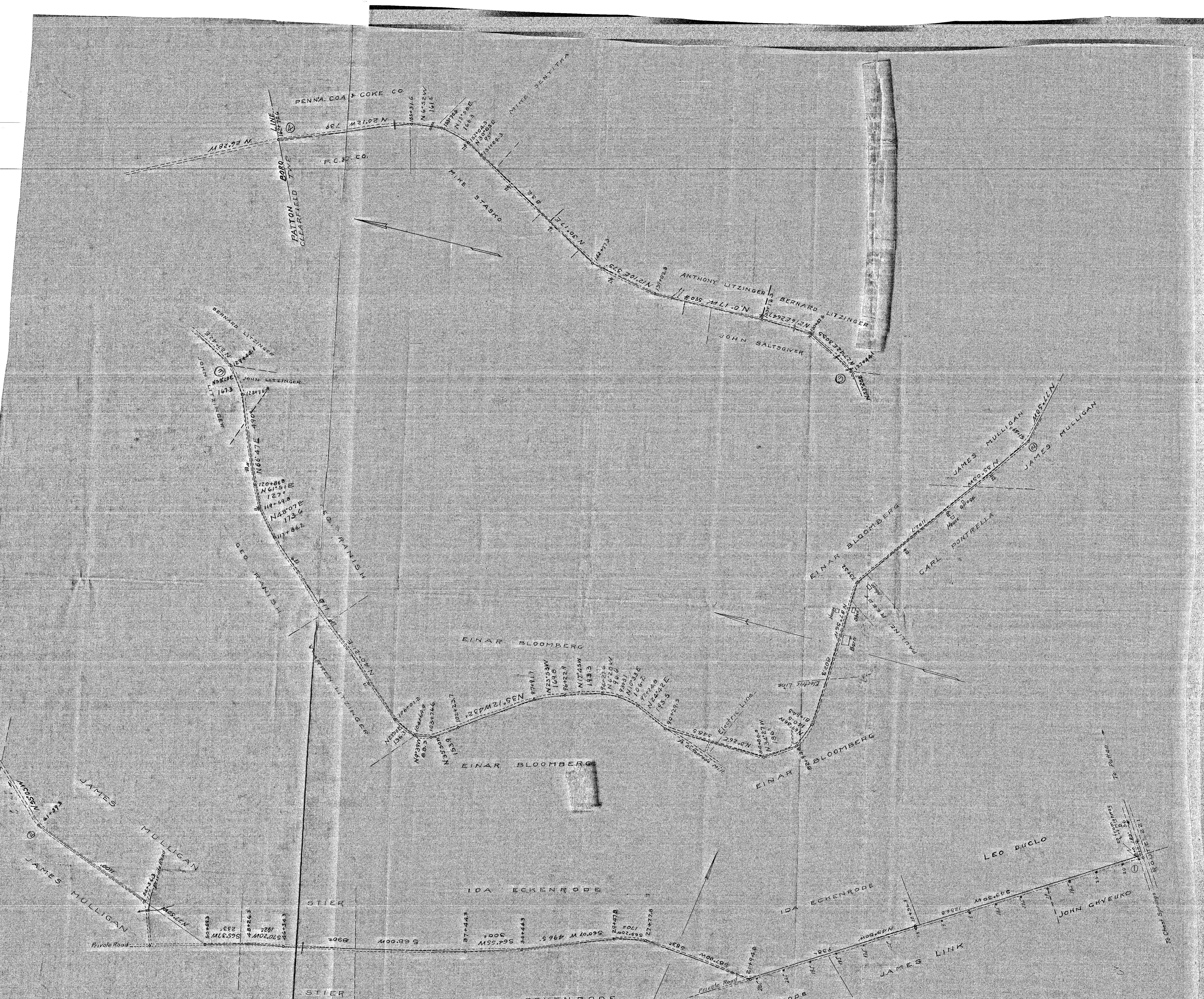
Commissioners of Cambria County.

D E C R E E

And Now, ~~March~~ <sup>1 April</sup>, 1949, the within petition having been presented and considered, the Court does hereby appoint John L. Elder, W. J. McGrain and Walter H. Baumgardner members of the permanent Board of Viewers, to view the ground proposed for the public road prayed for in the foregoing petition, to lay out the same and to vacate the existing described public roads wherever the same is found necessary and to make report thereof to the next Session of Court.

BY THE COURT:

Griffith  
JUDGE



MAP SHOWING SURVEY  
 of  
 TOWNSHIP ROAD  
 IN  
 CLEARFIELD TOWNSHIP  
 CAMBRIA CO. PA.  
 Scale 1" = 100'      Surveyed May 1949  
 John L. Elder Reg. Eng.

Viewers appointed upon an order of the  
 Court of Quarter Sessions of Cambria  
 County, Penna. Nat June Sessions 1949  
 John L. Elder  
 W. J. M. Grein  
 Mahlon Baumgardner