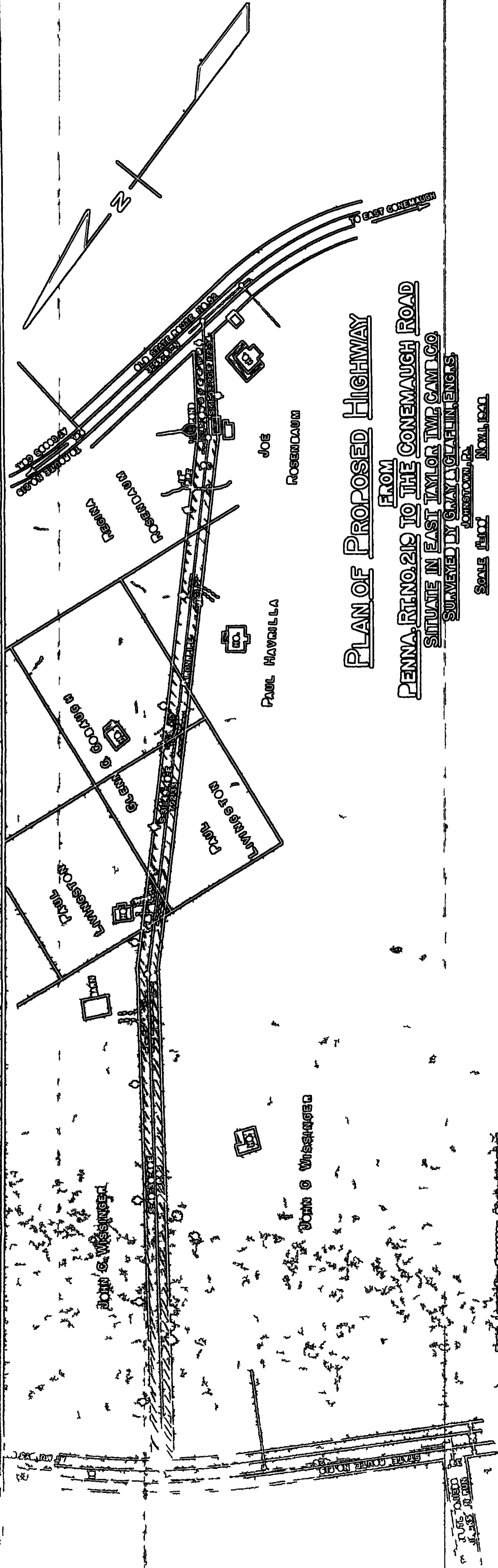


Nat Microfilmed

RO# 3 Dec, 1948

Exhibit III



PLAN OF PROPOSED HIGHWAY

FROM
PENNA. RT. NO. 219 TO THE CONEMAUGH ROAD
SITUATE IN EAST TAYLOR TWP. CAMBICO
SURVEYED BY GRAY & GLAFKIN, ENGLS.

JOHNSTOWN, PA.
 SCALE 1"=100'
 NOV. 1, 1940

JOHNSTOWN, PA.
 NOV. 1, 1940

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

No. **3** December Sessions, 1948

IN THE MATTER OF:

The Opening and Laying out
of a Public Road in East Taylor
Township under Act of July 10,
1947, P. L. 1481.

REPORT OF BOARD OF ROAD
SUPERVISORS OF EAST TAYLOR TOWN-
SHIP, CAMBRIA COUNTY, PENNSYLVANIA

Filed
12-6-48

HARRY E. SIMMONS
Attorney at Law
614-615 U. S. Nat'l Bank Bldg.
Johnstown, Penna.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

map
EX. IV

IN THE MATTER OF:

The Opening and Laying out
of a Public Road in East Taylor
Township under Act of July 10,
1947, P. L. 1481.

No.

December Sessions, 1948

REPORT OF BOARD OF ROAD SUPERVISORS
OF EAST TAYLOR TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF THE ABOVE COURT:

The Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, by their attorney and Solicitor, Harry E. Simmons, Esq., makes report as follows:

1. That a Petition to open and lay out a public road located, wholly within the Township, bearing signature of a majority in interest of the owners of property through whose land the proposed road passes or upon whose land it abuts, was presented to the Board at a regular meeting. A copy of the Petition being hereto attached and marked "Exhibit I".

2. That ten days notice to the property owners affected thereby of the time and place when and where all parties interested might be heard was given, by the Board. A copy of the said notice being hereto attached and marked "Exhibit II".

3. After a hearing on the said Petition and after consideration by the Board, a Resolution of the Board was duly passed to exercise the power of the said public road and fixing the width at thirty (30) feet. A copy of the said Resolution being hereto attached and marked "Exhibit III".

4. The Township Engineer was directed to make a survey of the proposed road and prepare a draft noting the improvements along the line thereof and the names of the owners of property through which the said road passes or whereon it abuts. A copy of the said draft being attached hereto and marked "Exhibit IV".

5. After the passage of the said Resolution mentioned in Paragraph 3 of this report notice thereof was given by handbills posted in conspicuous places along the line of the proposed road. A copy of the said handbill being hereto attached and marked "Exhibit V".

6. An Agreement has been made between the Board and the parties through whose property the proposed road passes or whereon it abuts, whereby compensation for any damages caused by the opening and laying out of the said road have been waived. A copy of the waiver, signed by a majority of the parties in interest being hereto attached and marked "Exhibit VI".

Respectfully Submitted,


Solicitor for Board of Road Supervisors
of East Taylor Township.

ORDER

AND NOW 31 January, 1949, the foregoing Report of the Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, having been filed in the office of the Clerk of Courts for a period of thirty (30) days and no exceptions or petition for review having been filed by any person interested,

IT IS ORDERED AND DECREED that the road, formerly known as Keiper's Lane, as shown by the Plan of Proposed Highway from Pennsylvania Route No. 219 to the Conemaugh Road, as surveyed by Gray & Claflin, Engrs., on November 1, 1948, shall be taken over by the Board of Road Supervisors of East Taylor Township and become a part of the system of Public Roads of said Township, as provided by the Act of Assembly of July 10, 1947, P. L. 1481.

BY THE COURT:


_____ J.

PETITION

TO THE BOARD OF ROAD SUPERVISORS OF THE TOWNSHIP OF EAST TAYLOR,
COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA:

Your Petitioners, being the majority in interest of the owners of properties through whose land the proposed Public Road hereinafter described passes, or abuts upon, hereby petition your Honorable Board as follows:

1. To open and layout a Public Road beginning at a point on the Easterly boundary line of Pennsylvania State Highway Route No. 219, (leading from Johnstown to Mundy's Corner) and extending in an Easterly direction through or along lands of John C. Wissinger, et. ux., *PAUL N. Livingston,* Glenn Cobaugh, *Paul* Havrilla, Joe Rosenbaum, et. ux., and Regina Rosenbaum,

to a point on the Westerly boundary line of the Brick Road leading from Goods Corner to Cohemaugh; said proposed Public Road does not extend through any burial ground, cemetery, church ground, school ground or ground owned by any educational or charitable organization or seminary organization.

2. That the land through which the proposed Road passes is not a dedicated Plan of Lots.

3. That the proposed Road follows the course of a Private Lane known as the Keiper Lane which has been continuously in use for more than fifty (50) years.

4. That the proposed Road is necessary and that your Petitioners now labor under great hardship and inconvenience.

WHEREFORE, your Petitioners pray your Honorable Board to enact, ordain, survey, layout and open as a Public Highway the hereinabove described Road which is situate wholly within the boundary line of the Township of East Taylor, County of Cambria and State of Pennsylvania,

And they will ever pray, etc.

John C. Wissinger
Shirley P. Wissinger
Paul N. Livingston
Mary D. Livingston
Glenn Cobaugh

Florence Cobaugh
Paul Havrilla

Exhibit I

NOTICE

Notice is hereby given by the Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, that there has been presented to the Board of Road Supervisors a Petition signed by a majority in interest of the owners of properties through whose land the hereinafter described proposed Public Road passes or upon whose land it abuts; the said Petition requests the Board of Road Supervisors of East Taylor Township to take over and lay out as a Public Road the lane formerly known as Keiper Lane, extending from the Easterly boundary line of the Pennsylvania State Highway Route No. 219 to the Westerly boundary line of the Brick Road leading from Goods Corner to Conemaugh. That the Board will meet at *R. B. HATT'S STORE* on the *30th* day of July, 1948, being more than ten (10) days hence, where and when all parties interested may appear and be heard.

BOARD OF ROAD SUPERVISORS,
EAST TAYLOR TOWNSHIP,
CAMBRIA COUNTY:

Hiram Reppert
Blay R. Thomas
Herald Page

Dated:

7/17/48

Exhibit II

RESOLUTION

On motion of *Gerold Page*, seconded by *Blair Thomas*
and duly passed it was

RESOLVED that the Petition of the majority in interest of the owners of properties through whose land the proposed Public Road known as Keiper Lane passes or upon whose land the proposed Road abuts having been presented and considered, the prayer of the Petition is granted and the said Road is hereby ordained a Public Highway and shall be opened as such after being surveyed and layed out by the Township Engineers of a width of thirty (30) feet.

I hereby Certify that this is a true & correct Copy of the resolution passed by the road supervisors of East Taylor Twp. at a meeting held the 30th day of July as shown in our Minute Book

Signed
Blair N. Thomas
Sec.

Exhibit III

NOTICE

Notice is hereby given by the Board of Road Supervisors of the Township of East Taylor, County of Cambria and State of Pennsylvania, that there has been passed by the said Board of Road Supervisors a Resolution to take over and layout as a Public Road, the lane formerly known as Keiper Lane and extending from the Easterly boundary line of the Pennsylvania State Highway Route No. 219 to the Westerly boundary line of the Brick Road leading from Goods Corner to Conemaugh. The said Resolution to take over and layout as a Public Road the said lane formerly known as Keiper Lane was passed at a meeting of the Board of Road Supervisors held on the 30th day of July, 1948, and a written report thereof, together with a draft or survey of the said Public Road, fixing the width thereof and noting the improvements along the line thereof, and the names of the owners of property through which the same shall pass, or whereon it shall abut will be filed in the office of the Clerk of the Court of Quarter Sessions on the 6th day of ~~September~~^{December}, 1948, any citizen or freeholder of the Township of East Taylor may, within thirty (30) days after the filing of the report in the office of the Clerk of the Court of Quarter Sessions, upon entering of sufficient surety, file exceptions to the report of the Supervisors, together with a Petition for a review.

BOARD OF ROAD SUPERVISORS OF THE
TOWNSHIP OF EAST TAYLOR, COUNTY
OF CAMBRIA, STATE OF PENNSYLVANIA

Gerald Page

Blay J. Thomas

Hiram Riblett

Exhibit IV

W A I V E R

We, the undersigned residents of the Township of East Taylor, County of Cambria and State of Pennsylvania, being the owners of land abutting on a new public Road, formerly known as Keiper Lane, hereby waive and release any and all claim or claims for damages for the taking over and opening of the said public Road.

x John C. Wissinger
John C. Wissinger

x Shirley P. Wissinger
Shirley P. Wissinger

x Paul W. Livingston
Paul W. Livingston

x Mary D. Livingston
Mary D. Livingston

x Glenn Cobough
Glenn Cobough

x Florence Cobough
Florence Cobough

x Paul Harviller
Paul Harviller

x Paul Harviller

Exhibit VII