

Filed


Nov 2, 1942 ✓

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

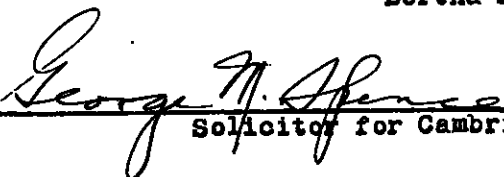
◊ In the Court of Quarter
◊ Sessions, of Cambria
◊ County, Pennsylvania.
◊
◊ No. 5 June Sessions, 1942.

AGREEMENT OF COUNSEL

NOW, October 29, A. D. 1942, it appearing that the Viewers appointed by this Court in the above entitled matter have conducted a view and have made an award to the Petitioner, Bertha Potter, as appears by the report of the Viewers filed on September 5, A. D. 1942 to the above No. and Term, and it appearing further that no appeal has been taken therefrom, within thirty (30) days from the date of the filing of said report, it is hereby agreed between Counsel for said Bertha Potter and Counsel for the County of Cambria that the said report may now be confirmed absolutely by this Court.



Attorney for the Petitioner,
Bertha Potter.



Solicitor for Cambria County.

No 5 June 1942

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

Re: Petition of BERTHA POTTER, for the
Appointment of Viewers to Assess
the Damages for the Relocation of
State Highway Route 11007-2 from
the Land of Your Petitioner.

PETITION FOR APPOINTMENT OF VIEWERS

Filed July 22, 1942

28

RAY PATTON SMITH
ATTORNEY AND COUNSELLOR AT LAW
913 U.S. National Bank Bldg.
JOHNSTOWN, PA.

UNITED STATES COMMISSIONER

Now July 21, 1942, Service of the within Rule accepted.

George M. Spence
County Solicitor

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

In Re: Petition of BERTHA POTTER, for the Appointment of Viewers to Assess the Damages for the Relocation of State Highway Route 11007-2 from the Land of Your Petitioner. 0 No. *June* Sessions, 1942
0
0
0
0 PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE ABOVE-NAMED COURT:

 / The petition of BERTHA POTTER, resident of Upper Yoder Township, Cambria County, Pennsylvania, respectfully represents:

 1. That she is the owner of all that certain tract of land situate in the Township of Upper Yoder, County of Cambria and State of Pennsylvania, bounded and described as follows:

Tract #1.

BEGINNING at a post corner of Ann Street and Hershberger Street; thence along line of Hershberger Street 152.9 feet to a post on line of Ohm Alley; thence along line of Ohm Alley 53.5 feet to a post on line of lot 221; thence along line of lot No. 221 to a post on line of Ann Street; thence along line of Ann Street 80 feet to a post the place of beginning, being known and designated on the Plan or Plot of "ELIM" as laid out by the said Walter S. Weaver, as lot No. 220-1/2.

See deed of Walter S. Weaver, Trustee, dated March 15, 1905, and recorded in Deed Book Vol. 171 Page 681.

Tract #2.

Fronting Fifty feet on the westwardly side of Ann Street and extending back with the same width a distance of One hundred and fifty feet to an alley, having Lot No. 222 on the northwardly side and lot No. 220 1/2 on the southwardly side and being known and designated on the plan or plot of the town of ELIM as laid out by Walter S. Weaver, on land purchased from Samuel H. Harshberger, as Lot No. 221.

See Deed of Walter S. Weaver, Trustee, dated August 13, 1902, and recorded in Deed Book Vol. 146 Page 420.

Tract #3.

Fronting fifty (50) feet on the westwardly side of Ann Street and extending back between parallel lines a distance of one hundred and fifty feet (150) to Ohm Alley, and having lot No. 221 on the southwardly side and lot No. 223 on the northwardly side, being known and designated on the plan or plot of "Elim" as laid out by Walter W. (S?) Weaver, Trustee, as Lot No. 222.

See deed of Charles E. Shaffer, dated May 4, 1918 and recorded in Deed Book Vol. 294 Page 323.

2. That the Secretary of Highways has caused to be constructed a highway, known as State Highway Route 11007-2, and the same crosses over and through the land of your petitioner, and in so doing, the State has taken and appropriated to its own use or to the use of the public a portion of said land belonging to your petitioner.

3. That the County Commissioners of Cambria County have consented and approved of the width, location and relocation or change of said highway through land of your petitioner, and are therefore liable for any damages sustained by your petitioner for change of said width, location and relocation of said road. Your petitioner is therefore entitled to damage under and in pursuance of the Acts of Assembly in such case made and provided for the change of the width, location and relocation of said highway Route No. 11007-2 over the land of your petitioner. A detailed description of the construction, relocation and change of said road is on file in the office of the County Commissioners of Cambria County.

4. Your petitioner therefore prays your Honorable Court to appoint three viewers from among the Board of Viewers of Cambria County, one of whom shall be learned in the law, to assess the damages occasioned to your petitioner, and make report thereof to the next term of said Court.

And thus she will ever pray, etc.


Petitioner.

STATE OF PENNSYLVANIA 0
0 SS:
COUNTY OF CAMBRIA 0

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, BERTHA POTTER, who, being duly sworn according to law, deposes and says that she is the petitioner herein, and that the averments of fact set forth in the foregoing petition are true and correct as she verily believes.

Bertha Potter

Sworn and subscribed to before me this
16th day of July, A. D. 1942.

Esther E. Weaver
Notary Public
My commission expires August 2, 1942.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

In re: Petition of BERTHA POTTER, 0 No. 5 June Sessions, 1942.
for the Appointment of 0
Viewers to Assess the 0
Damages for the Relocation 0
of State Highway Route 11007-2 0
from the Land of Your Petitioner. 0 RULE TO SHOW CAUSE

AND NOW, 16 July, A. D. 1942, a rule is granted on the County Commissioners to show cause why the above petition should not be granted.

Rule returnable ten days hence.

By the Court,
Griffith

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

In Re: Petition of BERTHA POTTER, for 0 No. Sessions, 1942.
the Appointment of Viewers to 0
Assess the Damages for the Re- 0
location of State Highway Route 0
11007-2 from the Land of Your 0
Petitioner. 0 ORDER AND DECREE

AND NOW, 3 August, A. D. 1942,

the foregoing petition having been read and considered, the Court appoints

Robert J. Mayer and L. E. Taylor
and S. E. Dickey Viewers, who, in accordance with the

Acts of Assembly in such case made and provided shall view the premises and
make an award as to them shall seem just and proper; report of the Viewers to
be filed on or before the next term of this Court, and notice of the filing of
this report shall be given to the County Commissioners of Cambria County, and
to the attorney for the petitioner.

BY THE COURT:

Griffith
J.

No. 5 June Sessions, 1942.

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

REPORT OF VIEWERS
Filed Sept. 15, 1942

In Re: Order to View and
Assess Damages for the
Petitioner Bertha Potter,
by reason of the relocation
of State Highway Route 11007
2 in Upper Yoder Township,
Cambria County, Penna.

S. E. DICKEY
L. E. KAYLOR
ROBERT G. MAYER
VIEWERS.

S. E. DICKEY & CO.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

*Nov. 2, 1942 see
reference with
approved this 14th day
of November by the parties of Sept. 1941
Jesse H. Haddock, et al. By the Court M. J. Kenner
Report as compromise
presently.*

*By the Court
M. J. Kenner
Judge
J. H. Haddock
+
Judge*

m. p.
In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania.
No. 5 June Sessions, 1942.

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 Court to view the premises, to determine and estimate
the damages that have resulted or that may seem likely to re-
sult to the property of Bertha Potter, situate in Upper Yoder
Township, Cambria County, Pennsylvania, fronting 178.59' on
Ann Street and extending back 152.31' along Harshberger Street
on the Southerly side and 150' along lot No. 223 on the
Northerly side to Ohm Alley and being marked and known as
lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, by reason
of the relocation and construction of State Highway Route
11007 Section 2 by the Highway Department of the Commonwealth
of Pennsylvania, respectfully report as follows:

That we have been duly sworn or affirmed as Members
of the Permanent Board of Viewers of Cambria County as attested
by the records of said Court; that due Notice was given, to
the public, at least ten days prior to the holding of said
View, of the time and place of meeting for Viewing the premises
and the taking of Testimony by posting said Notices on the
premises affected, by publication of said Notice in one issue
of the Johnstown Tribune, by service of said Notice on the
Commissioners of Cambria County, the Solicitor for Cambria County,
the Solicitor for Upper Yoder Township, the Solicitor for the
Petitioner and upon the Petitioner, 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

21st. day of August A. D. 1942 at 10:30 o'clock A. M. and proceeded with the duties of our appointment and viewed the premises affected; that during the View Bertha Potter, the Petitioner, Earlene Potter, Ray P. Smith, George Spence, H. F. Dorr and S. E. Dickey and L. E. Kaylor of the Board of Viewers were present. Robert G. Mayer the third member of the Board of View was unable to be present on account of sickness. After viewing the premises and the surroundings for the purpose of comparison, we continued the View to meet in the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pa. at 9:00 o'clock A. M. on the 26th. day of August A. D. 1942; that we met in accordance with said continuance at 9:00 o'clock A. M. on the 26th. day of August A. D. 1942 and proceeded with the taking of Testimony at which time Ray Patton Smith, Attorney for the Petitioner, Bertha Potter, the Petitioner, Earlene Potter, C. T. Noffsinger, a real estate agent, George M. Spence, Solicitor for Cambria County, H. F. Dorr, County Engineer and S. E. Dickey and L. E. Kaylor, members of the Board of View were present. Robert G. Mayer, one of the Viewers was absent for reasons hereinbefore mentioned. Attorney Smith offered maps and the reference to the Deed of Bertha Potter, as referred to in the Petition, in evidence. Mr. Smith produced qualified witnesses who testified to the value of the property before said improvements and as unaffected by said improvements and the value immediately after said improvements and as affected by said improvements. Testimony was also offered to the effect that said property is free and clear of all liens, judgments, mortgages and taxes. Attorney Spence, for the County, produced two witnesses, qualified real estate brokers, who testified to the value of the property before said

improvements and as unaffected by said improvements and the value immediately after said improvements and as affected by said improvements. After concluding the Taking of Testimony, we reviewed the evidence, testimony and exhibits and after due consideration of same estimated and determined the damages sustained by said Bertha Potter, for the purpose of preparing a Schedule of Damages. George M. Spence, Solicitor for the County of Cambria, State of Pennsylvania, admitted that the County of Cambria was liable for said damages, if any, by reason of a Resolution duly passed by the Commissioners of Cambria County before making said improvements.

That Notice of the time and place of meeting for the purpose of exhibiting a Schedule of Damages was given at least ten (10) days prior to the time of said meeting, to all parties interested, by personal service of same upon the Petitioner, by publication in one issue of the Johnstown Tribune, by posting copies of said Notice upon the premises, by personal service upon the Commissioners of Cambria County, the Solicitor for Cambria County, the Solicitor for Upper Yoder Township and the Solicitor for the Petitioner, evidence of which is shown by copies of said notices hereto attached and made a part hereof; that we met in accordance with the Notice given for the Exhibit of Schedule at the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pa. on the 28th. day of August A. D. 1942 at 10:30 o'clock A. M. and exhibited said Schedule, a copy of which is attached hereto and made a part hereof. During the Exhibit of Schedule, Ray Patton Smith, Attorney for the Petitioner, Bertha Potter, the Petitioner, Earlene Potter, Elizabeth J. Greiner, Secretary for the County

Solicitor and S. E. Dickey and L. E. Kaylor of the Board of View, were present at which time all further Testimony, exceptions and objections were heard; that after further consideration of the testimony, exceptions, objections and all other matters before us, we have assessed benefits and damages to the owner of said property as follows:

<u>Name</u>	<u>Benefits</u>	<u>Damages</u>
Bertha Potter -----	None -----	\$ 1500.00

According to the Testimony, there being no liens, judgments, mortgages or taxes against this property the damages are payable to Bertha Potter by the County of Cambria, State of Pennsylvania. A blue print attached hereto and made a part hereof, shows the property of Bertha Potter colored in red thereon and the improvements, which is the extension of Gertrude Street; that we prepared and advertised this day in the Johnstown Tribune as required by law, a Notice of Filing Report of Viewers, a copy of which is hereto attached.

Witness our hands and seal this 5 day of September
A. D. 1942.

S. E. Dickey
L. E. Kaylor

Viewers.

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

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

No. 5 June Sessions, 1942.

To S. E. DICKEY & L. E. KAYLOR Dr.

To S. E. DICKEY Dr.

August 11	- Data, dictating, preparing, posting and serving Notice of View and the Taking of Testimony. -----	\$ 12.00
	Mileage - 8 miles @ \$.10 -----	.80
	Stenographer -----	2.00
	Stationery and postage -----	.39
	Advertising The Notice of View and the Taking of Testimony in the Johnstown Tribune -----	5.36
" 15	- Data, dictating, preparing, posting and serving Notice of Exhibit of Schedule -----	12.00
	Mileage - 8 miles @ \$.10 -----	.80
	Stenographer -----	2.00
	Stationery and postage -----	.39
	Advertising Notice of Exhibit of Schedule in the Johnstown Tribune -----	5.36
" 21	- Making View -----	6.00
	Mileage - 4 miles @ \$.10 -----	.40
" 26	- Taking Testimony -----	6.00
" 27	- Data, dictating and preparing Schedule of damages -----	6.00
	Stenographer -----	1.00
	Stationery -----	.15
" 28	- Exhibit of Schedule -----	6.00
Sept. 1	- Data, dictating and preparing Report and Notice of Filing Report -----	12.00
	Stenographer and Stationery -----	4.20
	Advertising Notice of Filing Report in the Johnstown Tribune -----	4.54
TOTAL -----		\$ 87.39

To L. E. KAYLOR Dr.

August 21	- Making View -----	\$ 6.00
	Mileage - 22 miles @ \$.10 -----	2.20
" 26	- Taking Testimony -----	6.00
	Mileage - 18 miles @ \$.10 -----	1.80
" 28	- Exhibit of Schedule -----	6.00
	Mileage - 18 miles @ \$.10 -----	1.80
TOTAL -----		\$ 23.80
Grand Total -----		\$ 111.19

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

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

NOV 17 1942 CERTIFIED

NOV 17 1942 CERTIFIED

Tract #1.

Beginning at a post corner of Ann Street and Hershberger Street; thence along line of Hershberger Street 152.3 feet to a post on line of Ohm Alley; thence along line of Ohm Alley 53.5 feet to a post on line of lot 221; thence along line of lot No. 221 to a post on line of Ann Street; thence along line of Ann Street 80 feet to a post the place of beginning, being known and designated on the Plan or Plot of "ELIM" as laid out by the said Walter S. Weaver, as lot No. 220-1/2/

See deed of Walter S. Weaver, Trustee, dated March 15, 1905, and recorded in Deed Book Vol. 171 Page 681.

Tract #2.

Fronting Fifty feet on the westwardly side of Ann Street and extending back with the same width a distance of One hundred and fifty feet to an alley, having Lot No. 222 on the northwardly side and lot No. 220-1/2 on the southwardly side and being known and designated on the plan or plot of the town of ELIM as laid out by Walter S. Weaver, on land purchased from Samuel H. Hershberger, as Lot No. 221.

See Deed of Walter S. Weaver, Trustee, dated August 13, 1902, and recorded in Deed Book Vol. 146 Page 420.

Tract #3.

Fronting fifty (50) feet on the westwardly side of Ann Street and extending back between parallel lines a distance of one hundred and fifty feet (150) to Ohm Alley, and having Lot No. 221 on the southwardly side and lot No. 223 on the northwardly side, being known and designated on the plan or plot of "Elim" as laid out by Walter W. (S) Weaver, Trustee, as Lot No. 222.

See Deed of Charles E. Shaffer, dated May 4, 1918 and recorded in Deed Book Vol. 294 Page 323.

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, and 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. 5 June 12 SESSIONS, 1822

Order to view and assess damages

for the petitioner Bertha

Potter, Upper Yoder Twp.

Cambria County.

Viewers

Robert G. Mayer

L. E. Kaylor

S. E. Dickey

Clerk Joseph A. [Signature] 90 cts.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

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

No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above
named Court to view the property of Bertha Potter, situate in
Upper Yoder Township, Cambria County, Pennsylvania, fronting
178.59 feet on Ann Street and extending back 152.31 feet along
Harshberger Street on the Southerly side and 150 feet along
lot No. 223 on the Northerly side to Ohm Alley and being marked
and known as lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elin,
for the purpose of estimating and determining the damages done
and the benefits accruing from the relocation and construction
of State Highway Route 11007-2, will meet upon said premises
at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942,
for the purpose of performing the duties of our appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 11, 1942.

In the Court of Quarter Sessions, of
Cambria County, Pennsylvania. No. 5
June Sessions, 1942.

In re Order to View and Assess Dam-
ages for the Petitioner Bertha Potter,
by reason of the relocation of State
Highway Route 11007-2 in Upper Yoder
Township, Cambria County, Pennsyl-
vania.

**NOTICE OF VIEW AND THE TAKING
OF TESTIMONY**

We the undersigned Viewers, ap-
pointed by the above named Court to
view the property of Bertha Potter,
situate in Upper Yoder Township,
Cambria County, Pennsylvania, front-
ing 178.59 feet on Ann Street and ex-
tending back 152.31 feet along Harsh-
berger Street on the southerly side and
150 feet along Lot No. 223 on the
northerly side to Ohm Alley and be-
ing marked and known as Lots No.
220½, 221 and 222 on the Plan of Eilm.
for the purpose of estimating and de-
termining the damages done and the
benefits accruing from the relocation
and construction of State Highway
Route 11007-2, will meet upon said
premises at 10:30 o'clock A. M. on the
21st day of August A. D. 1942, for the
purpose of performing the duties of our
appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY

Viewers:

August 11, 1942.

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania. No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the Southerly side and 150 feet along lot No. 223 on the Northerly side to Ohm Alley and being marked and known as lots No. 220¹/₂, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942, for the purpose of performing the duties of our appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 11, 1942.

Now this 17th day of August A. D. 1942, service of the above Notice is hereby accepted for the Commissioners of Cambria County.

By *H. F. Dow*
Chief Clerk.

Spencer

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY.

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the Southerly side and 150 feet along lot No. 223 on the Northerly side to Ohm Alley and being marked and known as lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942, for the purpose of performing the duties of our appointment.

August 11, 1942.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

Now this 20th day of August A. D. 1942, service of the above Notice is hereby accepted for the County of Cambria.

By *George M. Spencer*
Solicitor.

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania. No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the Southerly side and 150 feet along lot No. 223 on the Northerly side to Ohm Alley and being marked and known as lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942, for the purpose of performing the duties of our appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 11, 1942.

Now this 11 day of August A. D. 1942.
service of the above Notice is hereby accepted for
Upper Yoder Township.

By *Frank P. Barnhart*
Solicitor.

Smith

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the Southerly side and 150 feet along lot No. 223 on the Northerly side to Ohm Alley and being marked and known as lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942, for the purpose of performing the duties of our appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 11, 1942.

Now this 12th day of August A. D. 1942,
service of the above Notice is hereby accepted for the Petitioner.

By *Ray Patton Smith*
Solicitor for Petitioner.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the Southerly side and 150 feet along lot No. 223 on the Northerly side to Ohm Alley and being marked and known as lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st. day of August A. D. 1942, for the purpose of performing the duties of our appointment.

August 11, 1942.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

Now this 17 day of August A. D. 1942,
service of the above Notice is hereby accepted.

By *Bertha Potter*
Petitioner.

Potter

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania. No. 5 June Sessions, 1942.

NOTICE OR EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court to view the premises and to determine and estimate the damages that have resulted to the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.31 feet on the Northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, by the relocation and construction of State Highway Route 11007-2, will meet in the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pennsylvania, on the 28th. day of August A. D. 1942, at 10:30 o'clock A. M. at which time a Schedule of Damages will be exhibited and all exceptions thereto and evidence will be heard.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 17, 1942.

Now this 17 day of August A. D. 1942, service of the above Notice is hereby accepted.

By Bertha Potter
Petitioner.

VIEWERS' NOTICE
In the Court of Quarter Sessions of
Cambria County, Pennsylvania, No.
5 June Scssions, 1942. In re: Order
to view and assess damages for the
Petitioner Bertha Potter, by reason
of the Relocation of State Highway
Route 11007-2 in Upper Yoder Town-
ship, Cambria County, Pennsylvan-
ia.

**NOTICE OF EXHIBIT OF
SCHEDULE**
We, the undersigned Viewers, ap-
pointed by the above named court to
view the premises and to determine
and estimate the damages that have
resulted to the property of Bertha
Potter, situate in Upper Yoder Town-
ship, Cambria County, Pennsylvania,
fronting 152.31 feet on the northerly
side of Harshberger Street, for the
purpose of estimating and determin-
ing the damages done, by the reloca-
tion and construction of State High-
way Route 11007-2, will meet in the
Judges' Chambers, 505 United States
National Bank Building, Franklin
Street, Johnstown, Pennsylvania, on
the 28th day of August, A. D. 1942, at
10:30 o'clock a. m. at which time a
schedule of damages will be exhibited,
and all exceptions thereto and evi-
dence will be heard.
ROBERT G. MAYER,
L. E. KAYLOR,
S. E. DICKEY, Viewers.
August 17, 1942.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania,
No. 5 June Sessions, 1942.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court to view the premises and to determine and estimate the damages that have resulted to the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.31 feet on the Northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, by the relocation and construction of State Highway Route 11007-2, will meet in the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pennsylvania, on the 28th. day of August A. D. 1942, at 10:30 o'clock A. M. at which time a Schedule of Damages will be exhibited and all exceptions thereto and evidence will be heard.

August 17, 1942.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

Dorr.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court to view the premises and to determine and estimate the damages that have resulted to the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.51 feet on the Northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, by the relocation and construction of State Highway Route 11007-2, will meet in the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pennsylvania, on the 28th. day of August A. D. 1942, at 10:30 o'clock A. M. at which time a Schedule of Damages will be exhibited and all exceptions thereto and evidence will be heard.

August 17, 1942..

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS..

Now this 21st day of August A. D. 1942,
service of the above Notice is hereby accepted for the
Commissioners of Cambria County.

By


Chief Clerk.

Spence.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OR EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above
named Court to view the premises and to determine and estimate
the damages that have resulted to the property of Bertha Potter,
situate in Upper Yoder Township, Cambria County, Pennsylvania,
fronting 152.31 feet on the Northerly side of Harshberger Street,
for the purpose of estimating and determining the damages done,
by the relocation and construction of State Highway Route 11007-2,
will meet in the Judge's Chambers, 505 United States National
Bank Building, Franklin Street, Johnstown, Pennsylvania, on the
28th. day of August A. D. 1942, at 10:30 o'clock A. M. at
which time a Schedule of Damages will be exhibited and all
exceptions thereto and evidence will be heard.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 17, 1942.

Now this 20th day of August A. D. 1942,
service of the above Notice is hereby accepted for the
County of Cambria.

By *George M. Spence*
Solicitor.

In re: Order to View and Assess
Damages for the Petitioner Bertha
Potter, by reason of the relocation
of State Highway Route 11007-2
in Upper Yoder Township, Cambria
County, Pennsylvania.

In the Court of Quarter
Sessions, of Cambria
County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above
named Court to view the premises and to determine and estimate
the damages that have resulted to the property of Bertha Potter,
situate in Upper Yoder Township, Cambria County, Pennsylvania,
fronting 152.31 feet on the Northerly side of Harshberger Street,
for the purpose of estimating and determining the damages done,
by the relocation and construction of State Highway Route 11007-2,
will meet in the Judge's Chambers, 505 United States National
Bank Building, Franklin Street, Johnstown, Pennsylvania, on the
28th. day of August A. D. 1942, at 10:30 o'clock A. M. at
which time a Schedule of Damages will be exhibited and all
exceptions thereto and evidence will be heard.

August 17, 1942.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

Now this 18 day of August A. D. 1942,
service of the above Notice is hereby accepted for
Upper Yoder Township.

By *Wm. P. Korman*
Solicitor.

Smith

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court to view the premises and to determine and estimate the damages that have resulted to the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.31 feet on the Northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, by the relocation and construction of State Highway Route 11007-2, will meet in the Judge's Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pennsylvania, on the 28th. day of August A. D. 1942, at 10:30 o'clock A. M. at which time a Schedule of Damages will be exhibited and all exceptions thereto and evidence will be heard.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY
VIEWERS.

August 17, 1942.

Now this 17th day of August A. D. 1942, service of the above Notice is hereby accepted for the Petitioner.

By *Ray Fallon Smith*
Solicitor for Petitioner.

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania, No. 5 June Sessions, 1942

SCHEDULE OF DAMAGES

We the undersigned Viewers appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.31' on the Northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, and the benefits accruing, by reason of the relocation and construction of State Highway Route 11007-2, having viewed the premises, and taking into consideration all evidence and testimony before us, we have estimated same and assess benefits and damages to the owner of said property as follows:

<u>Name</u>	Benefits	Damages
Bertha Potter-----	None	\$1500.00

S. E. Dickey
S. E. Dickey

L. E. Kaylor
L. E. Kaylor

Robert G. Mayer

Viewers

August 28, 1942

In re: Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

In the Court of Quarter Sessions, of Cambria County, Pennsylvania.
No. 5 June Sessions, 1942.

NOTICE OF FILING REPORT OF VIEWERS

We the undersigned Viewers appointed by the above named Court to report on the above proceedings, as it affects the property of Bertha Potter, have this 5th. day of September A. D. 1942 filed our report to the above term and number. Said report shows damages and benefits to be paid as follows:

<u>Name</u>	<u>Benefits</u>	<u>Damages</u>
Bertha Potter -----	none -----	\$ 1500.00

Unless exceptions thereto are filed within thirty days from the date of filing of said report, same will be confirmed absolutely.

S. E. Dickey,
L. E. Kaylor,
Robert G. Mayer.
Viewers.

September 5, 1942.

The Johnstown Tribune Publishing Co.

Publishers of the Tribune--Democrat

JOHNSTOWN, PENNA. Aug. 17, 1942

S. E. Dickey

809 Johnstown Bank & Trust Bldg. N^o 8961 K

City

PHONES 25-551 -- 25-551

BDD

Legal--Notice: Exhibit of Schedule--Property Bertha Potter \$5.36

VIEWERS' NOTICE
In the Court of Quarter Sessions of Cambria County, Pennsylvania, No. 5 June Sessions, 1942. In re: Order to view and assess damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

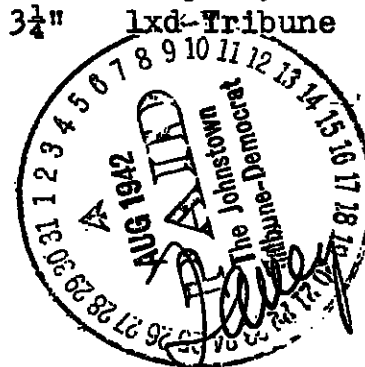
NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named court to view the premises and to determine and estimate the damages that have resulted to the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 152.31 feet on the northerly side of Harshberger Street, for the purpose of estimating and determining the damages done, by the relocation and construction of State Highway Route 11007-2, will meet in the Judges' Chambers, 505 United States National Bank Building, Franklin Street, Johnstown, Pennsylvania, on the 28th day of August, A. D. 1942, at 10:30 o'clock a. m. at which time a schedule of damages will be exhibited and all exceptions thereto and evidence will be heard.

ROBERT G. MAYER,
L. E. KAYLOR,
S. E. DICKEY,

August 17, 1942.

Viewers.



The Johnstown Tribune Publishing Co.

Publishers of the Tribune--Democrat

JOHNSTOWN, PENNA.

Aug. 11, 1942

S. E. Dickey

809 Johnstown Trust Bldg.

Nº 8835 K

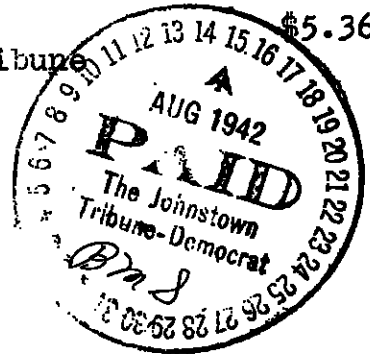
City

PHONE 25-851 -- 25-861
OF *mf

Legal--Notice of View--Bertha Potter

3 $\frac{1}{4}$ "

lxd Tribune



In the Court of Quarter Sessions, of Cambria County, Pennsylvania, No. 5 June Sessions, 1942.

In re Order to View and Assess Damages for the Petitioner Bertha Potter, by reason of the relocation of State Highway Route 11007-2 in Upper Yoder Township, Cambria County, Pennsylvania.

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We the undersigned Viewers, appointed by the above named Court to view the property of Bertha Potter, situate in Upper Yoder Township, Cambria County, Pennsylvania, fronting 178.59 feet on Ann Street and extending back 152.31 feet along Harshberger Street on the southerly side and 150 feet along Lot No. 223 on the northerly side to Ohm Alley and being marked and known as Lots No. 220 $\frac{1}{2}$, 221 and 222 on the Plan of Elim, for the purpose of estimating and determining the damages done and the benefits accruing from the relocation and construction of State Highway Route 11007-2, will meet upon said premises at 10:30 o'clock A. M. on the 21st day of August A. D. 1942, for the purpose of performing the duties of our appointment.

ROBERT G. MAYER
L. E. KAYLOR
S. E. DICKEY

Viewers.

August 11, 1942.

The Johnstown Tribune Publishing Co.

Publishers of the Tribune--Democrat

JOHNSTOWN, PENNA.

Sept 5, 1942

.....
S. E. Dickey

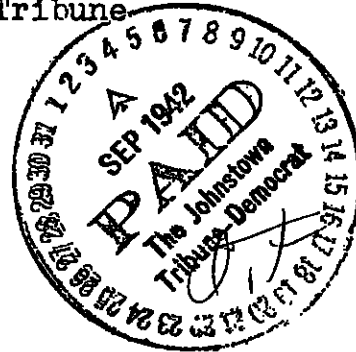
.....
Johnstown Bank & Trust Co.

Nº 9378 K

City

PHONES—25-851 — 25-861
BDD

Legal--Notice filing report viewers: Property Bertha Potter \$4.54
2 3/4" lxd Tribune



Rat Microfilmed

R. D. #1 5 June 1942



CH... STREET

EDITH STREET

KATHERINE STREET

GERTRUDE STREET

HARSHBERGER STREET

SAGE STREET

BANTEL STREET

FRANK STREET

CORNING STREET

HALLICK STREET

STREET

WALTER STREET

STREET

AUSTIN STREET

ALAN STREET

QUARRY

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