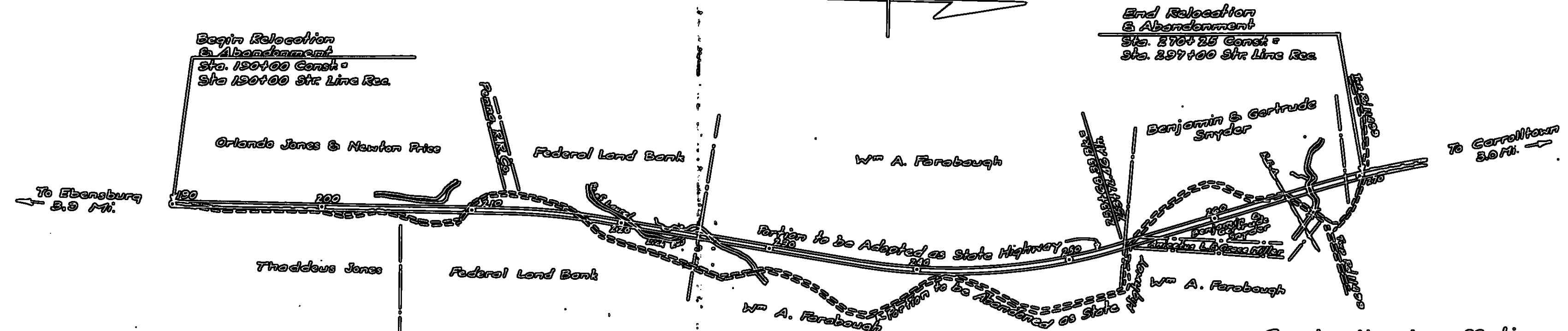


Rate Microfilm

RO#7 Mar. 1942

map #1

DRAWING SHOWING
 ABANDONED & RELOCATED PORTION
 OF
 ROUTE 11034 SECTION 2
 EAST CARROLL TWP CAMBERIA CO.
 DISTRICT 9
 Scale 1"=600'



Construction plans effecting
 the relocation were approved by the
 Governor April 18, 1941.

TABULATION OF CHANGES BY RELOCATION

Stations	RELOCATED			ABANDONED			Total
	Imp.	Unimp.	Total	Imp.	Unimp.	Total	
	Ft.	Mi.	Ft. Mi.	Ft.	Mi.	Ft. Mi.	
190+00 to 270+25	60265	1.5190					60265 1.5190
190+00 to 297+00				10700'	2.0265	10700'	2.0265
							E. Carroll

Rat Microplines

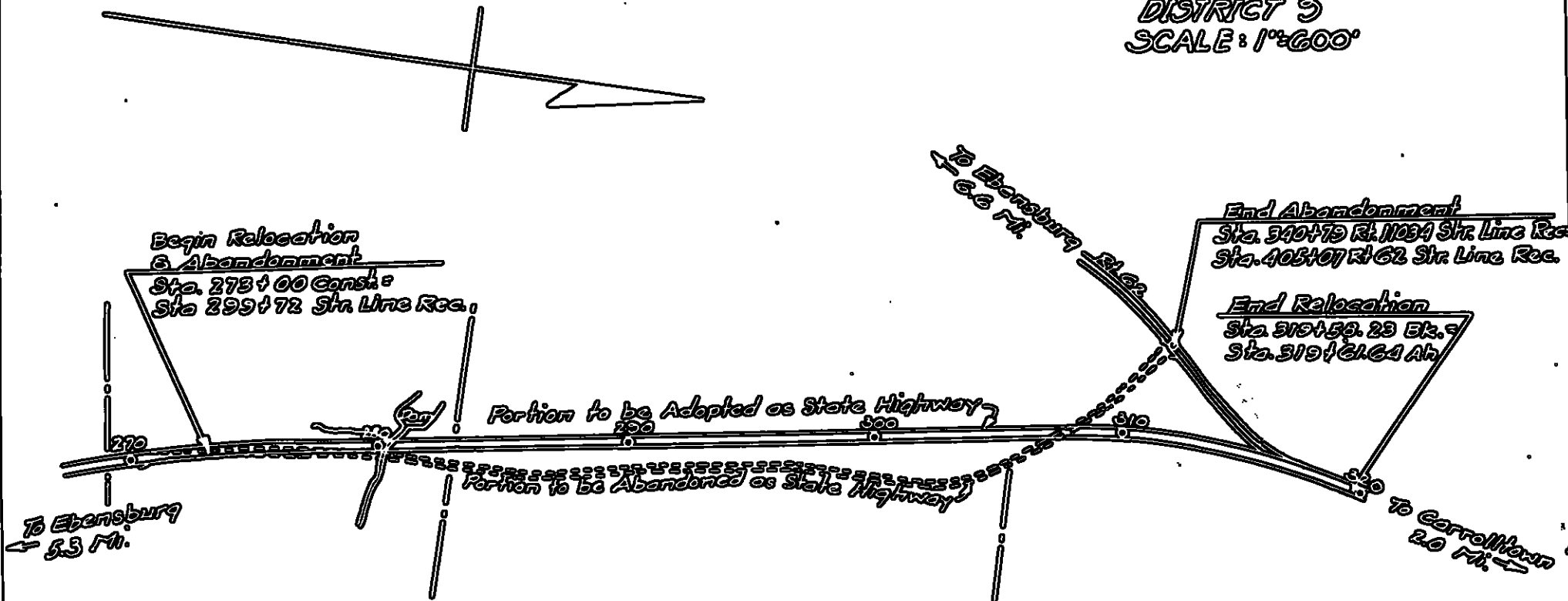
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Mar. 1942

map#2

Construction plans effecting the relocation were approved by the Governor April 13, 1941.

DRAWING SHOWING
 ABANDONED & RELOCATED PORTION
 OF
 ROUTE 11034 SEC. 2
 EAST CARROLL TWP. GAMBRIA CO.
 DISTRICT 9
 SCALE: 1"=600'



TABULATION OF CHANGE BY RELOCATION

Stations	RELOCATED			ABANDONED			Twp.
	Imp. Ft.	Unimp. Ft.	Total Ft.	Imp. Ft.	Unimp. Ft.	Total Ft.	
272+00 to 319+59.23	1658.23	0.6622	4658.23	0.6622			E. Carroll
299+72 to 340+79				4107'	0.7778	4107' 0.7778	

No. *7 March* Sessions, 1942.

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

In re Petition to Vacate a Public Road
sometimes known as the Old Carrolltown
Road, being a road laid out from Ebensburg
to the Ebensburg-Carrolltown Road formerly
known as the Plank Road, in East Carroll
Township, in the County of Cambria and
State of Pennsylvania.

Filed May 20, 1942

PETITION FOR APPOINTMENT OF VIEWERS.

SHETTIG & SWOPE
ATTORNEYS AT LAW
EBENSBURG, PA.

Map # 1+2

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

In re Petition to Vacate a Public Road sometimes known as the Old Carrolltown Road, being a road laid out from Ebensburg to the Ebensburg-Carrolltown Road formerly known as the Plank Road, in East Carroll Township, in the County of Cambria and State of Pennsylvania.

No. 7 March Sessions, 1942.

Vacating Public Road.

PETITION FOR APPOINTMENT OF VIEWERS.

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned freeholders of the Township of East Carroll, County of Cambria and State of Pennsylvania, respectfully represents:

1. That a road has long since been laid out and opened in the Township of East Carroll, in the County of Cambria and State of Pennsylvania, being at one time known as the old Carrolltown-Ebensburg road leading from the boundary line between the Townships of Cambria and East Carroll through the Township of East Carroll to an intersection with the Ebensburg Carrolltown road formerly known as the Plank Road, now known as State Highway Route No. 62 (Travel Route 219).
2. Said road as described in paragraph 1 of this petition was laid out pursuant to a petition to the Court as recorded in Road Docket Vol. 2 at page 66, the same having been confirmed June 18, 1853, and the width fixed at thirty feet, as appears by Road Docket Vol. 2 at page 158. See also Road Docket Vol. 2 at page 206.
3. By reason of the improvement of what is now known as State Highway Route 11034 from the Borough of Ebensburg through Cambria and East Carroll Townships to a point of intersection with State Highway Route No. 62 (Travel Route 219) at a point two miles south of Carrolltown and 6.6 miles north of Ebensburg, all of said public road as originally laid out has been relocated and superseded by a new concrete highway bearing the above number, so that all of said road as described in paragraph 1 of this petition has become useless, inconvenient and burdensome to the tax payers and citizens of East Carroll Township.

and the undersigned freeholders seek to have the same vacated.

4. The said road to be vacated begins at a point on said Highway Route 11034 at the boundary line between the Townships of Cambria and East Carroll and at a distance measured along said highway from the Borough line of the Borough of Ebensburg 3.9 miles, said point being at Station 190 on drawings showing abandoned and relocated portion of Route 11034, Section 2, as prepared by the Department of Highways of the Commonwealth of Pennsylvania. Said Station 190 is shown on the drawing or map aforesaid which is hereto attached and made part of this petition, the same being in two parts or sections as hereto attached. The place of ending of said road is at a point where the road to be vacated intersects with said State Highway Route 62 (Travel Route 219), which said point is distant in a northerly direction from the Borough line of the Borough of Ebensburg 6.2 miles, and is distant two miles from the Borough line of the Borough of Carrolltown, both of said last mentioned measurements being along said Highway Route 62. Said place of ending is further identified as being Station 310 on said new improved Highway Route 11034.

The said road to be vacated is further indicated on the map hereto attached by appearing thereon in dotted lines showing the same to be abandoned as State Highway.

5. On April 29, 1942, a petition was presented to the Court under Rule 301 $\frac{1}{2}$ of the Rules of Courts of Oyer & Terminer and Quarter Sessions of the Peace of this County for a rule on the County Commissioners of said County of Cambria as provided in said Rule, attached to which is a waiver of the issuing and service of a rule to show cause, which said waiver is provided to be effective as though all requirements of said rule had been complied with, particularly the ten day period provided therein to elapse between the service of said Rule and the return day, and agreeing that the date of said waiver, to wit, April 27, 1942, should be considered as return day of the rule. Upon said petition, the Court made an order permitting the presentation of appropriate petitions to the Court for the vacation of the public road above described.

6. The Supervisors of East Carroll Township have waived any notice

required by law or Rule of Court to be served upon them of the intention to present this petition, as appears by their signatures to this petition.

WHEREFORE, your petitioners pray the Court to inquire of and to vacate the above mentioned road which is hereinabove described, and for that purpose to appoint three members of the permanent Board of Viewers of Cambria County to view said road and inquire of the premises and make return of their proceedings according to law.

And they will ever pray, etc.

E. Paul Hoover

W.A. Westick

H.P. Bishart

Supervisors of East Carroll Township.

Walter Weakland

Charles W. Springer

J. P. Springer

Grace M. Miller

A. L. Miller

H. J. Lauer

Bertha E. Lauer

Louis Zarabough

B. J. Amoser

R. D. Kirkpatrick

F. O. Girth

James W. Keefe

W. W. Meisel

F. J. Springer

J. B. Springer

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State of Pennsylvania |
 |
County of Cambria | SS:

John S. Springer, being duly sworn according to law, says that he is one of the signers of the within petition, and that the statements therein contained are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me
this 14th day of May, A.D. 1942.

J. Owens
Clerk of Court

John S. Springer

ORDER.

And now, May 18, 1942, the foregoing petition having been read and considered, IT IS ORDERED that M. J. Damgarder,

James Maun and O. N. Junello,

three members of the permanent Board of Viewers of Cambria County, be and they are appointed to view said road and inquire of the premises and make return of their proceedings according to law.

BY THE COURT:

M. E. ...

42...

IN THE COURT OF QUARTER SESSIONS
OF CAMBERIA COUNTY, PENNSYLVANIA.
NO. 7 MARCH SESSIONS, 1942.

IN RE: V-C-TIONS OF CERTAIN
PORTIONS OF A PUBLIC HIGHWAY IN
THE TOWNSHIP OF EAST CARROLL,
CAMBERIA COUNTY, PENNSYLVANIA.

REPORT OF VIEWERS

Filed July 7, 1942

*Approved this 14th
day of Sept. 1942*

By the Court

W. Kenrick

Judge

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW

J. E. ... PENNA.

Copied

IN RE VACATION OF PORTIONS OF A
PUBLIC HIGHWAY IN THE TOWNSHIP OF EAST
CARROLL, COUNTY OF CAMBRIA, PENNSYLVANIA

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
NO. 7 March Sessions, 1942.

REPORT OF VIEWERS

We the undersigned Viewers, appointed by the above named Court, to view a certain highway in the Township of East Carroll, County of Cambria and State of Pennsylvania for the purpose of determining and ascertaining whether or not said portions of the public highway have become useless, inconvenient and burdensome BEGINNING of Highway Route No. 11034 at the boundary line between the Townships of Cambria and East Carroll and at a distance measured along said highway from the Borough line of the Borough of Ebensburg 3.9 miles, said point being at Station 190 on drawing showing abandoned and re-located portions of Route 11034, Section 2; as prepared by the Department of Highways of the Commonwealth of Pennsylvania and attached to this Report. The place of ending of said road is at a point where the road to be vacated and abandoned intersects with said State Highway Route No. 62, which said point is distant in a northerly direction from the Borough line of the Borough of Ebensburg 6.2 miles and is distant two miles from the Borough line of the Borough of Carrolltown, said place of ending being Station No 210 on said new improved State Highway No. 11034, respectfully report:

That we were duly sworn or affirmed as Members of the permanent Board of Viewers as shown by the files of the Court of Quarter Sessions and that due public notice of the time and place of the said view were made by the posting of ten handbills along the route of the proposed vacations and abandonments; by notice served upon the County Commissioners and by the acceptance of H. F. Dorr, Chief Clerk to said Board, copy of which said acceptance is hereto attached and made a part of this Report and by service of Notice of View upon John S. Springer, Secretary to the Board of Supervisors of East Carroll Township, Cambria County aforesaid all of which was done at least ten days before the View. In accordance with the Notices specifying the time and place of meeting of said Viewers we accordingly met at the farm of Thad Jones all of the Viewers Mahlon J. Baumgardner, James McCann and S. H. Jencks being in attendance with John S. Springer, Secretary aforesaid. We started at the point of beginning and viewed and inspected the portions of highway to be vacated and abandoned; to the place of ending. A copy of the map attached to the petition praying for the appointment of Viewers was used in the examination and inspection of the said portions. All of the portions to be vacated are marked in a broken line and the new and improved highway is indicated with a continuous line. The portions to be abandoned cross and recross the new and improved highway at numerous points and places. View being made on Wednesday, June 17 at 9:30 a.m.

After making a careful and thorough examination and inspection of said portions of the abandoned highway now replaced by a modern, new and improved highway, we are unanimously of the opinion that all of the said portions shown on the accompanying draft and plot should be vacated and we therefore we vacate all of said portions indicated in a broken line and as shown on the blue print hereto attached, have become useless, inconvenient and burdensome to the Township of East Carroll and the citizens thereof except a small portion of said portion of old highway where Township Road Number 11499 intersects with this portion of the old highway being a distance of approximately four hundred and twenty feet measured by a tape line and indicated by the color of yellow on the accompanying draft or blue print attached to this report, said road having the form of

William A. Farabaugh of the one side. There are no buildings along the portions of the old highway abandoned and vacated and in many instances the old highway or the portions vacated follow very closely the new and modern highway and no citizen or taxpayer is damaged in any manner whatsoever by the vacation and abandonment of the same or any portion of the same. The portions are useless, burdensome and of no use whatsoever since the new, modern and improved highway takes the place of these portions, vacated. The new highway straightens out curves of which most of these portions we vacate and abandon and makes a safer and more modern throughfare for the residents and users in the Township of East Carroll as well as for the traveling public in general.

The fact that no adjoining landowner was present during the time of the view and inspection in itself is sufficient reason for the vacation and abandonment, we therefore vacate and abandon all of the portions shown in the broken lines except the small portion as indicated by the yellow color, it connecting with a township road as indicated. Courses and distances are not used.

IN WITNESS whereof we sign said Report of Viewers on this sixth day of July 1942.

Morton J. Baumgardner

A. H. Jewels

James W. Cannon
Viewers.

IN RE VACATION CERTAIN PORTIONS
 OF A PUBLIC HIGHWAY IN THE TOWNSHIP OF
 EAST CARROLL, CAMBRIA COUNTY, PENNA.

In the Court of Quarter Sessions
 of Cambria County, Pennsylvania.
 No. 7, March Sessions, 1942.

TO: MAHLON J. BAUMGARDNER, JAMES McCANN AND S. H. JENCKS.

MAHLON J. BAUMGARDNER, Dr.

June 5. Preparing and Posting Notice to View	\$12.00
June 5. Mr. Luther assisting in finding portions of road	.75
June 17, Making View	12.00
Milcage for making view	1.40
Mileage for posting of notices	1.40
July 4 Preparing Report an filing same	12.00
Stenographer and stationary	3.00
Total	<u>42.55</u>

JUL 21 1942 CERTIFIED

JAMES McCANN, Dr

June 17 Making View	\$12.00
Mileage	4.60
Total	<u>16.60</u>

JUL 21 1942 CERTIFIED

To S. H. JENCKS, Dr.

June 17 Making View	12.00
Mileage	1.40
Total	<u>13.40</u>

JUL 21 1942 CERTIFIED

IN RE VACATING CERTAIN PORTION
OF A PUBLIC HIGHWAY IN THE TOWNSHIP OF
East Carroll, CAMBRIA COUNTY, PA.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 7 March Sessions, 1942.

NOTICE TO VIEW

We the undersigned Viewers having been appointed by the Honorable Court of Quarter Sessions of Cambria County, Penna. to view a certain highway in the Township of East Carroll in the County aforesaid for the purpose of determining whether or not said public highway has become useless and burdensome: BEGINNING on Highway Route No. 11034 at the boundary line between the Townships of Cambria and East Carroll and at a distance measured along said highway from the Borough line of the Borough of Ebensburg 3.0 miles, said point being at Station 190 on drawings showing abandoned and re-located portion of Route 11030, Section 2, as prepared by the Department of Highways of the Commonwealth of Pennsylvania. The place of ending of said road is at a point where the road to be vacated intersects with said State Highway Route #63, which said point is distant in a northerly direction from the Borough line of the Borough of the Borough of Ebensburg 6.2 miles, and is distant two miles from the Borough line of the Borough of Carrolltown, said place of ending being station 310 on said new improved State Highway Route 11034 will meet at the Thad Jones farm being the nearest to Ebensburg, Penna. on Wednesday June 17 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment.

HARLOW J. B. BERGARDNER,
JAMES MCCAIN,
S. R. JENCKS.

Viewers.

June 5, 1942.

NOW June 5th 1942 I hereby accept service of the within
Notice to View for the Commissioners of Cambria County, Pa.

M. J. Dow
Chief Clerk.

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 18th day of May A. D. 1942, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Carroll, in the said County, setting forth that they labor under inconvenience for ~~vacating~~ for vacating a portion of public road or highway, to lead from
See description and petition attached

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

M. J. Baumgardner, James McCann surveyor, and B. H. Jencks

viewers, to view the ground proposed for ~~vacating~~ ~~vacating~~ and if they view the same, and shall agree that there is occasion for ~~vacating~~ ~~vacating~~ ~~vacate~~ 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 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: McCann
Joseph C. Wess, 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. 7, March, SESSIONS, 1842

Order to view and vacate a certain
portion of public highway
in East Carroll Twp.

Viewers

M. J. Baumgardner

James McCann

B. H. Jencks

Clerk Joseph C. New 80 cts.

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

In re Petition to Vacate a Public Road sometimes known as the Old Carrolltown Road, being a road laid out from Ebensburg to the Ebensburg-Carrolltown Road formerly known as the Plank Road, in East Carroll Township, in the County of Cambria and State of Pennsylvania.

No. Sessions, 1942.

Vacating Public Road.

PETITION FOR APPOINTMENT OF VIEWERS.

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned freeholders of the Township of East Carroll, County of Cambria and State of Pennsylvania, respectfully represents:

1. That a road has long since been laid out and opened in the Township of East Carroll, in the County of Cambria and State of Pennsylvania, being at one time known as the old Carrolltown-Ebensburg road leading from the boundary line between the Townships of Cambria and East Carroll through the Township of East Carroll to an intersection with the Ebensburg Carrolltown road formerly known as the Plank Road, now known as State Highway Route No. 62 (Travel Route 219).

2. Said road as described in paragraph 1 of this petition was laid out pursuant to a petition to the Court as recorded in Road Docket Vol. 2 at page 66, the same having been confirmed June 18, 1853, and the width fixed at thirty feet, as appears by Road Docket Vol. 2 at page 158. See also Road Docket Vol. 2 at page 206.

3. By reason of the improvement of what is now known as State Highway Route 11034 from the Borough of Ebensburg through Cambria and East Carroll Townships to a point of intersection with State Highway Route No. 62 (Travel Route 219) at a point two miles south of Carrolltown and 6.6 miles north of Ebensburg, all of said public road as originally laid out has been relocated and superseded by a new concrete highway bearing the above number, so that all of said road as described in paragraph 1 of this petition has become useless, inconvenient and burdensome to the tax payers and citizens of East Carroll Township.

and the undersigned freeholders seek to have the same vacated.

4. The said road to be vacated begins at a point on said Highway Route 11034 at the boundary line between the Townships of Cambria and East Carroll and at a distance measured along said highway from the Borough line of the Borough of Ebensburg 3.9 miles, said point being at Station 190 on drawings showing abandoned and relocated portion of Route 11034, Section 2, as prepared by the Department of Highways of the Commonwealth of Pennsylvania. Said Station 190 is shown on the drawing or map aforesaid which is hereto attached and made part of this petition, the same being in two parts or sections as hereto attached. The place of ending of said road is at a point where the road to be vacated intersects with said State Highway Route 62 (Travel Route 219), which said point is distant in a northerly direction from the Borough line of the Borough of Ebensburg 6.2 miles, and is distant two miles from the Borough line of the Borough of Carrolltown, both of said last mentioned measurements being along said Highway Route 62. Said place of ending is further identified as being Station 310 on said new improved Highway Route 11034.

The said road to be vacated is further indicated on the map hereto attached by appearing thereon in dotted lines showing the same to be abandoned as State Highway.

5. On April 29, 1942, a petition was presented to the Court under Rule 301¹ of the Rules of Courts of Oyer & Terminer and Quarter Sessions of the Peace of this County for a rule on the County Commissioners of said County of Cambria as provided in said Rule, attached to which is a waiver of the issuing and service of a rule to show cause, which said waiver is provided to be effective as though all requirements of said rule had been complied with, particularly the ten day period provided therein to elapse between the service of said Rule and the return day, and agreeing that the date of said waiver, to wit, April 27, 1942, should be considered as return day of the rule. Upon said petition, the Court made an order permitting the presentation of appropriate petitions to the Court for the vacation of the public road above described.

6. The Supervisors of East Carroll Township have waived any notice

State of Pennsylvania |
County of Cambria | SS:

John S. Springer, being duly sworn according to law, says that he is one of the signers of the within petition, and that the statements therein contained are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me
this _____ day of May, A.D. 1942.

ORDER.

And now, May _____, 1942, the foregoing petition having been read and considered, IT IS ORDERED that _____,

and _____,

three members of the permanent Board of Viewers of Cambria County, be and they are appointed to view said road and inquire of the promises and make return of their proceedings according to law.

BY THE COURT:
