

# 6 Road Docket Dec 42

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

IN THE MATTER OF THE ACCEPTANCE  
AS PUBLIC HIGHWAYS BY THE SUPER-  
VISORS OF BARR TOWNSHIP OF CER-  
TAIN STREETS AND ALLEYS.

Filed 3/4 - 43

PETITION FOR LEAVE TO ACCEPT  
STREETS AND ALLEYS AS PUBLIC  
HIGHWAYS.

LAW OFFICES  
ARNOLD D. SMORTO  
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

PETITION FOR LEAVE TO ACCEPT STREETS  
AND ALLEYS AS PUBLIC HIGHWAYS.

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The petition of Alphonse Kirsch,

A. R. Canis

and

Francis Arotin,

Supervisors of Barr Township, Cambria County, Pennsylvania, respectfully represents:

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That on June 26, 1896, D. J. Bougher and A. L. Good recorded in Cambria County their plan of lots situate in Barr Township, Cambria County, Pennsylvania, in Miscellaneous Book, Volume 7, page 381. That by said plan various streets and alleys, hereinafter more specifically described, were dedicated to the use of the public and said streets and alleys have in fact been used continuously by the public for a period of twenty one (21) years and upwards. That despite the fact that said roads and alleys have been used by the public for such a period of time and were in fact dedicated to public use on or about June 26, 1896, said road and alleys were never accepted by the Supervisors of Barr Township as public highways. That said streets and alleys are situate in that village and settlement in Barr Township known as "West Branch", which is well populated and contains many homes and buildings. That the Supervisors of Barr Township are desirous of accepting said streets and alleys as public highways.

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That attached hereto and marked Exhibit "A" is a certified copy of the resolution of the Board of Supervisors of the said Township of Barr, adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said Board, showing acceptance by the said Board of Supervisors as public highways the streets and alleys hereinafter described. The said resolution was adopted the 1st day of February, 1943.

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The streets and alleys accepted by the Board of Supervisors, subject

to the consent of your Honorable Court are as follows:

- a. Lincoln Street, having a width of forty (40) feet;
- b. David Street, having a width of forty (40) feet;
- c. Alley situate between and parallel to Joseph Street and David Street, having a width of sixteen (16) feet;
- d. Joseph Street, having a width of forty (40) feet;
- e. Alley situate west of and parallel to Joseph street having a width of sixteen (16) feet.

Said streets and alleys are more specifically described in the plan of lots of D. J. Bougher and A. L. Good, recorded on January 26, 1896, in the office for the recording of deeds, etc., in and for the County of Cambria in Miscellaneous Book Volume 7 at page 381.

WHEREFORE, your petitioners pray that the Court may approve the acceptance of said streets and alleys by them, as Supervisors of the said Township of Barr.

And they will ever pray, etc.

Alphonse Kirsch

A. R. Davis

Francis Arthur  
Supervisors of Barr Township.

ORDER

AND NOW, March 4, 1943, the foregoing petition having been read and considered, leave is granted to the petitioners, members of the Board of Supervisors of Barr Township, Cambria County, Pennsylvania, as public highways, the streets and alleys described in said petition.

BY THE COURT,

A. A. Nelson

J. O. R. Specially Finding

And now, the 4<sup>th</sup> day of March, 1943, the within matter or cause is hereby certified to the Hon. Arthur A. Nelson, Pres. Judge of the Orphans' Court of Cambria County, for hearing and determination, pursuant to the act of 1907, P. L. 263.

Thomas V. McLean Pres. Judge  
of the Court of Common Pleas.

RESOLUTION

RELATING TO THE ACCEPTANCE BY THE BOARD OF SUPERVISORS OF BARR TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, AS PUBLIC HIGHWAYS CERTAIN STREETS AND ALLEYS SITUATE IN BARR TOWNSHIP AND DESCRIBED AND DEDICATED IN THE PLAN OF LOTS OF D. J. BOUGHER AND A. L. GOOD RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, ETC., IN AND FOR CAMBRIA COUNTY ON JUNE 26, 1896 IN MISCELLANEOUS BOOK VOLUME 7 AT PAGE 381.

WHEREAS, on June 26, 1896, D. J. Bougher and A. L. Good recorded their plan of lots situate in Barr Township, Cambria County, Pennsylvania, in Miscellaneous Book, Volume 7, at page 381;

WHEREAS, by said plan various streets and alleys hereinafter more specifically described were dedicated to the use of the public and said streets and alleys have been used continuously by the public for a period of twenty-one (21) years and upwards;

WHEREAS, said streets and alleys were never accepted by the Board of Supervisors of Barr Township as public highways;

WHEREAS, said streets and alleys are located in that Village or settlement in Barr Township known as "West Branch", which is well populated and contains many homes and buildings;

WHEREAS, the Board of Supervisors of Barr Township are desirous of accepting as public highways the said streets and alleys, hereinafter described.

NOW, THEREFORE, BE IT RESOLVED, by unanimous vote of the said Board, that the following streets and alleys are hereby accepted by the said Board of Supervisors as public highways:

- a. Lincoln Street, having a width of forty (40) feet;
- b. David Street, having a width of forty (40) feet;
- c. Alley situate between and parallel to Joseph Street and David Street, having a width of sixteen (16) feet;
- d. Joseph Street, having a width of forty (40) feet;
- e. Alley situate west of and parallel to Joseph Street, having a width of sixteen (16) feet.

Said streets and alleys are more specifically described in the plan

of lots of D. J. Bougher and A. L. Good, recorded on January 26, 1896, in the office for the recording of deeds, etc., in and for the County of Cambria in Miscellaneous Book Volume 7 at page 381.

Dated this 2nd day of March, 1943.

Alphonse Kirsch

A. R. Canis

Francis Arstus  
Supervisors of Barr Township.

Resolution and vote recorded in the minutes of the Board of Supervisors on March 2nd, 1943.

Francis Arstus  
Secretary.

Don. Trip  
Bondholders

A TRUE COPY.

Attest:

Francis Arstus  
Secretary.

Alphonse Kirsch

A. R. Canis  
Supervisors of Barr Township.

