

Rd #5 Mar. 1950

Not Microfilmed

Peter Pesel

Frank Vetack

Mike Albertelli

Domenick Albertelli

Frank Albertelli

Joe Blummet

S. 17° 45' E. 2.50'
FIFTH ST

Penna. Coal & Coke Corp

Penna Coal & Coke Corp.

S 69° 30' E. 420'

TO Summerhill →

← TO Ehrenfeld

EXHIBIT A

1" = 60'

- Ehrenfeld -
Proposed Public Road
Croyle Township, Cambria Co Pa
Surveyed October 18, 1954
John L. Elder
Reg. Engr.

Road Docket
NO. *5* *March* SESSIONS, 195*5*

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

IN RE: LAYING-OUT, OPENING
AND ACCEPTING A PROPOSED
ROAD IN EHRENFELD, KNOWN
AS FIFTH STREET, IN THE
TOWNSHIP OF CROYLE,
CAMBRIA COUNTY, PENNA.

REPORT OF THE SUPERVISORS
OF CROYLE TWP.

Filed
3/17/55
Joseph P. Letizia
County Clerk

DI FRANCESCO, KUYAT & LETIZIA
ATTORNEYS AT LAW
FIRST NATIONAL BANK BUILDING
JOHNSTOWN, PENNSYLVANIA

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

IN RE: LAYING-OUT, OPENING AND
ACCEPTING A PROPOSED ROAD IN
EHRENFELD, KNOWN AS FIFTH STREET,
IN THE TOWNSHIP OF CROYLE, CAMBRIA
COUNTY, PENNSYLVANIA

(
) NO. *5* *March* SESSIONS, 195*4*
(*Road Docket*)
)
(

REPORT OF THE SUPERVISORS OF CROYLE TOWNSHIP

The petition of JOSEPH HUBER, FOREST CROYLE and
OLIVER W. PLUMMER respectfully represents:

(1) That they are the Supervisors of the Township of Croyle,
Cambria County, Pennsylvania.

(2) That they propose to lay-out, open and accept a proposed
public road in Ehrenfeld, known as Fifth Street, in the Township of Croyle,
Cambria County, Pennsylvania, which is described as follows:

That portion of Fifth Street beginning on the westerly
side of the property of Peter Pesci; thence South
87° 45' East 250 feet to a point; thence along the
southerly boundary of the property of the Pennsylvania
Coal and Coke Corporation South 69° 30' East 420 feet
to the Ehrenfeld-Summerhill Borough Road, having a
combined total distance of 670 feet and a width of
30 feet.

The said portion of road above described appears on a map, draft or survey
hereto attached, made part hereof and marked "Exhibit A" and colored in
red line.

(3) That your petitioners have given ten days' notice to the
property owners affected by the laying-out, opening and accepting of the
said portion of road as required by the Act of Assembly of a hearing, and
after said hearing your Supervisors deem that the said road is necessary and
convenient and by resolution duly made and adopted, the said road was laid-
out, opened and accepted by the Supervisors of Croyle Township as a part of
the highway system of the said Township, which resolution is hereto attached,

made part hereof and marked "Exhibit B".

(4) That attached hereto and made a part hereof is a petition and release of damages executed by the owners of the property abutting on the said proposed road, marked and designated as "Exhibit C".

WHEREFORE, your petitioners pray that this report and exhibits attached hereto may be filed in the Office of the Clerk of Courts of Quarter Sessions of Cambria County, Pennsylvania.

Joseph Huber

Oliver W. Plummer

Loet Boyl
Supervisors of Croyle Township

STATE OF PENNSYLVANIA ()
COUNTY OF CAMBRIA) SS:
()

Personally appeared before me, a Notary Public in and for said County and State, JOSEPH HUBER, FOREST CROYLE and OLIVER W. PLUMMER, Supervisors of the Township of Croyle, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information and belief.

Joseph Huber

Oliver W. Plummer

Forest Croyle

SWORN and subscribed before me
this 31st day of January, 1955.

Janet M. Leher
Notary Public

MY COMMISSION EXPIRES
APRIL 8, 1958

RESOLUTION

EXHIBIT B

WHEREAS, the abutting property owners have petitioned the Board of Supervisors of Croyle Township to open and lay-out the hereinafter described road; and

WHEREAS, the petitioners have signed a release of damages; and

WHEREAS, it is the desire of the Supervisors of the Township of Croyle to lay-out, open and accept the said road as hereinafter described as part of the public highway system of the said Township of Croyle; and

WHEREAS, the Supervisors have given a ten days' notice to the property owners affected thereby of the time and place where and when all parties interested may meet and be heard, and after hearing and consideration of the matter at such meeting, the Board of Supervisors unanimously decided in favor of exercising the power so conferred in them to lay-out, open and accept the said road;

NOW, THEREFORE, BE IT RESOLVED, that the following described road be laid-out, opened and accepted by the Supervisors of the Township of Croyle as a part of the highway system of the said Township after making written report thereof, together with a draft or survey of said road to be presented and filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, said road to be a proposed public road in Ehrenfeld, known as Fifth Street, in the Township of Croyle, Cambria County, Pennsylvania, described as follows:

That portion of Fifth Street beginning on the westerly side of the property of Peter Pesci; thence South $87^{\circ} 45'$ East 250 feet to a point; thence along the southerly boundary of the property of the Pennsylvania Coal and Coke Corporation South $69^{\circ} 30'$ East 420 feet to the Ehrenfeld-Summerhill Borough Road, having a combined total distance of 670 feet and a width of 30 feet.

AND BE IT FURTHER RESOLVED, that in accordance with the provisions of the Act of Assembly in such case made and provided, any citizen or freeholder of the Township may within thirty days after the filing of the report of the Supervisors file exceptions to the report, together with a petition for a review.

TOWNSHIP OF CROYLE

By Joseph Huber
President

Attest:

Michael Kuchta
Secretary

EXHIBIT C

PETITION AND RELEASE OF DAMAGES

We, the undersigned, citizens and property owners in the Township of Croyle, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay-out, open and accept a proposed public road in Ehrenfeld, known as Fifth Street, in the Township of Croyle, Cambria County, Pennsylvania, which abuts along side of our respective properties, and which is described as follows:

That portion of Fifth Street beginning on the westerly side of the property of Peter Pesci; thence South 87° 45' East 250 feet to a point; thence along the southerly boundary of the property of the Pennsylvania Coal and Coke Corporation South 69° 30' East 420 feet to the Ehrenfeld-Summerhill Borough Road, having a combined total distance of 670 feet and a width of 30 feet.

In consideration of the opening of the said road we, the undersigned, do hereby remise, release and discharge the Township of Croyle of and from all and all manner of actions or causes of actions in law or in equity, especially from a claim for damages arising out of the laying-out, opening and accepting of the above described road, and we release the Township for ourselves, our heirs, executors, administrators, successors and assigns, and we further hereby waive our right to receive a ten days' notice of the intention of the Supervisors to adopt a resolution for the purpose of laying-out, opening and accepting the above road.

Joseph Pesci (SEAL) Dominick Albertelli (SEAL)

Clara Pesci (SEAL) Lillian Albertelli (SEAL)

Peter Pesci (SEAL) Frank Albertelli (SEAL)

Mary Pesci (SEAL) Josephine Albertelli (SEAL)

Frank Witek sr. (SEAL) Joseph J. Brummert (SEAL)

Josephine Witek (SEAL) Edna Brummert (SEAL)

CLEARFIELD BITUMINOUS COAL CORPORATION

Mike Albertelli (SEAL) J. J. McCarty (SEAL)
V. Pres. & Gen. Mgr.

PENNSYLVANIA COAL AND COKE CORPN., LESSEE

Jennie Albertelli (SEAL) D. E. Hartman (SEAL)
Controller

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

IN RE: LAYING-OUT, OPENING AND
ACCEPTING A PROPOSED ROAD IN
EHRENFELD, KNOWN AS FIFTH STREET,
IN THE TOWNSHIP OF CROYLE, CAMBRIA
COUNTY, PENNSYLVANIA

(
)
(NO. 5 *March* SESSIONS, 1955
) *Road Docket*
(

DECREE

NOW, the *7th* day of *March* 1955, upon
consideration of the foregoing petition, Joseph C. Wess, Clerk of the Court
of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed
to file the within report and the exhibits attached hereto.

BY THE COURT,

W. J. Wess
P. J.

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

IN RE: LAYING-OUT, OPENING AND ()
ACCEPTING A PROPOSED ROAD IN)
EHRENFELD, KNOWN AS FIFTH STREET, (NO. SESSIONS, 1954)
IN THE TOWNSHIP OF CROYLE, CAMBRIA)
COUNTY, PENNSYLVANIA ()

FINAL DECREE

NOW, the 11 day of April, 1955, it appearing that the said petition having been filed on the 7th day of March, 1955, and that no citizen or freeholder of the Township did within thirty days from the filing of this report of the Supervisors file exceptions to the report or a petition for a review, it is ordered and directed that the proposed public road in Ehrenfeld, known as Fifth Street, in the Township of Croyle, Cambria County, Pennsylvania, described as follows: That portion of Fifth Street beginning on the westerly side of the property of Peter Pesci; thence South $87^{\circ} 45'$ East 250 feet to a point; thence along the southerly boundary of the property of the Pennsylvania Coal and Coke Corporation South $69^{\circ} 30'$ East 420 feet to the Ehrenfeld-Summerhill Borough Road, having a combined total distance of 670 feet and a width of 30 feet, be and is hereby confirmed as a Township road and declared to be a part of the public road and highway system of the said Township of Croyle.

BY THE COURT,

W. H. ...

J.

Joseph ...
McWilliams