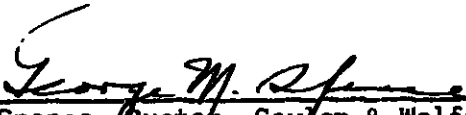


IN RE: PETITION of WILLARD N. : In the Court of Quarter Sessions
RIPPLE and BESSIE RIPPLE, his wife, :
for the appointment of Viewers to : of Cambria County, Pennsylvania.
Assess Damages to their land :
situate in Richland Township, Cambria : No. 4 December Sessions, 1951
County, Pennsylvania, by reason of :
the construction, relocation and change : PETITION TO APPOINT VIEWERS
of grade of State Highway No. 222- :
Section No. 6A. :

Enter my Appearance in the above captioned matter for the
Department of Highways of the Commonwealth of Pennsylvania.


Of Spence, Custer, Saylor & Wolfe

To Joseph C. Wess,
Clerk of Courts.

December 14, 1951

No. 4 December Sessions, 1951

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

IN RE: Petition of WILLARD N.
RIPPLE and BESSIE RIPPLE, his wife,
for the appointment of Viewers to
Assess Damages to their land
situate in Richland Township,
Cambria County, Pennsylvania, by
reason of the construction, relo-
cation and change of grade of
State Highway No. 222-
Section No. 6A.

PRAECIPE FOR APPEARANCE FOR
DEPARTMENT OF HIGHWAYS OF THE
COMMONWEALTH OF PENNSYLVANIA

Filed
12-17-51

LAW OFFICES
SPENCE, CUSTER, SAYLOR & WOLFE
JOHNSTOWN BANK AND TRUST BUILDING
JOHNSTOWN, PA.

Filed 3/3/52

IN RE: Petition of Willard N. : In the Court of Quarter Ses-
Ripple and Bessie Ripple, his : sions of Cambria County, Pa.
wife, for the appointment of :
Viewers to Assess Damages to : No. 4 December Sessions, 1951
their land situate in Richland :
Township, Cambria County, Penna., :
by reason of the construction, :
relocation and change of grade of : Motion
State Highway No. 222 Section :
No. 6A. :

AND NOW, the 3rd day of March, 1952, upon petition of Harold Kaminsky, Attorney for Plaintiffs, it is hereby moved that the return day in the above entitled matter be extended to the first Monday in April, 1952.

Harold Kaminsky
Harold Kaminsky
att'y for Plaintiff

AND NOW, this 3 day of March, 1952, the motion to continue the return day of the above entitled matter is hereby granted.

Harold Kaminsky
Harold Kaminsky

IN RE: Petition of Willard N. Ripple : In the Court of Quarter Sessions
and Bessie Ripple, his wife, for the :
appointment of Viewers to Assess : of Cambria County, Pennsylvania
Damages to their land situate in :
Richland Township, Cambria County, : No. 4 December Sessions 1951.
Penna. by reason of the construction :
relocation and change of grade of : PETITION TO APPOINT VIEWERS
State Highway No. 222 Section No 6A :

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the above named Court to View and inspect the premises of Willard N. Ripple and Bessie Ripple, his wife, of the Township of Richland, Cambria County, Pennsylvania, and to determine and estimate the damages that have resulted or that may seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid as it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING tie line at a stake located at the southeast corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Hoffman; thence from said tie line crossing Pennsylvania State Highway Route No 56, South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following courses and distances: North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the North said of a private road and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said private road and $16\frac{1}{2}$ feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56; and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and $16\frac{1}{2}$ feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of Beginning.

That we were duly sworn as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the Court; that due public notice of the time and place of the meeting of the said Viewers was given by posting ten handbills upon the premises of Willard N. Ripple and Bessie Ripple, his wife, who accepted service of the Notice of the same.

Notice was also served upon Harold Kaminsky, Esq., Attorney for the Petitioners and upon George M. Spence, Esq., Counsel for the Department of Highways of the Commonwealth of Pennsylvania, and upon Maurice A. Springer, Chief Clerk to the Cambria County Commissioners, all of whom accepted service and acknowledged to have received a copy of the Notice to View, all of which are hereto attached and made a part of this report.

Pursuant to said Notice to View, we met upon the premises on December 15th A. D. 1951 and proceeded with the duties of our appointment. All of the Viewers were present together with Willard N. Ripple, and Bessie Ripple, his wife, and George M. Spence, Esq., Counsel for the Highway Department of the Commonwealth of Pennsylvania, together with a representative of said Highway Department. A very careful inspection was made of the land and the premises affected by the improvement of said Highway. An examination of the change of the grade and of the change of the location as affected by reason of the construction of said highway, its relocation and change of grade and all other elements pertinent to the matter in issue was made. We were shown through the building and place of business and its relation to the construction and improvement of the highway Section No. 6A of State Highway Route No. 222. There were numerous continuances as to the time of the taking of testimony which continuances were requested either by Counsel for the Petitioners or by Counsel for the State Highway Department aforesaid. It was finally agreed between all the parties in interest that we meet in the Judges' Chambers, United States National Bank Bldg., Johnstown, Pennsylvania on March 1st., 1952 at 10 o'clock A. M. Pursuant to said agreement we met in the Judges' Chambers, United States National Bank Building, Johnstown, Pennsylvania on March 1st., A. D. 1952 at 10 o'clock A. M and proceeded to take testimony and hear evidence in the herein Condemnation Proceedings.

There were present at the hearing Willard N. Ripple and Bessie Ripple, his wife, petitioners in the proceedings, together with their Counsel, Attorneys Kaminsky and Rich Esqs; and George M. Spence, Esq., Counsel for the State Highway Department and H. E. Breneman, Representative of the State Highway Department, together with the three Viewers in the proceedings.

Many witnesses were called by both the Petitioners and the State Highway Department, subjected to direct and cross examination by their respective counsel. All witnesses were given an opportunity to testify. The entire day was used in bringing out testimony and all other facts pertinent to the matter in issue,

The Attorneys representing the parties in interest agreed that all legal requirements as to advertising the Exhibit of Schedule and the Filing of the Report be dispensed with thereby saving the expenses involved in the aforesaid advertising. The Viewers agreed to the above agreement and the legal requirements were therefore waived.

At the conclusion of the taking of the testimony it was mutually agreed by respective Counsel and the parties in interest that March 8th., 1952 at 1:30 o'clock P. M. and at the Offices of Gray and Claflin, Engineers, Room 606, Swank Building, Johnstown, Pennsylvania as the time and place for the Exhibit of Schedule.

The Board of Viewers met in conference and carefully examined all of the testimony and evidence offered at the hearing. The evidence and testimony adduced at the hearing, with reference to the damages, was of such wide range that it was quite difficult to reconcile same. We discussed at length all of the testimony offered and have taken into consideration all the elements and matters pertinent thereto and taking into consideration same in determining and estimating the amount of damages.

That having Viewed said premises and making a careful inspection of same and hearing all evidence and testimony concerning said real estate and taking into consideration all the elements of benefits and damages according to said change of grade and relocation of Section No. 6A of State Highway Route No. 222, as well as all matters before us, we estimated the quality, quantity of land taken, occupied and injured by the widening of said highway and the changing of the grade thereof as well as all other elements of damages, and having due regard to, and making just allowances for the damages which have resulted, or which may seem likely to result to the said owners to the land aforesaid, we estimated, and determined the amount of the damages and prepared a Schedule thereof.

Pursuant to said agreement hereinabove entered into we met in Room 606, Swank Bldg., Johnstown, aforesaid on March 8th, 1952 at 1:30 o'clock P. M. Parties in interest were asked if any further testimony was to be presented. There being no further testimony, we proceeded to present the Exhibit of Schedule. After having taken into consideration all the evidence offered, we have agreed, estimated and determined the amount of the damages and Exhibit of Schedule showing damages was presented.

That having heard all evidence and testimony offered and giving all matters before us due consideration, we are of the opinion that the said land of Willard N. Ripple and Bessie Ripple, his wife, petitioners herein, affected by change of grade and the change of location in making said improvements in Section 6 A. of State Highway Route No. 222, and affected thereby have been damaged, therefore, we assess no benefits and damages in the sum of NINE THOUSAND FIVE HUNDRED (\$9,500.00) DOLLARS.

That we are of the opinion that the damages above awarded should be paid to Willard N. Ripple and Bessie Ripple, his wife in compliance with an agreement made and entered into the 3rd day of April A. D. 1950, by and between the COMMONWEALTH OF PENNSYLVANIA, acting through the Department of Highways, hereinafter called the COMMONWEALTH, and the COUNTY OF CAMBRIA, by its County

County Commissioners, hereinafter called the County. Said AGREEMENT having been made a part of the proceedings in the first instance and which said AGREEMENT was approved on the 11th day of April, 1950 which is filed in the Office of the County Commissioners and in the Department of Highways of the Commonwealth.

The sum of NINE THOUSAND FIVE HUNDRED (\$9,500.00) DOLLARS as aforesaid to be paid to Willard N. Ripple and Bessie Ripple, his wife, as their interest MAY APPEAR.

IN WITNESS WHEREOF we have set our hands and affixed our signatures on Fifteenth day of March A. D. 1952.

Mahlon Baumgardner
Mahlon Baumgardner

Fred W. Claflin
Fred W. Claflin

Robert Mayer
Robert Mayer

IN RE: Petition of Willard N. Ripple : In the Court of Quarter Sessions
 and Bessie Ripple, his wife, for the :
 appointment of Viewers to Assess Damages : of Cambria County, Pennsylvania.
 to their land situate in Richland Town- :
 ship, Cambria County, Penna. by reason : No. 4 December Sessions 1951.
 of the construction, relocation and change :
 of grade of State Highway No. 222 Section : CONDEMNATION PROCEEDINGS
 No. 6A :

EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court, having fixed March 8th., 1952 at 1:30 o'clock P. M. in the Offices of Gray & Claflin, Room 606 Swank Building, Johnstown, Cambria County, Penna., as the time and place for the Exhibit of Schedule in the above proceedings; having viewed the premises and giving all matters before us due consideration, we are of the opinion the land of Willard N. Ripple and Bessie Ripple, his wife as affected by the change of grade and the change of location of Section 6A of State Highway Route No. 222 and affected thereby have received no benefits and damages in the sum of \$ 9,500 should be paid to the said Willard N. Ripple and Bessie Ripple, his wife in compliance with an agreement made and entered into the 3rd day of April A. D. 1950 by and between the COMMONWEALTH OF PENNSYLVANIA, acting through the Department of Highways, hereinafter called the COMMONWEALTH and the COUNTY OF CAMBRIA by its County Commissioners hereinafter called the COUNTY. Said AGREEMENT having been approved on the 11th day of April 1950 and filed in the Office of the County Commissioners and in Department of Highways of the Commonwealth said sum to be paid as aforesaid to Willard N. Ripple and Bessie Ripple, his wife as THEIR INTEREST MAY APPEAR.

Unless Exceptions be filed or an Appeal be taken as provided by the law the Report filed with the Exhibit of Schedule thereto attached shall be CONFIRMED ABSOLUTE.

WITNESS our Hands this 8th day of March A. D. 1952

Morton Bausnjordan

Fred W. Clifflin

Robert Mayer
VIEWERS

IN RE : Petition of Willard N. Ripple and Bessie Ripple, his wife, for the appointment of Viewers to Assess damages to their land in Richland Township, Cambria County, Penna. by reason of the construction, relocation and change of grade of State Highway No. 222 Section 6A. : In the Court of Quarter Sessions : of Cambria County, Pennsylvania : No. 4 December Sessions 1951 : CONDEMNATION PROCEEDINGS. :

CAMBRIA COUNTY indebted to Mahlon Baumgardner, Fred W. Claflin and Robert Mayer

To Mahlon Baumgardner:

1951			
Nov. 30	Preparing Notices to View	\$12.00	
Dec. 1	Posting Notices to View	12.00	
	Mileage -24 miles and return	4.80	
Dec. 15	Making View	12.00	
	Mileage- 24 miles and return	4.80	
Dec. 27	Continuance of hearing	12.00	
	Mileage -18 miles and return	3.60	
1952			
Mar. 1	Hearing	12.00	
	Mileage 18 miles and return	3.60	
Mar. 4	Conference and determining damages	12.00	
	Mileage 18 miles and return	3.60	
Mar. 7	Preparing Exhibit of Schedule	12.00	
Mar 8	Exhibit of Schedule	12.00	
	Mileage 18 miles and return	3.60	
Mar.12	Data and Preparing Report	12.00	
Mar.17	Filing Report and procuring signatures of Viewers	12.00	\$144.00

To Fred W. Claflin:

1951			
Dec. 15	Making View	12.00	
	Mileage- 10 miles and return	2.00	
Dec. 27	Continuance of hearing	12.00	
	Mileage 3 miles and return	.60	
1952			
Mar. 1	Hearing	12.00	
	Mileage 3 miles and return	.60	
Mar. 4	Conference and determining Damages	12.00	
	Mileage 3 miles and return	.60	
Mar. 8	Exhibit of Schedule	12.00	
	Mileage 3 miles and return	.60	\$ 64.40

To Robert Mayer:

1951			
Dec. 15	Making View	12.00	
	Mileage 9 miles and return	1.80	
Dec. 27	Continuance of hearing	12.00	
	Mileage 2 miles and return	.40	
1952			
Mar. 1	Hearing	12.00	
	Mileage 2 miles and return	.40	
Mar. 4	Conference and Determining Damages	12.00	
	Mileage 2 miles and return	.40	
Mar. 8	Exhibit of Schedule	12.00	
	Mileage 2 miles and return	.40	\$ 63.40

IN RE: Petition of Willard N. Ripple : In the Court of Quarter Sessions
 and Bessie Ripple, his wife, for the :
 appointment of Viewers to Assess Damages : of Cambria County, Pennsylvania.
 to their land situate in Richland Town- :
 ship, Cambria County, Penna., by reason : No. 4 December Sessions 1951
 of the construction, relocation and :
 change of grade of State Highway No 222- :
 Section No 6A. : PETITION TO APPOINT VIEWERS.

NOTICE TO VIEWERS

We, the undersigned Viewers appointed by the above named Court to View and inspect the premises of Willard N. Ripple and Bessie Ripple, his wife of the Township of Richland, Cambria County,, Pennsylvania, and to determine and estimate the damages that have resulted or that seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid at it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING tie line at a stake located at the southwest corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Neffman; thence from said tie line crossing Pennsylvania State Highway Route No. 56, South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following four courses and distances: North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said private road and 16 $\frac{1}{2}$ feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56, and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and 16 $\frac{1}{2}$ feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of beginning. Containing 1.674 acres

Will meet upon the premises on Saturday December 15th, 1951 at 10 o'clock in the morning for the purpose of performing the duties of our appointment.

Wahlon J. Baugardner

Fred W. Cleflin

Robert Laver,
Viewers

30 Nov 1951

Now December 1, 1951 we hereby accept service of the above Notice to view as the owners of the above real estate and the petitioners and acknowledge to have receipt of a copy of said notice.

Willard N. Ripple
Bessie Ripple

IN RE: Petition of Willard N. Ripple : In the Court of Quarter Sessions
and Bessie Ripple; his wife, for the :
appointment of Viewers to Assess damages : of Cambria County, Pennsylvania
to their land situate in Richland Town- :
ship, Cambria County, Penna., by reason : No. 4 December Sessions 1951
of the construction, relocation and change :
of grade of State Highway No. 222 Section : PETITION TO APPOINT VIEWERS
No. 6A. :

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court to View and inspect the premises of Willard N. Ripple and Bessie Ripple, his wife of the Township of Richland, Cambria County, Pennsylvania, and to determine and estimate the damages that have resulted or that may seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid as it affects the real estate of the above named owners and petitioners described as follows:

Beginning tile line at a stake located at the southwest corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Hoffman; thence from said tile line crossing Pennsylvania State Highway Route No. 56 South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following four courses and distances: North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said private road and 16 $\frac{1}{2}$ feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56. and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and 16 $\frac{1}{2}$ feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of beginning. Containing 1.674 acres.

will meet at the premises on Saturday December 15, 1951 at 10 o'clock in the morning for the purpose of performing the duties of our appointment.

30 Nov. 1951.

Mahlon J. Baumgardner

Fred W. Claflin

Robert Mayer,
VIEWERS

NOW 5th December 1951 I hereby accept service of the within Notice to View as Council for the above named real estate owners and petitioners to said petition.

Willard N. Ripple
attly.

Mr. Spence: Please accept service as Solicitor State Highway Dept in within proceedings and return one copy to me for filing my report Mahlon

IN RE: Petition of Willard N. Ripple : In the Court of Quarter Sessions
and Bessie Ripple, his wife, for the :
appointment of Viewers to Assess Damages : of Cambria County, Pennsylvania.
to their land situate in Richland Town- :
ship, Cambria County, Penna., by reason : No. 4 December Sessions 1951.
of the construction, relocation and :
change of grade of State Highway No. 222- : PETITION TO APPOINT VIEWERS.
Section No. 6A. :

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court, to View and inspect the premises of Willard N. Ripple and Bessie Ripple, his wife, of the Township of Richland, Cambria County, Pennsylvania, and to determine and estimate the damages that have resulted or that seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid as it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING tie line at a stake located at the southwest corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Hoffman; thence from said tie line crossing Pennsylvania State Highway Route No. 56 South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following four courses and distances; North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said private road and $16\frac{1}{2}$ feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56, and $16\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and $16\frac{1}{2}$ feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of beginning. Containing 1.674 acres.

Will meet on the premises on Saturday November 15, 1951 at 10 o'clock in the morning for the purpose of performing the duties of our appointment.

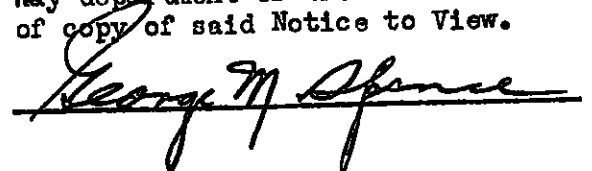
30 Nov 1951

Mahlon B. Baumgardner

Fred W. Claflin

Robert Mayer
Viewers.

NOW _____ December 1951 I hereby accept service of the within Notice to view as Collicitor for the State High Way department of the Commonwealth of Pennsylvania and acknowledge receipt of copy of said Notice to View.



Mr. Forbes. Please sign one of the Notices and send to me for filing Report purposes the other copy for your files. Received letter from Attorney Spence that he represents the State in Ripple case and McCorry case. I will have him accept service on the Ripple Case. Thank you. Mahlon Baumgardner *Send from 11/20/51 to 11/20/51*

IN RE: Petition of Willard H. Ripple and Bessie Ripple, his wife, for the appointment of Viewers to Assess Damages to their land situate in Richland Township, Cambria County, Penna., by reason of the construction, relocation and change of grade of State Highway No 222- Section No 6A. : In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 4 December Sessions 1951
PETITION TO APPOINT VIEWERS.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court to View and inspect the premises of Willard H. Ripple and Bessie Ripple, his wife of the Township of Richland, Cambria County, Pennsylvania, and to determine and estimate the damages that have resulted or that seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid as it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING the line at a stake located at the southwest corner of a tract of land sold by the Gilmore Coal Company to Elmer L. Hoffman; thence from said tie line crossing Pennsylvania State Highway Route No. 56, South 41 degrees 41 minutes East 785.18 feet to an iron pin on the east line of said Highway and 16 1/2 feet distant from the center line thereof; thence by a new line through other land of the Gilmore, of which the parcel hereby conveyed is a part, the following four courses and distances: North 69 degrees 41 minutes East 270 feet to an iron pin; South 30 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and 16 1/2 feet distant from the center line thereof; thence by a line parallel to the center line of said private road and 16 1/2 feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56, and 16 1/2 feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and 16 1/2 feet distant therefrom, North 30 degrees 36 minutes West 270 feet to the place of beginning; all meet upon the ground on Saturday December 15, 1951 at 10 o'clock in the morning for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner
 Fred W. Claflin
 Robert Mayer
 Viewers.

30 Nov 1951.

NOW December, 1951 I hereby accept service of the above Notice to View ~~and~~ Chief Engineer of State Highway Department and acknowledge to have received a copy of said Notice to View.

George M. Spence
 Chief Engineer

IN RE: Petition of Willard W. Ripple : In the Court of Quarter Sessions
 and Bessie Ripple, his wife, for the :
 appointment of Viewers to Assess Damages : of Cambria County, Pennsylvania.
 to their land situate in Richland Town- :
 ship, Cambria County, Penna., by reason : No. 4 December Sessions 1951
 of the construction, r-location and :
 change of grade of State Highway No 222- :
 Section No 6A. : PETITION TO APPOINT VIEWERS.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court to View and inspect the premises of Willard W. Ripple and Bessie Ripple, his wife of the Township of Richland, Cambria County,, Pennsylvania, and to determine and estimate the damages that have resulted or that seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid at it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING tie line at a stake located at the southwest corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Hoffman; thence from said tie line crossing Pennsylvania State Highway Route No. 56, South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and 16 1/2 feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following four courses and distances: North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and 16 1/2 feet distant from the center line thereof; thence by a line parallel to the center line of said private road and 16 1/2 feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56, and 16 1/2 feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and 16 1/2 feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of beginning. Containing 1.674 acres

Will meet upon the premises on Saturday December 15th, 1951 at 10 o'clock in the morning for the purpose of performing the duties of our appointment.

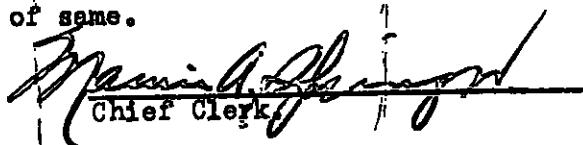
Mahlon J. Brungardner

Fred W. Claflin

Robert Mayer,
Viewers

30 Nov 1951

Now December 1, 1951 we hereby accept service of the Above Notice Notice to view as Clerk to the Cambria County Commissioners and acknowledge to have received a copy of same.


 Chief Clerk

IN RE: Petition of Willard N. Ripple and Bessie Ripple, his wife, for the appointment of Viewers to Assess Damages to their land situate in Richland Township, Cambria County, Penna., by reason of the construction, relocation and change of grade of State Highway No. 222- Section No. 6A.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 4 December Sessions 1951.
PETITION TO APPOINT VIEWERS.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court, to View and inspect the premises of Willard N. Ripple and Bessie Ripple, his wife, of the Township of Richland, Cambria County, Pennsylvania, and to determine and estimate the damages that have resulted or that seem likely to result by reason of the reconstruction, relocation and change of grade of State Highway No. 222- Section No. 6A in the Township of Richland, County and State aforesaid as it affects the real estate of the above named owners and petitioners described as follows:

BEGINNING the land at a stake located at the southwest corner of a tract of land sold by the Wilmore Coal Company to Elmer L. Hoffman; thence from said tie line crossing Pennsylvania State Highway Route No. 56 South 41 degrees 41 minutes East 763.15 feet to an iron pin on the east line of said Highway and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a new line through other land of the GRANTOR, of which the parcel hereby conveyed is a part, the following four courses and distances; North 69 degrees 41 minutes East 270 feet to an iron pin; South 20 degrees 36 minutes 270 feet to an iron pin on the north side of a private road and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said private road and 16 $\frac{1}{2}$ feet distant therefrom, South 69 degrees 24 minutes West 270 feet to an iron pin on the East line of said Pennsylvania State Highway Route No. 56, and 16 $\frac{1}{2}$ feet distant from the center line thereof; thence by a line parallel to the center line of said Highway and 16 $\frac{1}{2}$ feet distant therefrom, North 20 degrees 36 minutes West 270 feet to the place of beginning. Containing 1.074 acres.

Will meet at the premises on Saturday December 15, 1951 at 10 o'clock for the purpose of performing the duties of our appointment.

Mahlon J. Bumgardner

Fred W. Clafflin

Robert ^{Lawyer,}
Viewers

30 November 1951

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 19th day of November A. D. 1951, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of _____, in the said County, setting forth that they ~~labor under incon-~~
~~venience for want of a~~ ~~_____ highway, to lead from~~
petition the Court to refer their claim to the Board of Viewers to ascertain the damages due your petitioners by reason of the taking, injuring and destroying of their property in the construction and relocation of State Highway No. 222, Section No. 6A.

(Willard N. Ripple and Bessie Ripple, his wife)

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

Mahlon J. Baumgardner surveyor, and Fred W. Claflin
and Robert Mayer

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such 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 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.
McKenrick, Judge.

Attest:

Joseph C. Weas, Clerk

ROAD DOCKET

NO. 4 December SESSSIONS, 1951

Order to view AND NOW, to-wit:-this

19th day of November, 1951, on motion

of Margiotti & Casey and Harold

Kaminsky, Esq's., Attorneys for

petitioners, the Court appoints the

below members of the Board of Viewers

and further orders that the Board of

View perform its duties in accordance

with the law and Acts of Assembly in
such case made and provided.

Mahlon J. Baumgardner

Fred W. Clafin

Robert Mayer

Viewers

Clerk

Joseph C. Wear

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."

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY PENNSYLVANIA

No. 4 DECEMBER SESSIONS 1951

IN RE: Petition of Willard N.
Ripple and Bessie Ripple, his wife
for the Appointment of Viewers
to Assess Damages to their land
situate in Richland Township,
Cambria County, Penna. by reason
of the construction, relocation
and change of grade of State
Highway No. 222 Section No. 6A

REPORT OF VIEWERS

*Filed
3-17-52*

XXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXX

*23 June 1952 Approved
- By the Court
Luffert*

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Petition of Willard N. :
Ripple and Bessie Ripple, his :
wife, for the appointment of :
viewers to assess damages to :
their land situate in Richland :
Township, Cambria County, Penn- :
sylvania, by reason of the con- :
struction, relocation and change :
of grade of State Highway No. :
222 - Section No. 6A. :
: *No. 4 Dec. Term 57*

PETITION FOR THE APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of WILLARD N. RIPPLE and BESSIE RIPPLE,
his wife, respectfully represents:

FIRST: That they are the owners in fee of:

ALL THAT CERTAIN piece or parcel of land situate in the
Township of Richland, County of Cambria and State of
Pennsylvania, bounded and described as follows:

BEGINNING for a tie line at a stake located at the south-
west corner of a tract of land sold by the Wilmore Coal
Company to Elmer L. Hoffman; thence for said tie line
crossing Pennsylvania State Highway Route No. 56, South
41° 41' East 763.15 feet to an iron pin on the east
line of said Highway and 16 1/2 feet distant from the
center line thereof; thence by a new line through other
land of the GRANTOR, of which the parcel hereby conveyed
is a part, the following four courses and distances:
North 69° 41' East 270 feet to an iron pin;
South 20° 36' East 270 feet to an iron pin on the north
side of a private road and 16 1/2 feet
distant from the center line thereof;
thence by a line parallel to the center
line of said private road and 16 1/2
feet distant therefrom,
South 69° 24' West 270 feet to an iron pin on the East
line of said Pennsylvania State High-
way Route No. 56, and 16 1/2 feet dis-
tant from the center line thereof;
thence by a line parallel to the center
line of said Highway and 16 1/2 feet
distant therefrom,
North 20° 36' West 270 feet to the place of beginning.
Containing 1.674 acres.

Being part of a larger tract of land which was conveyed
inter-alia by Windber Trust Company, Trustee, to The
Wilmore Coal Company, GRANTOR, herein, by deed dated
April 20, 1931, and recorded in the office for the
recording of deeds in and for Cambria County in Deed
Book Vol. 423, Page 591.

SECOND: That on the 20th day of March, 1950, the Governor of the Commonwealth of Pennsylvania duly approved a plan of the Department of Highways for the location, construction and change of grade of State Highway Route No. 222, Section No. 6A.

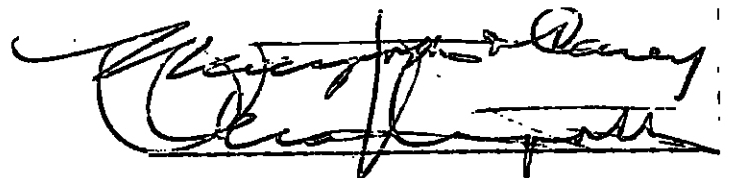
THIRD: In the construction of said highway, the Commonwealth of Pennsylvania has taken, injured and destroyed land and buildings of your petitioners,

- A. By appropriating land for the right of way and slope purposes.
- B. By making large cuts and fills throughout.
- C. By depriving said buildings on the land of access.
- D. By turning part of your petitioners' land into a dump.
- E. By lowering the grade of the present road below the grade of the old road.

FOURTH: Your petitioners have made diligent effort to obtain a settlement with the Commonwealth of Pennsylvania for the damages sustained in the construction of said highway, but no compensation has been paid to them by the Commonwealth.

WHEREFORE, your petitioners pray your Honorable Court to refer their claim to the Board of Viewers to ascertain the damages due your petitioners by reason of the taking, injuring and destroying of their property in the construction and relocation of State Highway Route No. 222, Section No. 6A.

AND THEY WILL EVER PRAY.



Howard H. Hummel
Attorneys for Petitioners

IN THE COURT QUARTER SESSIONS, CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Petition of Willard N.)
Ripple and Bessie Ripple, his)
wife, for the appointment of)
viewers to assess damages to)
their land situate in Richland) No, Term, 19
Township, Cambria County, Penn-)
sylvania, by reason of the con-)
struction, relocation, and change)
of grade of State Highway No.)
222 - Section No. 6A.)

O R D E R

AND NOW, to wit: this 19th day of November, 1951, on motion of Margiotti & Casey, and Harold Kaminsky, Esqs., Attorneys for petitioners, the Court appoints *Wesley J. Baumgardner*, *Frank W. Olygin*, and *Robert W. Wagoner*, as a board of view upon the foregoing petition, and further orders that the board of view perform its duties in accordance with the law and Acts of Assembly in such case made and provided.

BY THE COURT:

McKenna

Judge

~~ROAD~~
No. *A* *Dec* Term *5-1*

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

IN RE: Petition of Willard
N. Ripple and Bessie Ripple,
his wife, for the appoint-
ment of viewers to assess
damages to their land situate
in Richland Township, Cambria
County, Pennsylvania, by
reason of the construction
relocation and change of
grade of State Highway No.
222 - Section No. 6A.

PETITION FOR THE
APPOINTMENT OF VIEWERS

/

Harold Kaminsky, Esq.
702 First Nat'l Bank Bldg.
Johnstown, Pa.

~~and~~
Charles J. Margiotti, Esq.
Margiotti & Casey
720 Grant Bldg.
Pittsburgh, Pa.