

IN RE: Petition of John Szekeresh, Sr. and Annie Szekeresh for the Appointment of Viewers to Assess Damages or Benefits to their land by reason of the Construct- ion, Re-construction and Improvement of State Highway Route No. 11030 between the Village of Mundys Corner and Nanty-Glo in Cambria County, Pennsylvania	§ IN THE COURT OF QUARTER SESSIONS : OF CAMBRIA COUNTY, PENNSYLVANIA : : No. 4 June Sessions, 1952 : : <u>CONDEMNATION PROCEEDINGS</u> : §
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RECEIPT AND RELEASE

We, the undersigned, John Szekeresh, Sr. and Annie Szekeresh, hereby acknowledge receipt of the sum of Two Thousand Four Hundred Sixty (\$2,460.00) Dollars from the Commonwealth of Pennsylvania in full satisfaction of the award made by the County Board of Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, under the above captioned condemnation proceedings, and we do hereby remise, release, quitclaim and forever discharge the Commonwealth of Pennsylvania of and from all liability in connection with said condemnation proceedings.

We hereby authorize the Clerk of the Court of Quarter Sessions afore-said to enter this receipt and release as part of the record of these condemna-tion proceedings.

WITNESS our hands and seals this 18<sup>TH</sup> day of November, 1952.

WITNESS:

Randolph M. Ford  
Alton R. McDonald

John Szekeresh, Sr. (SEAL)  
 John Szekeresh, Sr.

Annie Szekeresh (SEAL)  
 Annie Szekeresh

No. 4 June Sessions, 1952

IN THE COURT OF QUARTER SESSIONS  
OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: JOHN SZEKERESH, SR. AND  
ANNIE SZEKERESH CONDEMNATION  
PROCEEDINGS.

RECEIPT AND RELEASE

*U-land*  
*11-21-52*

*Myers & McDonald*  
ATTORNEYS AT LAW  
213 S. CENTER STREET - OPPOSITE COURT HOUSE  
*Etensburg, Pennsylvania*

IN RE: Petition of John Szekeresh, Sr. : In the Court of Quarter Sessions  
and Annie Szekeresh for the Appintment :  
of Viewers to Assess Damages or Benefits : of Cambria County, Pennsylvania  
to their land by reason of the Improve- :  
ment, Construction and Re-construction : No. 4 June Sessions, 1952  
of State Highway Route No. 11030 between :  
the Village of Mundys Corner and Nanty- :  
Glo Borough in Cambria County, Penna : CONDEMNATION PROCEEDINGS

REPORT OF VIEWERS

We, the undersigned Viewers appointed by the above named Court to View and Inspect the real estate and premises of John Szekeresh, Sr., and Annie Szekeresh situate between the Village of Mundys Corner and Nanty-Glo Boro, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may seem likely to result by reason of the Construction, Re-construction and Improvement of State Highway Route Number 11030 by State Highway Department of the Commonwealth of Pennsylvania as it affects the land of the above named petitioners and more particularly described as follows:

BEGINNING at a point on the corner on line of Francis J. Hartmann and Louis Sabo, which point is South 85 degrees 3' East 200 feet, more or less from a stone corner on State Highway Route 11030; thence by land of Louis Sabo South 85 degrees 3' East 730 feet to a stone on line of C & I Railroad; thence along said last mentioned land South 29 degrees 28' West 671.3 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 83 degrees 52' West 325.7 feet to a point on line of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North 6 degrees 8' West a distance of 684.6 feet, more or less, to a point, the place of beginning.

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County, Pennsylvania as is shown in the records of said Court; that due public notice at least ten days before the time and place of the meeting of said Viewers by the posting of ten handbills upon the premises owned by John Szekeresh, Sr. and Annie Szekeresh by personal service and by acceptance of of same; upon Randolph Myers, Esq., Counsel for the petitioners and owners; upon the Commissioners of Cambria County and

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C. R. Forbed, District Engineer of the State Highway Department of the Commonwealth of Pennsylvania with offices in Hollidaysburg, Pa, all of whom accepted service of the Notice to View and acknowledge receipt of copy of same as is evidenced by said notices being hereto attached and made a part of this Report.

Pursuant to said Notice to View, we met upon the premises of John Szekeresh, Sr. and Annie Szekeresh, owners aforesaid, we met upon premises on Friday July 25, 1952 at 10 o'clock daylight time in the morning and proceeded with the duties of our appointment. All the members of the Board of Viewers were in attendance. John Szekeresh, Sr., Steve Szekeresh and other members of the Szekeresh family together with Randolph Myers, Esq., Counsel for John Szekeresh Sr and wife Annie. Several representatives from the State Highway office at Hollidaysburg, Penna., together with their Solicitor Gerald Gibson, Esq. A careful view and inspection of the land involved in the construction of said highway, land taken and its effect of the remaining portion of the land. The new highway separates the land into two divisions. The view and inspection were thoroughly explored as well as all other matters pertaining to the view. All matters and elements as related to the taking of the land and its effect on the remaining land were carefully gone into and examined. It was mutually agreed to by all of the parties in interest Randolph Myers, Esq. for the owners, Gerald Gibson, Esq. for the State Highway and the Viewers that all legal requirements with reference to advertising Exhibit of Schedule and the filing of the Report as well as that of the present view be waived with the force and effect as though they had been fully complied with. It was mutually agreed that a hearing be held in the Court House, Ebensburg Room #4 on August 13, 1952. Pursuant to said agreement the Viewers met in Court Room #4 on August 13, 1952 and proceeded with the hearing. Counsel for the petitioner Randolph Myers, Esq., and a number of witnesses for the owner John Szekeresh; Gerald Gibson, Esq., Solicitor for the State Highway with several witnesses appeared. All witnesses were called and in direct examination and cross exami-

nation were called and sworn. On the 18th day of August 1952 in Court Room #4, Court House, Ebensburg, Pennsylvania. the three viewers met and went over all of conflicting testimony offered at the hearing. It was difficult to reconcile the estimates of damages they being of a wide range as shown by the different witnesses. All the evidence was discussed pro and con and attempts made to adjust said amounts in light of the matters involved in the proceedings. Some evidence was not material to the issue but it was admitted for what it was worth. All material evidence and the knowledge that the viewers had acquired by being on the ground helped the viewers in arriving an amount of damages. All matters were taken into consideration and all elements of damages and benefits all matters pertinent thereto were carefully taken into consideration in arriving, determining and estimating the amount of damages.

That having viewed and carefully inspected the real estate and premises of the petitioners and owners aforesaid and having conducted a hearing where testimony and evidence were adduced concerning the real estate and having taken in consideration all the evidence relating to the benefits and damages and all matters pertinent in the issue by reason of the construction, re-construction and improvement of State Highway Route #11030 as it affects the land of the owners, the amount and quantity and quality of land taken, occupied and injured by said taking and having made due and just allowances for benefits as compared against the damages suffered in said appropriation and inconvenience to which the owners will be put to and which have resulted or which may seem likely to result to John Szekeresh, Sr. and Annie Szekeresh which have resulted or which may seem likely to result or has resulted to said owners by reason of said construction, re-construction and improvement we have estimated and determined the amount of damages and prepared a Schedule thereof.

Pursuant to the agreement entered into by all the parties in interest and having fixed August 22, 1952 and the Court Room No 4, Court House aforesaid, we did meet at said time and place to present the Exhibit of Schedule of Damages. There being no further testimony or evidence presented we proceeded with the presentation of the Exhibit of Schedule. After taken into consideration all the

testimony offered and the members of the Board of Viewers having been on the ground condemned and damaged, we have agreed, estimated and determined the amount of damages and the Schedule of Damages was offered. That after hearing all exceptions and testimony by all the parties and giving all matters before us due consideration, we are of the opinion that the land taken and the inconvenience and hardships imposed on the portion of land remaining and all other appertaining to the construction, re-construction and improvement of State Highway Route #11030 and as affected by same we there assess damages in the sum of TWENTY-FOUR HUNDRED AND SIXTY (\$2460.00) DOLLARS and that the said sum be paid to John Szekeresh, Sr. and Annæ Szekeresh as their interest may appear by the State Highway Department of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF we have set our hands and affixed our signatures on this 9<sup>th</sup> day of August, A. D. 1952.

*Marlon J. Baug-Ordner*  
 MARLON J. BAUG-ORDNER

*John L. Elder*  
 JOHN L. ELDER

*Robert Mayer*  
 ROBERT MAYER

IN RE: Petition of John Szekeresh, Sr., and Annie Szekeresh for the Appointment of Viewers to Assess Damages or Benefits to their land by reason of the Construction, Re-construction and Improvement of State Highway Route No. 11030 between the Village of Mundy's Corner and "Anty-Glo in Cambria County, Pennsylvania.

: In the Court of Quarter Sessions  
 : of Cambria County, Pennsylvania  
 : No. 4 June Sessions 1952  
 : CONDEMNATION PROCEEDINGS

EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named Court to view and inspect the above premises and have performed the duty and have taken into consideration all the benefits and damages that have resulted or that may seem likely to result by reason of the Construction, Re-construction and Improving of State Highway Route 11030 between the Village of Mundy's Corner and Anty-Glo and having taken into consideration all elements and facts pertinent to the above proceedings have estimated, determined and assessed benefits and damages as follows:

The following schedule of award to be paid State Highway Department of the Commonwealth of Pennsylvania, viz:

<u>NAME</u>	<u>BENEFITS</u>	<u>DAMAGES</u>
John Szekeresh and Annie Szekeresh, his wife	None	\$2460.00

*Mahlon J. Baumgardner*  
 Mahlon J. Baumgardner  
*John L. Elder*  
 John L. Elder  
*Robert L. Loyer*  
 Robert Loyer  
 Viewers

19 Aug 1952

RE: Petition of John Szekeresh, Sr and Annie Szekeresh for the Appointment of Viewers to Assess Damages or Benefits to their land by reason of the Construction, Re-construction and Improvement of State Highway Route #11030 between the Village of Mundys Corner and Nanty-Glo Boro in Cambria County, Penna.

: In the Court of Quarter Sessions  
:  
: of Cambria County, Pennsylvania  
:  
: No. 4 June Sessions, 1952  
:  
: CONDEMNATION PROCEEDINGS

Cambria County indebted to Mahlon J. Baumgardner, John L. Elder and Robert Mayer.

To Mahlon J. Baumgardner:

12 Jul	Preparing Notices to View	\$12.00	
15 "	Posting Notices to View & acceptances of Service	12.00	
	Mileage 14 mi 10¢ per mile	1.40	
16 "	Serving Notice of View on C.R. Forbes, Dist. Eng.	12.00	
	Mileage 42 miles	4.20	
25 "	View	12.00	
	Mileage	1.40	
13 Aug	Hearing Testimony- Ebensburg	12.00	
18 "	Conference determining and estimating damages Ebensburg	12.00	
19 "	Data and preparing Exhibit of Schedule of Damages	12.00	
22 "	Exhibit of Schedule Ebensburg	12.00	
30 "	Preparing Report	12.00	
	Obtaining signatures to both Szekeresh Reports	12.00	
Sep 2	Filing Report	12.00	\$139.00

To John L. Elder:

25 Jul	View	12.00	
	Mileage 24 mi at 10 cents per mile	1.40	
13 Aug	Hearing -Ebensburg	12.00	
18 "	Conference determining and estimating damages- Ebensburg	12.00	
22 "	Exhibit of Schedule Ebensburg	12.00	- \$49.40

To Robert Mayer:

25 Jul	View	12.00	
	Mileage 26 mi at 10 cents per mile	2.60	
13 Aug	Hearing - Ebensburg	12.00	
	Mileage 40 miles	4.00	
18 "	Conference determining and estimating damages Ebg	12.00	
	Mileage 40 miles	4.00	
22 "	Exhibit of Schedule -Ebensburg	12.00	
	Mileage- 40 mi	4.00	- \$62.60

IN RE: Petition of John Szekeres, Sr. : In the Court of Quarter Sessions  
 and Annie Szekeres for the Appointment :  
 of Viewers to Assess Damages or Benefits : of Cambria County, Penna.  
 to their land by reason of the Construct :  
 ion, Re-construction and Improvement of : No. 6 June Sessions, 1952  
 State Highway Route # 11050 between the :  
 Village of Mandy's Corner and Anty-Glo :  
 in Cambria County, Pennsylvania. : CONDEMNATION PROCEEDINGS

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to View and Inspect the land and premises of John Szekeres, Sr. and Annie Szekeres between the Village of Mandy's Corner and Anty-Glo, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may seem likely to result by reason of the construction, re-construction and improvements of State Highway Route #11050 at said locations in Cambria County and State of Pennsylvania as it affects the real estate and land of the above named petitioners and more fully described as follows:

BEGINNING at a point on the corner on line of Francis J. Hartmann and Louis Sabo, which point is South 85 degrees 3 minutes East 300 feet, more or less from a stone corner on State Highway Route #11050; thence by land of Louis Sabo, South 85 degrees 3 minutes East 730 feet to a stone on line of C & I Railroad; thence along said last mentioned land South twenty-nine degrees 28 minutes West 671.5 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 85 degrees 62 minutes West 325.7 feet to a point on line of land formerly of Betty Szekeres; thence by said last mentioned land and others, North 6 degrees 8 minutes West a distance of 684.6 feet, more or less, to a point, the place of Beginning.

The Board of Viewers will meet upon the premises on Friday July 26, 1952 at 10 o'clock daylight time in the morning for the purpose of performing the duties of our Appointment.

Mahlon J. Saizgardner

John L. Elder

Robert Mayer  
Viewers

12 July 1952

AND NOW July 15<sup>th</sup> 1952 we hereby accept service of the within Notice to View as the owners of the above described land and petitioners for the Appointment of Viewers as acknowledge to have received a copy of Said Notice.

*James J. Kellogg Sr.*  
*amr/lye/ps*

IN RE: Petition of John Szekeres, Sr. and Annie Szekeres for the Appointment of Viewers to Assess Damages or Benefits to their land by reason of the Construction, Re-construction and Improvement of State Highway Route 11080 between the Village of Landy's Corner and Twenty-Glo in Cambria County, Pennsylvania.

In the Court of Quarter Sessions of Cambria County, Pennsylvania.  
No. 6 June Sessions, 1952

WILD CANTON RECORDERS

NOTICE TO VIEW

So, the undersigned Viewers appointed by the above Court to View and Inspect the land and premises of John Szekeres, Sr. and Annie Szekeres between the Village of Landy's Corner and Twenty-Glo, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may soon likely to result by reason of the construction, re-construction and improvements of State Highway Route 11080 at said location in Cambria County and State of Pennsylvania as it affects the real estate and land of the above named petitioners and more fully described as follows:

BEGINNING at a point on the corner on line of Francis J. Hartman and Louis Sabo, which point is South 85 degrees 3 minutes East 200 feet, more or less from a stone corner on State Highway Route 11080; thence by land of Louis Sabo, South 85 degrees 3 minutes East 780 feet to a stone on line of C & I Railroad; thence along said last mentioned land South twenty-nine degrees 20 minutes West 671.5 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 08 degrees 02 minutes West 325.7 feet to a point on line of land formerly of Betty Szekeres; thence by said last mentioned land and others, North 6 degrees 8 minutes West a distance of 684.6 feet, more or less, to a point, the place of Beginning.

The Board of Viewers will meet upon the premises on Friday July 25, 1952 at 10 o'clock daylight time in the morning for the purpose of performing the duties of our Appointment.

Sheldon J. Baumgardner

John L. Eldor

Robert Leyer  
Viewers

12 July 1952

NOW July 15 1952 I hereby accept service of the within Notice to View for the Commissioners of Cambria County, Penna and acknowledge to have received a copy of same.

*Maurice A. Springer*  
Chief Clerk County Commissioners

John Myers, Atty for Pet  
er is for your files.

Mrs. Sign one and  
in Baumgardner

n to me and t'

IN RE: Petition of John Szekeresh, Sr. : In the Court of Quarter Sessions  
and Annie Szekeresh for the Appointment :  
of Viewers to Assess Damages or Benefits : of Cambria County, Pennsylvania.  
to their land by reason of the Construct- :  
ion, Re-construction and Improvement of : No. 4 June Sessions, 1952  
of State Highway Route # 11030 between :  
the Village of Mundy's Corner and Nanty- :  
Glo in Cambria County, Pennsylvania : CONDEMNATION PROCEEDINGS

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to View and Inspect the land and premises of John Szekeresh, Sr., and Annie Szekeresh between the Village of Mundy's Corner and Nanty-Glo, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may seem likely to result by reason of the construction, re-construction and improvement of State Highway Route #11030 at said location in Cambria County and State of Pennsylvania as it affects the real estate and land of the above named petitioners and owners of the following described description:

BEGINNING at a point on the corner on line of Francis J. Hartmann and Louis Sabo, which point is South 85 degrees 3 minutes East 200 feet, more or less, from a stone corner on State Highway Route #11030; thence by land of Louis Sabo, South 85 degrees 3 minutes East 730.5 feet to a stone on line of C & I Railroad; thence along said last mentioned land South 29 degrees 28 minutes West 671.3 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 83 degrees 52 minutes West 325.7 feet to a point of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North 6 degrees 8 minutes West a distance of 684.6 feet, more or less, to a point, the place of Beginning .

The Board of Viewers will meet upon the premises on Friday July 25, 1952 at 10 o'clock daylight time in the morning for the purpose of performing the duties of our Appointment.

Mahlon J. Baumgardner  
John L. Elder  
Robert Mayer  
Viewers

12 July 1952

NOW July 15 1952 I hereby accept service for the above named petitioners as their Attorney and acknowledge to have received a copy of said Notice to View.

*Myers*  
\_\_\_\_\_  
Attorney or petitioners.

IN RE: Petition of John Szekerech, Sr. : In the Court of Quarter Sessions  
 and Annie Szekeresh for the Appointment :  
 of Viewers to Assess Damages or Benefits : of Cambria County, Penna.  
 to their land by reason of the Construct- :  
 ion, Re-construction and Improvement of : No. 5 June Sessions, 1952  
 State Highway Route #11030 between the :  
 Village of Mundy's Corner and Nanty-Glo :  
 in Cambria County, Pennsylvania. : CONDEMNATION PROCEEDINGS

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to View and Inspect the land and premises of John Szekeresh, Sr., and Annie Szekeresh between the Village of Mundy's Corner and Nanty-Glo, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may seem likely to result by reason of the construction, re-construction and improvement of State Highway Route #11030 at said location in Cambria County and State of Pennsylvania as it affects the real estate and land of the above named petitioners and more fully described as follows:

BEGINNING at a point on the corner on line of Francis J. Hartmann and Louis Sabo, which point is South 85 degrees 5 minutes East 200 feet, more or less from a stone corner on State Highway Route #11030; thence by land of Louis Sabo, South 85 degrees 3 minutes East 730 feet to a stone on line of C & I Railroad; thence along said last mentioned land South twenty-nine degrees 20 minutes West 671.3 feet to a point on line of land known as Tract No. 10, thence along said last mentioned land South 83 degrees 62 minutes West 325.7 feet to a point on line of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North 6 degrees 8 minutes West a distance of 684.6 feet, more or less, to a point, the place of beginning.

The Board of Viewers will meet upon the premises on Friday July 25, 1952 at 10 o'clock daylight time in the morning for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Robert Mayer,  
Viewers

12 July 1952

AND NOW July <sup>16</sup> 25, 1952 I hereby accept service of the above Notice to View in petition of John Szekeresh, Sr et al for the Appointment of Viewers for the Highway Department of the Commonwealth of Pennsylvania and acknowledge receipt of a copy of said Notice.

C. R. [Signature]  
District Engineer

IN RE: Petition of John Szekeresh, Sr. : In Court of Quarter Sessions  
 and Annie Szekeresh for the Appointment :  
 of Viewers to Assess Damages or Benefits : of Cambria County, Penna.  
 to their land by reason of the Construct :  
 ion, Re-construction and Improvement of : No. 4 June Sessions, 1952  
 State Highway Route #11030 between the :  
 Village of Lundy's Corner and "Anty-Glo :  
 in Cambria County, Pennsylvania. :  
CONDEMNATION PROCEEDINGS

NOTICE TO VIEW

No, the undersigned Viewers appointed by the above Court to View and Inspect the land and premises of John Szekeresh, Sr, and Annie Szekeresh between the Village of Lundy's Corner and "Anty-Glo, Cambria County, Pennsylvania, and to determine and estimate the damages or benefits that have resulted or that may soon likely to result by reason of the construction, re-construction and improvement of State Highway Route #11030 at said location in Cambria County and State of Pennsylvania as it affects the real estate of the petitioners more fully described as follows:

BEGINNING at a point on the corner of line of land of Francis J. Hartmann and Louis Sabo, which point is South 85 degrees 3 minutes East 200 feet, more or less from a stone corner on State Highway Route #11030; thence by land of Louis Sabo, South 85 degrees 8 minutes East 730.5 feet to a stone on line of C & I Railroad; thence along said last mentioned land South 29 degrees 28 minutes West 671.5 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 83 degrees 62 minutes West 325.7 feet to a point on line of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North 6 degrees 8 minutes West a distance of 684.6 feet, more or less, to a point, the place of beginning.

The Board of Viewers will meet upon the premises on Friday July 25, 1952 at 10 O'clock daylight time in the morning for the purpose of performing the duties of our Appointment.

Mahlon J. Baumgardner

John L. Elder

Robert Mayer,  
Viewers

12 July 1952



NO. 4 June SESSSIONS, 19 52

Order to view Property of John and Annie Szekeresh, beginning at a point on the corner on line of Francis J. Hartmann and Louis Sabo, which point is South 85°3' East 200 feet, more or less, from a stone corner on State rdg.,

Route #11030; thence by land of Louis Sabo, South 85°3' East 730.5 feet to a stone on line of C. & I.

Mahlon Baumgardner

John L. Elder

Robert Mayer

Viewers

Clerk Joseph C. Weas

NOTE. "It shall be the duty of the person or persons opening of such road or it shall appear to them signed by a majority of the damages so assessed in the different counties of this Commonwealth to view said road or bridge, to endeavor to from all claims for damages that might here said viewers shall fail to procure their duty to assess the damages and will releases obtained, to the Court of Quarter review or modification, as may be provided in the different counties of this Commonwealth."

ity of all persons appointed in such location may be made damages will be sustained, it. but, and return the same, together, or may be subject Commonwealth."

Counties of this Commonwealth to view said road or bridge, to endeavor to from all claims for damages that might here said viewers shall fail to procure their duty to assess the damages and will releases obtained, to the Court of Quarter review or modification, as may be provided in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such road or bridge, 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 detailed 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."

Railroad; thence along said last mentioned land South 29°28' West 671.3 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South 85°52' West 325.7 feet to a point on line of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North 608' West a distance of 684.6 feet, more or less, to a point, the place of beginning.

No 4 J ne Sessions 1952  
In the Court of Quarter Sessions  
of Cambria County, penna

RE: Petition of John Szekeresh  
Sr. and Annie Szekeresh for the  
Appointment of Viewers for Damages  
to their land on State Highway Rt  
No 11030 between Village of Mundys  
Corner and the Boro of <sup>A</sup>anty-Glo in  
Cambria County, ennsylvania

CONDEMNATION PROCEEDINGS

REPORT OF VIEWERS

*Filed*  
*9/2/52*  
*at 10 o'clock A.M.*

*And Now 14 October 1952,*  
*at 11:50 A.M. the within*  
*Report is confirmed Absolute*  
*By the Court*  
*Driffath*

MAHLON J. BAUMGARDNER  
ATTORNEY AT LAW  
JOHNSTOWN, PENNA.  
SWANK BLDG.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of John Szekeresh, Sr., and Annie Szekeresh, husband and wife, respectfully represents:

1.

That by deed dated February 1, 1940, and recorded in Cambria County in Deed Book Volume 492 at Page 135, they became the owners of all that certain tract of land situate in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

Beginning at a point on the corner on line of land of Francis J. Hartmann and Louis Sabo, which point is South  $85^{\circ} 3'$  East 200 feet, more or less, from a stone corner on State Highway Route No. 11030; thence by land of Louis Sabo, South  $85^{\circ} 3'$  East 730.5 feet to a stone on line of land of C & I Railroad; thence along said last mentioned land South  $29^{\circ} 28'$  West 671.3 feet to a point on line of land known as Tract No. 10; thence along said last mentioned land South  $83^{\circ} 52'$  West 325.7 feet to a point on line of land formerly of Betty Szekeresh; thence by said last mentioned land and others, North  $6^{\circ} 8'$  West a distance of 684.6 feet, more or less, to a point, the place of beginning.

2.

That in the construction, re-construction and improvements of State Highway Route No. 11030, between the Village of Mundy's Corner and Nanty Glo in the said County of Cambria, said property has sustained serious loss and damage, and that compensation for such damage has not been fixed or agreed between the Commonwealth of Pennsylvania and your petitioners.

Your petitioners therefore pray your Honorable Court to appoint three viewers from the Board of Viewers of the County of Cambria to view the premises and assess the damages, if any, by reason of the construction, re-construction, and improvement of said highway, and to assess the benefits, if any, and to report the same to your Honorable Court in such case made and provided.

And your petitioners will ever pray.

John Szekeresh, Sr.  
John Szekeresh, Sr.

Annie Szekeresh  
Annie Szekeresh

STATE OF PENNSYLVANIA }  
: SS.  
COUNTY OF CAMBRIA }

John Szekeresh, Sr., and Annie Szekeresh, husband and wife, being duly sworn according to law, did depose and say that the statements set forth in the foregoing petition are true and correct to the best of their knowledge, information and belief.

Sworn and Subscribed Before Me This  
5 day of May, A.D., 1952.

John Szekeresh Sr.  
John Szekeresh, Sr.

S. C. Cunningham

Annie Szekeresh  
Annie Szekeresh

My Com. Expires

S. C. CUNNINGHAM, Justice of the Peace  
My Commission Expires Jan. 6, 1960

DECREE

AND NOW, 15 May, 1952, <sup>at 12:13 P.M. D.S.T</sup> the foregoing petition having been read and considered, it is ordered that Mahlon Baumgardner, John L. Elder and Robert Mayer, three members of the permanent Board of Viewers of Cambria County, be, and hereby are appointed to view the said premises and make a return of their proceedings according to law.

BY THE COURT,

Griffith  
J.

ROAD DOCKET  
No. 4 June Session 1952

IN THE COURT OF QUARTER SESSIONS  
OF CALBRIA COUNTY, PENNSYLVANIA

RE: CLAIM OF JOHN SZEKERESH, SR.,  
and ANNIE SZEKERESH, husband and  
wife, AGAINST THE COMMONWEALTH OF  
PENNSYLVANIA.

PETITION FOR APPOINTMENT OF VIEWERS

*Filed*  
*5/28/52*

*Myers & McDonald*  
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