

Rat Microfilmed

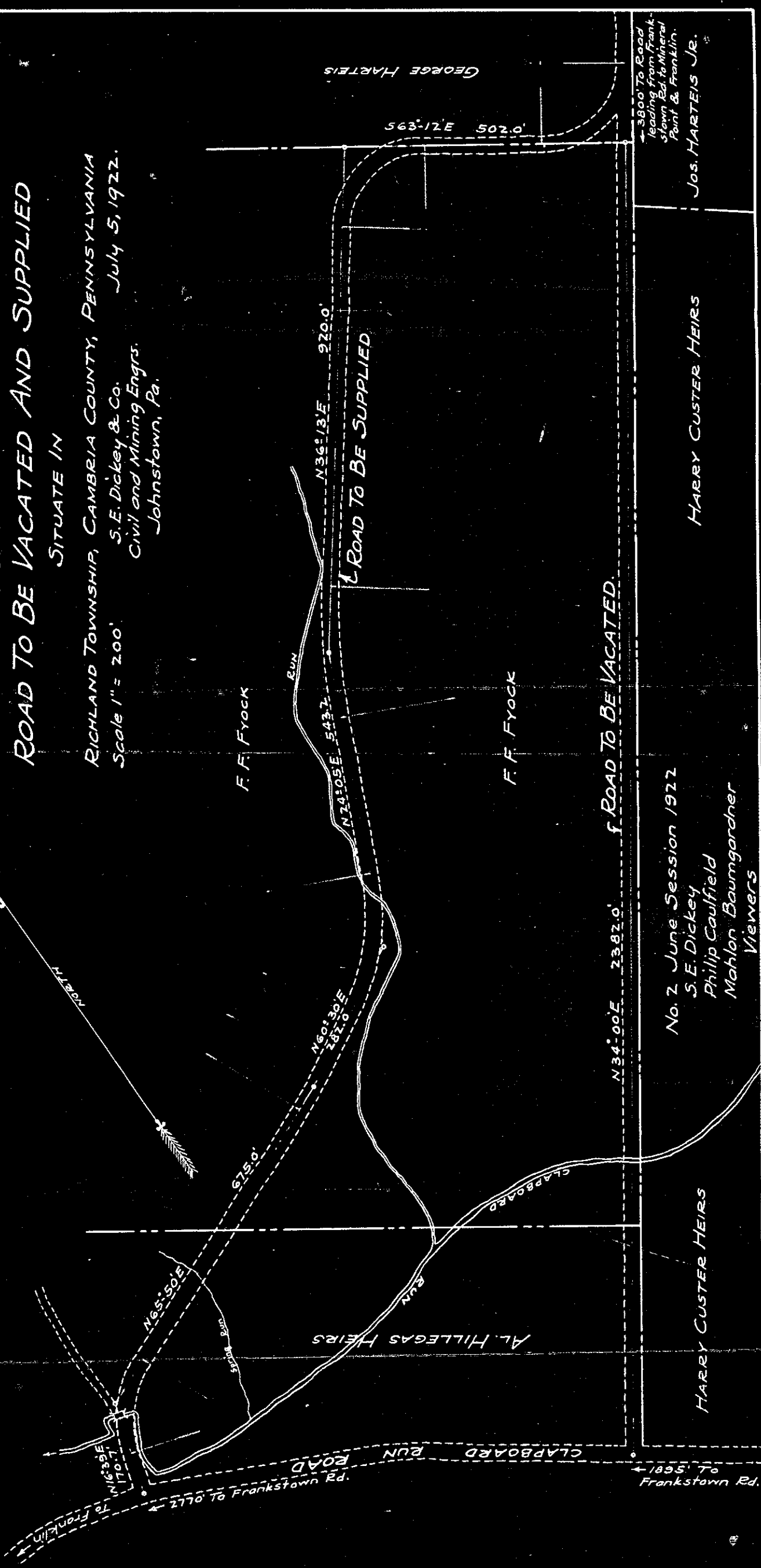
RD# 2

June 1922

PORTION OF
ROAD TO BE VACATED AND SUPPLIED

SITUATE IN

RICHLAND TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA
Scale 1" = 200' S.E. Dickey & Co.
Civil and Mining Engrs.
Johnstown, Pa. July 5, 1922.



No. 2 June Session 1922
S.E. Dickey
Philip Caulfield
Mahon Baumgardner
Viewers

HARRY CUSTER HEIRS

HARRY CUSTER HEIRS

Jos. HARTEIS JR.

5-C-275

Chas. Galyosi

IN THE COURT OF QUARTER SESS
OF CAMBRIA COUNTY, PENNA.
NO. 2 June Sessions, 1922.

In re Vacating and Supply
ing of a portion of the road
in Richland Township connec
ing the road leading from
the Frankstown Road to
Mineral Point and Franklin
with the Clapboard Run Road

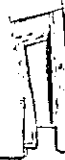
REPORT OF VIEWERS.

Filed 22 August 1922

AUG 25 1922 CERTIFIED

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

4 Sept 1922 approved & breadth fixed at 40 ft.
By the Court
E,



In re Vacating and supplying a portion of the road in Richland Township connecting the the road leading from the Frankstown Road to Mineral Point and Franklin with the Clapboard Run Road.

IN the Court of Quarter Sessions
of Cambria County, Penna.
No. 2 June Sessions, 1922.

REPORT OF VIEWERS.

To the Honorable, the Judges of said Court:

We, the undersigned Viewers, appointed by the annexed Order of the above Court, to view the premises for the purposes of vacating and supplying a portion of the road connecting the road leading from the Frankstown Road to Mineral Point and Franklin with the Clapboard Run Road leading from the Frankstown to Franklin, beginning at a point on said connecting road a distance of 3800 feet from its intersection with the road leading from the Frankstown Road to Mineral Point and Franklin at the intersection of the property line of lands of George Harties and F. E. Fyock, said road to be vacated and the new road to be supplied all being situate in the Township of Richland, County of Cambria, State of Pennsylvania, respectfully report:

That we were duly sworn or affirmed as members of the permanent Board of Viewers of Cambria County, as shown by the records of said Court, gave due public notice of the time and place of meeting of said Viewers, by handbills posted on the premises and by Notice served on the Commissioners of Cambria County, and upon George E. Wolfe Esq., Solicitor for the Board of Supervisors of the Township of Richland all of whom accepted service, at least ten days prior to the time of the making of the said View, evidence of which is shown by copies of said Notice hereto attached; that we met upon the premises according to notice given at the place

of beginning on the 29th. day of June A. D. 1922 at Nine o'clock A. M. Standart Time, and proceeded with the duties of our appointment.

We viewed the site and locality of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the petition and order.

We are of the opinion and agree that a public road between the points mentioned is necessary, and that we authorize the laying out of a road according to the accompanying draft. We therefore lay out and return for public use a road, as follows:

Beginning at a point on road 3800 feet distant from road leading from Frankstown Road to Mineral Point and Franklin on land of George Harties, North Sixty-three (63) degrees twelve (12') minutes West Five Hundred and Two (502) feet to a point at intersection of land of George Harties and F. F. Fyock; thence across last mentioned land South thirty-six (36) degrees thirteen (13') minutes West nine hundred twenty (920) feet to a point; thence along the same South twenty-four (24) degrees five (5') minutes West Five hundred forty-three and two tenth (543.2) feet to a point; thence along same land South Sixty (60) degrees thirty (30') minutes West Two Hundred Eighty Two (282) feet; to a point; thence along the last mentioned land and land of Al Hillegas heirs, South Sixty-five (65) degrees fifty (50') minutes West Six hundred seventy five (675) feet to a point; thence across the last mentioned land South Sixteen (16) degrees thirty-nine (39') minutes West one hundred seventy and seven tenths (170.7) feet to a point in the center of road leading from Frankstown Road to Franklin known as the Clapboard Run Road.

We further report that we endeavored to obtain from all the owners of land upon which the said road is located, releases of the damages to arise by reason of such location; we were unable to secure releases thereof, therefore we allow no damages to the respective owners, because we consider the advantages which will accrue to their respective properties by reason of the said road, are equivalent to all damages which will be sustained by them.

We further report and are of the opinion and agree to vacate that portion of the road beginning at a point on road 3800 feet distant from the road leading from Frankstown Road to Mineral Point and Franklin on land of George Harties leading South thirty-four (34) degrees East Two Thousand three hundred eighty-two (2382) feet to a point in the center of road leading from the Frankstown Road to Franklin, said road being known as the Clapboard Run road.

WITNESS our hands and seals this Fifteenth day of August A. D. 1922.

Philip E. Caulfield

W. E. Drispy

Mahlon J. Baumgardner

Viewers.

In re Vacating and Supplying
a portion of the road in Rich-
land Township connecting the
road leading from Frankstown
to Mineral Point and Frank lin
with the Clapboard Run Road.

In the Court of Quarte r Sess.
of Cambria County, Penna.
No. 2 June Sessions 1922.

TO S. E. DICKEY, MAHLON J. BAUMGARDNER,

PHILIP E. CAULFIELD, DR.

To S. E. Dickey, DR.

Data in re Description etc.	\$7.50	
Making View	7.50	
Mileage	.80	
Data in re Survey	7.50	
Making draft	7.50	
Tracing Cloth	.15	
Three blueprints	.75	\$31.70

To MAHLON J. BAUMGARDNER, DR.

Data & preparing Notices to View	\$ 7.50	
Stenographer & Stationery	2.50	
Posting Notices	7.50	
Mileage	.80	
Making View	7.50	
Mileage	.80	
Data & preparing Report	7.50	
Stenographer & Stationery	2.50	
Telephone	.30	
Order to View	.90	\$37.30

To PHILIP E. CAULFIELD, DR.

Making View	7.50	
Mileage	.80	\$ 8.30
		<u>\$77.30</u>

AUG 25 1922 CERTIFIED

PAID FOR PAYMENT
Philip E. Caulfield
COMMISSIONERS

Richland Township,
Cambria County, Pa.,

In re: the vacation and supply-
ing of a portion of the road con-
necting the road leading from the
Frankstown Road to Mineral Point
and Franklin with the Clapboard
Run Road.

In the Court of Quarter Session
of Cambria County, Penna.,
No. 2, June Session, 1922.

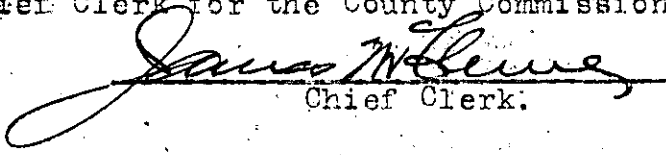
NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above order of the Court to view the above premises and determine as to the necessity of vacating and supplying a portion of the road connecting the road leading from the Frankstown Road to Mineral Point and Franklin with the Clapboard Run Road leading from the Frankstown Road to Franklin, beginning at a point on said connecting road a distance of 3800 feet from its intersection with the road leading from the Frankstown Road to Mineral Point and Franklin at the intersection of the property line of lands of George Harties and F. F. Fyock; will meet at the place of beginning on the 29th. day of June A. D. 1922 at 9:00 A. M. Standard Time, for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
PHILIP CAULFIELD
MAHLON BAUMGARDNER
Viewers

June 16, 1922

And now ^{19th} June A. D. 1922 I hereby accept service of the above Notice to View as Chief Clerk for the County Commissioners.


Chief Clerk.

Please sign and return to
Mahlon J. Baumgardner,
Swank Bldg. Johnstown, Pa.

Richland Township,
Cambria County, Pa.,
In re: the vacation and supply-
ing of a portion of the road con-
necting the road leading from the
Frankstown Road to Mineral Point
and Franklin with the Clapboard
Run Road.

In the Court of Quarter Session
of Cambria County, Penna.,
No. 2, June Session, 1922.

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above order of the Court to view the above premises and determine as to the necessity of vacating and supplying a portion of the road connecting the road leading from the Frankstown Road to Mineral Point and Franklin with the Clapboard Run Road leading from the Frankstown Road to Franklin, beginning at a point on said connecting road a distance of 3800 feet from its intersection with the road leading from the Frankstown Road to Mineral Point and Franklin at the intersection of the property line of lands of George Harties and F. F. Fyock; will meet at the place of beginning on the 29th. day of June A. D. 1922 at 9:00 A. M. Standard Time, for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
PHILIP CAULFIELD
MAHLON BAUMGARDNER
Viewers

June 16, 1922

And now ^{17th} June A. D. 1922, I hereby accept service of the above Notice to View for the Supervisors of the Township of Richland as their Solicitor.

George E. Wolfe
Solicitor Supervisors Richland
Township.

Please sign and return to
Mahlon J. Baumgardner,
Swank Bldg. City.

ER Laffin

Richland Township,
Cambria County, Pa.
In re: the vacation and supply-
ing of a portion of the road
connecting the road leading
from the Frankstown Road to
Mineral Point and Franklin
with the Cleopatra Run Road.

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

No. 2 June Sessions, 1922.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order
of the Court to view the above premises and determine as to the
necessity of vacating and supplying a portion of the road connecting
the road leading from the Frankstown Road to Mineral Point and
Franklin with the Cleopatra Run Road leading from the Frankstown Road
to Franklin, beginning at a point on said connecting road a distance
of 3000 feet from the intersection with the road leading from the
Frankstown Road to Mineral Point and Franklin at the intersection
of the property line of lands of George Harlow and W. S. Wyack, will
meet at the above place, beginning on the 20th, day of June A. D. 1922
at 9:00 A. M. Standard Time, for the purpose of performing the duties
of said appointment, at which time and place all interested persons
shall appear.

G. W. MURPHY,
PHILIP BAILEY,
EDMOND BAILEY,
Viewers.

JUN 10, 1922.

Order to view road in ~~Conemaugh~~

~~Township and~~ Richland Township

leading from Mineral Point to
Franklin.

S. E. Dickey

Philip Cauffield

M. J. Baumgardner

Viewers

Clerk Robb 90 cts.

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."

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 5th. day of June A. D. 1922, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Conemaugh, in the said County, setting forth that they labor under incon-

venience for want of a public road or highway, to lead from a point on the road connecting the road leading from the Frankstown road to Mineral Point, and Franklin, with the Clapboard Run road leading from the Frankstown road to Franklin, at the intersection of the property line of lands of George Harteis and F. F. Fyock, at a distance of thirty-eight hundred (3800) feet from the intersection of said road with the road leading from the Frankstown road to Mineral Point and Franklin, in the said township of Richland, at a point in the Township of Richland ending on the Clapboard Run road, leading from the Frankstown road to Franklin at a distance of twenty-seven hundred and seventy (2770) feet from the intersection of the aforesaid Clapboard Run road with the Frankstown road:

And your petitioners further pray that the road beginning at a point on the road connecting the road leading from the Frankstown road to Mineral Point and Franklin, with the Clapboard Run road leading from the Frankstown road to Franklin at the intersection of the property line between lands of George Harteis and F. F. Fyock, at a distance of thirty-eight hundred (3800) feet from the intersection of said road with the road leaving from the Frankstown road to Mineral Point and Franklin and ending on the Clapboard Run road at a distance of eighteen hundred and ninety-five (1895) feet from the intersection of said Clapboard Run road with the Frankstown road be vacated.

The termini and the entire proposed road to be supplied and vacated, being in the township of Richland, Cambria County, Pennsylvania.

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 S. E. Dickey,

surveyor, and

Philip E. Caulfield and M. J. Baumgardner

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.

Attest:

Frank C. Poff, Clerk.

No. 2. June Sess. 1922

In the Court of Quarter
Sessions of Cumberland

In Re road in
Richland Twp.

Petition of inhab-
itants of said
Township on

vacation & supply

app now June 5/22
Chas E. Coulford
Wm. Bangardner Esq
S. E. Decker

appointed assessors
as prayed for.

By the Court
M

Filed 5 June 1922

DAN L. PARSONS
ATTORNEY AT LAW
JOHNSTOWN, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned inhabitants of the township of Conemaugh and township of Richland, county of Cambria and state of Pennsylvania, respectfully represents:

That they are greatly inconvenienced for want of a public highway, beginning at a point on the road connecting the road leading from the Frankstown road to Mineral Point, and Franklin, with the Clapboard Run road leading from the Frankstown road to Franklin, at the intersection of the property line of lands of George Harteis and F. F. Fyock, at a distance of thirty-eight hundred (3800) feet from the intersection of said road with the road leading from the Frankstown road to Mineral Point and Franklin, in the said township of Richland, at a point in the township of Richland ending on the Clapboard Run road, leading from the Frankstown road to Franklin at a distance of twenty-seven hundred and seventy (2770) feet from the intersection of the aforesaid Clapboard Run road with the Frankstown road;

And your petitioners further pray that the road beginning at a point on the road connecting the road leading from the Frankstown road to Mineral Point and Franklin, with the Clapboard Run road leading from the Frankstown road to Franklin at the intersection of the property line between lands of George Harteis and F. F. Fyock, at a distance of thirty-eight hundred (3800) feet from the intersection of said road with the road leaving from the Frankstown road to Mineral Point and Franklin and ending on the Clapboard Run road at a distance of eighteen hundred and ninety-five (1895) feet from the intersection of said Clapboard Run road with the Frankstown road be vacated.

The termini and the entire proposed road to be supplied and vacated, being in the township of Richland, Cambria county, Pennsylv-

vania.

Your petitioners therefore pray the Court to appoint three persons qualified according to law to view the ground proposed for such road, and if they see occasion, lay out the same; and further, that if they see occasion to vacate, as set forth in the petition, and make report of their proceedings to the next term of this Court.

NAME

NAME

George Allison

Jahn, Fedorka

George Paparnik

L. D. Stull

G. W. Gillman

Frank Wendell

Jahn Blood

Jonathan Barkley

Willis Barkley

Walter Kohler

F. H. Fuzock

STATE OF PENNSYLVANIA)
COUNTY OF CAMBRIA)

SS:

On this 5th day of June, A. D., 1922,
before me, a Notary Public in and for said county and state, personally appeared F. F. Fyock, one of the petitioners above named, who being duly sworn according to law says the facts set forth in the above and foregoing Petition are true and correct.

F. F. Fyock

Sworn and subscribed to before me
the day and year aforesaid, as
witness my hand and notarial seal.

Asa Nettling

Notary Public

My commission expires March 9th-1925.

