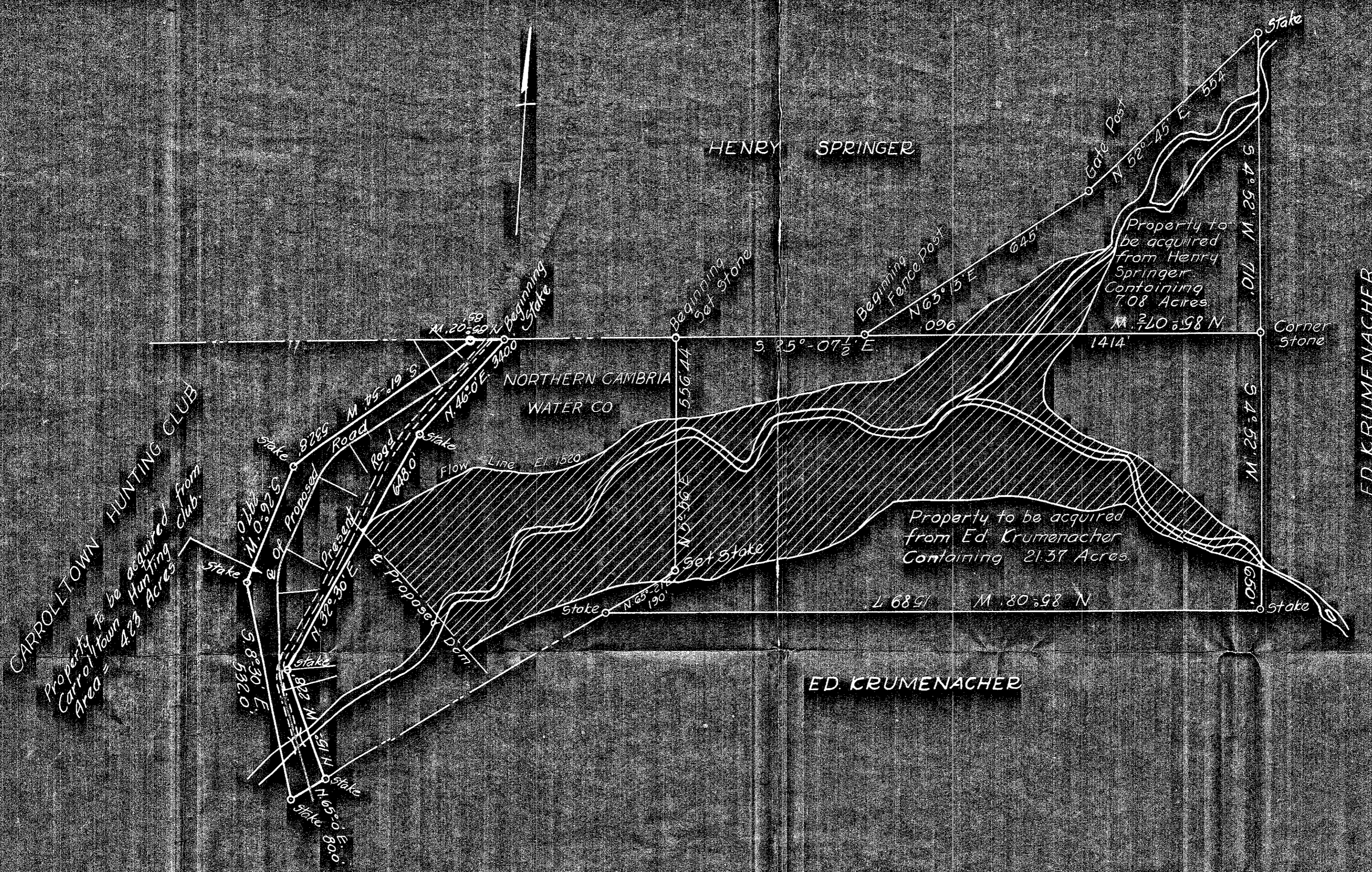


R.O. #1 Sept. 1925

Rat Microfilmed



CARROLLTOWN HUNTING CLUB  
 Property to be acquired from  
 Carrolltown Hunting Club  
 Area = 4.23 Acres

NORTHERN CAMBRIA WATER CO.  
 SPANGLER, PA  
 MAP  
 SHOWING PROPERTY TO BE ACQUIRED  
 FOR  
 SHIRFS RUN DEVELOPMENT  
 Scale 1"=200'  
 July, 1925  
 Gannett, Seelye & Fleming  
 Engineers, Inc.  
 Harrisburg, Pa New York Memphis, Tenn

SUPERSEDES NO. B-1712  
 B-1793

Drawn by C.G.B. 7/25  
 Traced by E.C.B. 6/14/25  
 Checked by

No. 5 Sept. Sessions 1925

In the Court of Quarter Ses-  
sion for the County of Cam-  
bria, Pennsylvania.

Petition of the Supervis-  
ors of the Township of Barr  
for leave to change a Town-  
ship Road without the nec-  
essity of a view.

Filed 19 October 1925.

  
LAW OFFICES OF  
**J. HARRISON WESTOVER**  
FIRST NATIONAL BANK BUILDING  
SPANGLER, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS FOR THE COUNTY OF CAMBRIA.

To the Honorable, the Judges of said Court:

The petition of the undersigned Supervisors of the Township of Barr, respectfully represents:

1. That your petitioners are the duly elected and acting Supervisors of the Township of Barr, Cambria County, Pennsylvania.
2. That the Northern Cambria Water Company, a public service corporation, engaged in supplying water for domestic and other uses to the residents of the Borough of Spangler and vicinity, is now engaged in the building of a large storage reservoir on what is known as Schirf's Run, in the Township of Barr, which reservoir will be located near the Township highway leading from Carrolltown - Nicktown Road to Vetera - Ebushburg Road in said Township of Barr.
3. That in the construction of said reservoir a part of said Township highway will be encroached upon or will be too near said reservoir in its present location to assure safety to the traveling public and to avoid possible contamination of the water in said reservoir.
4. That the Northern Cambria Water Company is desirous of changing the location of a portion of said Township Road so as to place the same at a greater distance from its reservoir, and has agreed with your petitioners to reconstruct the same, at its own proper expense, on a favorable location, to be approved by this Court in as perfect a manner as the original road.
5. That your petitioners are of the opinion that said change or alteration of a part of said Township Highway is a necessity and will not be harmful to the traveling public nor the taxpayers of the Township of Barr.
6. That the change or alteration of said Township Road will be made wholly upon land now owned by the Northern Cambria Water

Company and there are therefore no owners of real estate affected by said change.

7. That the costs and expenses of changing the said road, including the damages for the land taken for the new road shall not exceed the sum of three hundred dollars, and this expense will be wholly paid by the Northern Cambria Water Company.
8. That the point at which said change or alteration in said Township Highway shall begin is one and 1/10 miles feet Southwardly from intersection of said Township Highway with the Township Highway leading from Nicktown to Carrolltown and the point of ending of said change or alteration shall be one and 6/100 miles feet Northwardly from the intersection of said Township Highway with the Township Highway leading from Vetera to Ebensburg.
9. That your petitioners attach to this petition a map or draft which is made a part of this petition showing the present location of the part of said Township Highway that your petitioners desire to have changed and also the location of the Township Highway when changed to its new location, and a copy of the agreement entered into between your petitioners and the Northern Cambria Water Company.
10. Your petitioners therefore pray that they be authorized to change said Public Highway and that the proposed change of the Public Highway as shown by the attached draft or map be approved and that after said change is made, the old location of the road be vacated.

And your petitioners will ever pray, etc.

W. P. Pfister  
W. A. Krumenacker  
Frank Stiles

State of Pennsylvania |  
County of Cambria | SS.

W.J. Pfister being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are correct to the best of his knowledge and belief.

W. J. Pfister

Sworn and subscribed to before me this 17 day of October, 1925.

J. H. Weston

NOTARY PUBLIC  
My Commission Expires March 6, 1927

D E C R E E .

And now Oct 19<sup>th</sup>, 1925, upon consideration of the foregoing petition the Court hereby authorizes the change of the public road leading from Carrolltown - Mucktown Road to Peters - Echukey Road as shown by the map or draft hereto attached; which map or draft is hereby approved, and after said change the said road in its old location between the points of change is hereby vacated.

By the Court

This Agreement made the Seventeenth day of October, 1925, between W.A. Krumenacker, Frank Stiles and V.J. Kfister, Supervisors of the Township of Barr, Cambria County, Pennsylvania, parties of the first part and the Northern Cambria Water Company, a Corporation created and existing under and by virtue of the laws of the Commonwealth of Pennsylvania, party of the second part: Witnesseth:

Whereas, the Northern Cambria Water Company has asked for permission from the parties of the first part to change a part of the Township Highway leading from the Carrolltown - Nicktown Road to the Peters - Ebensburg Road in order that a certain reservoir on Shurf's Run may be properly constructed so as not to interfere with said Township Highway.

And Whereas, the parties of the first part, being of the opinion that the change in said Township Highway is a necessity and will not be injurious to the traveling public nor the tax payers of Barr Township, by resolution adopted the Seventh day of September, consented to said change, subject to the approval of the Court of Quarter Sessions of Cambria County and upon the following conditions:

1. The point of beginning of said change shall be Smithsfordly ~~from~~ 1.1 miles from the intersection of said Township Highway with the Township Highway leading from Carrolltown to Nicktown and the point of ending shall be Smithsfordly ~~from~~ 10.65 miles from the intersection of said Township Highway with the road leading from Peters to Ebensburg.
2. The change in said Township Highway shall be in accordance with the map or draft attached to the petition presented to the Court of Quarter Sessions asking for the approval of said change.

3. The old road in its present position shall remain open for the traveling public during the construction of the new part which shall be completed for use for the traveling public before the road in its present location is closed.
4. The road in its present location shall be wholly on the land of the Northern Cambria Water Company and said company hereby waives any right it might have for damages for the taking of its land for the new road location.
5. The new road shall be constructed in a workmanlike manner and shall be constructed so as to be in as good condition as the old road now is in and any defects which may appear in said new road during the spring and summer of 1926 because of poor workmanship in the construction of said <sup>new</sup> road shall be repaired by the said Northern Cambria Water Company, at its expense.
6. The Northern Cambria Water Company shall have the right to run its water main in the middle of the new Township Highway at a depth of at least three and one half feet with the understanding that it will be liable for all damages of whatever nature the Township of Barr may be caused by reason of the pipes being located in said Township Highway.
7. The Northern Cambria Water Company shall pay all costs of constructing the highway in its new location, the construction of which shall be under the supervision of the supervisors of the Township of Barr.
8. The Northern Cambria Water Company shall have the right to remove drain pipes in the old road or near the terminal points of change and re-locate the same in more advantageous places.
9. The Northern Cambria Water Company shall be liable for all damages caused to persons or property in the change of said road and shall save harmless the Township of Barr from all actions, suits, claims and demands whatsoever by reason of any

injury to persons or property caused in the changing of said Township Road.

10. The Northern Cambria Water Company hereby agrees to pay the Supervisors of the Township of Barr the sum of seventy five dollars, which sum shall be placed to the account of the Township of Barr, and used to pay for the supervision of the construction of said road and any balance remaining shall remain as a part of the general road fund of the Township.

In Witness Whereof, the Supervisors of the Township of Barr have hereunto set their hands and seals and the Northern Cambria Water Company has caused its seal to be hereto attached, duly attested by its President and Secretary, the day and year aforesaid.

attest:

W. P. Hester  
Secretary

W. P. Hester (SEAL)

W. A. Krumenacker (SEAL)

Frank Stiles (S. L.)

Northern Cambria Water Company.

Witness Present:

Abner Weston

By James A. McLean  
President.

Attest Juni Rhoads  
Secretary.