

Rd # 11 June 1926

Rat Microfilm



CRISTVO

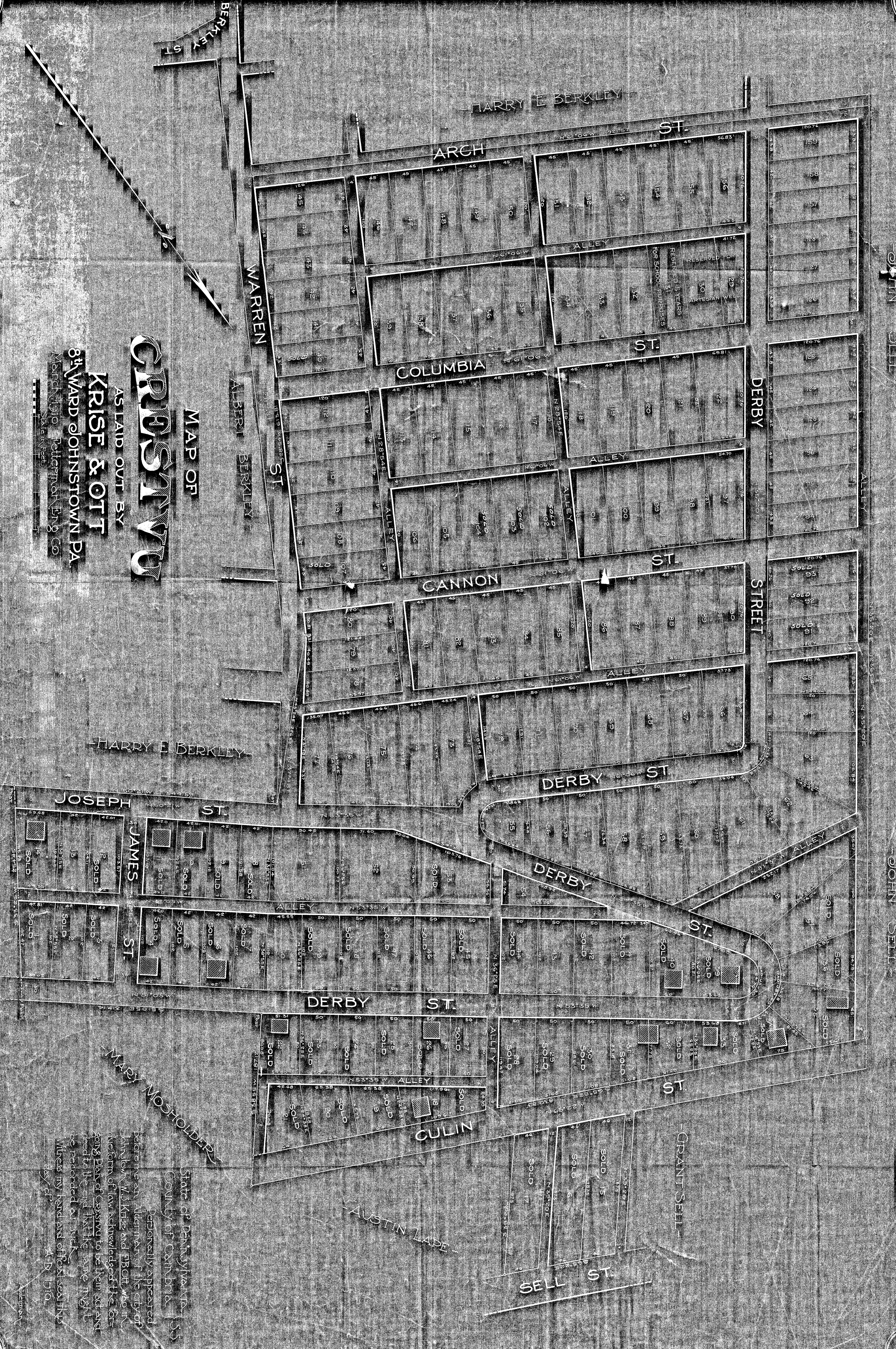
AS LAID OUT BY

KRISE & OTT

8th WARD JOHNSTOWN PA

Map of Johnstown, Pa. by Fetterman Eng Co

Scale Feet



HARRY E BERKLEY

HARRY E BERKLEY

JOSEPH ST

JAMES ST

ST

DERBY ST

CULIN ST

SELL ST

GRANT SELL

MARY MCHOLDER

AUSTIN LAPE

State of Pennsylvania
County of Cambria 1855
Personally appeared
before me an Alderman of the City of
Johnstown, W. S. KRISSE and E. B. OTT, who in
due form of law acknowledged the for-
going Plat of CRISTVO to be their act and
deed to the end that the same might
be recorded as such.
Witness my hand and official seal this
day of _____ A.D. 1910

Alderman

IN THE COURT OF QUARTER
SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA,
NO. 7 JUNE SESSIONS, 1926.

IN RE LAYING OUT PUBLIC HIGH-
WAY ALONG WHAT IS NOW KNOWN
AS RUTH AVENUE TO ALBERT
STREET, CANNON STREET, WARREN
STREET, ARCH STREET AND DERBY
STREET IN THE TOWNSHIP OF
UPPER YODER, CAMBRIA COUNTY,
PENNSYLVANIA.

REPORT OF VIEWERS.

Filed 6 December 1926.

CERTIFIED

Jacob M. Hoffmann

COUNTY CONTROLLER

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

23rd June

13 Dec. 1926 Approved and breadth fixed at forty feet
By the Court

14 March 1927 confirmed absolutely

Frank C. Robb, Clerk

IN RE LAYING OUT PUBLIC HIGHWAY
ALONG WHAT IS NOW KNOWN AS RUTH
AVENUE TO ALBERT STREET, CANNON
STREET, WARREN STREET, ARCH
STREET AND DERBY STREET IN THE
TOWNSHIP OF UPPER YODER, CAMBRIA
COUNTY, PENNSYLVANIA.

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

NO. 7 JUNE SESSIONS, 1926.

REPORT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

We, the undersigned viewers appointed by the annexed order of the above Court to view the above premises for the purpose of laying out a public road which terminates at about 286 Derby Street in the City of Johnstown, Cambria County, Pennsylvania, which will extend from this point almost in a straight line Northeast a distance of about nine hundred (900) feet along what is now known as Ruth Avenue to Albert Street at the terminus of Ruth Avenue at its Northeast terminus, which is also a terminus of Albert Street at this point, from this point thence in a straight line North on said Albert Street a distance of one thousand (1000) feet to Cannon Street at its Western terminus; thence East along said Cannon Street to Warren Street a distance of one thousand (1000) feet; thence along Warren Street a distance of about fifteen hundred (1500) feet to Berkley Road, a regular laid out and approved Township Road at a distance of about one hundred (100) feet from the said Berkley Road, extending in a Western direction, from Warren Street, there is a laid out Street called Arch Street which extends back about a distance of eight hundred (800) feet to the Northern terminus of Derby Street, as laid out on plan of "Crest View"; thence South along said Derby Street to Cannon Street and from Cannon Street in a circular fashion, the said Derby Street, in the said Township joins Derby Street in the City of Johnstown, which is the point of beginning, respectfully report:

That because of the lateness in receiving the order of the Court to view the above premises the Board of Viewers presented a petition to your Honorable Court setting forth that it was impossible to make a return to September Sessions, 1926, because of the lack of time that is required by law to view said premises and make a report the first week of September Sessions of Court; and that your Honorable Court extended the time of the making and filing a report to the December Sessions, 1926.

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County as is shown by the records of said Court; that we gave due public notice of the time and place of the meeting of Viewers by posting ten hand bills on the premises and by serving notice upon the Commissioners of Cambria County and upon Frank P. Barnhart, Attorney for Supervisors of Upper Yoder Township and upon Ernest F. Walker, Counsel for petitioners, at least ten days prior to the making of said view, evidence of which is shown by copies of said notices hereto attached and made a part of this report.

That we met upon the premises, according to the notice given, on Friday, October 15, A. D. 1926, at ten o'clock A. M. and proceeded with the duties of our appointment.

We viewed the site and locality of the road proposed to be supplied, making a personal inspection of the ground between the points designated in the Order of Court. There were many persons interested when we viewed the site of the proposed road.

We are of the opinion and agree that a Public Road for the convenience of the general public is necessary, and we proceeded to lay out the road taking the following courses and distances:

BEGINNING at a point at the intersection of the center line of Berkley Road or Street and Warren Street, North thirty-two (32°) degrees forty-two ($42'$) minutes East four hundred eighty (480) feet from the intersection of the Ash Road leading from the Berkley Road Extended to the Benscreek Pike; thence along a dedicated highway known as Warren Street North twenty-eight (28°) degrees fifty-four ($54'$) minutes East seven hundred forty-three (743) feet to the intersection of the center line of a dedicated highway known as Cannon Street; thence along Cannon Street North sixty-one (61°) degrees six hundredth ($06'$) minutes West six hundred twenty-two and fifty-seven hundredths (622.57) feet to the center line of a dedicated highway known as Derby Street; thence along Derby Street North thirty-five (35°) degrees twenty ($20'$) minutes East two hundred fifty-six and thirty-four hundredths (256.34) feet to a point of a curve to the right; thence by said curve to the right having a radius of twenty-five feet a distance of thirty-six and forty-six hundredths (36.46) feet; thence south sixty-one (61°) degrees six hundredth ($06'$) minutes East three hundred twenty-four and sixty-nine hundredths (324.69) feet to a point of a curve to the left; thence by said curve to the left having a radius of forty-two (42) feet a distance of one hundred twelve and fifty-two hundredths (112.52) feet; thence North thirty-four (34°) degrees thirty-five ($35'$) minutes West three hundred sixty-five and nine tenths (365.9) feet to the point of a curve on the line of the City of Johnstown at the end of the present brick pavement. The proposed road as laid out being colored green on blue print hereto attached and made a part hereof. Said proposed road being composed of streets already laid out and dedicated on the Crestvu Plan of Lots laid out by Krise & Ott, therefore, same already being a dedicated highway.

We allow no damages to the abutting property owners as affected by the laying out of the above road because we consider the advantages which will accrue to the respective properties by reason of the laying out of the said road as equivalent to all the damages which will be sustained by them.

Witness our hands this fourth day of December,
A. D. 1926.

S. E. Dickey
Walter B. Bantjes
Phil E. Caulfield
Viewers.

IN RE LAYING OUT PUBLIC HIGHWAY
ALONG WHAT IS NOW KNOWN AS RUTH
AVENUE, TO ALBERT STREET, CANNON
STREET, WARREN STREET, ARCH
STREET AND DERBY STREET IN THE
TOWNSHIP OF UPPER YODER, CAMBRIA
COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER
SESSIONS.

CAMBRIA COUNTY, PENNSYLVANIA.

NO. 7 JUNE SESSIONS, 1926.

TO MAHLON J. BAUMGARDNER, S. E. DICKEY,
and PHILIP CAULFIELD, DR.

To Mahlon J. Baumgardner, Dr.

Preparing Motion to extend time of filing report	\$ 7.50	
Stenographer and Stationery	2.00	
Preparing Notices to View	7.50	
Stenographer and Stationery	3.50	
Posted Notices to View	7.50	
Mileage	.25	
Acceptance of Service to View, County Commissioners, Supervisors and Petitioners	7.50	
View	7.50	
Mileage	.25	
Conferences re: Route to be laid out	7.50	
Preparing Viewer's Report	7.50	
Stenographer and Stationery	<u>3.00</u>	\$61.50

To S. E. Dickey, Dr.

Making View	7.50	
Mileage	.25	
Conferences re: Route to be laid out	7.50	
Survey and data	7.50	
Data in re Plans and Description	7.50	
Three Blue Prints	<u>1.50</u>	\$31.75

To Philip Caulfield, Dr.

Making View	7.50	
Mileage	.25	
Conferences re: Route to be laid out	<u>7.50</u>	\$15.25

CERTIFIED
APPROVED FOR PAYMENT
COMMISSIONERS

IN THE COURT OF QUARTER SESSIONS
OF THE PEACE FOR THE COUNTY
OF CAMBRIA, STATE OF PENNSY-
LVANIA.

The property owners and citi-
zens in the neighborhood of
the laid out roads which this
petition begs leave of your
Honorable Court to open. in
Upper Yoder Township.

PETITION TO OPEN ROADS
AND
B O N D

And now, August 30 1926

L. E. Dancy

Parryfield

Malco Baumgardner

are appointed viewers for
the purpose prayed for.

Ernest F. Walker
P.F.O.B. 2 P.

By the Court.

Filed 30 August 1926.

ERNEST F. WALKER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
SWANK BUILDING

IN THE COURT OF QUARTER SESSIONS OF THE PEACE, FOR THE COUNTY OF
CAMBRIA, AND STATE OF PENNSYLVANIA

The property owners and citizens
in the neighborhood of the laid out
roads which this petition begs leave
of the Honorable Court to open in
Upper Yoder Township.

No. _____ September Term, 1926.

_____ Docket: _____

Petition to Open Roads and Bond.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The following petition duly subscribed by all of the property holders affected thereby, or their agents, together with the residents and citizens of the neighborhood of what is commonly called "Crest View" and vicinity, in the Township of Upper Yoder, County of Cambria, and State of Pennsylvania, respectfully sets forth the following:---

FIRST: That your petitioners labor under great inconvenience for want of a public road or highway to lead from the public road or street which terminates at about 286 Derby Street in the City of Johnstown. The proposed township road, for which your petitioners request an appointment of viewers, would extend from this point almost in a straight line North East, a distance of about nine hundred (900) feet, along what is now called Ruth Avenue to Albert Street at the terminus of Ruth Avenue at its North Eastern terminus, which is also the terminus of Albert Street at this point. From this point a straight line from thence North on said Albert Street, a distance of about one thousand (1000) feet, to Cannon Street at its Western terminus, thence East along the said Cannon Street to Warren Street, a distance of about one thousand (1000) feet; thence along Warren Street, a distance of about fifteen hundred (1500) feet

to Berkley Road, a regular laid out and approved township road at a distance of about one hundred (100) feet from the said Berkley Road, extending in a Westerly direction, from Warren Street, there is a laid out street called Arch Street, which extends back about a distance of eight hundred (800) feet to the Northern terminus of Derby Street, as laid out on plan of "Crest View"; thence South along said Derby Street to Cannon Street and from Cannon Street in a circular fashion, the said Derby Street, in the said township joins Derby Street in the City of Johnstown, which is the point of beginning of the said plot to be viewed by your Board of Viewers, which this petition humbly requests your Honorable Court to appoint.

SECOND: The said Ruth Avenue, Albert Street, Cannon Street, Warren Street, Arch Street, and the portion of Derby Street in Upper Yoder Township, are all streets regularly laid out on plans for development.

THIRD: The said district embraced by the proposed new township roads has recently been the scene of quite extensive improvements and buildings and is now the home for a goodly portion of the citizens of the said township and in its present unimproved state, causes an unwarranted hardship to be placed upon the said residents and citizens and their children in attending to their work and school duties.

FOURTH: The said proposed route will give an easy way of going to and from this newly developed section and has the sanction of the abutting land owners as to their waiver of damages and right of assessment in connection therewith.

Your petitioners therefore pray your Honorable Court to appoint the proper persons to view and open the said way, according to law, and they will ever pray, etc.

ATTORNEY'S CERTIFICATE

I certify that the foregoing petition for the appointment of road viewers, is lawful, and conforms to the purpose of the petitioners and that the same is regular and in due form.

August 28th, 1926.

Ernest F. Walker.
Attorney for Petitioners.

SIGNED AND DATED AS FOLLOWS:

DATE. NAME. RESIDENCE.

Aug 28-26	Chas B Hunt	R.D. #5 Berkeley Hill
" "	A A Albert	R.D. 7. See St
" "	Wimfield S McClintock	R.D. 5 Berkeley Hill
" "	L H Berkey	R.D. 5 Berkeley Hill
" "	H M Shaffer	R.D. 5 Berkeley Hill
" "	Burchell C. Horner	R.D. 5 Berkeley Hill
" "	Frank M. Lamrose	R.D. 5 Berkeley Hill
" "	Harvey Trubb	286 Werby St
" "	Walter E. Schell	R.D. 5 Berkeley Hill
" "	Benjamin F. Ragan	R.D. 5 Berkeley Hill
" "	Harry M. Alter	R.D. 7. R. 261.
" "	Edward J. Carbaugh	R.D. 5
" "	Matthew J. Linnay	R.D. 3.
" "	Carl H. Harkins	R.D. #5
" "	Albert A. Beane	R.D. #3
" "	Edu. W. Livingston	R.D. #5
" "	L. W. Gilbert	
" "	Wm. Roger	R.D. #3
" "	John Sell	R.D. 7
" "	Geo. Kelly	R.D. 7

C. M. Hill	R.D. 7
W. J. Gillman	R.D. 5
H. H. Sell	R.D. #5
Patrick Ferrigan	R.D. 5
Wm. J. Wilcox	"
Harvey C. Whip	R.D. #5
Philip B. Artwick	R.D. #5
R. N. Cornelius	
R. H. Johnson	

Order to view Road in Upper

Yoder Township

S. E. Dickey

Mahlon Baumgardner

Phil Cauffield

Viewers

Clerk _____ 90 cts.

Ernest F. Walker.

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."

Original with En
in original R 5

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 30th day of August A. D. 1905, be-
fore the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township
of Upper Yoder, in the said County, setting forth that they labor under incon-
venience for want of a public road or highway, to lead from

~~the public road or street~~ ^{highway} which terminates at about 286 Derby Street
in the City of Johnstown. The Proposed township road, for which your
Petitioner request an appointment of viewers, would extend from this
point almost in a straight line North East, a distance of about nine
hundred (900) feet, along what is now called Ruth Avenue to Albert
Street at the terminus of Ruth Avenue at its North Eastern terminus,
which is also the terminus of Albert Street at this point. From
this point a straight line from thence North on said Albert Street,
a distance of about one thousand (1000) feet, to Cannon Street, at
its Western terminus, thence East along the said Cannon Street to
Warren Street, a distance of about one thousand (1000) feet; thence
along Warren Street, a distance of about fifteen hundred (1500)
feet, to Berkley Road, a regular laid out and approved township road
at a distance of about (100) feet from the said Berkley Road,
extending in a Westerly direction, from Warren Street, there is a
laid out Street called Arch Street, which extends back about a
distance of eight hundred (800) feet to the Northern Terminus of
Derby Street, as laid out on plan of "Crest View"; thence South
along said Derby Street to Cannon Street and from Cannon Street
in a circular fashion, the said Derby Street, in the said township
joins Derby Street in the City of Johnstown, which is the point
of beginning of the said plot to be viewed by your board of viewers,
which this petition humbly requests your Honorable Court of appoint.
The said Ruth Avenue, Albert Street, Cannon Street, Warren Street,
Arch Street, and the portion of Derby Street in Upper Yoder Town-
ship, are all streets regularly laid out on plans for development.

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

Mahlon Baumgardner and Phil Cauffield

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 B. Rolt, Clerk.

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

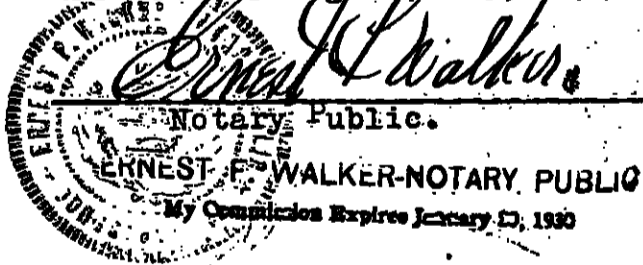
SS

Before me, a Notary Public, in and for the said State and County, personally appeared Edward W. Livingston, to me personally known as such, who after being duly sworn according to law deposes and states that he he acknowledges himself to be firmly bound and liable to the County of Cambria for the costs accruing in the matter of the said proceedings to open the said roads in the sum not exceeding Two Hundred (\$200.00) Dollars.

IN WITNESS WHEREOF, he has hereunto set his hand and seal the 28th day of August, A. D., 1926.

Edward W. Livingston (SEAL)
Edward W. Livingston

Sworn to and subscribed before me
the 28th of August, A. D., 1926.



IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY
PENNSYLVANIA.

No 7, June Sessions, 1926

In Re Laying Out Public
Highway what is known as
Ruth Avenueto Albert Street,
Cannon Streetm Aaron Street,
Arch Street and Derby Street
in the Township of Upper
Yoder, Cambria County, Pa.

MOTION TO EXTEND TIME
O F
FILING REPORT.

Filed 8 Sept. 1926

Decree inside.

Mahlon J. Baumgardner

IN RE LAYING OUT PUBLIC HIGH-
WAY ALONG WHAT IS NOW KNOWN
AS RUTH AVENUE TO ALBERT STREET,
CANNON STREET, WARREN STREET,
ARCH STREET AND DERBY STREET IN
THE TOWNSHIP OF UPPER YODER,
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER
SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 7, JUNE SESSIONS, 1926.

MOTION TO EXTEND TIME OF FILING REPORT

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of Mahlon J. Baumgardner, member of
the Permanent Board of Viewers, respectfully represents:-

That he, together with S. E. Dickey and Philip
Cauffiel, were appointed viewers by your Honorable Court on
the thirtieth day of August, A. D. 1926, to view the above
premises for the purpose of laying out a public road.

Your petitioner further states that said order was
received on September 1, 1926, and that it is impossible to
make return to the September Term of Court, 1926, because of
the lack of time that is required by law to view said premises,
and make a report the first week of September Term of Court.

We, therefore, pray your Honorable Court to extend
the time of making and filing a report in the above matter to
the December Term of Quarter Sessions, 1926.

AND NOW, September 7th, A. D. 1926 upon due consideration
the Court grants an extension of the time of making and filing a
Report in the above proceedings to the December Sessions, 1926.

By the Court
E