

Smith Sessions

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PA.

IN THE MATTER OF THE CHANGE OF
GRADE OF OAKLAND STREET, IN THE
TOWNSHIP OF STONYCREEK, CAMBRIA
COUNTY, PA.

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE THE JUDGES OF SAID COURT: —

The petition of William Griffith and Dollie Griffith, his wife respectfully represents: —

1. That they are the owners of the property situate on the northeasterly corner of Bedford Pike and Oakland Street.
2. The said Oakland Street is a legally opened street in the Township of Stonycreek, between Bedford Pike and Scott Avenue, and beyond.
3. Under and by virtue of an Ordinance of the Supervisors of the Township of Stonycreek, approved the _____ day of _____, 1930, the Township Supervisors were authorized to grade the said Oakland Street between the points named and the said Oakland Street has been graded between said points under the authority of the Supervisors of the Township of Stonycreek at a level several feet below the former grade of your petitioners' property.
4. Your petitioners aver that, by reason of the said physical grading and the consequent damage to their property, no compensation for this damage has been fixed or agreed upon between the Township of Stonycreek and your petitioners.

WHEREFORE, your petitioners pray your Honorable Court to appoint a Board of Viewers to assess damages arising by reason of the physical change

of grade of Oakland Street from Bedford Pike to Scott Avenue, and to report the same to your Honorable Court in this proceeding, agreeably to the Acts of Assembly in such case made and provided.

And your petitioners will ever pray.

William Griffith

Dollie Griffith

STATE OF PENNSYLVANIA)
) SS:
COUNTY OF CAMBRIA)

Before me the undersigned a Notary Public, in and for said County and State, personally came WILLIAM GRIFFITH AND DOLLIE GRIFFITH, his wife, who being duly sworn according to law, depose and say that they are the petitioners above named and that the facts set forth in the foregoing Petition are true and correct to the best of their information, knowledge and belief.

William Griffith
Dollie Griffith

Sworn and subscribed to before me
this 31 day of October, A. D. 1934

Roman O Widmann
Notary Public

My commission expires, Feb 23, 1935

D E C R E E

AND NOW, to-wit, this 19th day of ^{November}~~October~~, A. D. 1934

on motion of Roman C. Widmann, Attorney for petitioners, the Court appoints

S. P. Dickey, *M. J. Baumgardner* and
Phil. E. Campbell as a Board of View upon the foregoing

Petition, and further orders that the said Board of View shall hold the first meeting as required by law, Acts of assembly and Rules of Court in such case made and provided, after having given due notice of said meeting as required by law, including proper advertisement of said meeting, the costs therefore to be taxes ~~thereon~~ as part of this proceeding.

By the Court
Young

No. 5. Sept. Term 1934

Quarta Sessione

IN THE COURT OF ~~JUDICIAL~~ ~~DI~~ ~~TRIAL~~ OF
CAMBRIA COUNTY, PENNA.

IN THE MATTER OF THE CHANGE OF
GRADE OF OAKLAND STREET, IN THE
TOWNSHIP OF STONYCREEK, CAMBRIA
COUNTY, PA.

PETITION FOR APPOINTMENT OF VIEWERS

Filed: Nov. 19, 1934.

ROMAN C. WIDMANN
ATTORNEY AT LAW
JOHNSTOWN, PA.

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation

To the Honorable Judges of said Court:

The petition of Mahlon J. Baumgardner, respectively represents:-

That he was appointed a viewer to go with S. E. Dickey and Philip Caulfield in the above entitled proceedings on the 19th day of November 1934.

Your petitioner avers that William Griffith, one of the petitioners, has been ill and under the care of a doctor for some considerable time; that a hearing for the purpose of taking testimony was fixed at 2 o'clock on March 1, 1935; that the said William Griffith continues to be ill, and that his physician advised against his leaving his home to attend the hearing for the reason that it would endanger his health.

Your petitioner also avers that Dollie Griffith, the wife of William Griffith, and one of the petitioners, likewise is ill.

Your petitioner, Mahlon J. Baumgardner, a member of the Board of Viewers, and one of the members in this particular view, therefore prays your Honorable Court that the time for filing this report may be continued until the first Monday of June 1935.

Your petitioner also avers that Philip Caulfield, one of the viewers appointed, died before the view, and because of the importance of the matter involved, the remaining members of the Board of Viewers, to wit: your petitioner and S. E. Dickey, desires to have a third member on said view and therefore respectively prays your Honorable Court to substitute another viewer in place of Philip E. Caulfield, now deceased, all of which your deponent avers to be true and correct.

Mahlon J. Baumgardner

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation

D E C R E E

AND NOW, March 4, 1935, the within petition having been read
and considered, the Court does order and decree that the time for filing
of said report be continued from the first Monday of March to the first
Monday of June 1935, and further that *James McCann* appointed
as a member of the permanent Board of Viewers to take the place of Philip
E. Caulfield, now deceased.

*By the Court
McKenrick*

IN THE COURT OF QUARTER SESSIONS
CAMBRIA COUNTY, PENNSYLVANIA

NO. 5 *Sept. Session 1934*

PETITION FOR CONTINUANCE OF TIME
FOR FILING A REPORT AND SUB*
STITUTING A VIEWER.

(Decree inside)

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Filed: Mar. 4, 1935

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

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

IN THE MATTER OF THE CHANGE OF
GRADE OF OAKLAND STREET, IN THE
TOWNSHIP OF STONYCREEK, CAMBRIA
COUNTY, PENNSYLVANIA.

NO. 5 SEPTEMBER SESSIONS, 1934.

CONDEMNATION.

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 and to determine and estimate the damages and benefits that have resulted or that may seem likely to result by the reason of changing the grade on Oakland Street in the Township of Stonycreek, County of Cambria, State of Pennsylvania, as affecting the property abutting thereon and particularly the property of William Griffith and Dollie Griffith, abutting property owners, 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 the Court. That due time and notice of the time and place of the meeting of said Viewers was given by publication and by hand-bills posted upon the premises at least ten (10) days prior to the time of the making of said view, evidence of which is shown by copies of said notices hereto attached and made a part of this report, and by personal service and acceptance of same upon Mrs. Dollie Griffith and William Griffith, owners of the premises, Roman C. Widmann, Attorney for the owners and petitioners, Percy Allen Rose, Solicitor for the Township of Stonycreek, and by the County Commissioners of Cambria County, which said acceptance of service are hereto attached and made a part of this report. That we met upon the premises according to the notice given on Friday, December 7, 1934, at 10 o'clock A. M. and proceeded with the duties of our appointment. Philip Caulfield, one of the Viewers, appointed by your

Honorable Court, died before the making of the view. There were present at the view, S. E. Dickey and Mahlon J. Baumgardner, Viewers, William Griffith and Dollie Griffith, his wife, owners, R. C. Widmann, Attorney for the owners and petitioners, and Percy Allen Rose, Solicitor for the Township of Stonycreek, and others.

By mutual agreement by all parties interested, a time for the taking of ^{the} testimony was continued until after the first of January 1935. Because of the illness of the petitioners, to wit: William Griffith and Dollie Griffith, his wife, and because of continuances granted from time to time, a hearing was held for the purpose of taking testimony in the Judges' Chambers on Levergood Street, City of Johnstown, Cambria County, Pennsylvania on Thursday, May 17, 1935 at 9:30 E. S. D. S. T.

X. The chairman of your Board, to wit: Mahlon J. Baumgardner, presented a petition to the Court of Quarter Sessions of Cambria County on March 4, 1935, asking the Court for an order and decree extending the time for filing of said report from the first Monday of March to the first Monday of June 1935, and further that a Viewer be appointed from the Permanent Board of Viewers to take the place of Philip Caulfield, deceased. The Court did on the fourth day of March 1935 order and decree that the time for filing of said report be continued from the first Monday of March 1935 to the first Monday of June 1935 and appointed James McCann, a member of the Permanent Board of Viewers of Cambria County to take the place of Philip Caulfield, now deceased. James McCann after his appointment, viewed the premises in question.

Pursuant to said oral agreement for the taking of testimony we met as hereinabove already referred to on Thursday May 16, 1935 at 9:30 o'clock E. S. D. S. T. for the purpose of taking testimony. There were present at the hearing the three (3) members of the Board of Viewers, to wit: S. E. Dickey, James McCann and Mahlon J. Baumgardner, William Griffith, one of the owners, and Roman C. Widmann, Esq., his Counsel, together with Percy

Allen Rose, Esq., and a number of witnesses for the Township. Roman C. Widmann, Esq., Counsel for the petitioners, called several witnesses in his behalf. The Township of Stonycreek, through its Counsel, Percy Allen Rose, offered no testimony.

Deeds and blueprints, showing locations, plans, elevations, etc., were offered in evidence. The deed affecting the property of the petitioners is more fully described as follows:.

BEGINNING at a point corner of Oakland Street and Martha Avenue; thence along said Martha Avenue South 37 deg. 48' East one hundred thirty-six and sixty four hundredths (136.64) feet to a point, corner of land now owned by Fred Heilman; thence along said Fred Heilman land South 51 deg. 52' West two hundred thirteen and six tenths (213.6) feet to a point, corner of land now owned by Clifford Griffith; thence along said lot of Clifford Griffith North 37 deg. 48' West forth-five (45) feet to a point; thence by same South 51 deg. 52' West one hundred twenty (120) feet to a point; thence along same South 37 deg. 48' East forty-five (45) feet to a point on line of land of the aforesaid Fred Heilman; thence along same South 51 deg. 52' West one hundred seventy-eight and sixty- hundredths (178.60) feet to Bedford Pike; thence along said Bedford Pike North 47 deg. 9' West one hundred thirty-eight and thirty-eight hundredths (138.38) feet to Oakland Street, thence along said Oakland Street North 51 deg. 55' East two hundred seventy-four (274) feet to corner of lot this day conveyed to Lee Gilbert and Verda Griffith Gilbert, his wife; thence along the said lot of ground this day conveyed to Lee Gilbert and wife, which also runs along Scott Street 37 deg. 48' East forty-five (45) feet to a point; thence along the aforesaid lot this day conveyed to Lee Gilbert and wife North 51 deg. 55' East one hundred twenty (120) feet to an alley sixteen (16) feet in width; thence along said last mentioned alley 37 deg. 48' West forty-five (45) feet to line of the aforesaid Oakland Street; thence along said Oakland Street North 51 deg. 55' East one hundred thirty-six (136) feet to the place of beginning;:

That after the taking of the testimony the Viewers again went upon the premises of the petitioners. We again viewed the property and the high-way known as Oakland Street as it affects the property of your petitioners.

That having viewed the said premises, having heard all the evidences and testimony given and taking into consideration all matters

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before us, we estimated and determined the damages caused by the change of the grade of Oakland Street in the Township of Stonycreek, Cambria County, Pennsylvania between the Johnstown-Bedford Pike and Scott Avenue, and having due regard to and making just allowances for the damages that have resulted or which may seem likely to result to the owners of said land, we estimated and determined the amount of damages and prepared a Schedule thereof. That all parties interested were notified of the time and place of the meeting of the Viewers for the purpose of exhibiting said Schedule and considering all exceptions and evidence thereto, by personal service upon William Griffith and Dollie Griffith his wife, owners, together with notice to Roman C. Widmann, Esq., Counsel for the owners and Percy Allen Rose, Esq., Solicitor for the Township of Stonycreek, at least ten (10) days prior to the time of said meeting, evidence of which is shown by said notice being hereto attached and made a part of this report.

That we met in accordance with the notice given on Wednesday, May 22, 1935 at 9:30 o'clock E. S. D. S. T. in the Judges' Chambers, Levergood Street, Johnstown, Cambria County, Pennsylvania, where said Exhibit and all exceptions and testimony offered thereto was heard. That after hearing all exceptions and testimony offered and giving all matters before us due consideration, we are of the opinion that the said property of William Griffith and Dollie Griffith, his wife, abutting on the line of said improvement has been damaged. Therefore, we assess no benefits and damages in the sum of Two Hundred Fifty-Six (\$256.00) Dollars.

That we are of the opinion that the above damages are due and should be paid to William Griffith and Dollie Griffith, his wife, as their interest may appear, by the Township of Stonycreek, Cambria County, Pennsylvania.

That we annex hereto and make a part of this report a Plot or Draft showing the property abutting on said improvement.

WITNESS our hands and seals this first day of June A. D. 1935.

William B. ...
W. E. ...
James M. ...
Viewers.

IN RE: ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE
ON OAKLAND STREET IN THE TOWN*
SHIP OF STONYCREEK, CAMBRIA
COUNTY, PENNSYLVANIA, as it
effects the property of WILLIAM
GRIFFITH and BOLLIE GRIFFITH,
has case.

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

NO. 5 SEPTEMBER SESSIONS, 1934.

Condemnation

APPROVED FOR PAYMENT
L. M. Geller

John P. Holler
James P. Holler
COMMISSIONERS

MAHLON J. BAUMGARDNER, S. E. DICKEY AND
JAMES MCCANN, DEBTORS.

To Mahlon J. Baumgardner, Dr.

Data and preparing notices to view and posting same	\$ 18.00 ✓
Stenographer and Stationery	3.00 ✓
Mileage	.60 ✓
Making view	12.00 ✓
Mileage	.60 ✓
Data and preparing Notice to take Testimony-Exhibit of Schedule and presenting petition for appointment of new viewer.	12.00 ✓
Stenographer, Stationery and Stamps	3.00 ✓
Preparing Notice of Acceptance of Service and procuring acceptance of same--Stenographer and Stationery	12.00 ✓
Taking Testimony	12.00 ✓
Preparing Notice of Exhibit of Schedule, obtaining acceptance of same and preparing Schedule of Damages	12.00 ✓
Stenographer and Stationery	2.00 ✓
Considering testimony, estimating and determining damages and Exhibit of Schedule	12.00 ✓
Preparing Report and notice of advertising same	12.00 ✓
Stenographer and Stationery	3.00 ✓
Advertising Cambria County Legal Journal	3.00 ✓
Johnstown Tribune advertising notice	3.78 ✓
Advertising Notice of Filing of Report	3.15 ✓
	<u>\$ 124.13</u>

To S. E. Dickey, Dr.

Making view, 1 day	\$ 12.00
Mileage, 6 miles @ 10 cts.	.60
Meeting of Viewers and taking testimony	12.00
Considering testimony, estimating and determining damages and Exhibit of Schedule	12.00
Blue prints	1.00
	<u>\$ 37.60</u>

To James McCann, Dr.

Making View, 1 day	\$12.00
Mileage, 6 miles @ 10 cts.	.60
Meeting of Viewers and taking testimony	12.00
Considering testimony, estimating and determining damages and Exhibit of Schedule	12.00
	<u>\$ 36.60</u>

\$ 198.5

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above named
Court to view the above premises and to determine and ascertain the damages
that have arisen by reason of the physical change of the grade of Oakland
Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek,
Cambria County, Pennsylvania, as effecting the land of William Griffith and
Dollie Griffith, his wife, will meet on the premises on Friday, December
7th, 1934, at ten o'clock, A. M. for the purpose of performing the duties
of our appointment and the taking of testimony.

S. E. DICKEY
MAYLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 24th day of November, 1934.

We hereby accept service of the within Notice to View as owners of
the property damaged.

William Griffith
Dollie Griffith

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it affects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.


NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above named
Court to view the above premises and to determine and ascertain the damages
that have arisen by reason of the physical change of the grade of Oakland
Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek,
Cambria County, Pennsylvania, as affecting the land of William Griffith and
Dollie Griffith, his wife, will meet on the premises on Friday, December
7th, 1934, at ten o'clock, A. M. for the purpose of performing the duties
of our appointment and the taking of testimony.

S. E. DICKEY
MARLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 24th day of November, 1934.

AND NOW, the 27th day of November, A. D. 1934, I hereby accept
service of the within Notice to View as as Attorney for William Griffith and
Dollie Griffith, his wife, petitioners, and acknowledge to have received a
copy of same.



IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it affects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above named
Court to view the above premises and to determine and ascertain the damages
that have arisen by reason of the physical change of the grade of Oakland
Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek,
Cambria County, Pennsylvania, as affecting the land of William Griffith and
Dollie Griffith, his wife, will meet on the premises on Friday, December
7th, 1934, at ten o'clock, A. M. for the purpose of performing the duties
of our appointment and the taking of testimony.

S. E. DICKEY
HARLOW J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 24th day of November, 1934.

AND NOW, the 27th day of November, A. D. 1934, I hereby accept
service of the within Notice to View as Solicitor for the Township of Stony-
creek, Cambria County, Pennsylvania, and acknowledge to have received a copy
of same.

Percy Allen Rose

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLY GRIF-
FITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above named Court to view the above premises and to determine and ascertain the damages that have arisen by reason of the physical change of the grade of Oakland Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek, Cambria County, Pennsylvania, as effecting the land of William Griffith and Dolly Griffith, his wife, owners, will meet on the premises on Friday, December 7th, 1934, at ten o'clock, A. M. for the purpose of performing the duties of our appointment and the taking of testimony.

S. E. DICKEY
MAHLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 24th day of November, 1934.

AND NOW, the 26th day of November, A. D. 1934, I hereby accept service of the within Notice to View as Chief Clerk to the County Commissioners, and acknowledge to have received a copy of same.

Walter Post
Asst Clerk

Amalgamated

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named Court to view the above premises and ascertain and determine the damages that have resulted or that may seem likely to result by reason of the physical change of the grade of Oakland Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek, Cambria County, Pennsylvania, as effecting the land of William Griffith and Dollie Griffith, his wife, will meet in the Judges Chambers on Levergood Street in the City of Johnstown, Cambria County, Pennsylvania, on Friday, March 1, 1935 at 2 o'clock P.M. for the purpose of performing our duties of our appointment and the taking of testimony.

S. E. DICKEY
MARLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 20th day of February, 1935.

And now the 21 day of February 1935 I hereby accept service of the within notice of Exhibit of Schedule as Solicitor for the Township of Stonycreek.

Percy Allen Rose
Atty for Township

1300 Griffith

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named Court to view the above premises and ascertain and determine the damages that have resulted or that may seem likely to result by reason of the physical change of the grade of Oakland Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek, Cambria County, Pennsylvania, as effecting the land of William Griffith and Dollie Griffith, his wife, will meet in the Judges Chambers on Levergood Street in the City of Johnstown, Cambria County, Pennsylvania, on Friday, March 1, 1935 at 2 o'clock P.M. for the purpose of performing our duties of our appointment and the taking of testimony.

S. E. DICKEY
MARLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The 20th day of February, 1935.

And now the 21 day of February 1935 we hereby accept service of the within notice of Exhibit of Schedule as owners of the real estate.

William Griffith
Dollie Griffith

Ample

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY-
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named Court to view the above premises and ascertain and determine the damages that have resulted or that may seem likely to result by reason of the physical change of the grade of Oakland Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek, Cambria County, Pennsylvania, as effecting the land of William Griffith and Dollie Griffith, his wife, will meet in the Judges Chambers on Levergood Street in the City of Johnstown, Cambria County, Pennsylvania, on Wednesday, May 22, 1935 at 9:30 O'clock D. S. T. for the purpose of performing the duties of our appointment and if necessary the taking of additional testimony.

S. E. DICKEY
MAHLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The ninth day of May, 1935.

And now the 10 day of May 1935 we hereby accept service of the within notice of Exhibit of Schedule as owners of the real estate.

William Griffith
Dollie Griffith

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY*
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 6 SEPTEMBER SESSIONS, 1954.
Condemnation

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named
Court to view the above premises and ascertain and determine the
damage^s that have resulted or that may seem likely to result by
reason of the physical change of the grade of Oakland Street from
the Bedford Pike to Scott Avenue in the Township of Stonycreek,
Cambria County, Pennsylvania, as effecting the land of William
Griffith and Dollie Griffith, his wife, will meet in the Judges
Chambers on Levergood Street in the City of Johnstown, Cambria
County, Pennsylvania, on Wednesday, May 22, 1955 at 9:50 o'clock
D. S. T. for the purpose of performing the duties of our appoint-
ment and if necessary the taking of additional testimony.

S. E. DICKEY
MAHLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The ninth day of May, 1955.

And now the 10th. day of May 1955 I hereby accept service
of the within Notice of Exhibit of Schedule as Attorney for Petitioners.

Roman C. Wideman

IN RE ASSESSMENT OF DAMAGES
BECAUSE OF THE CHANGE OF GRADE ON
OAKLAND STREET IN THE TOWNSHIP OF
STONYCREEK, CAMBRIA COUNTY, PENNSY*
LVANIA, as it effects the property
of WILLIAM GRIFFITH and DOLLIE
GRIFFITH, his wife.

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

NO. 5 SEPTEMBER SESSIONS, 1934.
Condemnation

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers appointed by the above named Court to view the above premises and ascertain and determine the damage^s that have resulted or that may seem likely to result by reason of the physical change of the grade of Oakland Street from the Bedford Pike to Scott Avenue in the Township of Stonycreek, Cambria County, Pennsylvania, as effecting the land of William Griffith and Dollie Griffith, his wife, will meet in the Judges Chambers on Levergood Street in the City of Johnstown, Cambria County, Pennsylvania, on Wednesday, May 22, 1935 at 9:30 o'clock D. S. T. for the purpose of performing the duties of our appointment and if necessary the taking of additional testimony.

S. E. DICKEY
MAHLON J. BAUMGARDNER
PHILIP CAULFIELD
VIEWERS.

DATE: The ninth day of May, 1935.

And now the 9th day of May 1935 I hereby accept service of the within notice of Exhibit of Schedule as Solicitor for the Township of Stonycreek.

Percy Alley Rose
atty. for Township.

In the County of Franklin
Commonwealth of Pennsylvania
5 Sept Term 1935

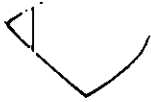
Do hereby certify
that the above
is a true and correct
copy of the
County of Pa

Report of Viewers

Viewers
C. D. G. / 35
D. J. / 35

3-June-1935 - Filed

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



1938 - 190 - 1272
1931 - 1520 - 1488
02/127

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

IN THE MATTER OF THE CHANGE OF
GRADE OF OAKLAND STREET, IN THE
TOWNSHIP OF STONYCREEK, CAMBRIA
COUNTY, PA.

No. 5 September Sessions, 1934.
PETITION FOR APPOINTMENT OF
VIEWERS.

TO THE HONORABLE THE JUDGES OF SAID COURT:-

The petition of William Griffith and Dollie Griffith, his wife, respectfully represents:-

1. That they are the owners of the property situate on the northeasterly corner of Bedford Pike and Oakland Street.
2. That said Oakland Street is a legally opened street in the Township of Stonycreek, between Bedford Pike and Scott Avenue, and beyond.
3. Under and by virtue of an Ordinance of the Supervisors of the Township of Stonycreek, approved the ____ day of _____, 1930, the Township Supervisors were authorized to grade the said Oakland Street between the points named and the said Oakland Street of the Township of Stonycreek at a level several feet below the former grade of your petitioners' property.
4. Your petitioners aver that, by reason of the said physical grading and the consequent damage to their property, no compensation for this damage has been fixed or agreed upon between the Township of Stonycreek and your petitioners.

WHEREFORE, your petitioners pray your Honorable Court to appoint a Board of Viewers to assess damages arising by reason of the physical change of grade of Oakland Street from Bedford Pike to Scott Avenue, and to report the same to your Honorable Court in this proceeding, agreeably to the Acts of Assembly in such case made and provided.

And your petitioners will ever pray.

William Griffith

Dollie Griffith.

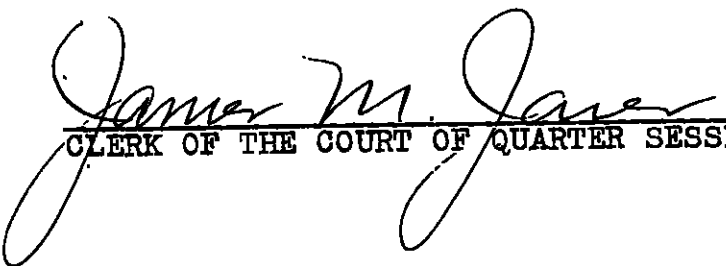
DECREE

AND NOW, to-wit, this 19th day of November, A.D. 1934 on motion of Roman C. Widmann, Attorney for petitioners, the Court appoints S.E. Dickey, M.J. Baumgardner and Phil. E. Cauffiel as a Board of View upon the foregoing Petition, and further orders that the said Board of View shall hold the first meeting as required by law, Acts of Assembly and Rules of Court in such case made and provided, after having given due notice of said meeting as required by law, including proper advertisement of said meeting, the costs therefore to be taxes ----- as part of this proceeding.

BY THE COURT

GREER, J.

Extract from the Record.
Certified this 20th day
of November, 1934.


CLERK OF THE COURT OF QUARTER SESSIONS

ORDINANCE NO. 38.

AN ORDINANCE OF THE TOWNSHIP OF STONYCREEK,
CAMBRIA COUNTY, PENNSYLVANIA, DECLARING
OAKLAND AVENUE IN THE SAID TOWNSHIP A PUB-
LIC HIGHWAY AND ESTABLISHING THE WIDTH AND
GRADE THEREOF.

Be it enacted and ordained by the Commissioners of Stony-
creek Township and it is hereby enacted by the authority of the same
that,

SECTION 1. Oakland Street in said Township; beginning at
Pennsylvania State Highway, Route #222, and running North 51 degrees
55' East for a distance of 2088 feet to Holly Avenue; be and the
same is declared a public highway in said Township.

SECTION 2. The width of said Oakland Street is hereby
established at 24 feet between curb lines with an 8 foot sidewalk
on each side making a total of 40 feet in width between property
lines.

SECTION 3. Beginning at a point at the intersection of
Oakland Street with the Pennsylvania State Highway at an elevation
of 1521.54 above the Township datum. Thence ascending at the rate
of 14.34 feet in 100 feet for a distance of 9 feet to a point at an
elevation of 1522.83 feet. Thence by a vertical curve for a distance
of 100 feet to a point at an elevation of 1533.25 feet. Thence
ascending at the rate of 6.5 feet in 100 feet for a distance of 100
feet to a point at an elevation of 1539.75 feet. Thence by a
vertical curve for a distance of 100 feet to a point at an elevation
of 1548.75 feet. Thence ascending at the rate of 11.56 feet if 100
feet for a distance of 350 feet to a point at an elevation of 1589.24

feet. Thence by a vertical curve for a distance of 100 feet to a point at an elevation of 1595.52 feet. Thence ascending at the rate of 1 foot in 100 feet for a distance of 100 feet to a point at an elevation of 1602.02 feet. Thence ascending at the rate of 10 feet in 100 feet for a distance of 364.65 feet to a point at an elevation of 1638.48 feet. Thence by a vertical curve for a distance of 100 feet to a point at an elevation of 1645.05 feet. Thence ascending at the rate of 3.155 feet in 100 feet for a distance of 664.35 feet to a point at an elevation of 1666.02 feet on Holly Avenue above the Township datum.

SECTION 4. All ordinances or parts thereof in conflict with the provisions of this ordinance be and the same are hereby repealed.

Passed finally by the Commissioners of Stonycreek Township this 3rd day of September A. D. 1923.

J. A. McGrath
President.

Attest:

Wilburn N. Rusher
Secretary.

(SEAL)

ORDINANCE NUMBER 95.

AN ORDINANCE OF THE TOWNSHIP OF STONYCREEK,
COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA,
ACCEPTING AND DESIGNATING OAKLAND STREET
BETWEEN THE CENTER LINES OF BEDFORD STREET
AND FERN AVENUE IN SAID TOWNSHIP AS A PUB-
LIC HIGHWAY AND ESTABLISHING THE LINE, WIDTH
AND GRADE THEREOF.

Be it enacted and ordained by the Commissioners of Stonycreek Township and it is hereby enacted by the authority of the same:

SECTION 1. Oakland Street between the termini, and with the line, width and grade hereinafter established, is hereby accepted and designated as a public highway of Stonycreek Township.

SECTION 2. The center line of said Oakland Street is hereby established as follows: Beginning at the intersection of the center line of the existing concrete pavement on Bedford Street, which is also known as Pennsylvania State Highway Route No. 56, and the center line of Oakland Street, as shown on the Plan of "Oakland Manor", which is recorded in the Recorder's Office of Cambria County, Pa., in Plat Book Vol. 2, page 119; thence North $51^{\circ} 55'$ East 1169.5 feet to the intersection of the center line of Oakland Street with the center line of Fern Avenue as shown on the plan aforesaid.

SECTION 3. The finished grade on the center line of said Oakland Street is hereby established as follows: Beginning at the intersection of the edge of the paving on the East side of the existing 18 foot concrete pavement on Bedford Street, which is also known as Pennsylvania State Highway Route No. 222, and the center line of Oakland Street as shown on the aforesaid Plan, at an elevation of 1523.36 feet above Township Datum; thence ascending by a concave vertical curve a distance of 40 feet to a point at an elevation of

1524.93 feet above Township Datum; thence ascending at a rate of 8.86 feet in 100 feet a distance of 323 feet to a point at an elevation of 1553.57 feet above Township Datum; thence ascending by a concave vertical curve a distance of 100 feet to a point at an elevation of 1564.65 feet above Township Datum; thence ascending at a rate of 13.3 feet in 100 feet a distance of 55.5 feet to a point at an elevation of 1522.03 feet above Township Datum; thence ascending by a convex vertical curve a distance of 100 feet to a point at an elevation of 1533.63 feet above Township Datum; thence ascending at a rate of 9.91 feet in 100 feet a distance of 45.5 feet to a point at an elevation of 1588.05 feet above Township Datum; thence ascending by a convex vertical curve a distance of 100 feet to a point at an elevation of 1594.60 feet above Township Datum; thence ascending at a rate of 3.2 feet in 100 feet a distance of 150 feet to a point at an elevation of 1599.40 feet above Township Datum; thence ascending by a concave vertical curve a distance of 100 feet to a point at an elevation of 1607.48 feet above Township Datum; thence ascending at a rate of 12.957 feet in 100 feet a distance of 107.5 feet to a point at an elevation of 1621.41 feet above Township Datum; thence ascending by a convex vertical curve a distance of 40 feet to a point at the intersection of the center line of Oakland Street with the center line of Fern Avenue as shown on the aforesaid plan, at an elevation of 1625.00 feet above Township Datum.

SECTION 4. The curb grade shall follow the grade above described, but shall be four inches higher in elevation, except at intersecting streets, where the same shall be adjusted to the best advantage, having regard to the conditions there existing.

SECTION 5. The width of said Oakland Street is hereby established at 40 feet between property lines, divided as follows: 24 feet between curb lines and a sidewalk 8 feet in width on each side.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Passed finally by the Commissioners of Stonycreek Township this _____ day of April, A. D. 1930.

Frank H. Helsel
President.

Attest:

E. B. Strong
Secretary.

(SEAL)

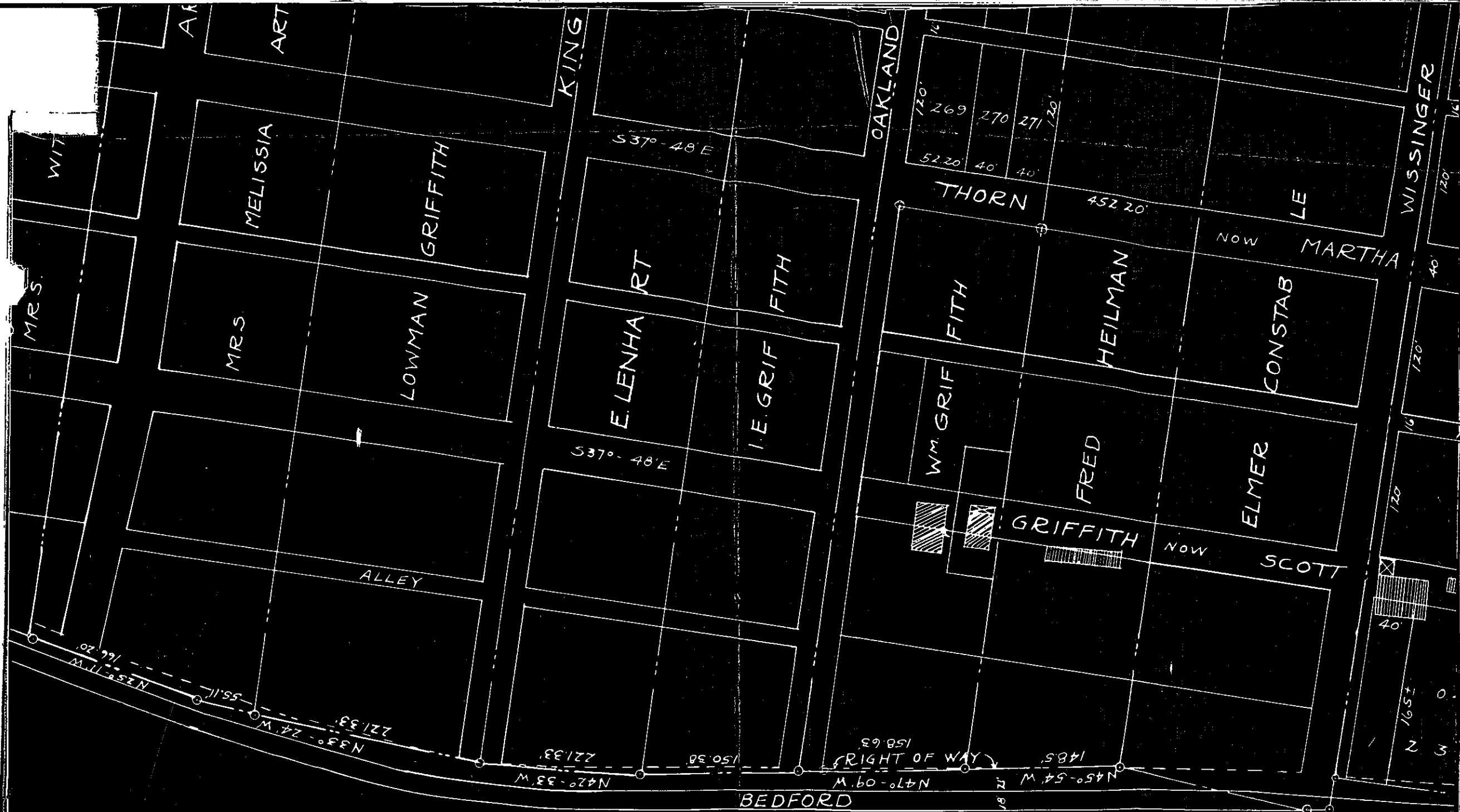
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W. J. ...
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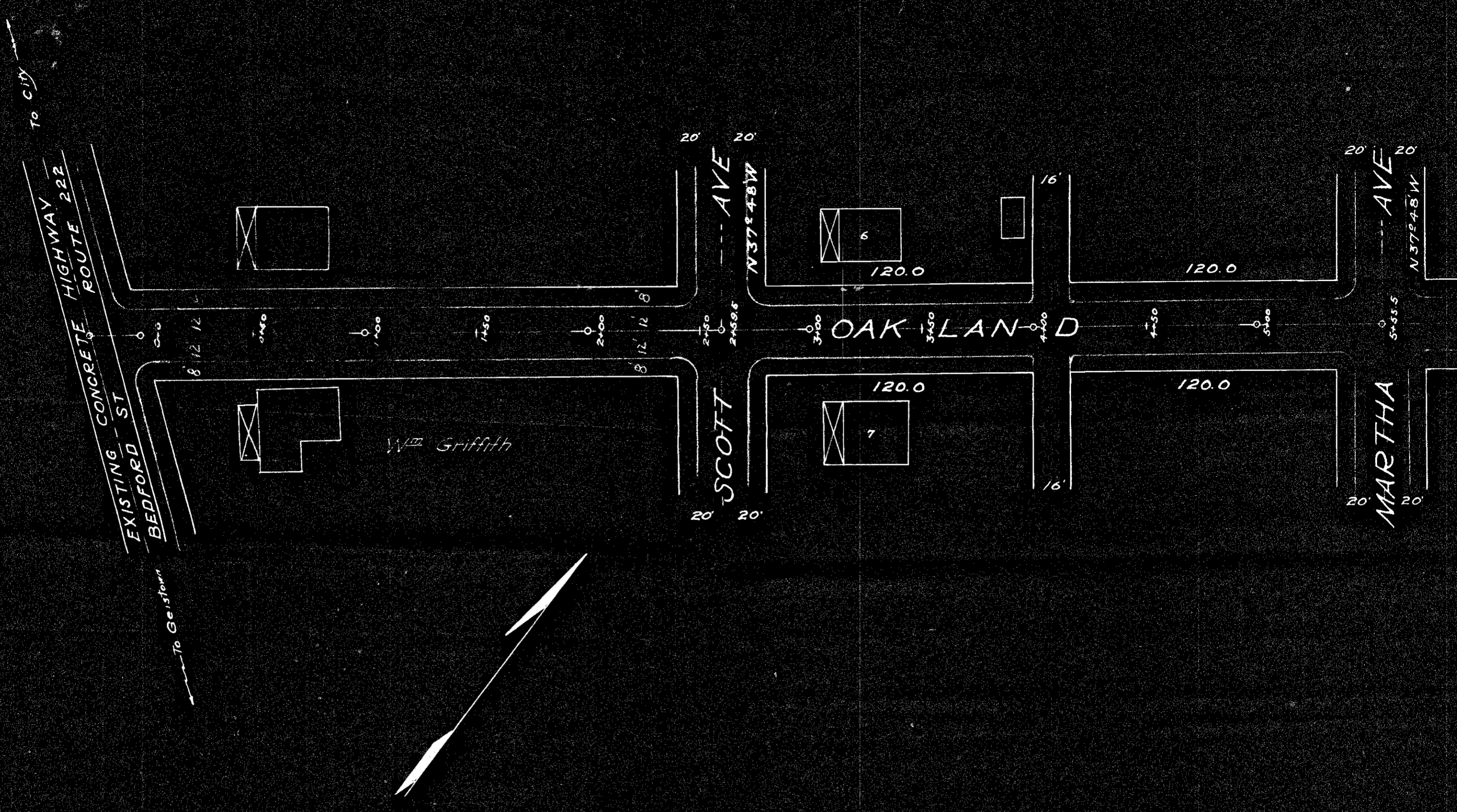
APPROVED BY RESOLUTION
July 6, 1925
 STONYCREEK TWP COMMISSIONERS
Elmer Blough CHAIRMAN
 ATTEST *William N. Rusler* SECY

APPROVED BY
 CITY PLANNING COMMISSION
July 28, 1925
P. J. Carpenter PRES.
 ATTEST *Leo P. Rutt* SECY

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RO# 5 Sept. 1934

Stoney Creek Twp.,
Oakland St.



STONYCREEK TWP.
OAKLAND ST.
 PLAN - PROFILE - GRADE
BEDFORD ST. TO FERN AVE.
 L. R. OWEN ENGINEER JOHNSTOWN, PA.
 MAR. 8, 1930
 Scales HOR 1" = 40'
 VERT 1" = 10'

