

IN RE: VACATION OF
ROAD IN CONEMAUGH
TOWNSHIP, CAMBRIA COUNTY,
PA. -

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

No. _____ DECEMBER SESSIONS,
1934.

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

The petition of the undersigned inhabitants of the Township of
Conemaugh, in the County of Cambria, State of Pennsylvania, respectfully showeth:

That a road has been long since laid out from the Borough of Franklin
to a point on the Frankstown Road, a portion of which road beginning at a point
twelve hundred and twenty (1220) feet Westwardly from the intersection of Route
276 and ending in a general Westerly direction to a point four hundred thirty-
five and one-half (435½) feet Easterly from its intersection with its Rural
Route 11018, has been re-located and supplied by the State Highway Department
and your petitioners aver it now has become useless, inconvenient and burden-
some.

The proceedings to lay out the said Road leading from the Borough of
Franklin to a point on the Frankstown Road are entered at No. _____

Your petitioners therefore pray the Court that the said original
Road, where the same has been supplied, may be vacated agreeably as the Act of
Assembly in such case may be provided.

Fred S. Schmidt
Frank S. Sackter
Heck Wood
John Gilmore Jr.
C. R. Ross
J. D. Lewis

Conemaugh Twp.
Conemaugh Twp.
Conemaugh Twp.
Conemaugh Twp.
Conemaugh Twp.
Conemaugh Twp.

John E. Shoemaker

J. A. Laidhoff

W. B. Berkeley

- James Ribble

- M. J. Ream

-
-
-
-

Conemaugh Township

Conemaugh Twp.

Conemaugh Twp.

- Conemaugh Twp.

- Conemaugh Twp.

-
-
-
-

CAMBERIA COUNTY, SS:

The undersigned being duly sworn according to law,
deposes and says that the matters set forth in the above and foregoing
petition are true and correct to the best of his knowledge and belief.

W. L. Burkhardt

Sworn and subscribed to before me

this 2nd day of February 1935.

Helen King
Notary Public

My Com. Ex. Mar. 7-1935

No. 7 Dec. Term 1934

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

IN RE: VACATION OF ROAD
IN CONEMAUGH TOWNSHIP,
CAMBRIA COUNTY, Pa.

PETITION TO VACATE ROAD

NOW, the 11th day of February,
1935, the within petition having
been presented and read, H. D. [unclear]
M. J. Baumgardner
and James M. [unclear] are here-
by appointed Viewers as withjn
prayed for.

BY THE COURT

Y [unclear]

WEIMER & BENNETT

~~XXXXXXXXXXXX~~

ATTORNEY AT LAW
JOHNSTOWN, PA.

Filed: Feb. 11, 1935.

map

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

IN RE VACATING A ROAD IN
CONEMAUGH TOWNSHIP.

I

NO. 2 DECEMBER SESSIONS, 1934.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the aboved Order of Court for the purpose of inquiring in to the vacating of a certain highway leading out from the Borough of Franklin to a point on the Frankstown Road, a portion of which road beginning at a point Twelve hundred twenty (1220) feet Westwardly from the intersection of Route 276 and ending in a general Westerly direction to a point Four hundred thirty-five and one-half (435-1/2) feet Easterly from its intersection with its Rural Route No. 11018 in the Township of Conemaugh, Cambria County, 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; that we gave due public notice of the time and place of said meeting of Viewers by hand bills posted upon the premises and by notice served upon the Commissioners of Cambria County, Pennsylvania, and by notice served upon D. P. Weimer, Esq., Solicitor for the Township of Conemaugh, all of which 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 notices hereto attached and made a part of this report; that we met upon the premises according to the notice given, at the place of beginning on Friday, March 1, 1935 at 10 o'clock A. M., and proceeded with the duties of our appointment.

We viewed the site and locality of the road to be vacated, making an inspection of the ground in the petition and order. There were present at said view three members of the Board of Viewers and the three Supervisors of the Township of Conemaugh. We do not believe a necessity exists any longer for a highway asked for in the petition, BEGINNING at a point in Traffic Route 193, Rural Route 11016, 3415 feet West of the intersection of the boundry line between Richland Township and Conemaugh Township, measured along the center line of said Route at Construction Survey Station 169 plus 60 or Chain Survey Station, plus 60, thence South 83 deg. 21' East 250 feet; South 68 deg. 1' East 192 feet; South 50 deg. 53' East 160 feet; South 39 deg. 39' East 461 feet; South 53 deg. 27' East 210 feet; South 73 deg. 12' East 443 feet to a point in the foresaid Traffic Route at the beginning of the portion of highway to be retained as a private road has become useless, inconvenient, and burdensome, and we, therefore, vacate the same. The portion of the highway thus vacated is 1716 feet and is shown on the blueprint and colored green. The portion of the highway beginning at a point in Traffic Route 193 Rural Route 11016, 1760 feet West of the intersection of the boundry line between Richland Township and Conemaugh Township, measured along the center line of said route,

thence North 88 deg. 24' East 950 feet; thence South 79 deg. 42 ' East 520 feet; thence South 84 deg. 30' East 452 feet; thence South 4 deg. 18' East 355 feet to the place of ending, a point on said highway at the intersection of the boundry line between Richland Township and Conemaugh Township, a distance of 910 feet, measured along the center line of said highway from its intersection with Traffic Route 193. This portion of the highway being 2257 feet, we vacate as a public highway and make same a private road; said portion thus vacated and retained as a private highway is shown on the blueprint hereto attached in the color red. That in so far as the public highway is concerned, the same has likewise become useless, inconvenient, and burdensome and we, therefore, vacate the same and make it a private highway.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this second day of March, in the year of our Lord one thousand nine hundred thirty-five (1935).

S. E. Dickins
James M. Baum
Robert J. Baumgardner
viewers.

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

IN RE VACATING A ROAD IN
CONEMAUGH TOWNSHIP.

NO. 2 DECEMBER SESSIONS, 1934.

TO MAHLON J. BAUMGARDNER, S. E. DICKEY, AND JAMES MCCANN, DRS.

To Mahlon J. Baumgardner, Dr.

Data and preparing Notices to View, obtaining acceptance of service and being same	\$18.00	
Stenographer and Stationery	3.00	
Mileage	1.50	
Making View and Preparing Report	18.00	
Mileage	1.50	
Stenographer and Stationery	<u>1.50</u>	
		\$43.50

To S. E. Dickey, Dr.

Making View	\$12.00	
Mileage, 15 miles @ 10 cts.	1.50	
Survey, data, plan and description	12.00	
Tracing cloth	.50	
3 Blue prints	<u>1.00</u>	
		\$27.00

To James McCann, Dr.

Making View	\$12.00	
Mileage	<u>1.50</u>	
		\$13.50

APPROVED FOR PAYMENT

James T. ...
Thomas P. ...
COMMISSIONERS

IN RE VACATING A PUBLIC ROAD
IN THE TOWNSHIP OF CONEMAUGH,
CAMBRIA COUNTY, PENNSYLVANIA .

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2, DECEMBER SESSIONS, 1934.

ORDER TO VIEW

We, the undersigned Viewers, appointed by the above named Court, to view a certain highway leading from the Borough of Franklin to a point on the Frankstown Road, a portion of which road beginning at a point one thousand two hundred twenty (1220) feet westwardly from the intersection of Route 276, and ending a general westerly direction to a point (455 1/2) four hundred thirty five and one half feet easterly from its intersection with its Rural Route 11018 has become useless, and that same has become useless, inconvenient, and burdensome, and ask for the vacation of same, will meet at the point of beginning of said proposed road to be vacated on Friday, March 1, 1935 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

S. E. Dickey

Mahlon J. Baumgardner

James McCann

Viewers

February 14, 1935.

And now the 20th day of February 1935, I hereby accept service of the within notice to view and acknowledge to have received a copy of the same as Chief Clerk for the Commissioners of Cambria County.

H. F. Don

Chief Clerk; County Commissioners.

IN RE VACATING A PUBLIC ROAD
IN THE TOWNSHIP OF CONEMAUGH,
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 2, DECEMBER SESSIONS, 1934.

ORDER TO VIEW

We, the undersigned Viewers, appointed by the above named Court, to view a certain highway leading from the Borough of Franklin to a point on the Frankstown Road, a portion of which road beginning at a point one thousand two hundred twenty (1220) feet westwardly from the intersection of Route 276, and ending a general westerly direction to a point 435 1/2 four hundred thirty five and one half feet easterly from its intersection with its Rural Route 11018 has become useless, and that same has become useless, inconvenient, and burdensome, and ask for the vacation of same, Will meet at the point of beginning of said proposed road to be vacated on Friday, March 1, 1935 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

S. E. Dickey

Mahlon J. Baumgardner

James McCann

Viewers

February 14, 1935.

And now the ²⁰ day of February 1935, I hereby accept service of the above notice to view and acknowledge to have received a copy of the same as solicitor for the Supervisors of Conemaugh Township, Cambria County, Penna.


Solicitor for Supervisors
Conemaugh Township.

IN RE VACATING A PUBLIC ROAD
IN THE TOWNSHIP OF CONELIUGH,
CAMBERIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS OF
CAMBERIA COUNTY, PENNSYLVANIA.
NO. 2, DECEMBER SESSIONS, 1934.

ORDER TO VIEW

We, the undersigned Viewers, appointed by the above named Court, to view a certain highway leading from the Borough of Franklin to a point on the Frankstown Road, a portion of which road beginning at a point one thousand two hundred twenty (1220) feet westwardly from the intersection of Route 278, and ending a general westerly direction to a point 455 1/2 four hundred thirty five and one half feet easterly from its intersection with its Rural Route 11018 has become useless, and that same has become useless, inconvenient, and burdensome, and ask for the vacation of same, will meet at the point of beginning of said proposed road to be vacated on Friday, March 1, 1935 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

S. E. Dickey

Mahlon J. Baumgardner

James McCann

Viewers

February 14, 1935.

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 11th day of February A. D. 1935, 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-~~

~~venient circumstances of a road on highway to lead from~~

That a road has been long since laid out from the Borough of Franklin to a point on the Frankstown Road, a portion of which road beginning at a point twelve hundred and twenty (1220) feet Westwardly from the intersection of Route 276 and ending in a general Westerly direction to a point four hundred thirty-five and one-half (435-1/2) feet Easterly from its intersection with its Rural Route 11018, has been re-located and supplied by the State Highway Department and your petitioners aver it now has become useless, inconvenient and burdensome.

and therefore praying the Court to appoint proper persons to ^{vacate} 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 J. Baumgardner and James McCann _____

viewers, to view the ground proposed for said ^{vacation} ~~road~~, and if they ^{vacate} ~~lay out~~ view the same, and shall agree that there is ^{no} occasion for such road, they shall proceed to ^{vacate} ~~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.
Greer, J.

Attest: James M. Jones, Clerk.

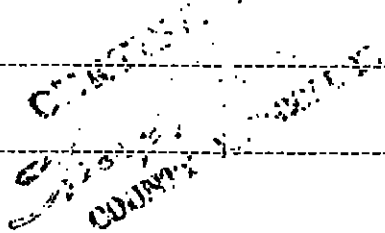
Order to view and vacate a road
in Conemaugh Township.

S. E. Dickey
Mahlon J. Baumgardner
James McCann

Viewers

Clerk James M. Jones

Filed - March 4 - 1935



"It shall be the duty of all persons appointed in the several counties of this Commonwealth to view any public or private road or bridge, if they shall decide in favor of locating or procuring the same, to assess the damages from all claims for the opening of such road or the building of such road, and in every case the assessors shall fail to procure such releases, and it shall appear to them that the damages will be assessed, 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."

11 March 1935 Approved.

By *W. H. ...*

10 June 1935 *Approved*

James M. Jones

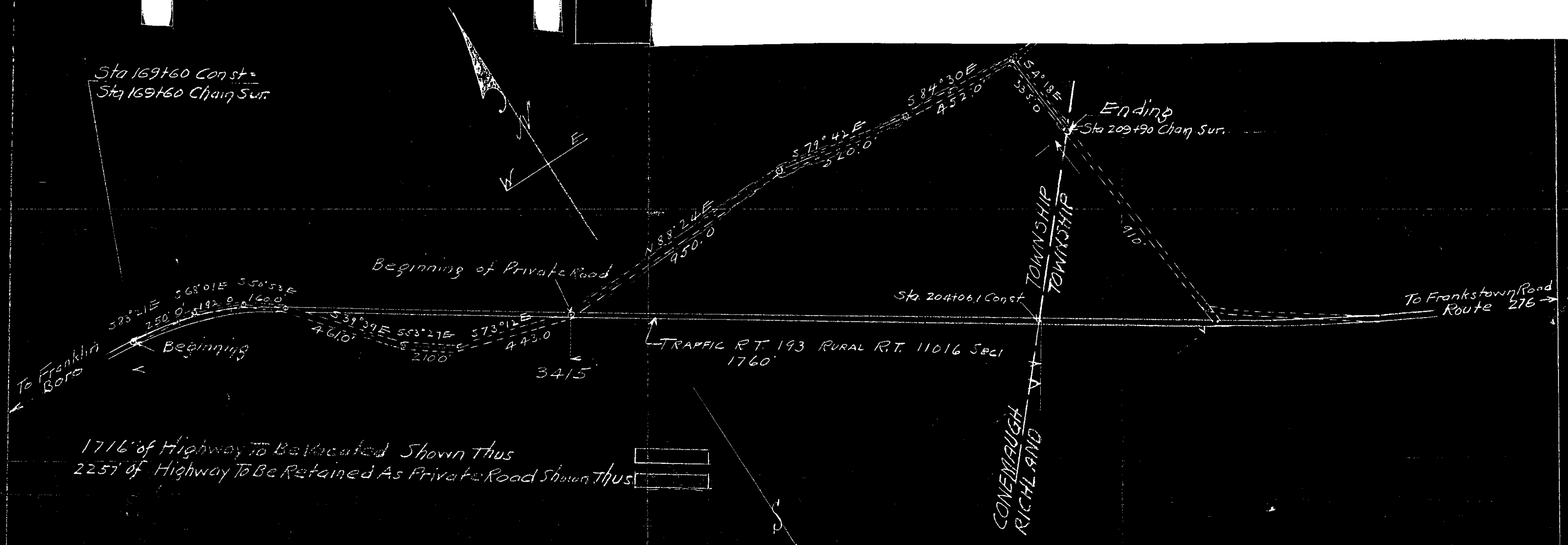
Rat Microfilmed

RD#2 Dec. Term

1934

Conemaugh Twp,

Vacation of a road



1716' of Highway to Be Vacated Shown Thus
 2257' of Highway to Be Retained As Private Road Shown Thus

No. 2 DEC SESSIONS 1934
 S.E. Dickey
 Mahlon J. Baumgardner
 James M. Carr
 VIEWERS.

DRAWING SHOWING
 ABANDONED & RELOCATED PORTION
 OF
 TRAFFIC RT. 193 RURAL RT. 11016 SEC. 1
 CONEMAUGH & RICHLAND TOWNS. CAMBRIA CO.
 DIST. 9 DIV. 5
 SCALE 1" = 300'
 MAR-2- 1935
 1-G-252