

IN RE LAYING OUT A PUBLIC ROAD
IN THE VILLAGE OF SALIX, TOWNSHIP
OF ADAMS, COUNTY OF CAMBRIA AND
STATE OF PENNA.

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

NO.....DECEMBER SESSIONS 1934.

PETITION FOR APPOINTMENT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned, being citizens of the Township of Adams, Cambria County, Pennsylvania, labor under great inconvenience for the want of a public highway in said Township, beginning at a point in a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michaels and South Fork; thence in a southerly direction by the way of Main Street in the Village of Salix a distance of 1672 feet to Frederick Street in the Village aforesaid; thence along Frederick Street in a westerly direction a distance of 680 feet to the intersection of a public road, the place of ending, said ending being at a point 340 feet southwardly from the intersection of a public road leading from Salix to Johnstown by the way of Cole's crossing.

Your petitioners, therefore, pray your Honorable Court to appoint three members of the Permanent Board of Viewers of Cambria County, to view the ground proposed for such road, and if they see the necessity lay out the same and make a report of their proceedings to the next sessions of Court.

And they will ever pray, etc.

<i>C. L. Wissinger</i>	<i>Salix Pa</i>
<i>J. B. Keiser</i>	<i>Salix Pa.</i>
<i>L. J. Machtley</i>	<i>Salix Pa</i>
<i>Geo. Wingard</i>	<i>Salix Pa</i>
<i>R. J. Anderson</i>	<i>Salix Pa</i>
<i>Sadie G. Hinebaugh</i>	<i>Salix Pa.</i>
<i>W. L. Wissinger</i>	<i>Salix Pa</i>
<i>B. F. Dummer</i>	<i>Salix Pa</i>
<i>Harold Harbaugh</i>	<i>Salix Pa</i>
<i>J. J. Livingston, W.D.</i>	<i>Salix Pa</i>
<i>Frank Wiesheier</i>	<i>Salix Pa</i>
<i>Howard Baupert</i>	<i>Salix Pa</i>
<i>C. A. Hutzel</i>	<i>South Fork Pa</i>

J. J. Shaffer	Salix Pa
C. D. Graveling	South Fork Pa
Mannah R. Wiseman	Lewisburg Pa
W. J. Bantley	Pale Pa Pa

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

On this...^{16th}...day of February, 1935, before me, the undersigned authority, personally came E.F. DUNMIRE, one of the subscribers to the foregoing petition, who having first been duly sworn according to law, doth depose and say that the matters and facts set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Henry A. Fox
NOTARY PUBLIC
BY COMMISSION EXPIRES
MARCH 9, 1935
E. F. Dunmire (Sworn)

Sworn to and subscribed
Before me this...^{16th}...day
of February, A. D. 1935.

We hereby accept service of notice of presenting of said petition for the appointment of viewers by Mahlon J. Baumgardner, who represents petitioners of said petition to be presented to the Court of Quarter Sessions on February 25, 1935 at 11 o'clock A. M.

} _____ (Sworn)
} _____ (Sworn)
} _____ (Sworn)

DECREE

AND NOW, this eighteenth day of February A. D. 1935, the foregoing petition haveing been presented, read and considered, the Court appoints

A. E. Wesley and Dwight Tompkins and Valiant Finney, Viewers, to view the road hereinabove referred to, make a report of their proceedings to the December Term of the Court of Quarter Sessions of said County.

By the Court
Lucy

IN THE COURT OF QUARTER SESSIONS
CAMBRIA COUNTY
PENNSYLVANIA

NO. ⁵.....DEC. SESS. 1934.

IN RE PETITION FOR LAYING OUT A
PUBLIC HIGHWAY IN THE VILLAGE OF
SALIX, ADAMS TOWNSHIP, CAMBRIA

COUNTY, PENNSYLVANIA.

PETITION FOR APPOINTMENT OF
VIEWERS.

Decree Inside.

Filed: Feb. 18, 1935

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

In Re: Petition of Inhabitants
of the Township of Adams,
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

REPORT OF VIEWERS

To the Honorable, the Judges of the above mentioned
Court. We the undersigned Viewers appointed by the annexed order
of the Court to view the road within mentioned, respectfully
report:

That we have been duly sworn or affirmed as members of
the Permanent Board of Viewers of Cambria County, as shown by the
records of the Court; that having given due public notice of the
said view and of the time and place of meeting by posting notices
as required by the law along the route and at the termini of the
said proposed new road, as evidenced by one of said notices
hereto attached, and by service of such notice on the County
Commissioners of Cambria County, the Supervisors of Adams Township
and the Solicitor for the Petitioners, acceptance of service of
said notice by the County Commissioners of Cambria County, the
Supervisors of Adams Township and the Solicitor for the Petitioners
being hereto attached; that we met in accordance with the notice
given on the 5th day of March A. D. 1935 at 10:00 o'clock A.M.
and proceeded with the duties of our appointment and viewed the
premises and route of the proposed new road; that the proposed new
road passes through a section of the Wiselban Park Plan of Lots
forming a part of the Village of Salix and occupies a portion of
a sixty (60) foot width dedicated highway in said Plan of Lots by
reason of the recording of deeds sold in said Plan of Lots; twelve
(12) lots adjoining or adjacent to said highway have first class
residents and outbuildings erected thereon, all of which are
occupied; the highway and buildings are served with an adequate

water and sewerage system; that the approximate assessed valuation of property abutting on the proposed new road is \$32,000.00 to \$40,000.00; that during the view two of the Supervisors of Adams Township and a number of the petitioners were present and heard; that we are of the opinion that there is a necessity for a public road as prayed for by the petitioners, therefore, we proceeded to lay out said new road, having due respect for the shortest distance and the best ground for said road, and in such manner as would be as near as practicable agreeable to the desire of the petitioners and at the same time do the least injury to private property.

Said road as laid out by us occupies a dedicated right-of-way sixty (60) feet in width and designated as a portion of Main Street and Frederick Street on the Wiselban Park Plan of Lots and is shown colored green on the blue print hereto attached and made a part hereof, beginning at the intersection of Main Street in the Village of Salix with a public road leading from Salix to Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with the road leading from Salix to St. Michael and South Fork; thence by the way of Main Street S. $12^{\circ} 15'$ W. 1472.0 feet to the center line of Frederick Street; thence by Frederick Street N. $77^{\circ} 45'$ W. 675.0 feet to the place of ending, at the intersection of Frederick Street in the Village of Salix with a public road at a point southwardly 340.0 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the way of Coles Crossing, all of which is shown on said blue print aforementioned. All of the property adjoining said road is laid out in building lots.

Inasmuch as the location of the proposed road occupies dedicated highways there are no condemnations or land taken, therefore, taking into consideration the damages sustained and

the benefits to be derived by the opening, improving and maintaining of said proposed new road, we assess no benefits and no damages to any of the abutting property owners.

After viewing the premises and taking into consideration all of the matter before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient, and will not impose any unnecessary or unreasonable burden upon the taxpayers of Adams Township by reason of opening, improving and maintaining said new road, therefore, we recommend that the prayer of the petitioners be granted.

Witness our hands this 7th day of March A. D. 1935.

W. E. Dickup
D. W. Horn
J. M. ...
Viewers

In Re: Petition of Inhabitants
of the Township of Adams,
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

To S. E. DICKEY, DIXON TOMB & PATRICK KINNEY Dr.

To S. E. DICKEY Dr.

Preparing, serving and posting Notices	\$ 12.00	✓
Mileage, 20 miles @ 10 cts.	2.00	✓
Stenographer, Stationery & Postage	3.55	✓
Data for surveying & laying out road	12.00	✓
Making View	12.00	✓
Mileage, 20 miles @ 10 cts.	2.00	✓
Survey, plotting & preparing map	12.00	✓
Tracing cloth	.45	✓
3 blue prints (2 Paper & 1 Cloth)	1.05	✓
Data, preparing and filing report	12.00	✓
Stenographer & Stationery	3.00	✓
	<u>72.05</u>	\$ 72.05

To DIXON TOMB Dr.

Making View	\$ 12.00	
Mileage, 20 miles @ 10 cts.	2.00	\$ 14.00

To PATRICK KINNEY Dr.

Making View	\$ 12.00	
Mileage, 62 miles @ 10 cts.	6.20	\$ 18.20

Total cost of View \$ 104.25

APPROVED FOR PAYMENT

John Thomas
Grant T. Holler
COMMISSIONER

In Re: Petition of Inhabitants
of the Township of Adams,
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view the premises and determine as to the necessity for a public road as prayed for by the Petitioners, beginning at the intersection of Main Street in the Village of Salix with a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michael and South Fork, and ending at the intersection of Frederick Street in the Village of Salix with a public road at a point southwardly 340 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the Way of Coles Crossing, will meet at the place of beginning above described in the Village of Salix on the 5th day of March A. D. 1935 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
DIXON TOMB
PATRICK KINNEY

Feb. 21, 1935

Viewers

mael

In Re: Petition of Inhabitants
of the Township of Adams
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view the premises and determine as to the necessity for a public road as prayed for by the Petitioners, beginning at the intersection of Main Street in the Village of Salix with a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michael and South Fork, and ending at the intersection of Frederick Street in the Village of Salix with a public road at a point southwardly 340 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the way of Coles Crossing, will meet at the place of beginning above described in the Village of Salix on the 5th day of March A. D. 1935 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
DIXON TOMB
PATRICK KINNEY

Feb. 21, 1935

Viewers

Now this 27 day of February A. D. 1935, service of the above notice is hereby accepted by the County Commissioners of Cambria County.

By

H. J. Don
Clerk

In Re: Petition of Inhabitants
of the Township of Adams,
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view the premises and determine as to the necessity for a public road as prayed for by the Petitioners, beginning at the intersection of Main Street in the Village of Salix with a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michael and South Fork, and ending at the intersection of Frederick Street in the Village of Salix with a public road at a point southwardly 340 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the way of Coles Crossing, will meet at the place of beginning above described in the Village of Salix on the 5th day of March A. D. 1935 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
DIXON TOMB
PATRICK KINNEY

Viewers

Now this 5 day of February A. D. 1935, service of
the above notice is hereby accepted by the Supervisors of Adams
Township.

Attest:

E. W. Wright
Secretary

J. E. Wingard
E. W. Wright

Supervisors

In Re: Petition of Inhabitants
of the Township of Adams,
County of Cambria, Pa., for a
public road to be laid out in
said Township

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, December Session, 1934

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view the premises and determine as to the necessity for a public road as prayed for by the Petitioners, beginning at the intersection of Main Street in the Village of Salix with a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michael and South Fork, and ending at the intersection of Frederick Street in the Village of Salix with a public road at a point southwardly 340 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the way of Coles Crossing, will meet at the place of beginning above described in the Village of Salix on the 5th day of March A. D. 1935 at 10:00 o'clock A. M. for the purpose of performing the duties of our appointment, at which time and place all interested persons shall appear.

S. E. DICKEY
DIXON TOMB
PATRICK KINNEY

Viewers

Feb. 21, 1935

Now this 21 day of February A. D. 1935, service
of the above notice is hereby accepted by the Petitioners.

By *Robert J. Sanyard*
Attorney for Petitioners

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 18th day of February A. D. 1935, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from a point in a public road leading from Salix toward Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with a road leading from Salix to St. Michaels and South Fork; thence in a southerly direction by the way of Main Street in the Village of Salix a distance of 1672 feet to Frederick Street in a westerly direction a distance of 680 feet to the intersection of a public road, the place of ending, said ending being at a point 340 feet southwardly from the intersection of a public road leading from Salix to Johnstown by the way of Coles crossing.

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 Dixon Tomb

Patrick Kinney

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.
Greer, J.

Attest:

John J. Greer, Clerk.

Order to view and layout a

Public Road in Adams Township.

Cambria County.

S. E. Dickey

Dixon Tomb

Patrick Kinney

Viewers

Clerk J. M. Jones

Filed: March 8, 1935

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."

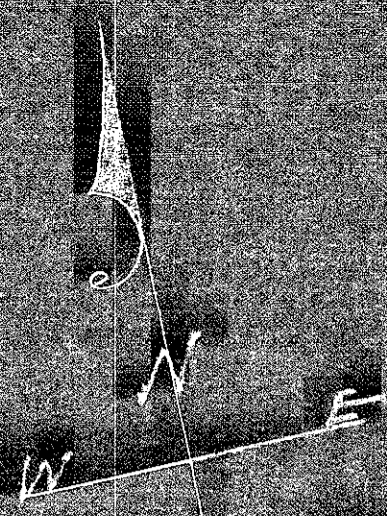
11 March 1935 Approved and located by view of S. E. Dickey, Dixon Tomb, Patrick Kinney

*By the County Engineer certified
10 June 1935
J. M. Jones*

Rat Microfilmed

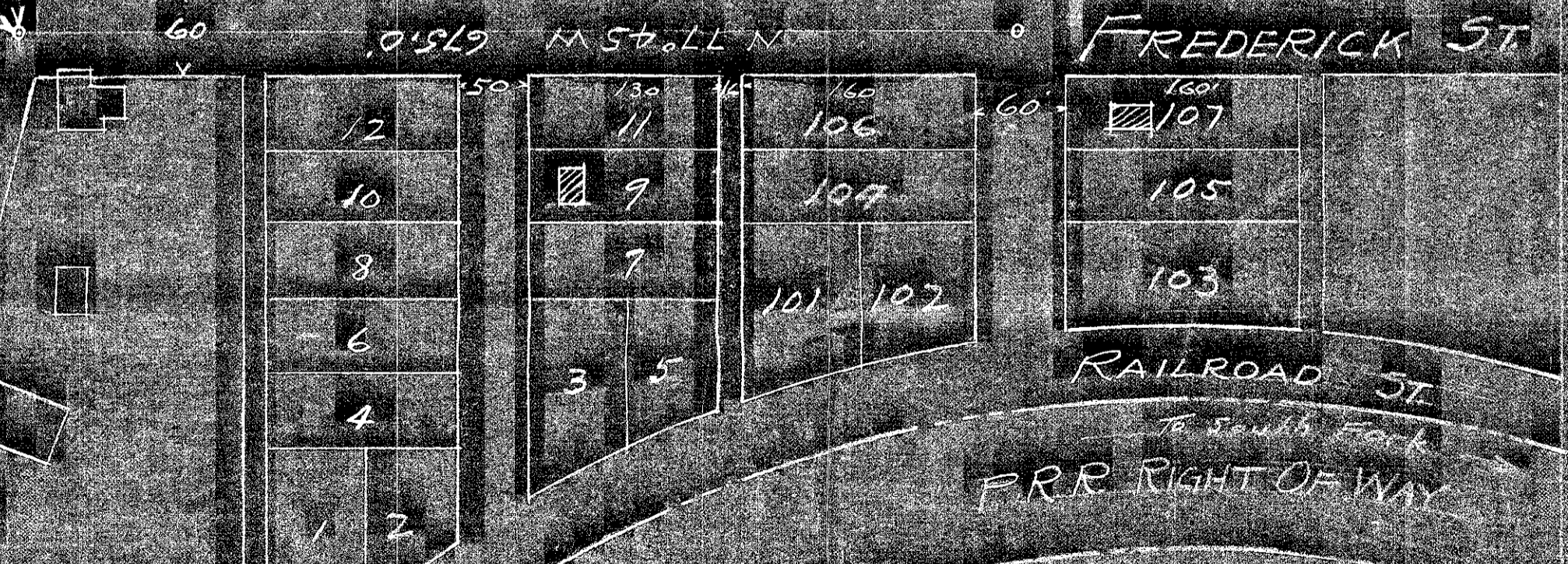
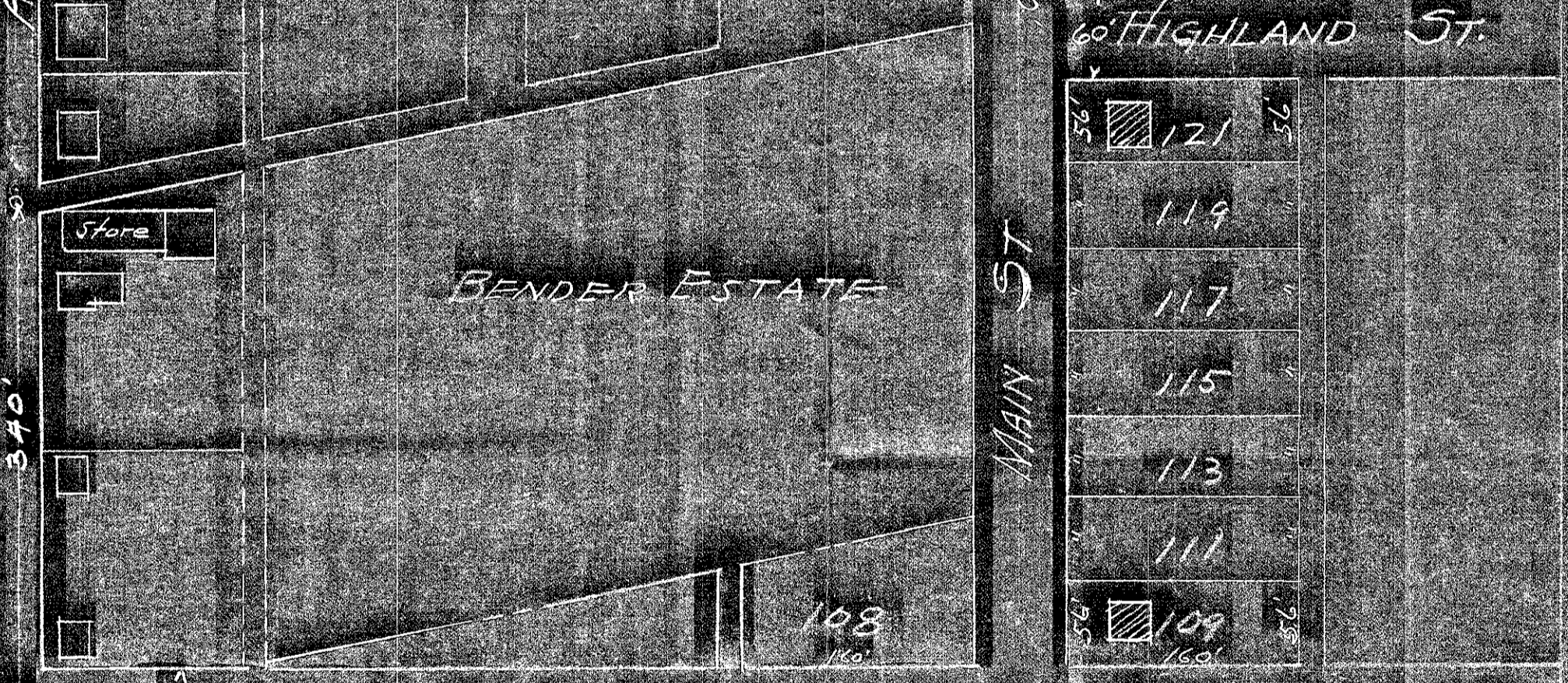
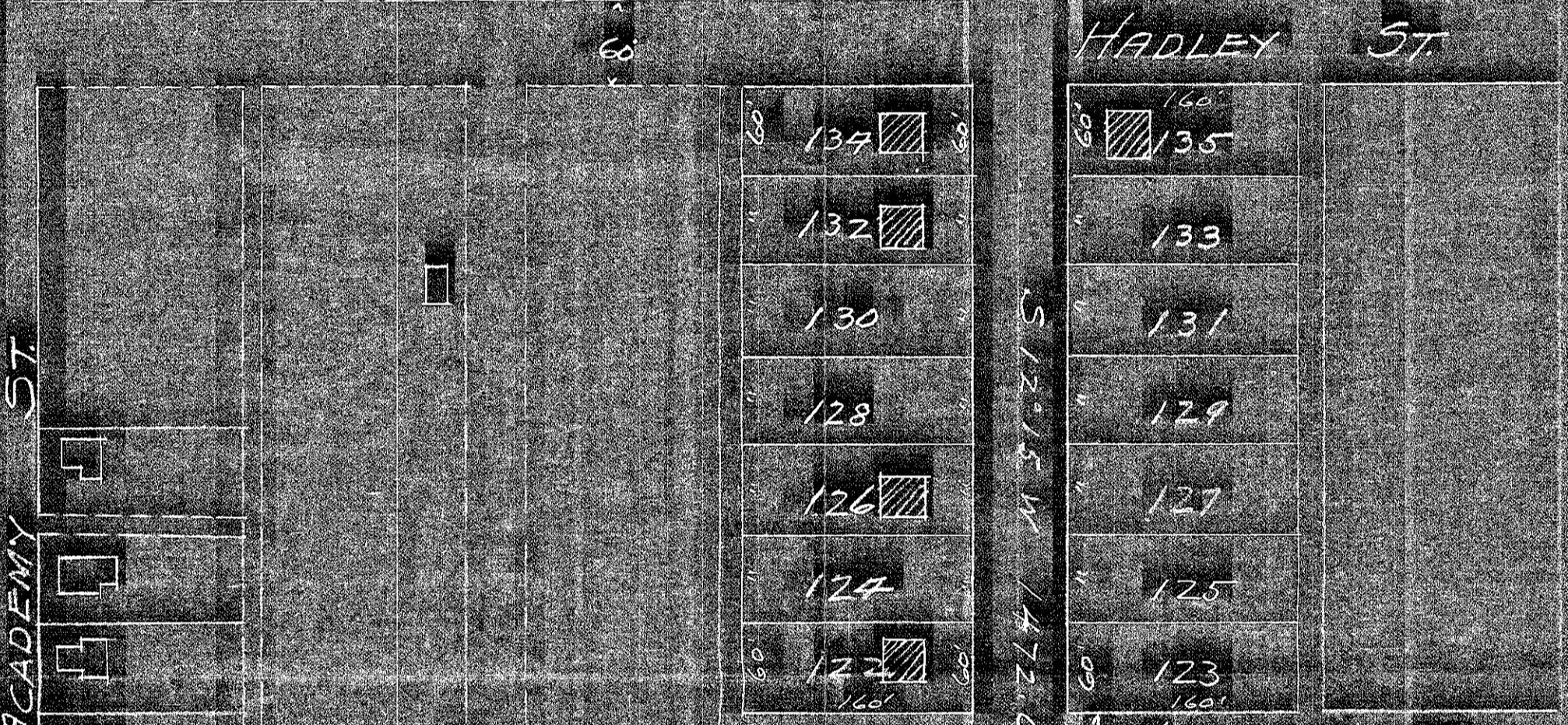
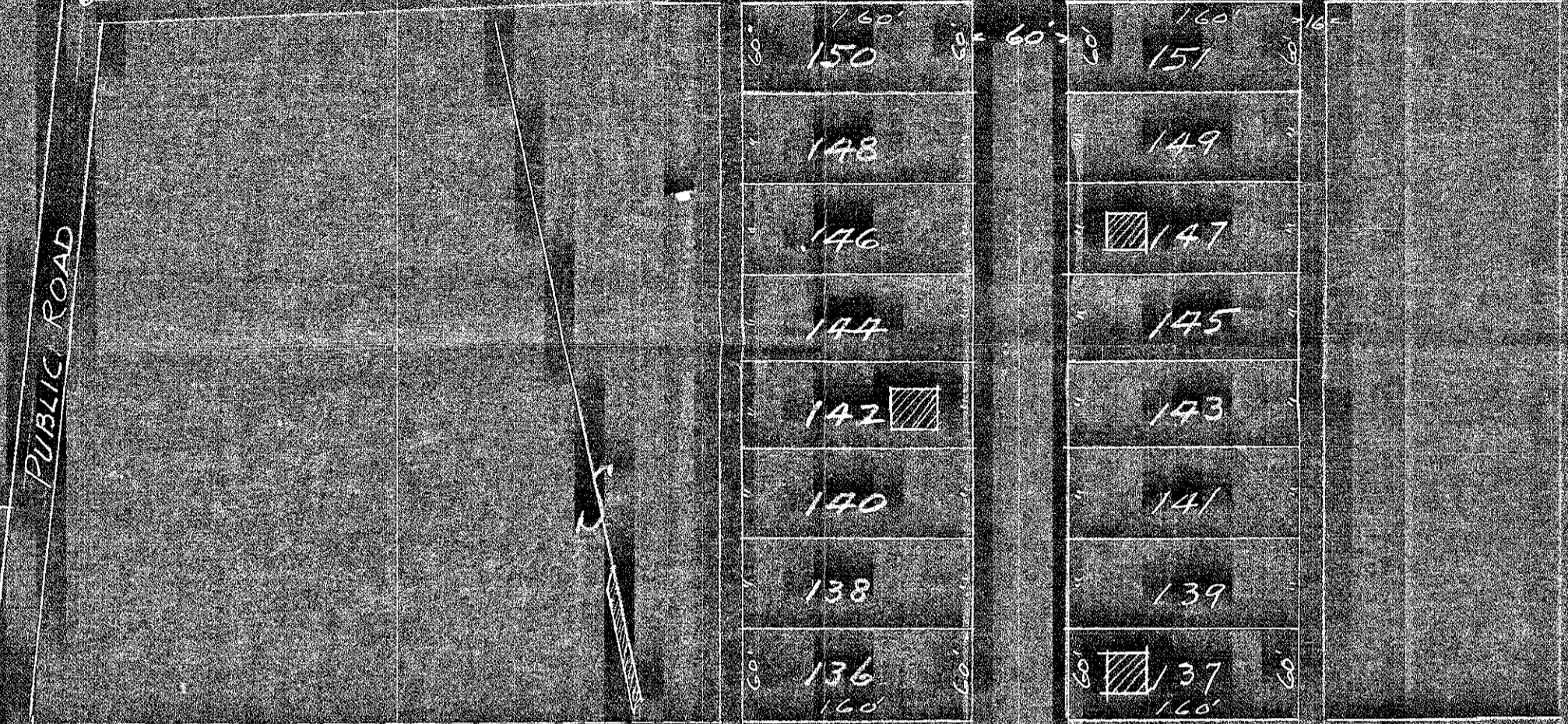
R.O.# 3 Dec. 1934

Adams Twp., Village
of Salis, Petition
for Layout of Highway



630' ± BEGINNING

To Lovett & Wilkerson →
PUBLIC ROAD



SALIX ACADEMY

To Johnstown
via Coles Crossing
PUBLIC ROAD

GENETERY

ENDING

To Elmer

ACADEMY ST.

340'

MAIN ST. 1472.0'

BENDER ESTATE

HIGHLAND ST.

FREDERICK ST.

RAILROAD ST.

To South Fork
P.R.R. RIGHT OF WAY

Proposed New Road Colored Green
ADAMS TOWNSHIP
CAMBRIA COUNTY PENNA
Showing

PROPOSED PUBLIC ROAD
In the
VILLAGE OF SALIX

No. 3 December
Session 1934
S. E. Dickey
Dixon Tomb
Patrick Kinney
Viewers

Scale 1"=100' S. E. Dickey & Co. Mar. 6th 1935
Civil & Mining Engineers
Johnstown, Pa.

7-C-154