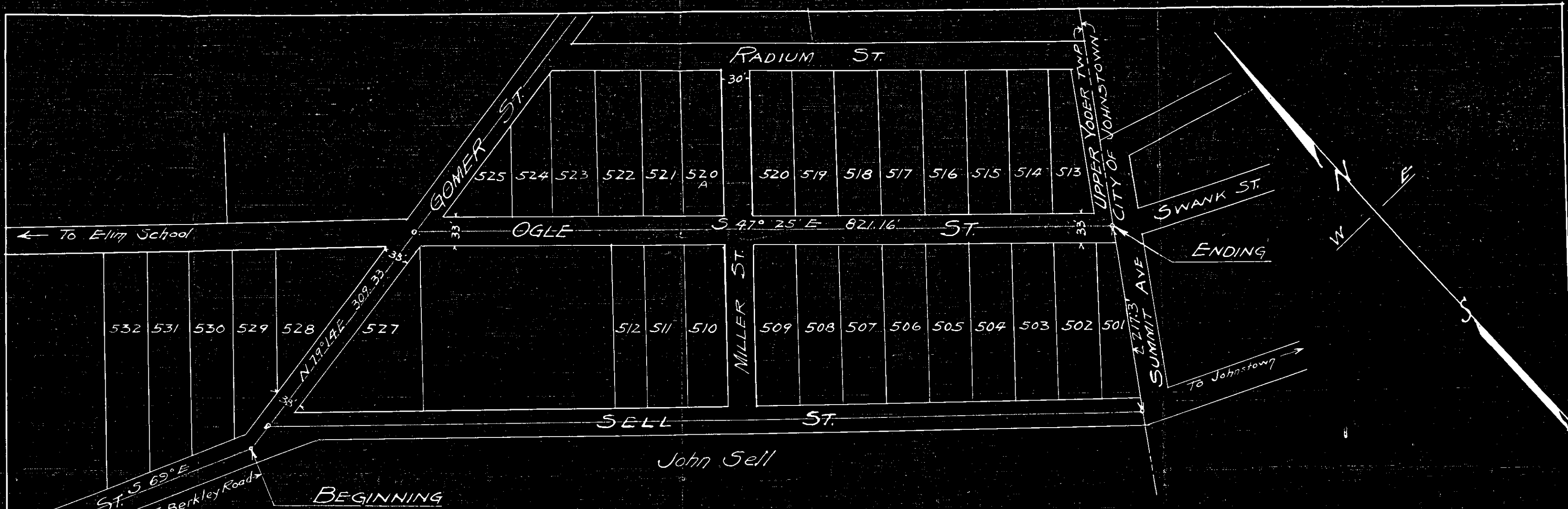


Rat microfilmed

RO # 2 December  
1935

Upper Yoder Twp.  
Layout of a Public  
Highway



John Sell

No 2 DECEMBER SESSION-1935

S. E. Dickey  
 M. J. Baumgardner  
 James M. Carr  
 Viewers

Proposed Road Colored Green

PROPOSED PUBLIC ROAD  
 A PORTION OF GOMER & OGLE STREETS  
 DEDICATED HIGHWAYS IN ELIM PLAN OF LOTS

Situate in  
 UPPER YOOPER TWP CAMBRIA COUNTY PENNA.  
 Scale 1"=100' S. E. Dickey & Co Jan-15-1936  
 Civil & Mining Engineers  
 Johnstown Pa.

1-4-265

W. J. M.  
In Re: Proposed Public Road  
in Upper Yoder Township,  
Cambria County, Pa.

In the Court of Quarter Sessions,  
of Cambria County, Penna.  
No. 2 December Sessions 1935

REPORT OF VIEWERS

TO THE HONORABLE JUDGES OF SAID COURT:-

WE, the undersigned Viewers appointed by the annexed order of the above Court to view the premises for the purpose of supplying a road,

BEGINNING, at the intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elim in said Township of Upper Yoder; thence along the center line of said Gomer Street North 79 degrees 14 minutes East Three Hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elim; thence along said center line of Ogle Street South 47 degrees 25 minutes East Eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Avenue, a dedicated street in the said City of Johnstown. The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street,

respectfully represents :-

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 we gave due public notice of the time and place of meeting of said Viewers by hand bills posted on the premises, notices served on the Commissioners of Cambria County and upon Frank P. Barnhard, Counsel for the petitioners, and Curt Barnhart and D. H. Weimer, Supervisors of Upper Yoder Township, all of whom accepted services at least ten (10) days prior to the time of the making of said view, evidence of which is shown by copies of said notice hereto attached and made a part of this report; that we met on the premises according to the notice given, at the point of beginning of said highway to be supplied, on January 14, A. D. 1936 at ten (10) o'clock A.M. for the purpose of performing the duties of our appointment.

We viewed the site of the road proposed to be layed out, making a personal inspection of the ground between the points designated in the petition and order. There were present at the view, the three Viewers, Frank P. Barnhart, Esquire, Solicitor for the Township of Upper Yoder and D. H. Weimer, the

Supervisor.

We are of the opinion that there is a necessity for the supplying of a public road as prayed for by the petitioners. We proceeded to lay out said road, having due respect for the shortest distance and the best ground for a road and in such a manner as would be as near as practicable, agreeable to the desires of the petitioners and at the same time to the least injury to private property. Said road proposed to be supplied, is described as follows:

BEGINNING, at the intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elim in said Township of Upper Yoder; thence along the center line of said Gomer Street North 79 degrees 14 minutes East Three Hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elim; thence along said center line of Ogle Street South 47 degrees 25 minutes East Eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Avenue, a dedicated street in the said City of Johnstown. The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street.

We further find and so report that although one of the termini of the said road, to wit: the terminus ending at the line between Upper Yoder Township and the City of Johnstown, is not in a public highway or a place of public resort, that the other terminus, to wit: the terminus beginning at Sell Street is in a public road, namely; the said Sell Street, and we further find and report that the road prayed to be opened is one necessary for public travel.

There is made a part of this report a blue print showing a road thus layed out and is indicated on said blue print in green color. We further recommend that the public highway layed out be thirty-three (33') feet in width. Release of damages of the abutting property owners, as affected by the laying out of the hereinabove said road, have been secured by the petitioners and are attached to and on file with the petition praying for the appointment of Viewers.

WITNESS our hands and seal this 18th day of January, A. D. 1936.

S. E. Dickey

Miss J. A. [unclear]

James McCann

Viewers

In Re: Proposed Public Road  
in Upper Yoder Township,  
Cambria County, Pennsylvania

In the Court of Quarter Sessions,  
of Cambria County, Pennsylvania  
No. 2 December Term 1935

IN account with MAHLON J. BAUMGARDNER, S. E. DICKFY AND

JAMES McCANN, DRS.

To S. E. DICKEY, DR.

Making View -----	\$ 12.00	
Mileage, 6 miles @ 10¢ per mile -----	.60	
Data on survey & preparing map -----	12.00	
Tracing cloth & blue prints -----	1.50	¢ 26.10

To MAHLON J. BAUMGARDNER, DR.

Preparing and posting notices -----	\$ 18.00	
Mileage, 6 miles @ 10¢ per mile -----	.60	
Stenographer and stationery -----	2.50	
Making view -----	12.00	
Mileage, 6 miles @ 10¢ per mile -----	.60	
Preparing reports, etc. -----	12.00	
Stenographer and stationery -----	1.50	47.20

To JAMES McCANN, DR.

Making view -----	\$ 12.00	
Mileage ----- 6 miles @ 10¢ per mile -----	.60	
		12.60

TOTAL ----- ¢ 85.90

CERTIFIED  
7/2/35  
GENERAL CONTROLLER

APPROVED FOR PAYMENT

*John Thomas*

*Frank P. Volleman*  
COMMISSIONERS

In Re: Proposed Public Road  
in Upper Yoder Township,  
Cambria County, Pa.

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, December Session, 1935

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for a proposed public road in Upper Yoder Township, Cambria County, Pa., described as follows:

Beginning at the intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elin in said Township of Upper Yoder; thence along the center line of said Gomer Street North  $79^{\circ} 14'$  East Three Hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elin; thence along said center line of Ogle Street South  $47^{\circ} 25'$  East Eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Avenue, a dedicated street in the said City of Johnstown. The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street.

Will meet at the place of beginning, at the intersection of Sell Street and Gomer Street, on the 14th day of January A. D. 1936 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 may appear and be heard.

S. E. DICKEY  
H. J. BAUMGARDNER  
JAMES McCANN  
Viewers

Now this <sup>32</sup> day of January A. D. 1936, service of the above notice is hereby accepted by the Supervisors of Upper Yoder Township, Cambria County, Pa.

Paul P. Parshair  
Township Solicitor

Curt Barnhart  
J. H. Weimer  
Supervisors

Supervisors

In Re: Proposed Public Road  
in Upper Yoder Township,  
Cambria County, Pa.

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 2, December Session, 1935

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for a proposed public road in Upper Yoder Township, Cambria County, Pa., described as follows:

Beginning at the intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elim in said Township of Upper Yoder; thence along the center line of said Gomer Street North  $79^{\circ} 14'$  East Three Hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elim; thence along said center line of Ogle Street South  $47^{\circ} 25'$  East Eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Avenue, a dedicated street in the said City of Johnstown. The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street.

Will meet at the place of beginning, at the intersection of Sell Street and Gomer Street, on the 14th day of January A. D. 1936 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 may appear and be heard.

S. E. DICKEY  
M. J. BAUMGARDNER  
JAMES McCANN  
Viewers

Now this 4<sup>th</sup> day of January A. D. 1936, service of the above notice is hereby accepted by the Commissioners of Cambria County, Pa.

  
\_\_\_\_\_  
Chief Clerk

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 December A. D. 1925, before 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 intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elim in said Township of Upper Yoder; thence along the center line of said Gomer Street North 79° 14' East Three hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elim; thence along said center line of Ogle Street South 47° 25' East eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Avenue, a dedicated street in the said City of Johnstown.

The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street.

Your petitioners further represent that notwithstanding the fact that one of the termini named in the said petition, namely, the point of ending of said proposed road, is at a point other than in a public Highway or place of public resort, that the said proposed road is one necessary for public travel.

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

M. J. Baumgardner and James McCann

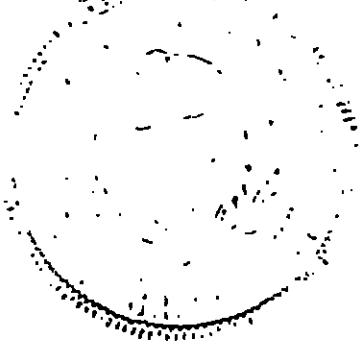
viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such road, they shall proceed to lay out the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private 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:

James M. Jane, Clerk.



"It shall be the duty of all persons appointed to view any public or private road or bridge, if it is necessary to procure from the person or persons over whose land such location may be made releases from the person or persons who own the land or the building of such bridge; and in such cases the Viewers shall fall to procure such releases, and if they do not, it shall appear to them that any damages will be 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."

March 21, 1936, approved and breadth fixed at thirty-three (33) feet.

WHEREAS the Viewers find and report that one of the termini of the said proposed road is fixed in the Viewers' Report at a point other than a public highway or piece of public resort, namely; the terminus ending at the line between Upper Yoder Township and the City of Johnstown, the Court now find that the said road is necessary for public travel and the Report of the Viewers is hereby approved.

BY THE COURT

*Henry*

June 8, 1936, confirmed absolutely.

*John Dickey*  
CLERK

No. 2, December SESSIONS, 1935

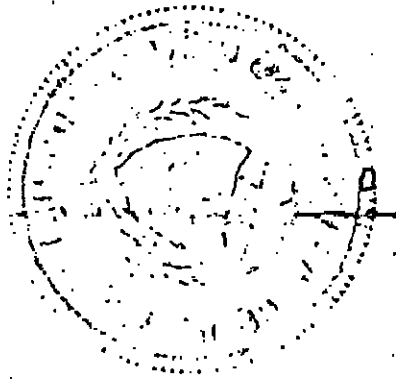
Order to view proposed Public Road in Upper Yoder Township.

S. E. Dickey  
M. J. Baumgardner  
James McCann

Viewers

Clark

Filed: Jan. 27, 1936.



IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

§ In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. 2 Dec. Sessions, 1935  
§ PETITION FOR APPOINTMENT OF VIEWERS

B O N D

KNOW ALL MEN BY THESE PRESENTS that we CURT BARNHART  
and D. H. WEIMER, both of Upper Yoder Township, Cambria  
County, Pennsylvania, are held and firmly bound unto the County of Cambria,  
aforesaid, in the sum of FIFTY (50) DOLLARS lawful money of the United States  
to be paid to the said County of Cambria, to which payment well and truly to  
be made, we bind ourselves, our heirs, executors and administrators and every  
of them firmly by these presents. SEALED and dated the 30th day of  
December, 1935.

WHEREAS, SAMUEL M. ADAMS, et al, have presented a Petition  
to the Court of Quarter Sessions of Cambria County, Pennsylvania, praying for  
the appointment of Viewers to view and locate the above mentioned road in the  
said Township of Upper Yoder, to begin at the intersection of Sell Street,  
a public road in said Township of Upper Yoder, and Gomer Street, a certain  
dedicated street in the plan of Elim in said Township of Upper Yoder; thence  
along the center line of said Gomer Street North 79° 14' East three hundred  
nine and thirty-three hundredths (309.33) feet to the intersection of the center  
line of Ogle Street, a certain dedicated Street in the said plan of Elim; thence  
along said center line of Ogle Street South 47° 25' East eight hundred twenty-  
one and sixteen hundredths (821.16) feet to the boundary line between said  
Upper Yoder Township and the said City of Johnstown in the said County of  
Cambria, said boundary line between Upper Yoder Township and the City of  
Johnstown being the westerly boundary of Summit Avenue, a dedicated street in  
the said City of Johnstown.

The exact distance from the point of beginning of the said proposed  
road, as set forth in this aforementioned petition, from an intersecting public  
road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-

eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street; and

WHEREAS, the said Court has appointed Viewers for the purpose aforesaid;

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if the above bounden

CURT BARNHART and D. H. WEIMER,

their heirs, executors, or administrators, or any of them, shall and do well and truly pay or cause to be paid unto the said County of Cambria a sufficient sum to pay for the purpose of viewing the above mentioned road, if the Court shall so direct, when the same is concluded, then this obligation to be void or else remain in full force and effect.

Signed, sealed and delivered  
in the presence of

Lawrence B. Buehler

Curt Barnhart (SEAL)

D. H. Weimer (SEAL)

No. *2 Dec.* Sessions, 1935  
In the Court of Quarter Sessions  
of Cambria County, Pennsylvania.  
PETITION FOR APPOINTMENT OF VIEWERS

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

B O N D

December *30*, 1935, the  
within Bond approved.

*By the Court*  
*McKenrick*

*Filed: Dec. 30, 1935*

LAW OFFICES  
BARNHART & ADAMS  
JOHNSTOWN, PENNA.

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

§ In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. 2 *Dec.* Sessions, 1935  
§ PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS IN AND FOR  
CAMBRIA COUNTY, PENNSYLVANIA:

The petition of the undersigned inhabitants of the said Township of  
Upper Yoder, in the County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience for want of a  
public road or highway in the said Township of Upper Yoder, to begin at the  
intersection of Sell Street, a public road in said Township of Upper Yoder,  
and Gomer Street, a certain dedicated street in the plan of Elim in said Town-  
ship of Upper Yoder; thence along the center line of said Gomer Street North  
79° 14' East Three hundred nine and thirty-three hundredths (309.33) feet to  
the intersection of the center line of Ogle Street, a certain dedicated street  
in the said plan of Elim; thence along said center line of Ogle Street South  
47° 25' East eight hundred twenty-one and sixteen hundredths (821.16) feet to  
the boundary line between said Upper Yoder Township and the said City of  
Johnstown in the said County of Cambria, said boundary line between Upper Yoder  
Township and the City of Johnstown being the westerly boundary of Summit Avenue,  
a dedicated street in the said city of Johnstown.

The exact distance from the point of beginning of the said proposed  
road, as set forth in this petition, from an intersecting public road or street,  
to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred  
forty-nine and sixteen hundredths (2849.16) feet, measured along the center  
of said Sell Street to the center of said Berkley Road; and the exact distance  
from the point of ending of the said proposed road, as set forth in this  
petition, from an intersecting public road or street, to-wit, said Sell Street,  
in said Township of Upper Yoder, is two hundred seventeen and three tenths  
(217.3) feet, measured along the said boundary line between Upper Yoder Township

and the City of Johnstown to the center, of said Sell Street.

Your petitioners further represent that notwithstanding the fact that one of the termini named in the said petition, namely, the point of ending of said proposed road, is at a point other than in a public highway or place of public resort, that the said proposed road is on e necessary for public travel.

A copy of written notice to the Supervisors of said Upper Yoder Township of the intended presentation of this application, with an acceptance of service thereon, is hereto attached, made part hereof and marked "Exhibit A".

A release of damages, whereby the owners of property abutting the aforesaid proposed road release the said Township of Upper Yoder from all damages by reason of the opening, grading, draining, improving and maintaining the said proposed highway, is hereto attached, made part hereof and marked "Exhibit B".

Your petitioners therefore pray the 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 therefor, lay out the same and make a report of their proceedings. to the next sessions of Court.

Samuel M Adams  
Stella M Adams  
Nannie O. Tilley  
Frank L Palmer  
Angusta Maley  
Frank Kozopp  
Richard H Pearce  
Cora B Pearce  
Richard E Pearce  
Thomas A. Tilley  
John J. Mishler  
Helena Mishler  
John  
Tom H. Mishler

Lucy Clumley  
Garfield A. Clumley  
Wesley Seigs

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said State and County, *Benfield A. Churchey*, who being duly sworn according to law, deposes and says that he is one of the petitioners within set forth and that the statements contained in said petition are true and correct.

Sworn and subscribed before me  
this *30<sup>th</sup>* day of December, 1935.

*Lou Marie Brudener*

*Benfield A. Churchey*

NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 5, 1937

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA.

Ø In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. Sessions, 1935  
Ø PETITION FOR APPOINTMENT OF VIEWERS

DECREE

AND NOW, this 30<sup>th</sup> day of December, 1935, the within  
petition having been read and considered, the Court appoints \_\_\_\_\_

A. Dickey and W. J. Baumgardner  
and James McCann Viewers to view the road herein  
referred to and make a report of their proceedings to the March

Term of the Court of Quarter Sessions of said county.

By the Court  
Yusef

EXHIBIT A

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

§ In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. Sessions, 193  
§ PETITION FOR APPOINTMENT OF VIEWERS

NOTICE TO SUPERVISORS

TO SCOTT BEAM, CURT BARNHART and D. H. WEIMER, SUPERVISORS OF UPPER YODER  
TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will please take notice that there will be a petition presented to the Court of Quarter Sessions of Cambria County, at Ebensburg, Pennsylvania, in said County, at ten o'clock A. M., the 30th day of December 1935, asking the Court for the appointment of Viewers to view and lay out a proposed road in the Township of Upper Yoder, to begin at the intersection of Sell Street, a public road in said Township of Upper Yoder, and Gomer Street, a certain dedicated street in the plan of Elim in said Township of Upper Yoder; thence along the center line of said Gomer Street North 79° 14' East three hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle Street, a certain dedicated street in the said plan of Elim; thence along said center line of Ogle Street South 47° 25' East eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being the westerly boundary of Summit Avenue, a dedicated street in the said city of Johnstown.

The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell Street to the center of said Berkley Road; and the exact distance from the point of ending of the said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, said Sell Street, in said Township of Upper Yoder, is two hundred seventeen and three tenths

(217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell Street.

*Frank P. Bamhart*  
ATTORNEY FOR PETITIONERS

December 30 1935, service of the above stated  
notice is hereby accepted.

*Curt Barnhart*  
*D. H. Weiner*

EXHIBIT B

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

¶ In the Court of Quarter Sessions  
: of Cambria County, Pennsylvania.  
: No. Sessions, 193  
¶ PETITION FOR APPOINTMENT OF VIEWERS

RELEASE OF DAMAGES

We, the undersigned, in consideration of the advantages to us from  
the road mentioned in the annexed petition to lay out the same, do hereby  
release all claims to damages that may arise to us from the opening, grading,  
draining, improving and maintaining of said proposed highway.

IN WITNESS WHEREOF we have hereunto set our hands and seals this

30<sup>th</sup> day of December, 1935.

Samuel M. Adams

Stella M. Adams

Nannie O. Tilley

Augusta Maletz

Richard E. Pearce

Frank Kozzani

Richard H. Pearce

Cora B. Pearce

Thomas A. Tilley

John J. Mishler

Heber A. Mishler

Wm H. Mishler

Luz Cheney

Harold A. Cheney

Wesley Selig

No. *2 Dec.* Sessions, 1935  
In the Court of Quarter Sessions  
of Cambria County, Pennsylvania.  
PETITION FOR APPOINTMENT OF VIEWERS

IN RE LAYING OUT OF A PUBLIC  
HIGHWAY IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

PETITION FOR APPOINTMENT OF VIEWERS,  
and DECREE.

*Filed: Dec. 30, 1935*

LAW OFFICES  
BARNHART & ADAMS  
JOHNSTOWN, PENNA.