

In Re: Vacation of Portions
of Public Road -- Portions of
Miller Road formerly known as
Berkley Road in the Township
of Upper Yoder, County of
Cambria, State of Pennsylvania

In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania

No. 4, June Sessions, 1939

REPORT OF VIEWERS

To the Honorable, the Judges of the above named Court,
We, the undersigned Viewers, appointed by the attached order of
the above Court to view the roads 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 said
view and of the time and place of meeting by posting notices, as
required by law, along the route and at the termini of said roads
proposed to be vacated and by service of such notice on the
Commissioners of Cambria County, the Supervisors and Solicitor of
Upper Yoder Township, evidence of which is shown by copies of said
notices hereto attached and made a part of this report; that we
met, in accordance with the notices given, on the 23rd day of Sep-
tember A. D. 1939 at 10:00 o'clock A.M. and proceeded with the
duties of our appointment and viewed the premises and routes of
the proposed roads to be vacated. During the view the Supervisors
of Upper Yoder Township, interested persons and the three Viewers
were present. All persons present were heard.

No objections were raised by the Supervisors, residents
or property owners against vacating the sections of highway pro-
posed to be vacated.

That the said portions of highway proposed to be vacated
are all in Upper Yoder Township and described as follows:

(a) Beginning at State Highway construction station
99 + 00 in the relocated portion of State Highway Route 11007 at a
distance of 300' measured along the center line of Route 11007 in
a southeasterly direction from the intersection of Sell Street, a
public highway in the Township of Upper Yoder, and ending at the
intersection of said abandoned portion of Route 11007, proposed to
be vacated, with the intersection of Bronx Street, a public highway

in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder and being colored red on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Sell Street, is 300'.

The exact distance of said place of ending to and intersecting public road, to wit: Township Road, Route 11333, Bronx Street, is 285'.

(b) Beginning at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125 + 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and being colored green on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Orchard Way Extension, is 157'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1515'.

(c) Beginning at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and being colored yellow on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 715'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1385'.

(d) Beginning at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2985' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder and being colored brown on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1935'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 2985'.

That the relocated sections of State Highway Route 11007 replacing the sections petitioned to be vacated are shown on the plans attached hereto and made a part hereof and herein above referred to.

That after viewing the premises, surrounding territories, abutting properties and taking into consideration all of the matters before us, we are of the opinion that the sections of highway proposed to be vacated, herein above described, have become useless, inconvenient and burdensome to the taxpayers. We therefore recommend that the prayer of the petitioners be granted and that said sections of highway be vacated as public highways.

We have not obtained any releases of damages. Therefore, taking into consideration the benefits and damages that have resulted or may seem likely to result by reason of the newly constructed highway and the sections of road vacated to the abutting property owners, we assess no benefits and no damages.

Witness our hands this 25th day of September A. D. 1939.

W. E. Dickey
James M. Cannon
A. H. Jenkins
Viewers

In Re: Vacation of Portions
of Public Road -- Portions of
Miller Road formerly known as
Berkley Road in the Township
of Upper Yoder, County of
Cambria, State of Pennsylvania

In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania.

No. 4, June Sessions, 1939

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view and report on certain portions of a highway proposed to be vacated, will meet on the Miller Road, formerly known as Berkley Road now State Highway Route 11007, at the intersection of Sell Street, a public highway in Upper Yoder Township, Cambria County, Pennsylvania, with said Berkley Road, which point is at a distance of 300' measured along the center line of Route 11007 in a northwesterly direction from the beginning of said portion (a), on the 23rd day of September A.D. 1939 at 10:00 o'clock A.M. for the purpose of proceeding with the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear. Said portions of Highway proposed to be vacated are described as follows:

(a) BEGINNING at State Highway construction station 99 + 00 in the relocated portion of State Highway Route 11007 at a distance of 300' measured along the center line of Route 11007 in a southeasterly direction from the intersection of Sell Street, a public highway in the Township of Upper Yoder, and ending at the intersection of said abandoned portion of Route 11007, proposed to be vacated, with the intersection of Bronx Street, a public highway in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder.

(b) BEGINNING at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125 + 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(c) BEGINNING at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(d) BEGINNING at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2985' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder.

September 13, 1939

S. E. DICKEY
JAMES McCANN
S. H. JENKS

Viewers

Now this 25th day of September A.D. 1939 service of the above notice is hereby accepted by the Commissioners of Cambria County, Pennsylvania.



Chief Clerk

In Re: Vacation of Portions
of Public Road -- Portions of
Miller Road formerly known as
Berkley Road in the Township
of Upper Yoder, County of
Cambria, State of Pennsylvania

In the Court of Quarter Ses-
sions of Cambria County,
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No. 4, June Sessions, 1939

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view and report on certain portions of a highway proposed to be vacated, will meet on the Miller Road, formerly known as Berkley Road now State Highway Route 11007, at the intersection of Sell Street, a public highway in Upper Yoder Township, Cambria County, Pennsylvania, with said Berkley Road, which point is at a distance of 300' measured along the center line of Route 11007 in a northwesterly direction from the beginning of said portion (a), on the 23rd day of September A.D. 1939 at 10:00 o'clock A.M. for the purpose of proceeding with the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear. Said portions of Highway proposed to be vacated are described as follows:

(a) BEGINNING at State Highway construction station 99 + 00 in the relocated portion of State Highway Route 11007 at a distance of 300' measured along the center line of Route 11007 in a southeasterly direction from the intersection of Sell Street, a public highway in the Township of Upper Yoder, and ending at the intersection of said abandoned portion of Route 11007, proposed to be vacated, with the intersection of Bronx Street, a public highway in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder.

(b) BEGINNING at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125 + 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(c) BEGINNING at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(a) BEGINNING at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2985' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder.

September 13, 1939

S. R. DICKSY
JAMES McCANN
S. H. JENIS

Witness

Now this 13 day of September A.D. 1939 service of the above notice is here-by accepted by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania.

Kurt Henschel
Secretary

This is a copy.

In Re: Vacation of Portions
of Public Road -- Portions of
Miller Road formerly known as
Berkeley Road in the Township
of Upper Yoder, County of
Cambria, State of Pennsylvania

In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania.

No. 4, June Sessions, 1939

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view and report on certain portions of a highway proposed to be vacated, will meet on the Miller Road, formerly known as Berkeley Road now State Highway Route 11007, at the intersection of Sall Street, a public highway in Upper Yoder Township, Cambria County, Pennsylvania, with said Berkeley Road, which point is at a distance of 300' measured along the center line of Route 11007 in a northwesterly direction from the beginning of said portion (a), on the 23rd day of September A.D. 1939 at 10:00 o'clock A.M. for the purpose of proceeding with the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear. Said portions of Highway proposed to be vacated are described as follows:

(a) BEGINNING at State Highway construction station 99 + 00 in the relocated portion of State Highway Route 11007 at a distance of 300' measured along the center line of Route 11007 in a southeasterly direction from the intersection of Sall Street, a public highway in the Township of Upper Yoder, and ending at the intersection of said abandoned portion of Route 11007, proposed to be vacated, with the intersection of Bronx Street, a public highway in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder.

(b) BEGINNING at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125 + 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(c) BEGINNING at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder.

(d) BEGINNING at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2935' measured along the center line of the relocated portion of Route 11007 in a easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder.

September 13, 1939

S. E. DICKSEY
JAMES MCCANN
S. H. JENKS

Viewers

In Re: Vacation of Portions
of Public Road -- Portions of
Miller Road formerly known as
Berkley Road in the Township
of Upper Yoder, County of
Cambria, State of Pennsylvania

In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania

No. 4, June Sessions, 1939

County of Cambria

To S. E. DICKEY Dr.

Sept. 12, 13	Data preparing, serving and posting notice of View. 1½ days.	\$ 18.00
" 12, 13	Mileage. 10 miles.	1.00
	Stenographer	2.00
	30 Copies of notice.	1.50
" 22	Looking up data, getting photostats, preparing and coloring plans. 1 day.	12.00
	Prints.	2.25
	Making View. 1 day.	12.00
	Mileage. 8 miles.	.80
	Data and preparing report. 1 day.	12.00
	Stenographer	2.00
		<u>63.55</u>

To JAMES McCANN Dr.

Sept. 23	Making View. 1 day.	\$ 12.00
	Mileage. 8 miles.	.80
		<u>12.80</u>

To S. H. JENCKS Dr.

Sept. 23	Making View. 1 day.	\$ 12.00
	Mileage. 44 miles.	4.40
		<u>16.40</u>

I hereby certify that the above bill is an exact dupli-
cate of the bill presented to the Cambria County Commissioners.

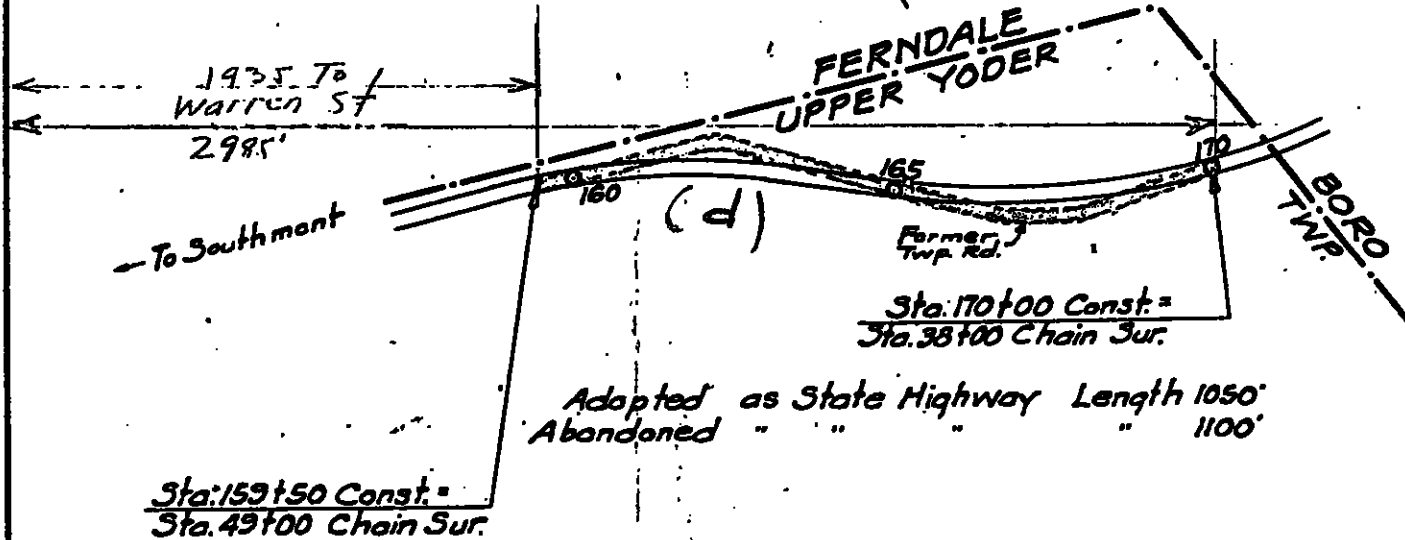
S. E. Dickey
S. E. Dickey

CERTIFIED
Joseph L. ...
COUNTY CONTROLLER

CERTIFIED
Joseph L. ...
COUNTY CONTROLLER

CERTIFIED
Joseph L. ...
COUNTY CONTROLLER

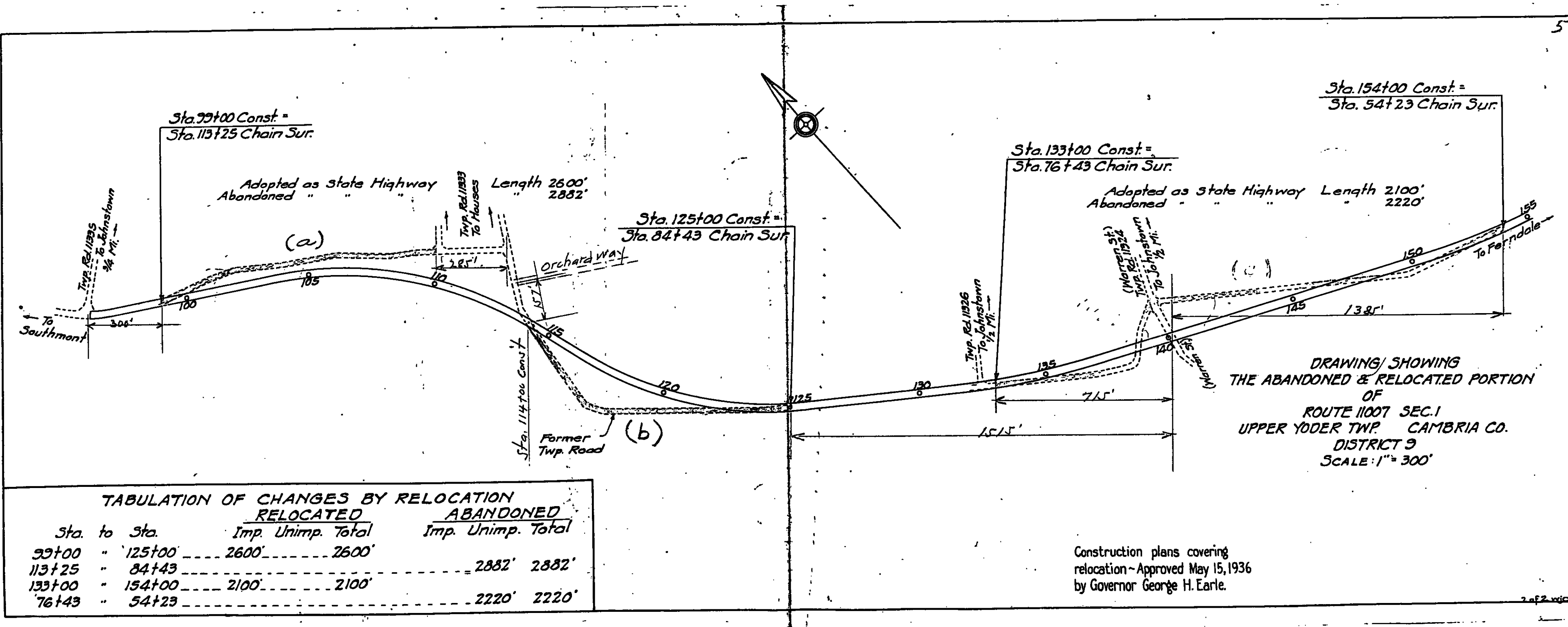
DRAWING SHOWING
 THE ABANDONED & RELOCATED PORTION
 OF
 ROUTE 11007 SEC. 1
 UPPER YODER TWP. CAMBRIA CO.
 DISTRICT 9
 SCALE: 1"=300'



Construction plans covering
 relocation ~ Approved May 15, 1936
 by Governor George H. Earle

TABULATION OF CHANGES BY RELOCATION

	RELOCATED			ABANDONED		
	Imp.	Unimp.	Total	Imp.	Unimp.	Total
Sta. 159+50 to Sta. 170+00			1050'			1050'
" 49+00 " " 38+00						1100'



DRAWING SHOWING
THE ABANDONED & RELOCATED PORTION
OF
ROUTE 11007 SEC. 1
UPPER YODER TWP. CAMBRIA CO.
DISTRICT 9
SCALE: 1" = 300'

Sta. to Sta.	RELOCATED		ABANDONED	
	Imp.	Unimp. Total	Imp.	Unimp. Total
99+00 " 125+00	2600'	2600'		
113+25 " 84+43			2882'	2882'
133+00 " 154+00	2100'	2100'		
76+43 " 54+23			2220'	2220'

Construction plans covering
relocation - Approved May 15, 1936
by Governor George H. Earle.

IN RE VACATION OF PORTIONS ¶
OF PUBLIC ROAD -- PORTIONS :
OF MILLER ROAD FORMERLY :
KNOWN AS BERKLEY ROAD IN THE :
TOWNSHIP OF UPPER YODER, COUN+
TY OF CAMBRIA, STATE OF :
PENNSYLVANIA ¶

In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania

No. *4 June* Sessions,
1939

PETITION FOR VACATION OF ROAD

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

The petition of the undersigned Supervisors of the
Township of Upper Yoder, in the said County of Cambria, Respect-
fully represents:

(1) That Berkley Road; known as Miller Road, has
been laid out and used as a public road for many years past.
That your petitioners desire that certain portions of said road
be vacated for the reason that the same have become useless, in-
convenient and burdensome.

(2) That the said portions proposed to be vacated
are located in said Upper Yoder Township and more fully described
as follows:

(a) BEGINNING at State Highway construction sta-
tion 99 + 00 in the relocated portion of State Highway Route
11007 at a distance of 300' measured along the center line of
Route 11007 in a southeasterly direction from the intersection
of Sell Street, a public highway in the Township of Upper Yoder,
and ending at the intersection of said abandoned portion of
Route 11007, proposed to be vacated, with the intersection of

Bronx Street, a public highway in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder and being colored red on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Sell Street, is 300'.

The exact distance of said place of ending to an intersecting public road, to wit: Township Road, Route 11333, Bronx Street, is 285'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(b) BEGINNING at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125+ 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and

being colored green on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Orchard Way Extension, is 157'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1515'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(c) BEGINNING at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and being colored yellow on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 715'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road

Route 11324, if 1385'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(d) BEGINNING at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2985' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1935'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 2985'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(3) Your petitioners further represent that during the latter part of the year 1936, the said Berkley Road, otherwise Miller Road was in part reconstructed and the portions above described and sought to be vacated, thereupon became useless, inconvenient and burdensome and were abandoned, and the new and reconstructed portions built instead thereof, as above set forth, and further shown on said "EXHIBIT I".

(4) The approval in writing of the Secretary of Highways of the said portions proposed to be vacated, is hereto attached, made part hereof and marked "EXHIBIT 2".

Your petitioners therefore pray the Court that the said portions of road described as now useless, inconvenient and burdensome be vacated agreeably to the Acts of Assembly in such case made and provided.

SUPERVISORS OF UPPER YODER
TOWNSHIP, CAMBRIA COUNTY, PENNA.

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said state and county, CURT BARNHART, one of the within named Supervisors of Upper Yoder Township, petitioners herein, who being duly sworn according to law, deposes and says that the matters and facts set forth in the foregoing petition are true and correct.

Sworn and subscribed before
me this 2d day of Sept. 1939

IN RE VACATION OF PORTIONS
OF PUBLIC ROAD -- PORTIONS
OF MILLER ROAD FORMERLY
KNOWN AS BERKLEY ROAD IN
THE TOWNSHIP OF UPPER
YODER, COUNTY OF CAMBRIA,
STATE OF PENNSYLVANIA

↓ In the Court of Quarter Ses-
: sions of Cambria County,
: Pennsylvania
: No. 4 *June* Sessions,
: 1939
↓

ORDER

Now, to wit: September 5TH 1939, on motion of
Barnhart and Adams, attorneys for petitioners, the Court
appoint S. E. Duxley and James M'Carroll
and A. H. Jurek as a Board of View upon the fore-
going petition, and further order that the said Board of View
shall perform their duties in accordance with the laws and Act
of Assembly in such case made and provided.

By the Court
Sues

EXHIBIT 2

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF HIGHWAYS

Harrisburg

February 1, 1937

In reply refer to
Cambria Co.
Rt. 11011 (1)
Upper Yoder T.
O.R. 207

Mr. Curt Barnhart, Sec.-Treas.
Board of Upper Yoder Twp. Supervisors
R.D. #5, Johnstown, Pennsylvania

Dear Sir:

The Department of Highways in improving State Highway Route 11011, within the boundaries of Upper Yoder Township, Cambria County, has relocated the said highway from a point at Station 0 + 00 to a point at Station 16 + 55, a distance of approximately 1655 feet or approximately 0.313 of a mile, more fully described and shown on the attached drawing.

By this change of location the portion of road originally maintained as a part of the State Highway System, between the stations above referred to, is abandoned as a part of the system and reverts as a public highway to the jurisdiction of the officials who maintained it previous to its adoption as a part of the State Highway System.

If the authorities who now have jurisdiction over it are of the opinion that the portion abandoned as a State highway route is unnecessary for public use and travel or that it will be burdensome or dangerous, we suggest that you have a petition presented to the county court requesting its vacation as a public highway.

Very truly yours,

WARREN VAN DYKE
Secretary of Highways

Encl.



~~September 25, 1939~~

In the Court of Quarter Sessions of Cambria County, Pennsylvania.

No. 4, June Sessions, 1939

Report of Viewers

In Re: Vacation of Portion of Public Road -- Portions of Miller Road formerly known as Berkley Road in the Township of Upper Yoder, County of Cambria, State of Pennsylvania.

Filed Sept 28 1939

S. E. Dickey
James McCann
S. H. Jencks

Viewers

S. E. DICKEY & CO.
CIVIL, MINING AND CONSULTING ENGINEERS
805-B11 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

11 Dec. 1939
By the Court
McKenney
Approved

11 March, 1940 in service of

W. H. L. ...
W. H. L. ...

IN RE VACATION OF PORTIONS
OF PUBLIC ROAD -- PORTIONS
OF MILLER ROAD FORMERLY
KNOWN AS BERKLEY ROAD IN THE
TOWNSHIP OF UPPER YODER, COUN-
TY OF CAMBRIA, STATE OF
PENNSYLVANIA

! In the Court of Quarter Ses-
: sions of Cambria County,
: Pennsylvania
: :
: No. Sessions,
: 1939
!

PETITION FOR VACATION OF ROAD

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

The petition of the undersigned Supervisors of the
Township of Upper Yoder, in the said County of Cambria, Respect-
fully represents:

(1) That Berkley Road, known as Miller Road, has
been laid out and used as a public road for many years past.
That your petitioners desire that certain portions of said road
be vacated for the reason that the same have become useless, in-
convenient and burdensome.

(2) That the said portions proposed to be vacated
are located in said Upper Yoder Township and more fully described
as follows:

(a) BEGINNING at State Highway construction sta-
tion 99 + 00 in the relocated portion of State Highway Route
11007 at a distance of 300' measured along the center line of
Route 11007 in a southeasterly direction from the intersection
of Sell Street, a public highway in the Township of Upper Yoder,
and ending at the intersection of said abandoned portion of
Route 11007, proposed to be vacated, with the intersection of

Bronx Street, a public highway in the Township of Upper Yoder, the exact location of said place of ending being at a distance of 285' measured along the center line of Route 11007 in a northwesterly direction from the intersection of Township Road Route 11333, a public highway in said Township of Upper Yoder and being colored red on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Sell Street, is 300'.

The exact distance of said place of ending to an intersecting public road, to wit: Township Road, Route 11333, Bronx Street, is 285'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I."

(b) BEGINNING at State Highway construction station 114 + 00 in the relocated portion of State Highway Route 11007 at a distance of 157' measured along the center line of the abandoned portion of Route 11007 in a southerly direction from the intersection of Orchard Way Extension, a public highway in the Township of Upper Yoder and ending at State Highway construction station 125 + 00, the exact location of said place of ending being at a distance of 1515' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and

being colored green on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road , to wit: Orchard Way Extension, is 157'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1515'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(c) BEGINNING at State Highway construction station 133 + 00 in the relocated portion of State Highway Route 11007 at a distance of 715' measured along the center line of the relocated portion of Route 11007 in a northwesterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 154 + 00, the exact location of the place of ending being at a distance of 1385' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and being colored yellow on the plan attached hereto and made a part hereof.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 715'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road

Route 11324, is 1385'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(d) BEGINNING at State Highway construction station 159 + 50 in the relocated portion of State Highway Route 11007 at a distance of 1935' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in the said Township of Upper Yoder and ending at State Highway construction station 170 + 00, the exact location of the place of ending being at a distance of 2985' measured along the center line of the relocated portion of Route 11007 in an easterly direction from the intersection of Warren Street, Township Road Route 11324, a public highway in said Township of Upper Yoder.

The exact distance of said place of beginning to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 1935'.

The exact distance of said place of ending to an intersecting public road, to wit: Warren Street, Township Road Route 11324, is 2985'.

A print of the portion of road proposed to be vacated, together with a portion of road replacing said road petitioned to be vacated, is hereto attached, made part hereof and marked "EXHIBIT I".

(3) Your petitioners further represent that during the latter part of the year 1936, the said Berkley Road, otherwise Miller Road was in part reconstructed and the portions above described and sought to be vacated, thereupon became useless, inconvenient and burdensome and were abandoned, and the new and reconstructed portions built instead thereof, as above set forth, and further shown on said "EXHIBIT I".

(4) The approval in writing of the Secretary of Highways of the said portions proposed to be vacated, is hereto attached, made part hereof and marked "EXHIBIT 2".

Your petitioners therefore pray the Court that the said portions of road described as now useless, inconvenient and burdensome be vacated agreeably to the Acts of Assembly in such case made and provided.

D. A. Merner
Carl Bernhart

SUPERVISORS OF UPPER YODER
TOWNSHIP, CAMBRIA COUNTY, PENNA.

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said state and county, CURT BARNHART, one of the within named Supervisors of Upper Yoder Township, petitioners herein, who being duly sworn according to law, deposes and says that the matters and facts set forth in the foregoing petition are true and correct.

Curt Barnhart

Sworn and subscribed before me this 2d day of Sept. 1939

Jessie Beyer Williams

NOTARY PUBLIC
BY COMMISSION EXPIRES
APRIL 11, 1941

IN RE VACATION OF PORTIONS
OF PUBLIC ROAD -- PORTIONS
OF MILLER ROAD FORMERLY
KNOWN AS BERKEEY ROAD IN
THE TOWNSHIP OF UPPER
YODER, COUNTY OF CAMBRIA,
STATE OF PENNSYLVANIA

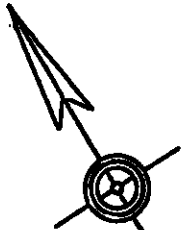
! In the Court of Quarter Ses
: sions of Cambria County,
: Pennsylvania
: No. Sessions,
: 1939
!

O R D E R

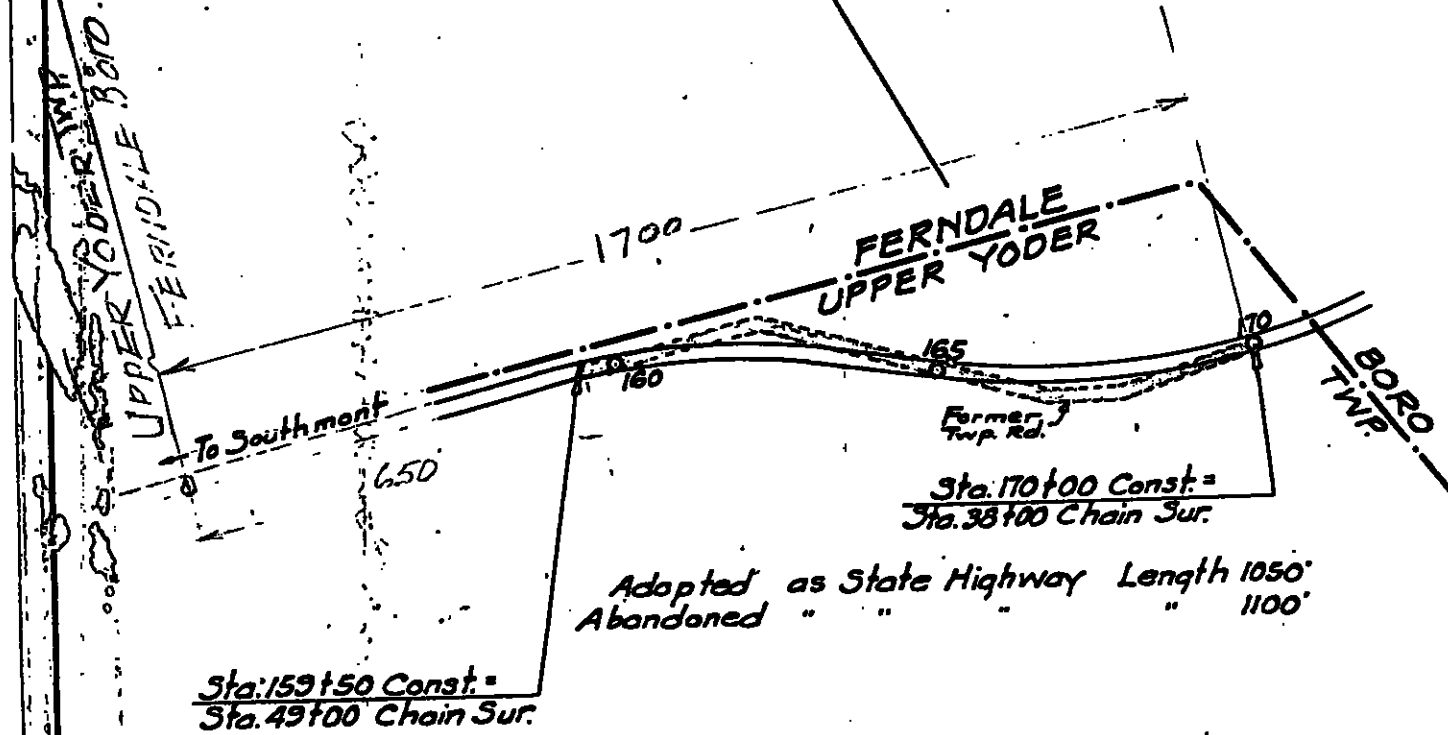
Now, to wit: September 5th 1939, on motion of
Barnhart and Adams, attorneys for petitioners, the Court
appoint *Anna E. Deery* and *James W. Cunn*
and *S. H. Guder* as a Board of View upon the fore-
going petition, and further order that the said Board of View
shall perform their duties in accordance with the laws and Act
of Assembly in such case made and provided.

By the Court
Young

Exhibit I



DRAWING SHOWING
 THE ABANDONED & RELOCATED PORTION
 OF
 ROUTE 11007 SEC. 1
 UPPER YODER TWP. CAMBRIA CO.
 DISTRICT 9
 SCALE: 1"=300'

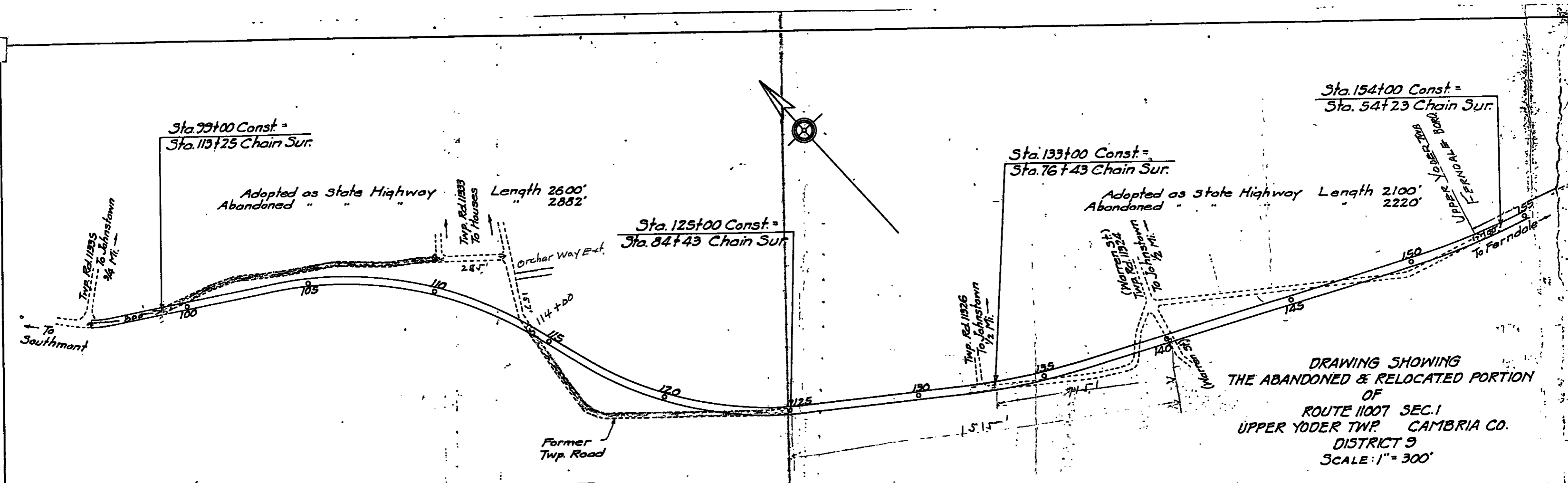


Adopted as State Highway Length 1050'
 Abandoned " " " " 1100'

Construction plans covering
 relocation ~ Approved May 15, 1936
 by Governor George H. Earle

TABULATION OF CHANGES BY RELOCATION

	RELOCATED			ABANDONED		
	Imp.	Unimp.	Total	Imp.	Unimp.	Total
Sta. 159+50 to Sta. 170+00			1050'			1050'
49+00 " " 38+00						1100' 1100'



DRAWING SHOWING
THE ABANDONED & RELOCATED PORTION
OF
ROUTE 11007 SEC. 1
UPPER YODER TWP. CAMBRIA CO.
DISTRICT 9
SCALE: 1" = 300'

TABULATION OF CHANGES BY RELOCATION		RELOCATED		ABANDONED			
Sta.	to Sta.	Imp.	Unimp.	Total	Imp.	Unimp.	Total
99+00	" 125+00	2600'		2600'			
113+25	" 84+43				2882'		2882'
133+00	" 154+00	2100'		2100'			
76+43	" 54+23				2220'		2220'

Construction plans covering
relocation - Approved May 15, 1936
by Governor George H. Earle.

EXHIBIT 2

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF HIGHWAYS

Harrisburg

February 1, 1937

In reply refer to
Cambria Co.
Rt. 11011 (1)
Upper Yoder T.
O. R. 207

Mr. Curt Barnhart, Sec.-Treas.
Board of Upper Yoder Twp. Supervisors
R. D. #5, Johnstown, Pennsylvania

Dear Sir:

The Department of Highways in improving State Highway Route 11011, within the boundaries of Upper Yoder Township, Cambria County, has relocated the said highway from a point at Station 0 + 00 to a point at Station 16 + 55, a distance of approximately 1655 feet or approximately 0.313 of a mile, more fully described and shown on the attached drawing.

By this change of location the portion of road originally maintained as a part of the State Highway System, between the stations above referred to, is abandoned as a part of the system and reverts as a public highway to the jurisdiction of the officials who maintained it previous to its adoption as a part of the State Highway System.

If the authorities who now have jurisdiction over it are of the opinion that the portion abandoned as a State highway route is unnecessary for public use and travel or that it will be burdensome or dangerous, we suggest that you have a petition presented to the county court requesting its vacation as a public highway.

Very truly yours,

WARREN VAN DYKE
Secretary of Highways

Encl.

140. 4 JUNE Sess. 1937
In the Court of Quarter Ses-
sions of Cambria County,
Pennsylvania.

No. 1939 Sessions

IN RE VACATION OF PORTIONS
OF PUBLIC ROAD == PORTIONS
OF MILLER ROAD FORMERLY
KNOWN AS BERKLEY ROAD IN
THE TOWNSHIP OF UPPER YODER,
COUNTY OF CAMBRIA, STATE OF
PENN SYLVANIA

PETITION FOR VACATION OF
ROAD

Filed: Sept. 5, 1939

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.