

2

No. **1 June** Sessions **19 37**

Order to open **Public Road in East**

Taylor Township, Cambria County

Filed: Mar. 2, 1938

Clerk.....

RETURN BY SUPERVISORS

Commonwealth of Pennsylvania, }
County of Cambria. } SS.

On the 28th day of February 1938, before me
J. Alvin Reese--Alderman, personally came J. G. Bimeal & W. G. Wilson

supervisors of the township of East Taylor Twp., who being duly sworn
[~~or affirmed~~] according to law, do depose and say, that they effectually opened the road designated by
the order of the Court bearing date the 13th day of September
1937, in accordance with the directions of the said order.

Sworn [~~or affirmed~~] and subscribed before me this
28th day of February 1938
J. Alvin Reese
MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY, 1940

J. G. Bimeal
W. G. Wilson
Supervisors.

27

Commonwealth of Pennsylvania, }
County of Cambria. } SS.

To Hiram F. Ribblett, Joe Bimeal and W. G. Wilson

supervisors of the township of East Taylor, in the county of Cambria,
greeting:

Whereas, at a Court of Quarter Sessions of the Peace held at Ebensburg, in and for the county of Cambria, aforesaid, on the day of September 13, 1937, said court did approve and confirm for public use a certain road theretofore reported, and directed the same to be opened of the breadth of forty (40) feet, which said road so reported, approved for public use, confirmed and directed to be opened begins at,

as described in certified copy of viewers report attached hereto

which said road was, on the 13th day of September, 1937, ordered and directed by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be a lawful public road or highway:

Now, this is to authorize, empower, command and require you the said supervisors aforesaid, in which district the said road lies, as soon as may be practicable, effectually to open the said road, by the courses and distances aforesaid, and the breadth of forty (40) feet, as ordered and directed by the said court; and you are hereby further required to make return of this order to the next stated Court of Quarter Sessions, after the opening of the road in accordance with this order, and the manner of its execution by you, verified by the affidavit of one or both of you, setting forth that you have effectually opened the said road of the breadth of forty (40) feet, and upon the line hereinbefore directed.

Witness, the Honorable John H. McCann, President of our said court at Ebensburg, this 13th day of December, 1937.

By the Court:

Attest:

James M. Jones, Clerk.

1937

No. 1, June SESSIONS, 192X.

Order to view

New Township Road in ^{East} Taylor

Township.

a n d

Report of Viewers.

CERTIFIED
S. H. Jencks

A. M. Shoemaker

James McCann

S. H. Jencks

Viewers

Clerk 90-cts.

Filed, Sept. 11, 1937

13 Sept. 1937. Approved and breadth fixed at forty feet.
By the Court



13 Dec. 1937. Confirmed absolutely.
J. J. Clark

order to open recorded to W. G. Wilson
RD
municipal. Pt. Pa.

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."

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 23rd day of August A. D. 1937, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Taylor, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, ~~located~~ from

beginning in the Township of East Taylor, at a point on Rural Route 11021 leading from the village of Mineral Point to Summerhill about 3200 feet North of the bridge across the Conemaugh River in said village of Mineral Point and extending in an Easterly and thence North Westerly direction and ending at a point on Rural Route 11021 about 7400 feet North of the bridge across the Conemaugh River in the Village of Mineral Point,

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

As M. Shoemaker surveyor, and

James McCann and S. H. Jencks

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.

McKenrick, J.

Attest:

James M. Jencks, Clerk.

R E P O R T O F V I E W E R S .

To the Honorable, the Judges of the Court of Quarter Sessions of Cambria County, Pennsylvania.

We, the undersigned members of the Permanent Board of Viewers of Cambria County, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the necessity for a public road in East Taylor Township, Cambria County, Pa., between the termini indicated on said order, respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County and the Supervisors of the Township of East Taylor and having them accept service of notices hereto attached and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini and along the route of the proposed new road, and having each been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability; All of us met at the time and place appointed, in accord with the notices given and posted as aforesaid and ~~and~~ having gone over and carefully viewed the premises, noting the improvements along the line of the desired route and having enquired and learned of the travel between said termini and being convinced there was occasion for an outlet for some seven families living along the proposed route of the road and for access for employees of the Argyle Coal Company to the property of said Coal Company over a portion of said road from one or the other termini of the same we proceeded to lay out a public road between said termini where in our opinion it would ~~the~~ best serve the petitioners and the traveling public and at the same time do the least injury to private property and at the same time have the best obtainable grade through the hilly and badly broken stretch of country lying between the terminal points indicated on the order.

A plot or draft showing the courses and distances and indicating the improvements through and along the line of said proposed new road is hereto attached and made a part of this report.

x The courses and distances of said piece of road as laid out are as follows, viz: From the point of beginning on Rural Route 11021, leading from the Village of Mineral Point to the Borough of Summerhill, at a point approximately 3200 feet from the bridge across the Conemaugh River, in said Village of Mineral Point, and extending thence south 84 degrees 20 minutes east 297 feet; south 88 degrees 30 minutes east 214.4 feet; south 84 degrees 50 minutes east 139.5 feet; south 83 degrees five minutes east 1335 feet; north 66 degrees east 86.6 feet; north 51 degrees east 273.4 feet; north 34 degrees 45 minutes east 136 feet; north 45 degrees east 192.6 feet; north 39 degrees east 259.5 feet; north 86 degrees 30 minutes east 59.8 feet; south 40 degrees east 34.2 feet; south 19 degrees east 78.9 feet; south 42 degrees east 123.3 feet; south 51 degrees 30 minutes east 218.4 feet; south 64 degrees east 77.4 feet; north 75 degrees east 40 feet; north 9 degrees west 200 feet; north 4 degrees 30 minutes west 254 feet; north 12 degrees 30 minutes west 118 feet; north 25 degrees 30 minutes east 60 feet; north 63 degrees 45 minutes east 150.3 feet; north 74 degrees 30 minutes east 184.2 feet; north 48 degrees 20 minutes east 254.6 feet; north 64 degrees 50 minutes east 216.1 feet; north 1 degree 10 minutes east 72 feet; north 54 degrees west 85.4 feet; north 84 degrees 30 minutes west 137.8 feet; south 89 degrees west 134.5 feet, and north 75 degrees west 185.7 feet to the point of ending on Rural Route No. 11021.

Whereas all parties through and over whose land the proposed new road will pass will be benefitted far in excess of any injury or damage they will sustain we have assessed no damages to any of the property owners.

Due to the steep and broken nature of the land along and in the vicinity of the new road it was impossible to do otherwise than lay out the road with three short turns yet the lay of the land at and in the vicinity of said turns is such that there will be

but little likelihood of fast travel or accidents due to the curves.

Though the viewers report there is occasion and necessity for the road in question and herein recommend the road be opened for public use, yet they feel the immediate necessity for improving the steeper portion between the entrance to the home of Frank Lewis and the point where the private road leading from this new road to the Argyle Coal Co. plant is not ^{as} urgent as the other portions of the road.

Those traveling over the Western portion of said road as far as the Frank Lewis farm being able to reach their destination from the Rural Route 1021 opposite the W. H. Grove farm and those traveling from the opposite termini can have ready access as far as the Argyle Coal Co. property

Witness our hands this 10th day of September, A. D. 1937.

A. M. Shoemaker
James M. Cain
A. H. Jewers
Viewers.

N O T I C E O F V I E W .

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the necessity for a public road in East Taylor Township, said county and state, between the termini herein specified, viz:

Beginning at a point on Rural Route No. 11021; leading from the Village of Mineral Point to the Borough of Summerhill; about 3200 feet northward from the bridge across the Conemaugh River, in the Village of Mineral Point, and extending thence in a north-westerly direction and ending at a point on Rural Route No. 11021, about 7400 feet northward from said bridge across the Conemaugh River, in the Village of Mineral Point:

Said Viewers will meet at the point of beginning, above indicated, in the Township of East Taylor, said county and state, on Saturday, September 4th., 1937, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

James McCann and

S. H. Jencks,

Viewers:

Now, August 27th., 1937, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pa.



N O T I C E O F V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the necessity for a public road in East Taylor Township, said county and state, between the termini herein specified, viz:

Beginning at a point on Rural Route No. 11021; leading from the Village of Mineral Point to the Borough of Summerhill; about 3200 feet northward from the bridge across the Conemaugh River, in the Village of Mineral Point, and extending thence in a north westerly direction and ending at a point on Rural Route No. 11021, about 7400 feet northward from said bridge across the Conemaugh River, in the Village of Mineral Point:

Said Viewers will meet at the point of beginning, above indicated, in the Township of East Taylor, said county and state, on Saturday, September 4th., 1927, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

James McCann and

S. H. Jencks,

Viewers.

Now, September 1st., 1937, service of the above notice is hereby accepted for the Supervisors of the Township of East Taylor, Cambria County, Pennsylvania.



Supervisor.

N O T I C E O F V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the necessity for a public road in East Taylor Township, said county and state, between the termini specified, viz:

Beginning at a point on Rural Route No. 11021, leading from the Village of Mineral Point to the Borough of Summerhill, about 3200 feet north of the bridge across the Conemaugh River, in said village of Mineral Point, and extending thence in a north-westerly direction and ending at a point on Rural Route No. 11021 about 7400 feet north from said bridge across the Conemaugh River in the Village of Mineral Point:

Said viewers will meet at the point of beginning, above indicated, on Saturday, September 4th. at 9:30 a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,
James McCann and
S. H. Jencks,
Viewers.

County of Cambria

To A. M. Shoemaker	- - -	Dr.	
To Preparing, serving and posting notices of view	- -		\$18.00 ✓
" 34 miles at 10¢ per mile - posting and serving notices			3.40 ✓
Stenographer and stationery	- -		1.50 ✓
Day on View	- - -		12.00 ✓
34 miles attending view	- - -		3.40 ✓
Engineering work	- - -		12.00 ✓
Tracing cloth & two prints	- - -		3.00 ✓
Report of Viewers	- - -		12.00 ✓
Stenographer and stationery	- - -		1.25 ✓
			<u>\$68.55</u>

To S. H. Jencks

To one day on view	- - -		\$12.00
34 miles at 10 ¢ per mile	- - -		3.40.
			<u>\$15.40.</u>

To James McCann

One day on view	- - -		\$12.00.
24 miles at 10¢ per mile	- - -		240
			<u>\$ 14.40</u>

APPROVED FOR PAYMENT.

John H. ...
Grant P. ...
Lillian D. Keller
 COMMISSIONERS

OK

CERTIFIED
 COUNTY CONTROLLER

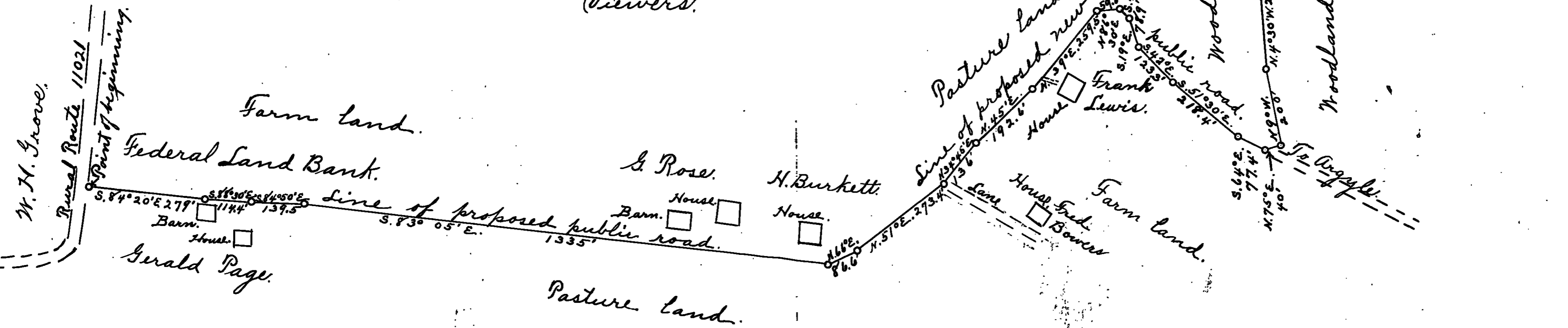
CERTIFIED
 COUNTY CONTROLLER

CERTIFIED
 COUNTY CONTROLLER

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Plot or draft showing the line and location of a proposed new public road in East Taylor Township: Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania dated 23 Aug. A. D., 1937.

A. M. Shoemaker,
James McCann,
S. H. Jencks,
Viewers.



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

IN THE MATTER OF A NEW
TOWNSHIP ROAD IN EAST
TAYLOR TOWNSHIP, CAMBRIA
COUNTY, PENNSYLVANIA

PETITION FOR APPOINTMENT
OF VIEWERS

Aug 23-1937
petition considered
and J. M. McKeen
Esq. James McCann
and H. J. Jurek
are appointed viewers
to act in the premises
By the Court
McKeen

ALBERT L. O'CONNOR
ATTORNEY AT LAW
EBENSBURG & LORETTO, PA.

Filed Aug. 24-1937

CITIZENS OF EAST TAYLOR TOWNSHIP

Laurence Bauer
Edward Bauer
Harvey B. Rose
Harry Burkett
Fred Bauer
Mary L. Rose
Leonard Page
Clyde Ritchey
Gerald Page
Frank L. Lewis
Leman M. Rose
Mrs. G. B. Rose
James N. Hampson
W. Lloyd J. Lewis
Mrs. Harry Burkett
Mrs. Leonard Page
M. J. O'Connor

SUPERVISORS OF EAST TAYLOR TOWNSHIP

Wm. Riblett
J. G. Zimenc
W. G. Wilson

TO THE COMMISSIONERS OF CAMBRIA COUNTY, PENNSYLVANIA:

You are hereby notified that on or about *August 23*
1937, the foregoing petition will be presented
to the above named Court:

Albert R. [Signature]
Attorney for Petitioners

ACCEPTANCE OF SERVICE

I hereby accept service of the above notice and copy
of the petition for the County Commissioners and waive the
issuance of any Rule or other Notice required by the Rules of
Court:

August 23, 1937

H. J. [Signature]
Chief Clerk