

September 20, 1939

To the Supervisors of
Upper Yoder Township,
Cambria County, Penn-
sylvania.

Petition
and
Release of Damages

For the opening, grading,
draining,, improving, and
maintaining of a certain
dedicated street and alley
in Cambria County, Pennsyl-
vania as public highways.

S. E. DICKEY & CO.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

IN RE BLAIR STREET AND UNNAMED LANE OR ALLEY IN UPPER YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA. ¶ In the Court of Quarter Sessions : of Cambria County, Pennsylvania. : No. September Sessions, : 1939.

PETITION FOR ACCEPTANCE OF BLAIR STREET AND UNNAMED LANE OR ALLEY AS PUBLIC HIGHWAYS

TO THE HONORABLE JUDGES OF THE ABOVE NAMED COURT:

The petition of the Board of Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, respectfully represents:

That upon the petition of the residents and owners of lots abutting on a portion of Blair Street and upon the petition of the residents and owners of lots abutting on an unnamed lane or alley, a dedicated street and a dedicated lane or alley respectively in said Upper Yoder Township, your petitioners accepted said portion of Blair Street and said unnamed lane or alley as public highways, subject to the consent of this Honorable Court; as more fully appears by resolution of your petitioners hereto attached, made part hereof and marked "Exhibit A".

WHEREFORE, your petitioners respectfully pray that your Honorable Court give its consent to the acceptance of said portion of Blair Street and said unnamed lane or alley as public highways of the said Township of Upper Yoder.

D. H. Weimer

Ephraim Bawdler

Carl Bernhart

SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA.

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said State and County, CURT BARNHART, who being duly sworn according to law, deposes and says that he is one of the Supervisors of Upper Yoder Township, and that the facts set forth in the foregoing Petition are true and correct.

Curt Barnhart

Sworn and subscribed before me this 18th day of November, Dec. 1939.

Jessie Boyer Williams

NOTARY PUBLIC
BY COMMISSION EXPIRES
APRIL 11, 1941

IN RE BLAIR STREET AND UNNAMED LANE OR ALLEY IN UPPER YODER TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.) In the Court of Quarter Sessions : of Cambria County, Pennsylvania. : No. September Sessions,) 1939.

ORDER

Now, ~~November~~ *January* 1939, the within petition having been read and considered, the Court hereby gives its consent that the portion of Blair Street and the unnamed lane or alley within described and more fully shown on blue print attached, a dedicated street and unnamed lane or alley on plan of lots laid out by Harry E. Berkley in Upper Yoder Township, Cambria County, Pennsylvania, be accepted as public highways; and it is further ordered and directed that the said portion of Blair Street and said unnamed lane or alley be and become parts of the public highway system of the Township of Upper Yoder, Cambria County, Pennsylvania; and be it still further ordered and directed that this proceeding be recorded in the Court of Quarter Sessions of Cambria County, Pennsylvania.

By the Court

Tracy

EXHIBIT A

RESOLUTION

Accepting a portion of Certain dedicated highways as public highways in Upper Yoder Township, Cambria County, Pennsylvania.

WHEREAS, petitions have been filed with the Board of Supervisors of Upper Yoder Township, Cambria County, Pennsylvania requesting the acceptance of a portion of a dedicated highway known as Blair Street and a 15 foot alley at the rear of the lots abutting on the southerly side of Crest Street as public highways, shown on the Harry E. Berkley Plan of Lots situate in Upper Yoder Township, Cambria County, Pennsylvania and duly recorded in the office of the Recorder of Deeds in Cambria County, Pennsylvania in Plat Book, volume 2, page 83, said petitions and plans showing locations of said highways being hereto attached, and

BE it further resolved that a petition be presented and filed with the said Court of Quarter Sessions praying that the said portions of Blair Street and said unnamed lane or alley be accepted as public highways in accordance with the Act of 1935, P.L. 1299, section 1147, said plan being hereto attached and marked "Exhibit A", and

WHEREAS the said portions of Blair Street is not less than 33 feet in width and the said unnamed lane or alley is not less than 15 feet in width; and

WHEREAS the residents and owners of lots abutting on said portion of Blair Street and abutting on said unnamed lane or alley as shown on said plan Exhibit A, have petitioned the Supervisors of said Upper Yoder Township, petitioning that the said portion of Blair Street and the said unnamed lane or alley be

accepted as public highways and releasing the said Township from any damages that may be resulted by reason of said acceptance and the opening, grading, draining, improving and maintaining said portion of Blair Street and said unnamed lane or alley; and the said petitions and releases being hereto attached, made part hereof and marked "Exhibit B"; and

WHEREAS, it is the desire of the Board of Supervisors of Upper Yoder Township to accept said highways in accordance with the act of the General Assembly of the Commonwealth of Pennsylvania as amended July 18, 1935, P.L. 1299, Section 1147, providing for the acceptance of dedicated roads, streets, lanes and alleys heretofore dedicated as public highways.

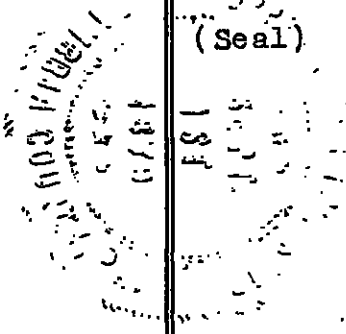
THEREFORE, be it resolved by the Board of Supervisors of Upper Yoder Township, Cambria County, Pennsylvania and hereby is resolved by authority of same that Blair Street, a dedicated highway forty (40') feet in width, beginning at the intersection on the northerly side of Atwood Street, known as State Highway Route 11007, an improved highway; thence N. 35° 32' E, a distance of 397.12 feet to an unnamed alley at the rear of the lots on the southerly side of Crest Street, and an unnamed alley fifteen (15') feet in width, beginning at its intersection with Berkley Road, formerly known as Warren Street, Township Road Route 11324; thence N. 61° 06' W., a distance of 689.05 feet to its intersection with the southerly side of Derby Street, a public highway in the Township of Upper Yoder, shall be and the same hereby are accepted as public highways and as parts of the road system of Upper Yoder Township, subject to the approval and consent of the Court of

Quarter Sessions of Cambria County, Pennsylvania, and that proper petitions shall be prepared and presented to said Court.

I, Curt Barnhart, Secretary of the Board of Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of the resolution adopted at a regular meeting of the Board of Supervisors of said Township held the 2 day of October A.D. 1939.

Curt Barnhart
SECRETARY

(Seal)



TO THE SUPERVISORS OF UPPER YODER TOWNSHIP;
CAMBRIA COUNTY, PENNSYLVANIA.

Petition and release of damages for the opening, grading, draining, improving and maintaining of certain street and alley in Cambria County, Pennsylvania as public highways.

We, the undersigned, your Petitioners, respectively represents:

That we are the owners of all the property abutting on Blair Street, extending from Atwood Street, now State Highway Route 11007, to an unnamed alley in the rear of the lots fronting on the southerly side of Crest Street, and on the unnamed alley at the rear of the lots fronting on the southerly side of Crest Street extending from Berkley Road or Warren Street, Township road route 11324, to Derby Street in Upper Yoder Township, Cambria County, Pennsylvania. That we are in need of the opening and improving of said Blair Street and unnamed alley as public highways. That said Blair Street and unnamed alley are dedicated highways in the Harry E. Berkley Plan of Lots: That said plan of lots is recorded in the office of the Recorder of Deeds in Cambria County in Plat Book 2, Page 83:

THEREFORE, we respectfully petition your honorable Board to pass the necessary resolutions accepting and adopting said portion of Blair Street and said unnamed alley as Township Highways.

FOR AND IN CONSIDERATION of the action of the Board of Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, accepting, opening, grading, draining and improving of said portion of Blair Street and said unnamed alley, we the undersigned hereby release the Township of Upper Yoder, its officials, agents and employees of all damages we have sustained or may seem likely to sustain by reason of the said accepting, opening, grading, draining, improving and maintaining of the said portion of Blair Street and said unnamed alley above described.

Witness our hands and seals this 20th day of September
A. D. 1939.

<u>Signature</u>	<u>Witness</u>
<u>Mr. R. Bean</u>	<u>Mr. R. Bean</u>
<u>Lidia D. Berkley Adams</u>	<u>Mr. R. Bean</u>
<u>John F. Feather</u>	<u>Mr. R. Bean</u>
<u>Carl W. Ketting</u>	<u>Mr. R. Bean</u>
<u>Ralph D. Muesmeyer</u>	<u>Mr. R. Bean</u>
<u>Edna Blough</u>	<u>Mr. R. Bean</u>
<u>Percy Whip</u>	<u>Mr. R. Bean</u>
<u>H. E. Richter</u>	<u>Mr. R. Bean</u>
<u>Albert B. ...</u>	<u>Mr. R. Bean</u>
<u>Charles E. Samuel</u>	<u>Mr. R. Bean</u>

Signature

George O. Knepper

Witness

Melvin B. Berman

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Blank lined area for witness or text.

September 6, 1939

TO THE SUPERVISORS OF
UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNA.

Petition and release
of damages.

A certain dedicated lane
or court, 15 feet or more
in width, extending from
Orchard Way, beginning at
a point 264' southwest of
Ruth Street and ending at
the intersection of 1st.
Avenue and Main Street.

S. E. DICKEY & CO.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

Was dedicated
precisely to
1933

No. 1 ~~September~~ ^{December} Sessions,
1939.

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

IN RE BLAIR STREET AND UN-
NAMED LANE OR ALLEY IN UPPER
YODER TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA.

PETITION FOR ACCEPTANCE OF
BLAIR STREET AND UNNAMED
LANE OR ALLEY AS PUBLIC
HIGHWAYS.

Filed Jan 8, 1940.

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

TO THE SUPERVISORS OF UPPER YODER TOWNSHIP,
CAMBRIA COUNTY, PENNSYLVANIA:

Petition and release of damages for the opening, grading, draining, improving and maintaining of a certain dedicated lane or court in Cambria County, Pennsylvania as a public highway.

We, the undersigned, your Petitioners, respectively represents:

That there is a lane or court, 15 feet or more in width extending from Orchard Way, beginning at a point 264' southwest of Ruth Street and ending at the intersection of 1st. Avenue and Main Street. That we, your Petitioners, are the owners of all lots abutting on said lane or court above mentioned. That said lane or court is convenient to the abutting property owners and the traveling public. That said lane or court is in a bad state of repair and in need of improvement and should be opened and accepted as a public highway.

Therefore, we respectfully petition the Board of Supervisors of Upper Yoder Township to proceed with the necessary legislation required for the acceptance, opening and improving of said lane or court as a public highway.

IN CONSIDERATION of the accepting, opening, grading, draining, improving and maintaining of said lane or court above mentioned extending from Orchard way to the intersection of 1st. Avenue and Main Street, we, the undersigned, do hereby release the said Township of Upper Yoder, it's officials, agents and employees of any and all damages we have sustained or may seem likely to sustain by reason of said accepting, opening, grading, draining, improving and maintaining of said lane or court above described.

Witness our hands and seals this 6th day of September
A. D. 1939.

<u>Signature</u>	<u>Witness</u>
<u>James M. Sanderson</u>	<u>Agnes Sanderson</u>
<u>Ben Stouffer</u>	<u>James M. Sanderson</u>
<u>Hazel Koontz</u>	<u>James M. Sanderson</u>
<u>George Sell</u>	<u>James M. Sanderson</u>
<u>Joe Sell</u>	<u>James M. Sanderson</u>
<u>Wm. P. Hillier</u>	<u>James M. Sanderson</u>
<u>Harry S. Folmar</u>	<u>James M. Sanderson</u>
<u>Walter H. Welton</u>	<u>James M. Sanderson</u>

Signature

Witness

Mary Matonik

Ben Stouffer

John Sambar

Ben Stouffer

Merle Foust

Ben Stouffer

John Glatz

Ben Stouffer

Warren Jeffers

Ben Stouffer

Richard Rhodes

Ben Stouffer

John MacEwan

Ben Stouffer

Charles J. Innes

Ben Stouffer

Dow L. Hete

Ben Stouffer

Newton Kovatz

James^W Sanderson

Not Microfilmed

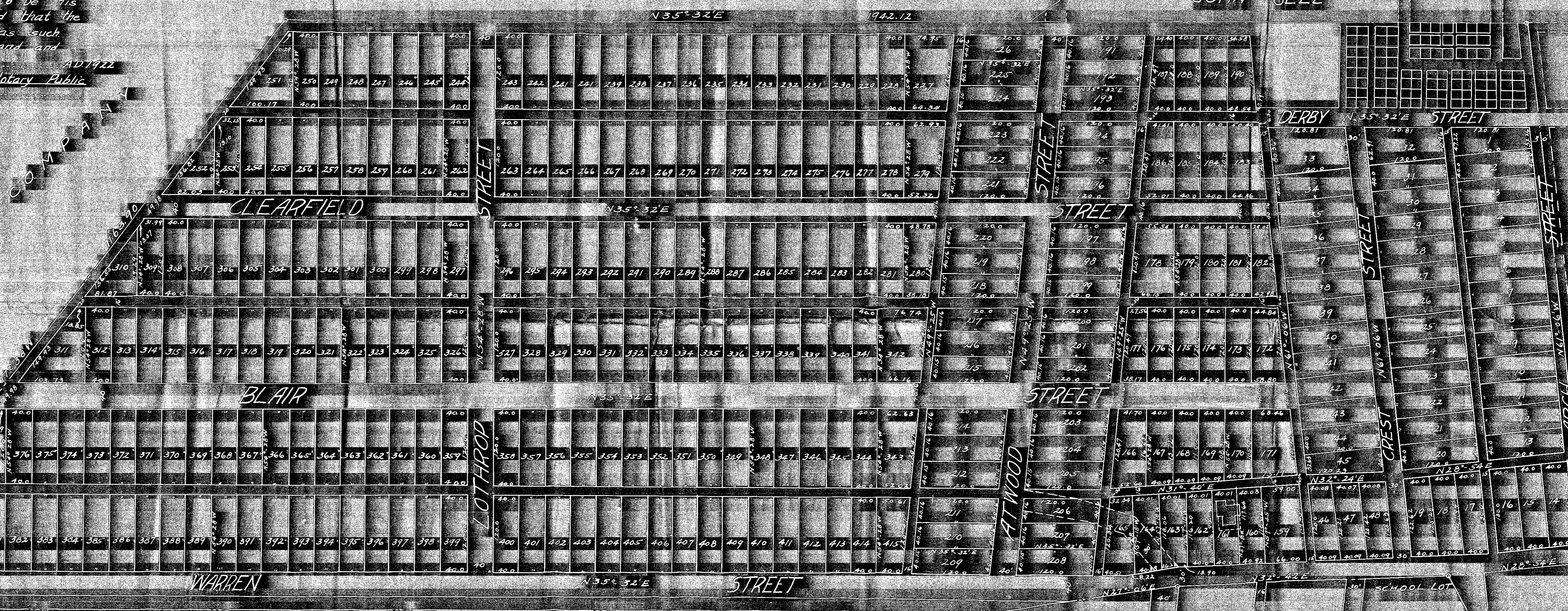
RD# 1 Dec, 1939

Upper Yoder Truss
Blair St.

State of Pennsylvania }
 County of Cambria } ss.
 Personally appeared before
 me, a Notary Public in and for said
 county and state, Harry E. Berkley
 who in due form of law acknowledged
 the foregoing plan of lots to be his
 act and deed to the end that the
 same might be recorded as such.
 Witness my hand and
 official seal this day of AD 1922
Notary Public
 My commission expires _____

MRS JOE GLESSNER

JOHN SELL



JOHNSTOWN

CITY

PARK

APPROVED _____
 1922
 BY THE _____
 CITY PLANNING COMMISSION
 PRESIDENT _____
 SECRETARY _____
 ATTEST _____

Plan of Lots
 laid out by
Harry E. Berkley
 situate in
 Upper Yoder Twp Cambria Co. Pa.
 scale 1"=100' Sept. 27, 1922
Jellerman Engle