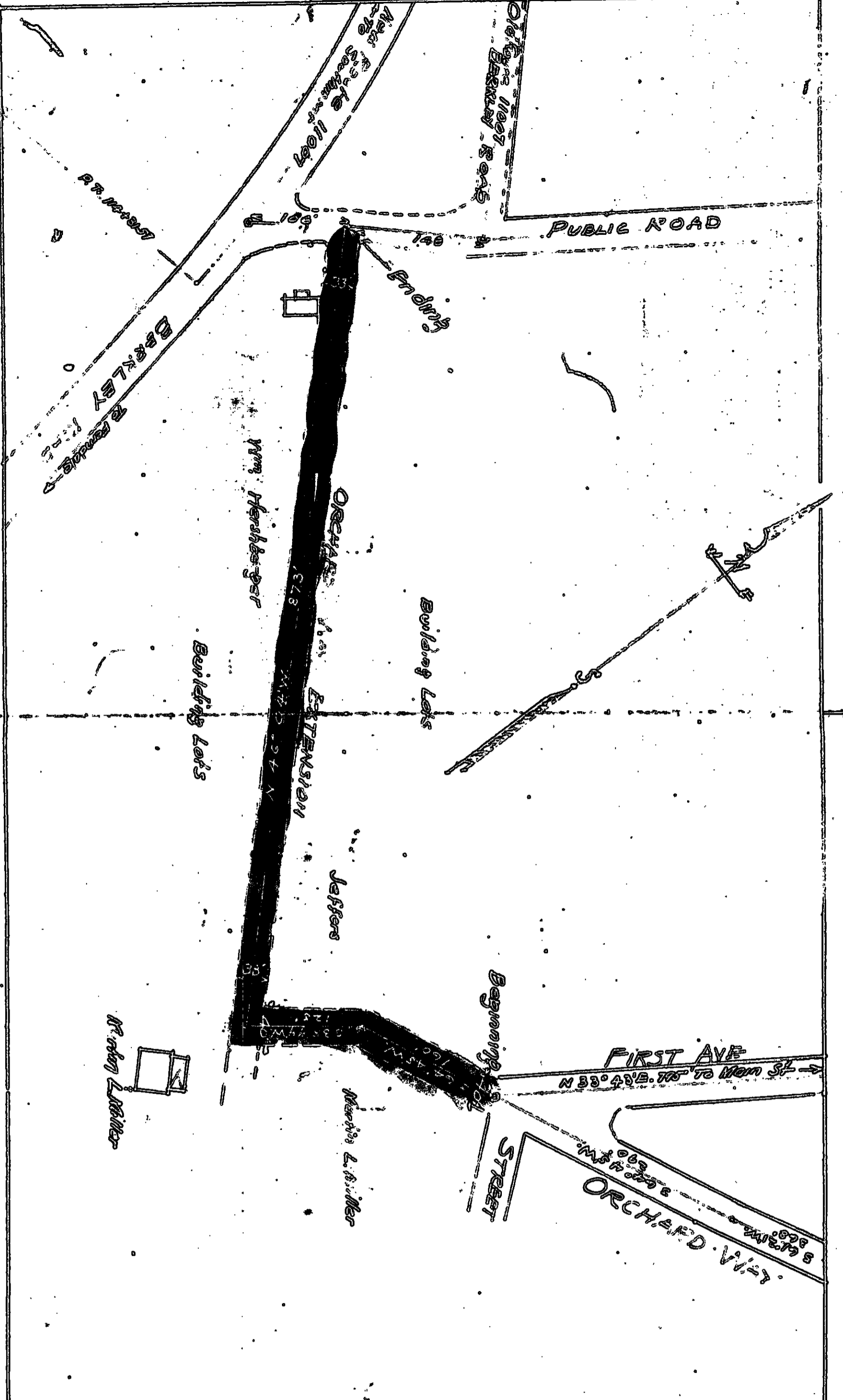


Not Microfilmed

RD# 4 Mar. 1938

Upper Yoder Twp.
Layout of a Public
Road



No-4-Maree Sessions 1938

S.E. Dickey
S. H. Jencks
Morton J. Baumgardner
MEMBERS

Proposed New Road shown thus
7560' length 1158' ft.

VIEW OF
PROPOSED PUBLIC ROAD
Stake by
UPPER YODER TWP CAMBRIA COUNTY, PA.
Scale 1" = 100' ft.
S.A. Dickey & Co.
May-12-1938

6-B-115

500-7-8-115

-Nat. Microfilmed

RD#4 Mar. 1938

Map# 2

map #1

In Re: Proposed Public Highway | In the Court of Quarter Sessions
in Upper Yoder Township, | of Cambria County, Penna.
Cambria County, Pennsylvania. | No. 4, March Sessions, 1938

REPORT OF VIEWERS

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

That we have been duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County, as shown by the records of the Court; that having given due public notice of the time and place of meeting, by posting notices as required by law along the route and at the termini of the said proposed new road, as evidenced by copy of said notice hereto attached, and by service of such notice on the County Commissioners of Cambria County and the Supervisors of Upper Yoder Township, acceptance of service of said notice by the County Commissioners and the Supervisors of Upper Yoder Township by their Solicitor being hereto attached; that we met in accordance with the notice given on the 10th day of May A. D. 1938 at 10:00 o'clock A. M. (Eastern Standard Time) and proceeded with the duties of our appointment and viewed the premises and route of the proposed new road; that said proposed new road is now opened as a private road but is in a very bad state of repairs; that the Viewers named herein were present during the view; that the Supervisors of Upper Yoder Township were represented by one of their members and several citizens were present; that after viewing the premises and the route of the proposed road, we are of the opinion that a necessity exists for the proposed new road, therefore, we proceeded to lay out said new road as follows: Beginning at Orchard Way at the intersection of First Avenue, a public highway in Upper Yoder

Township, said place of beginning being S. 33° 43' W. 795.0 feet measured along the center line of First Avenue from its intersection with Main Street; thence by Orchard Way S. 64° 45' W. 160.0 feet to a point; thence S. 38° 44' W. 125.0 feet to a point; thence N. 46° 04' W. 873.0 feet to the place of ending, said ending being in the Berkley Road, Old State Highway Route No. 11007 at a point in a northerly direction a distance of 106.0 feet measured along the center line of Berkley Road from its intersection with the New State Highway Route No. 11007, a public highway, said proposed new road being colored green on the blue print attached hereto and made a part hereof. We recommend that the width of that portion of said proposed new road from Orchard Way to the Berkley Road, on account of existing fruit trees, be fixed at 33 feet.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the Petitioners and laid out by us is necessary and convenient, therefore, we recommend that the prayer of the Petitioners be granted.

We are informed that releases of damages from all the abutting property owners with but one exception, namely Mrs. Rhodes, were filed with the petition for view, however, in consideration of the benefits and damages sustained or that may seem likely to be sustained by the abutting property owners by reason of the opening and maintaining of said proposed new road, we assess no benefits and no damages.

Witness our hands and seals this 14th day of May A. D. 1938.

L. E. Dickey
Matthew B. ...
A. H. ...
Viewers

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, March Sessions, 1938

To S. E. DICKEY, S. H. JENCKS & MAHLON J. BAUMGARDNER Dr.

To S. E. DICKEY Dr.

Data, preparing, posting and serving notices of View	\$ 18.00	✓
Mileage	.80	✓
Stenographer & Stationery	2.50	✓
Making View	12.00	✓
Mileage	.80	✓
Data on survey & preparing plan	12.00	✓
Drawing material & blue prints	1.00	✓
Data and preparing report	12.00	✓
Stenographer & Stationery	2.50	✓
	<u>61.60</u>	

To S. H. JENCKS Dr.

Making View	\$ 12.00	
Mileage	4.40	\$ 16.40

To MAHLON J. BAUMGARDNER Dr.

Making View	\$ 12.00	
Mileage	.80	\$ 12.80

Total cost of View \$ 90.80

APPROVED FOR PAYMENT

William D. Keller
COMMISSIONERS

Admitted S. D.

In Re: Proposed Public Highway | In the Court of Quarter Sessions
in Upper Yoder Township, | of Cambria County, Penns.
Cambria County, Pennsylvania. | No. 4, March Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public highway as prayed for by the Petitioners, beginning on Orchard Way at the intersection of First Avenue, a public highway in Upper Yoder Township, said place of beginning being S. 33° 43' W. 795.0 feet measured along the center line of First Avenue from its intersection with Main Street and ending in the Berkley Road, Old State Highway Route No. 11007, a public highway in said Township, said place of ending being in a northerly direction a distance of 106.0 feet measured along the center line of Berkley Road from its intersection with the New State Highway Route No. 11007, a public highway, will meet at the place of beginning of said proposed highway on the 10th day of May A. D. 1938 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

S. E. DICKEY
S. H. JENCKS
MAHLON J. BAUMGARDNER
Viewers

Apr. 26, 1938

Now this 27 day of April A. D. 1938, service of the above notice is hereby accepted for the Supervisors of Upper Yoder Township:

By Trump Bankhart
Solicitor

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

In the Court of Quarter Sessions
of Cambria County, Penns.
No. 4, March Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public highway as prayed for by the Petitioners, beginning on Orchard Way at the intersection of First Avenue, a public highway in Upper Yoder Township, said place of beginning being S. 33° 43' W. 795.0 feet measured along the center line of First Avenue from its intersection with Main Street and ending in the Berkley Road, Old State Highway Route No. 11007, a public highway in said Township, said place of ending being in a northerly direction a distance of 106.0 feet measured along the center line of Berkley Road from its intersection with the New State Highway Route No. 11007, a public highway, will meet at the place of beginning of said proposed highway on the 10th day of May A. D. 1938 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

Apr. 26, 1938

S. E. DICKEY
S. H. JENCKS
MAHLON J. BAUMGARDNER
Viewers

Now this 28th day of April A. D. 1938, service of
the above notice is hereby accepted for the County Commissioners.

By

H. F. Dow
Chief Clerk

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

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 4, March Sessions, 1938

NOTICE OF VIEW

We, the undersigned Viewers, appointed by the above named Court, to view the premises to determine as to the necessity for a public highway as prayed for by the Petitioners, beginning on Orchard Way at the intersection of First Avenue, a public highway in Upper Yoder Township, said place of beginning being S. $33^{\circ} 43'$ W. 795.0 feet measured along the center line of First Avenue from its intersection with Main Street and ending in the Berkley Road, Old State Highway Route No. 11007, a public highway in said Township, said place of ending being in a northerly direction a distance of 106.0 feet measured along the center line of Berkley Road from its intersection with the New State Highway Route No. 11007, a public highway, will meet at the place of beginning of said proposed highway on the 10th day of May A. D. 1938 at 10:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment and the taking of testimony, at which time and place all interested persons may appear.

Apr. 26, 1938

S. E. DICKEY
S. H. JENCKS
MAHLON J. BAUMGARDNER
Viewers

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."

1938

NO. 4 Mar ch SESSIONS, 1938

Order to view Public Highway in

Upper Yoder Township

CERTIFIED

[Handwritten signature]

CLERK

Filed May - 18 - 1938

Viewers

S. E. Dickey

S. H. Jencks

Mahlon J. Baumgardner

Clerk 90 cts.

13 June 1938 Approved and breadth fixed at forty feet from beginning to Orchard Way Extension and breadth fixed at thirty three feet from that point to ending

By the Court

12 Sept 1938 Unfirmly Absolute
[Handwritten signature]



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 11th day of April A. D. 1928, 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 Highway road or highway, to begin at the intersection of First Avenue, a public road in the said Township of Upper Yoder and an unnamed street, as shown on the Sell & Hite Plan of Lots made by S. E. Dickey & Company, Civil and Mining Engineers, under date of November 29, 1933, said Plan being hereto attached, made part hereof, thence by way of First Avenue, as designated on said Plan South $64^{\circ} 45'$ West one hundred sixty (160) feet over and across Orchard Way, as shown on said Plan; thence South $38^{\circ} 44'$ West one hundred twenty-five (125) feet to the intersection of said Orchard Way and Orchard Way Extended; thence by said Orchard Way Extended North $46^{\circ} 04'$ West eight hundred seventy-three (873) feet to the intersection of Berkley Road, old state highway township route 11,007; a public highway in said township, the place of ending; said place of ending being in a northeasterly direction a distance of one hundred six (106) feet measured along the center line of Berkley Road from its intersection with the new state highway Route 11,007, a public highway.

The exact distance from the point of beginning of said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Main Street, in said Township of Upper Yoder, is seven hundred ninety-five (795) feet, measured from the center line of Orchard Way, proposed public road, to the centerline of said Main Street; and the exact distance from the point of ending of said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, a new state highway Route 11,007, is one hundred six (106) feet, measured along the center line of said old Berkley Road to the center line of the said new state highway Route 11,007.

The proposed public highway is the part marked in green on said Plan hereto attached, and designated thereon as Orchard Way and Orchard Way Extended.

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 S. H. Jencks
and Mahlon J. Baumgardner

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.

Attest: James M. Jones Clerk.

No. 4 ~~MAR~~ ~~December~~ Sessions, 1938.
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

April 18; 1938, the
withon Bond approved.

By the Court
McKenrick
8

Filed - April - 18 - 1938

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. ~~4 MAR~~ ~~December~~ Sessions, 1938.
¶ 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 11th day of
April, 1938.

WHEREAS, MRS. CARRIER JEFFERS, 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 located the above mentioned road in the said
Township of Upper Yoder, to begin at the intersection of First Avenue, a public
road in the said Township of Upper Yoder and an unnamed street, as shown on the
Sell & Hite Plan of Lots made by S. E. Dickey & Company, Civil and Mining
Engineers, under date of November, 29, 1933; thence by way of First Avenue, as
designated on said Plan South 64° 45' West one hundred sixty (160) feet over
and across Orchard Way, as shown on said Plan; thence South 38° 44' West one
hundred twenty-five (125) feet to the intersedtion of said Orchard Way and
Orchard Way Extended; thence by said Orchard Way Extended North 46° 04' West
eight hundred seventy-three (873) feet to the intersection of Berkley Road, old
state highway township road 11,007; a public highway in said township, the
place of ending; said place of ending being in a northeasterly direction a
distance of one hundred six (106) feet measured along the center line of
Berkley Road from its intersection with the new state highway Route 11,007, a
public highway.

The exact distance from the point of beginning of said proposed road,
as set forth in said petition, from an intersecting public road or street,

to wit, Main Street, in said Township of Upper Yoder, is seven hundred ninety-five (795) feet, measured from the center line of said Orchard Way, proposed public road, to the center line of said Main Street; and the exact distance from the point of ending of said proposed road, as set forth in this petition, from an intersecting public road or street, to-wit, Berkley Road, a new state highway Route 11,007, is one hundred six (106) feet, measured along the center line of said old Berkley Road to the center line of the said new state highway route 11,007.

WHEREAS, the said Court has appointed Biewers 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:

Curt Barnhart (SEAL)

D. H. Weimer (SEAL)

March 1938
No. *4* December Sessions, ~~1937~~.
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

Filed - April - 18 - 1938

LAW OFFICES
BARNHART & ADAMS
JOHNSTOWN, PENNA.

11042

IN RE LAYING OUR 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. 4 ~~March~~ December Sessions, 1938
Ø 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 First Avenue, a public road in the said Township of Upper Yoder
and an unnamed street, as shown on the Sell & Hite Plan of Lots made by Se E.
Dickey & Company, Civil and Mining Engineers, under date of November 29, 1933,
said Plan being hereto attached, made part hereof; thence by way of First
Avenue, as designated on said Plan South 64° 45' West one hundred sixty (160)
feet over and across Orchard Way, as shown on said Plan; thence South 38° 44'
West one hundred twenty-five (125) feet to the intersection of said Orchard
Way and Orchard Way Extended; thence by said Orchard Way Extended North 46° 04'
West eight hundred seventy-three (873) feet to the intersection of Berkley
Road, old state highway township route 11,007; a public highway in said town-
ship, the place of ending; said place of ending being in a northeasterly direction
a distance of one hundred six (106) feet measured along the center line of
Berkley Road from its intersection with the new state highway Route 11,007, a
public highway.

The exact distance from the point of beginning of said proposed road,
as set forth in this petition, from an intersecting public road or street, to
wit, Main Street, in said Township of Upper Yoder, is seven hundred ninety-five
(795) feet, measured from the center line of said Orchard Way, proposed public
road, to the center line of said Main Street; and the exact distance from the
point of ending of said proposed road, as set forth in this petition, from an
intersecting public road or street, to-wit, Berkley Road, a new state highway
Route 11,007, is one hundred six (106) feet, measured along the center line

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said State and County, *Mrs Carrie Jeffers*, 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 *19th* day of February, 1938.

Herbert S. Banhart

Mrs Carrie Jeffers

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY, 1944

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. 4 ^{March} ~~December~~ Sessions, ¹⁹³⁸ ~~1937~~.

PRELIMINARY ORDER

Now, April 11, 1938, the within petition having been presented and considered, a Rule is granted upon the Commissioners of Cambria County, Pennsylvania, to show cause, if any they have, why Viewers should not be appointed as within prayed for; and said Rule is returnable at ten o'clock A. M., *April 15th*, 1938. Service of this Rule, together with a copy of this petition, shall be made upon the said County Commissioners not less than ten (10) days before the said return day.

By the Court
McKernick
J

ACCEPTANCE OF SERVICE BY THE
COMMISSIONERS OF CAMBRIA COUNTY,
PENNSYLVANIA

Now, April 11, 1938, service of the above Rule is hereby accepted, together with a copy of the within Petition.

H. J. Dow
clerk

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

¶ In the Court of Quarter Sessions
: of Cambria County, Pennsylvania.
: No. 4 ~~March~~ ~~December~~ Sessions, 1938
¶ PETITION FOR APPOINTMENT OF VIEWERS

DECREE

AND NOW, this 18th day of April, 1938, the within
petition, having been read and considered, the Court appoints J. E. Dickey
F. H. Jenkins and William J. Baumgardner
and _____ Viewers to view the road herein
referred to and make a report of their proceedings to the June
Term of the Court of Quarter Sessions of said County.

By the Court
McKenrick
8

EXHIBIT A

IN RE LAYING OUT OF A PUBLIC	§	In the Court of Quarter Sessions
HIGHWAY IN THE TOWNSHIP OF	:	of Cambria County, Pennsylvania.
UPPER YODER, COUNTY OF CAMBRIA	:	No. 4117A. December Sessions, 1938
AND STATE OF PENNSYLVANIA	§	PETITION FOR APPOINTMENT OF VIEWERS

NOTICE TO SUPERVISORS

TO CURT BARNHART, D. H. WEIMER AND EPHRAIM HERSHBERGER, 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 11th day of April, 1938, 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 First Avenue, a public road in the said Township of Upper Yoder and an unnamed street, as shown on the Sell & Hite Plan of Lots made by S. E. Dickey & Company, Civil and Mining Engineers, under date of November 29, 1933; thence by way of First Avenue, as designated on said Plan South 64° 45' West one hundred sixty (160) feet over and across Orchard Way, as shown on said Plan; thence South 38° 44' West one hundred twenty-five (125) feet to the intersection of said Orchard Way and Orchard Way Extended; thence by said Orchard Way Extended North 46° 04' West eight hundred seventy-three (873) feet to the intersection of Berkley Road, old state highway township route 11,007; a public highway in said township, the place of ending; said place of ending being in a northeasterly direction a distance of one hundred six (106) feet measured along the center line of Berkley Road from its intersection with the new state highway Route 11,007, a public highway.

The exact distance from the point of beginning of said proposed road, as set forth in said petition, from an intersecting public road or street, to wit, Main Street, in said Township of Upper Yoder, is seven hundred ninety-five (795) feet, measured from the center line of said Orchard Way, proposed public road, to the center line of said Main Street; and the exact distance from the

point of ending of said proposed road, as set forth in said petition, from an intersecting public road or street, to-wit, Berkley Road, a new state highway Route 11,007, is one hundred six (106) feet, measured along the center line of said old Berkley Road to the center line of the said new state highway route 11,007.

Barnhart & Adams

ATTORNEYS FOR PETITIONERS

April 1, 1938, service of the above stated notice is hereby accepted.

Curt Barnhart

D. A. Wimmer

Edw. H. Hensinger

SUPERVISORS OF UPPER YODER TOWNSHIP

October 21, 1937

UPPER YODER TOWNSHIP
CAMBRIA COUNTY
PENNSYLVANIA.

PETITION & RELEASE OF DAMAGES

Re: laying out, opening,
grading & maintaining of
a proposed new highway,
known as Orchard Way and
Orchard Way Extension.

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

Various other ways

Various other ways

EXHIBIT B

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

Petition and release of damages in re: the
laying out, opening, grading and maintaining
of a proposed new highway in Upper Yoder
Township, Cambria County, Pennsylvania.

We, the undersigned, your petitioners, respectively
represents:

That we are residents or owners of lots abutting on
Orchard Way and Orchard Way Extension, beginning on Orchard Way
at the intersection of First Avenue, a public highway in Upper
Yoder Township, said place of beginning being S. 33° 43' W. 795.0
feet measured along the center line of First Avenue from its
intersection with Main Street, another public highway in said
Township; thence along Orchard Way S. 64° 45' W. 160.0 feet; thence
S. 38° 44' W. 125.0 feet to the intersection of Orchard Way
Extension; thence by Orchard Way Extension N. 46° 04' W. 873.0
feet to the intersection of Berkley Road, Old State Highway
Township Route 11007, a public highway in said Township, the place
of ending, said place of ending being in a northeasterly direction
a distance of 106.0 feet measured along the center line of Berkley
Road from its intersection with the New State Highway Route 11007,
a public highway. That we are very much inconvenienced on account
of improper highway facilities to travel to and from our
properties.

THEREFORE, we respectively petition the Board of
Supervisors of Upper Yoder Township to take the proper action,
necessary to legally open the above described section of highway
as a public township highway and to grade, drain, improve and
maintain same as part of the Township Highway System.

IN CONSIDERATION OF THE action of the Board of
Supervisors to provide for the section of highway above described
and for opening, grading, draining, improving and maintaining of
said above described section of highway, we, the undersigned
Owners of property abutting thereon, do hereby release the said
Township of Upper Yoder from any damages we have sustained or may
seem likely to sustain by reason of the action of the Board of
Supervisors opening, grading, draining, improving and maintaining
said highway above described as a public highway.

Witness our hands and seals this 21st. day of October,
A. D. 1937.

Witness:

Miss Viola Jefferson
Miss Viola Jefferson
Miss Viola Jefferson
Miss Viola Jefferson
Miss Viola Jefferson
Miss Viola Jefferson

Signature of Property Owners
and Petitioners

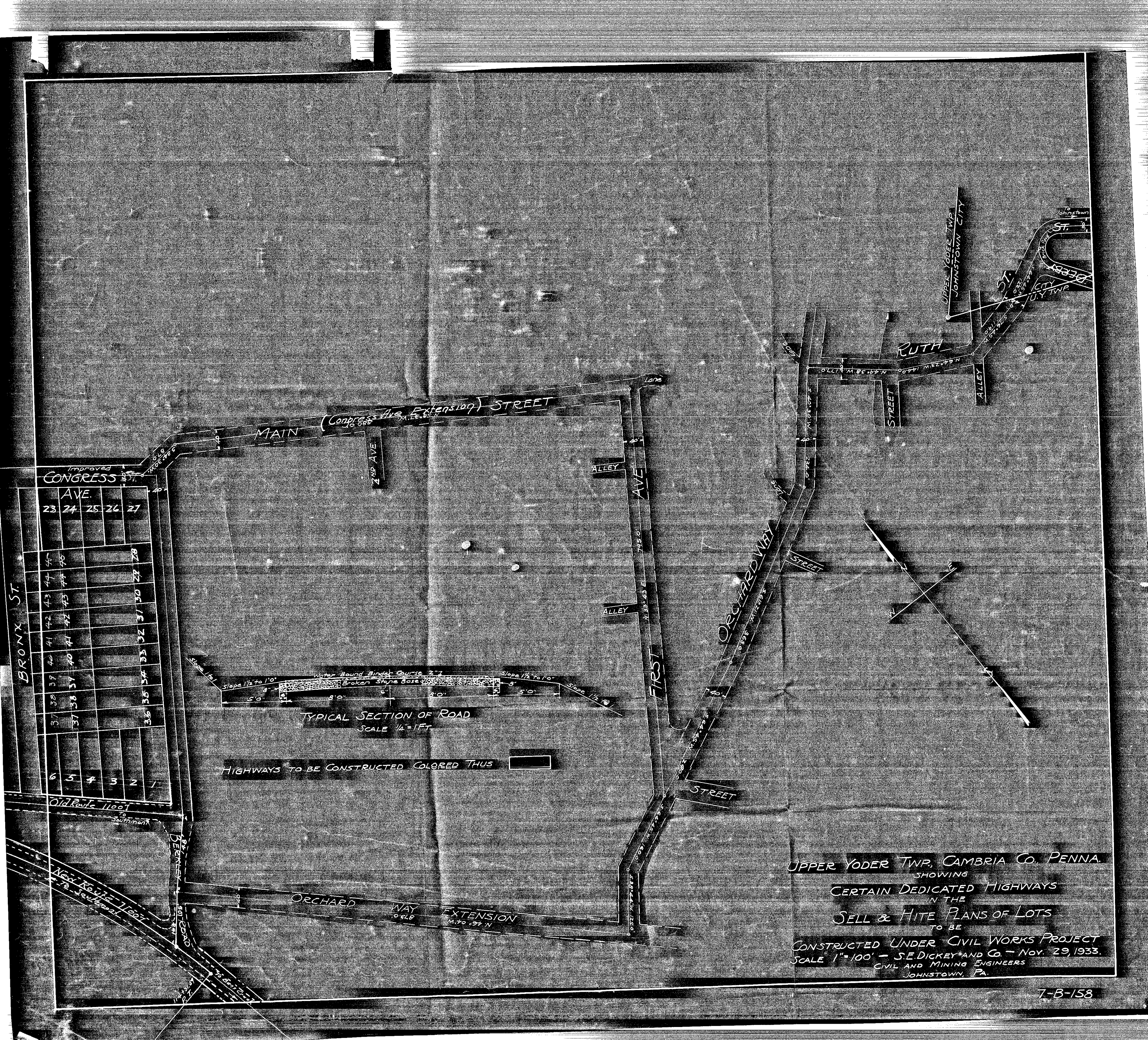
Warren Jefferson
Carrie Jefferson
Michael H. Huns
Catherine Huns
Ann Huns
Louisa Huns

Witness:

Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers
Miss Viola Jeffers

Signature of Property Owners
and Petitioners

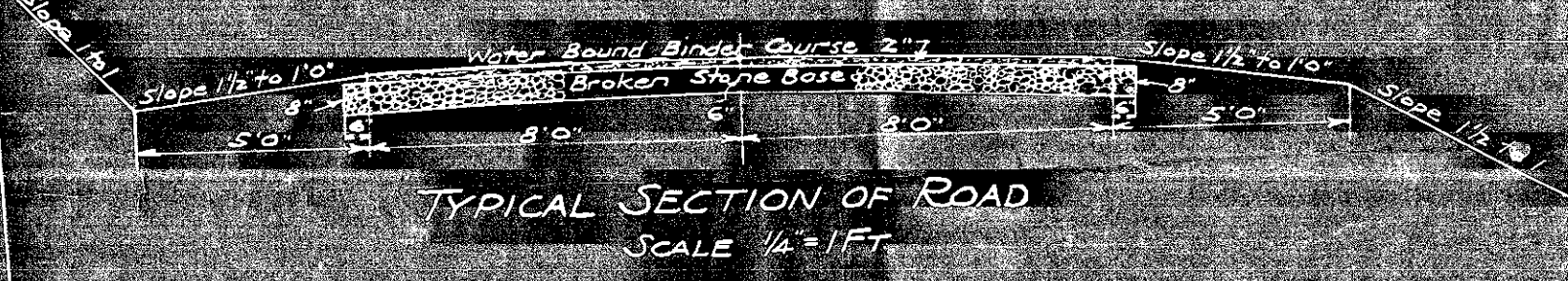
Mrs Margaret Miller
Samuel H. Rhode
Mrs Estima Rhodes
Susan in Hite
Olive Hite
Henrietta Nangle.
Peter Nangle.
Mrs Anna Huss.
Jacob Huss



Improved CONGRESS AVE.

23	24	25	26	27
37	38	39	40	41
42	43	44	45	46
47	48	49	50	51
52	53	54	55	56
57	58	59	60	61
62	63	64	65	66
67	68	69	70	71
72	73	74	75	76
77	78	79	80	81
82	83	84	85	86
87	88	89	90	91
92	93	94	95	96
97	98	99	100	101

Old Route 11007



HIGHWAYS TO BE CONSTRUCTED COLORED THUS