

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania.  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposes : No. 1 March Sessions, 1954

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate being more fully described as follows:

All that certain lot of ground situate in the Borough of Patton, Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East Bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning,

will meet upon the premises on March 23, 1954 at 10 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Niebauer

Viewers

3 March 1954

NOW March \_\_\_\_\_ 1954 I hereby accept service of the within Notice to View as owner of the Real Estate involved in the above Condemnation Proceedings and acknowledge to have received a copy of said Notice.

  
Owner

Filed  
3/3/54

STATEMENT OF LIENS

The following liens exist against the property of Grace  
Veza for which a View has been requested:

- (a) Mortgage to the First National Bank of Patton, Dated the 14th day of May, 1953 and recorded in Mortgage Book Volume 265, page 94. The amount of the debt is \$8,000.00.
- (b) Judgment of the First National Bank of Carrolltown against Grace Veza, entered to No. 119 September Term, 1953, filed June 11, 1953, being founded on a judgment note dated June 1, 1953, payable in thirty-six monthly installments. The amount of this judgment is \$863.44.

IN RE: Petition of Mrs. Grace Vizza of the  
Borough of Patton, Cambria County, Penna.,  
for the Appointment of Viewers to assess  
damages by reason of Flood Control  
Purposes

In the Court of Quarter Sessions  
Cambria County, Pennsylvania

No. 1 March Sessions, 1954.

REPORT OF VIEWERS

We, the undersigned Viewers, appointed by the above named Court as per annexed Order of Court to view the above premises to estimate and determine the damages that have resulted or that may seem likely to result by reason of the taking of property by the Borough of Patton, Cambria County, Pennsylvania for Flood Control Purposes, said property belonging to Mrs. Grace Vizza and as affecting her property and real estate, being described as follows:

All that certain lot of ground situate in the Borough of Patton, Cambria County, Pennsylvania., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East Bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning. Having thereon erected certain improvements, respectfully report:

That we were duly sworn or affirmed as Members of the Permanent Board of Viewers of Cambria County aforesaid as is shown by the records of the above Court; that due public notice of the time and place of meeting of said Viewers was given by the posting on notices or handbills upon the premises at least ten days prior to the time of making said view and by the presenting of said Notice of View for the purpose of procuring acceptances of Service to Mrs. Grace Vizza, owner aforesaid, but that she would not accept service of same. Notice however was left with her. Personal service was made on Smorto & Creany Attorneys for Petitioner and acknowledgements of receipt of copy of same; upon

Albert L. Haluska, Secretary to the Borough of Patton who also acknowledges receipt of copy of same in said notice and upon Maurice Springer, Chief Clerk to the County Commissioners of Cambria County all of which said Notice to View are hereto attached and made a part of this Report, these Notices have been served at least ten days prior to the time of the view; that we met upon the premises according to the Notice given on March 23, 1954 at 10 o'clock A. M and proceeded with the duties of our appointment. The Viewers examined every phase of the damages wrought upon the premises of Mrs. Grace Vizza, the owner. A time for the taking of testimony was fixed for Saturday April 10th., 1954 at 10 o'clock A. M. in the Municipal Building of the Borough of Patton as the time and place of said meeting. Pursuant to the said agreement as to the time for the taking of Testimony all of the Viewers were present together with Mrs. Grace Vizza, owner, and Ray Vizza, her son; Attorney Freement McKenrick, Esq., her counsel; and Albert Haluska, Secretary of the Council of the Borough of Patton, and other members of Council together with George C. Hoppel, some of whom testified, and Robert Cassidy Esq., Solicitor for the Borough of Patton. In the taking of the testimony all elements of damages were brought out as well as the benefits derived from said Flood Control abatement.

That having viewed said premises and hearing all evidence thereon and taking into consideration all matters before us, we have estimated and determined the quality, quantity of the land taken, occupied or injured and all other elements entering unto and by reason of the Flood Control Program inaugurated by the Borough of Patton, Cambria County, Pennsylvania and having due regard to and making just allowances for the benefits accruing thereto and for the damages which have resulted or which may seem likely to result to Mrs. Grace Vizza, the owner of said land and the improvements thereon, we estimated and determined the amount of damages and prepared a schedule thereof. That the parties in interest were notified of the time and place of meeting of the Viewers for the purpose of exhibiting said Schedule and considering all exceptions and evidence thereon, by personal service upon Mrs. Grace Vizza, and upon Smorto and Creany, Esqs.,

Counsel for Mrs. Grace Vizza, and upon Albert Haluska, Secretary of the Borough of Patton at least ten days prior to the time of said meeting, evidence of which is shown by the acceptances of service of said notices of Exhibit of Schedule hereto attached and made a part of this report. That pursuant to said notices of Exhibit of Schedule the Board of Viewers met on Friday, May 21st., 1954 at 7:00 P. M. in the Municipal Building, Patton, Cambria County, Pennsylvania, where said Schedule of Damages was exhibited and all exceptions and testimony thereto was heard. That hearing all the exceptions and testimony offered and giving all matters before us due consideration, we are of the opinion that the said real estate and property of Mrs. Grace Vizza, owner as affected by the taking of land situate in the Borough of Patton, Cambria County, Pennsylvania aforesaid has not been damaged, therefore we assess no benefits and award no damages.

The Attorneys for both sides agreed to forego the legal requirements with reference to advertising the Notice to view etc. in the above case.

IN WITNESS whereof we have set our hands and seals this Fifth day of June in the year of our Lord one thousand nine hundred and fifty-four (1954).

<sup>his</sup>  
Mahlon Baumgardner  
Mahlon Baumgardner

John L. Elder  
John L. Elder

Raymond Niebauer  
Raymond Niebauer,

VIEWERS.

IN RE: Petition of Mrs Grace Vizza of the  
Borough of Patton, Cambria County, Penna.,  
doe the Appointment of Viewers to assess  
damages by reason of Flood Control  
Purposes

In the Court of Quarter Sessions  
Cambria County, Pennsylvania

No. 1 March Sessions 1954.

STATEMENT OF COSTS

To Mahlon Baumgardner, John L. Elder and  
Raymond Niebauer

To Mahlon Baumgardner, Dr.

1954			
March 3,	Preparing Notices to View	\$ 12.00	
March 9	Posting Notices to View $\frac{1}{2}$ Patton	12.00	
	Mileage 28 miles	2.80	
March 23	View -Patton	12.00	
	Mileage 28 miles	2.80	
April 10	Hearing of testimony - Patton	12.00	
	Mileage 28 miles	2.80	
May 7	Conference to determine damages	12.00	
May 8	Preparing Notices for Exhibit of Schedule	12.00	
May 11	Service of Notice of Exhibit of Schedule	12.00	
	Mileage - Patton	2.80	
May 21	Exhibit of Schedule -Patton	12.00	
	Mileage	2.80	
June 3	Preparing Report of Viewers	<u>12.00</u>	\$122.00

To John L. Elder, Dr

March 23	Making View -Patton	12.00	
	Mileage 28 miles	2.80	
April 10	Hearing -Patton	12.00	
	Mileage 28 miles	2.80	
May 7	Conference to determine damages	12.00	
May 21	Exhibit of Schedule-Patton	12.00	
	Mileage 28 miles	<u>2.80</u>	\$ 56.40

To Raymind Niebauer, Dr

March 23	Making View -Patton	12.00	
	Mileage 12 miles	1.20	
April 10	Hearing-Patton	12.00	
	Mileage 12 miles	1.20	
May 7	Conference to determine damages Ebensburg	12.00	
	Mileage 20 miles	2.00	
May 21	Exhibit of Schedule-Patton	12.00	
	Mileage 12 miles	<u>1.20</u>	\$ 53.60

June 7, 1954, I hereby certify that the within Statement of Costs is a true and correct copy of the Original filed in the office of the Clerk of Courts of Cambria County at 10 o'clock June 7, 1954.

Mahlon Baumgardner  
Chairman of the above  
Board of Viewers.

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania.  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposes : No. 1 March Sessions, 1954

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate being more fully described as follows:

All that certain lot of ground situate in the Borough of Patton, Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East Bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning,

will meet upon the premises on March 23, 1954 at 10 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Niebauer

Viewers

3 March 1954

NOW March 10, 1954 we hereby accept service of the within Notice to View and Counsel for Grace Vezza owner of the real estate involved in the above Condemnation Proceedings and acknowledge to have received a copy of said Notice.

Smorto, Creaky & McKenrick-law firm

by Thermon J. McKenrick

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania.  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposes. : No. 1 March Sessions, 1954.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate more fully decribed as follows:

ALL that certain lot of ground in the Borough of Patton Cambria County, Penna., Boggining at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along the line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning.

will meet upon the premises on March 23, 1954 at 10 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Niebauer  
Viewers

3 March 1954

NOW March 10<sup>th</sup> 1954, I hereby accept service of the above Ntice to View as Solicitor for the Borough of Patton, Cambria County, Pa, in the matter of Condemnation Proceedings instituted by Grace Vezza and a cknow- ledge to have received a copy of said Notice.

Robert Cassidy  
Solicitor Patton Borough

IN RE: Petition of Mrs. Grace Vessa of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania.  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposos. : No. 1 March Sessions, 1954.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above named Court to  
View and Inspect the above premises and estimate and determine the amount  
of damages that have resulted or that may seem likely to result by reason  
of the taking of land the property of Mrs. Grace Vessa for Flood Control  
Purposes, said real estate more fully described as follows:

ALL that certain lot of ground in the Borough of Patton  
Cambria County, Penna., Beginning at a point or corner on the  
West side of Third Avenue and corner of an alley; thence in a  
direct line West along the line of said alley to a point on the  
East bank of Chest Creek; thence along line of Chest Creek by its  
several curves and windings a distance of 217 feet, more or less,  
to the West side of Third Avenue; thence in a southerly direction  
along line of Third Avenue to the place of beginning.

will meet upon the premises on March 23, 1954 at 10 o'clock A. M.  
Eastern Standard Time for the purpose of performing the duties of our ap-  
pointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Hiebauer  
Viewers

3 March 1954

NOW March 9 1954 I hereby accept serive of the within Notice to View  
as Secretary to the Council of the Boro of Patton, Cambria County, Penna.  
in the above Condemnation Proceedings Re Grace Vezza, a property owner  
and acknowledge receipt of a copy of said Notice.

Albert J. Malmbro  
Sec. Patton Boro Council

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania.  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposes. : No. 1 March Sessions, 1954.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate more fully described as follows:

ALL that certain lot of ground in the Borough of Patton Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along the line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning.

will meet upon the premises on March 23, 1954 at 10 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Diebauer  
Viewers

3 March 1954

NOW March 10 1954 I hereby accept service of the within Notice to View in the matter of Condemnation Proceedings by Grace Vezza and acknowledge to have received a copy of said Notice.

*Maurice A. Springer* A.C.R.  
Chief Clerk to County Commissioners

IN RE: Petition of Mrs. Grace Vezza of the : In Court of Quarter Sessions,  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania;  
the Appointment of Viewers to assess damag- :  
es by reason for Flood Control Purposes. : No. 1 March Sessions, 1954.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate being more fully described as follows:

All that lot of ground situate in the Borough of Patton Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less; to the West Side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning, will

meet upon the premises on March 23, 1954 at 10 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner

John L. Elder

Raymond Niebauer

Viewers

3 March 1954

Grace Vezza

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania  
the Appointment of Viewers to assess :  
damages by reason for Flood Control Purposes : No. 1 March Sessions 1954

NOTICE OF EXHIBIT OF SCHEDULE

We the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate more fully described as follows:

All that certain lot of ground in the Borough of Patton Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along the line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning,


will meet at the Borough Building in Patton on Friday, May 21st., 1954 at 7:00 o'clock P. M. Eastern Daylight Savings Time for the purpose of Exhibit of Schedule.

Mahlon J Baumgardner

Mohn L. Elder

Raymond Niebauer  
Viewers.

NOW May // 1954 I hereby accept service of the within Notice to Exhibit of Schedule in the matter of Condemnation Proceedings by Grace Vezza and acknowledge to have received a copy of said Notice.

  
PETITIONER

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania  
the Appointment of Viewers to assess :  
damages by reason for Flood Control Purposes : No. 1 March Sessions 1954

NOTICE OF EXHIBIT OF SCHEDULE

We the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate more fully described as follows:

All that certain lot of ground in the Borough of Patton Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along the line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning,

will meet at the Borough Building in Patton on Friday, May 21st.,

1954 at 7:00 o'clock P. M. Eastern Daylight Savings Time for the purpose of Exhibit of Schedule.

Mahlon J Baumgardner

John L. Elder

Raymond Hiebauer  
Viewers.

NOW May 18 1954, I hereby accept service of the within Notice of Exhibit of Schedule in the matter of Condemnation Proceedings by Grace Vezza and acknowledge to have received a copy of said Notice.

SMORTON & CREANY

BY: Eugene A. Creany  
Counsel for Petitioner

Mr. Haluska, Secretary

IN RE: Petition of Mrs. Grace Vezza of the : In the Court of Quarter Sessions  
Boro of Patton, Cambria County, Penna. for : Cambria County, Pennsylvania  
the Appointment of Viewers to assess :  
damages by reason for Flood Control Purposes : No. 1 March Sessions 1954

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We the undersigned Viewers, appointed by the above named Court to View and Inspect the above premises and estimate and determine the amount of damages that have resulted or that may seem likely to result by reason of the taking of land the property of Mrs. Grace Vezza for Flood Control Purposes, said real estate more fully described as follows:

All that certain lot of ground in the Borough of Patton Cambria County, Penna., Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along the line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning,

will meet at the Borough Building in Patton on Friday, May 21st., 1954 at 7:00 o'clock P. M. Eastern Daylight Savings Time for the purpose of Exhibit of Schedule.

Mahlon J Baumgardner

John L. Elder

Raymond Niebauer  
Viewers.

NOW May // 1954 I hereby accept service of the within Notice of Exhibit of Schedule in the matter of Condemnation Proceedings by Grace Vezza and acknowledge to have received a copy of said Notice.

  
Secretary of Borough of Patton

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 27th day of February A. D. 1954, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Patton Borough, in the said County, setting forth that they

~~reference do not make~~ ~~reference do not make~~

Petition For The Appointment of Viewers To Assess Damages To The Land Of Grace Veza In The Flood Control Project in Patton Borough. Beginning at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning.

Being the same land title to which vested in Mrs. Grace Veza by deed of John Balor, Widower, dated July 14, 1936, in the office for the recording of deeds, etc., in and for Cambria County in Deed Book Volume 470 at page 160.

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and therefore praying the Court to appoint proper persons to view and ~~reference do not make~~ <sup>Assess damages</sup> to law. The Court, upon due consideration had of the premises, do order and appoint

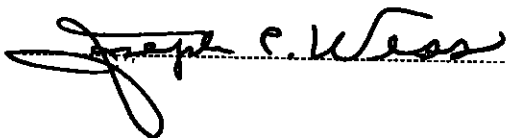
Mahlon J. Baumgardner surveyor, and

Raymond Niebauer and John L. Elder

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. McKinnel, J.

Attest:

 Clerk

June 7-19 54  
Report read and ordered  
filed  
By the Clerk  
Whitman  
Judge

NO. 1. March SESSIONS, 19 54  
ROAD DOCKET

Order to view and Assess damages to  
the land of Grace Veza in the Flood  
Control Project in Patton Borough .

*Filed*  
*6/7/54*  
*Joseph E. Wear*

Mahlon J. Baumgardner

Raymond Niebauer

John L. Elder

Viewers

Clerk *Joseph E. Wear*

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 denoted 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."

IN RE:

PETITION FOR THE APPOINTMENT OF VIEWERS TO ASSESS DAMAGES TO THE LAND OF GRACE VEZZA IN THE FLOOD CONTROL PROJECT IN PATTON BOROUGH, CAMBRIA COUNTY, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

No. 1 March Term, 1954.

PETITION FOR APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Grace Vezza respectfully represents:

(1) That she is the owner of that certain lot or piece of ground bounded and described as follows:

ALL that certain piece or parcel of land situate in the First Ward of Patton Borough, Cambria County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point or corner on the West side of Third Avenue and corner of an alley; thence in a direct line West along line of said alley to a point on the East bank of Chest Creek; thence along line of Chest Creek by its several curves and windings a distance of 217 feet, more or less, to the West side of Third Avenue; thence in a southerly direction along line of Third Avenue to the place of beginning.

BEING the same land title to which vested in Mrs. Grace Vezza by deed of John Bakor, Widower, dated July 14, 1936 and recorded on July 15, 1936 in the office for the recording of deeds, etc., in and for Cambria County in Deed Book Volume 470 at page 160.

(2) On or about the 15th day of February, 1949, a flood control project was undertaken in the Borough of Patton, said project being authorized by the Commonwealth of Pennsylvania; on said date the Bor-

ough Council of Patton assumed responsibility for any damages arising out of the commencement of said flood control project.

(3) That the flood control project was completed on October 24, 1950.

(4) In the aforesaid improvement property of your petitioner was taken, injured and destroyed.

(5) In the aforesaid improvement a new channel was established to carry the water of Chest Creek and in so establishing the route of the new channel certain land of your petitioner, formerly bounded by the original course of Chest Creek, was subsequently lost to your petitioner for all practical purposes by the re-routing of the new channel; in addition, a thirty-eight foot strip of land, formerly a part and parcel of the one lot belonging to your petitioner, has been severed from the rest of the land by the new river channel established by this project which prevents access to the thirty-eight foot segment of ground; and said property as a whole has been made less desirable and less profitable as a tenement or residence.

(6) That your petitioner further avers that the damage that has resulted from the said flood control project is extensive, serious and permanent.

(7) Your petitioner has not been compensated for damages to her said property.

WHEREFORE, your petitioner prays your Honorable Court to appoint Viewers to assess and ascertain damages done to the said property of your petitioner and to make report thereof to the Court in accordance with the Acts of Assembly in such cases made and provided.

SMORTO & CREANY

By League A. Creany

STATE OF PENNSYLVANIA |  
                                  |   SS.  
COUNTY OF CAMBRIA    |

GRACE VEZZA, the within named Petitioner, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of her knowledge, information and belief.

Grace Vezza  
Grace Vezza

Sworn to and subscribed before  
me this 25th day of <sup>FEBRUARY</sup> ~~January~~, A.D.,  
1954.

Peter J. Motts

My commission expires: 3/22/53-

No. 1 March Rd Term, 1954.

IN THE COURT OF QUARTER  
SESSIONS OF CAMBRIA  
COUNTY, PENNSYLVANIA

IN RE:  
PETITION FOR THE APPOINTMENT  
OF VIEWERS TO ASSESS DAMAGES  
TO THE LAND OF GRACE VEZZA  
IN THE FLOOD CONTROL PROJECT  
IN PATTON BOROUGH, CAMBRIA  
COUNTY, PENNSYLVANIA

*Filed 2/27/54*  
*Joseph C. Wood*  
PETITION FOR APPOINTMENT  
OF VIEWERS

*July 27<sup>th</sup> 1954 upon  
presentation of the petition  
of William J. Baumgardner,  
Raymond Niebauer and John H.  
Elder are appointed viewers  
to view the premises and  
assess the damages if any -  
First meeting of viewers to be  
held Mon. 8-19-54.  
By the Court  
Niebauer  
Judge*

Law Offices  
SMORTO & CREANY  
Barnesboro, Pa. Ebenburg, Pa. Portage, Pa.