

IN THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA

P.O. 3 December

NO. 3 SEPTEMBER SESSIONS, 1958

IN RE: LAYING OUT, OPENING AND
ACCEPTING A PUBLIC ROAD IN THE
TOWNSHIP OF EAST CARROLL, COUNTY
OF CAMBRIA AND STATE OF PENNSYL-
VANIA.

Filed - Oct 10, 1958

PETITION FOR OPENING OF TOWNSHIP ROAD

ROBERT J. CASSIDY
ATTORNEY AT LAW
GOOD BUILDING
PATTON, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING OUT, OPENING AND
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REPORT OF THE SUPERVISORS OF EAST CARROLL TOWNSHIP

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT, AND TO ALL OTHER PERSONS
CONCERNED:

E. PAUL HOOVER, W. A. WESTRICK and OTTO CUNNINGHAM respectfully report

1. That they are the road Supervisors of the Township of East Carroll,
County of Cambria and State of Pennsylvania.

2. That they propose to lay out, open and accept a public road lying
wholly within the Township of East Carroll, County of Cambria and State of
Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center
line of which point is North thirty-three degrees fifty
minutes West (N 33° 50' W) one hundred forty-two (142) feet
from the center line of Reilly Avenue; thence North thirty-
eight degrees thirteen minutes West (N 38° 13' W) one hundred
eighty-one (181) feet to a point; thence North forty-two
degrees sixteen minutes East (N 42° 16' E) one hundred eighty-
one and seventy one-hundredths (181.70) feet to a point; thence
North fifty-one degrees fifty-six minutes East (N 51° 56' E)
two hundred seventy-two and sixty one-hundredths (272.60) feet
to a point; thence North thirty-seven degrees thirty-five minutes
West (N 37° 35' W) one hundred seventy-seven and forty one-
hundredths (177.40) feet to a point terminating on the right-of-
way line of East Carroll Township Road, Route No. 527. Being
thirty-three (33) feet in width and a total of eight hundred
twelve and seventy one-hundredths (812.70) feet in length,
as shown on the survey of Martin Kirsch, dated August, 1958,
which is attached hereto, made a part hereof, and marked
"Exhibit A".

3. That pursuant to a petition of all the abutting property owners
on the proposed road as hereinbefore described, which petition is hereto attached,
made a part hereof and marked "Exhibit B", the Supervisors of East Carroll Town-
ship, at a regular meeting held the 14th day of September, 1958, upon hearing,
decided in favor of ordaining the laying out, opening and accepting of the
above described road as a public road in the Township of East Carroll, which
Resolution is hereto attached, made a part hereof and marked "Exhibit C".

4. That the aforesaid petitioners have waived all rights to damages
and the right of any notice of the time and place of hearing in the matter of
laying out, opening and accepting said road.

5. That the Supervisors of East Carroll Township believe that the laying out, opening and accepting of said road is necessary for the public convenience.

6. That this report and survey attached hereto is made and filed in the Office of the Clerk of Quarter Sessions pursuant to the Act of Assembly approved the 1st day of May, 1933, P.L. 103, as amended.

Respectfully submitted,

E. Paul Hoover

H. C. Mestrich

Otto P. Cunningham

Road Supervisors of East Carroll Township

State of Pennsylvania |
County of Cambria | SS.

Personally appeared before me, a Notary Public in and for said County and State, E. PAUL HOOVER, W. A. WESTRICK and OTTO CUNNINGHAM, Road Supervisors of the Township of East Carroll, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing report are true and correct to the best of their knowledge, information and belief.

E. Paul Hoover

W. A. Westrick

Otto P. Cunningham

Sworn and subscribed before me
this 4th day of September, 1958.

M. J. Farabaugh, & P.

My Commission Expires Jan. 4, 1963

PETITION FOR OPENING OF TOWNSHIP ROAD

TO THE TOWNSHIP SUPERVISORS, EAST CARROLL TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

Your petitioners respectfully represent:

1. That your petitioners are residents of East Carroll Township and all the property owners abutting a certain proposed road, beginning at a point on the Patton Borough line, the center line of which point is North thirty-three degrees fifty minutes West ($N 33^{\circ} 50' W$) one hundred forty-two (142) feet from the center line of Reilly Avenue; thence North thirty-eight degrees thirteen minutes West ($N 38^{\circ} 13' W$) one hundred eighty-one (181) feet to a point; thence North forty-two degrees sixteen minutes East ($N 42^{\circ} 16' E$) one hundred eighty-one and seventy one-hundredths (181.70) feet; to a point; thence North fifty-one degrees fifty-six minutes East ($N 51^{\circ} 56' E$) two hundred seventy-two and sixty one-hundredths (272.60) feet to a point; thence North thirty-seven degrees thirty-five minutes West ($N 37^{\circ} 35' W$) one hundred seventy-seven and forty one-hundredths (177.40) feet to a point terminating on the right-of-way line of East Carroll Township Road, Route No. 527, being a total of eight hundred twelve and seventy one-hundredths (812.70) feet.

2. That your petitioners have had, for many years, great difficulty in gaining access to their respective properties.

3. That your petitioners request the supervisors of East Carroll Township to open said road under the procedure as outlined in the Township Code.

4. That it is necessary for the public convenience of the residents of East Carroll Township that said road be opened.

5. That your petitioners do hereby release East Carroll Township from all damages to such opening.

6. That your petitioners waive all rights to any notice of the time and place of hearing in the matter of ordaining and opening and accepting said road.

WHEREFORE, your petitioners respectfully request that the Supervisors of East Carroll Township open the above described road according to the laws of

the Commonwealth of Pennsylvania applicable thereto and more particularly
Section 1101, Article II, Act of Assembly of May 1, 1931, P.L. 101, as amended.

<u>NAME</u>	<u>ADDRESS</u>
<u>Leonard Balon</u>	<u>Patton, Pa</u>
<u>Mrs Leonard Balon</u>	<u>Patton, Pa</u>
<u>William Ott</u>	<u>Patton, Pa</u>
<u>Mrs. William Ott</u>	<u>Patton, Pa.</u>
<u>Mrs Henry Cihan</u>	<u>Patton, Pa.</u>
<u>Henry Cihan</u>	<u>Patton, Pa</u>
<u>Paul Jones</u>	<u>Spangler, Pa.</u>

RESOLUTION

WHEREAS, E. PAUL HOOVER, W. A. WESTRICK and OTTO GUNNINGHAM, Supervisors of East Carroll Township, having been petitioned to open, lay out, and accept the hereinafter described road, and

WHEREAS, said petitioners have signed a release of damages and a waiver of all rights to any notice of the time and place of hearing in the matter of ordaining, opening and accepting said road, and

WHEREAS, The Supervisors of East Carroll Township are of the opinion that the opening, laying out and accepting of said road is necessary for the public convenience, and

WHEREAS, it is the intention of the Township Supervisors to hereby open, lay out and accept the hereinafter described road in accordance with the laws of the Commonwealth of Pennsylvania applicable thereto, more particularly the Act of 1935, May 1, P.L. 103, as amended.

THEREFORE, BE IT RESOLVED, by the Supervisors of East Carroll Township that:

Section 1: After the passage of this Resolution, the following public road, lying wholly within the Township of ~~Gleanfield~~ ^{East Carroll}, County of Cambria, and State of Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center line of which point is North thirty-three degrees fifty minutes West (N 33° 50' W) one hundred forty-two (142) feet from the center line of Kelly Avenue; thence North thirty-eight degrees thirteen minutes West (N 38° 13' W) one hundred eighty-one (181) feet to a point; thence North forty-two degrees sixteen minutes East (N 42° 16' E) one hundred eighty-one and seventy one-hundredths (181.70) feet to a point; thence North fifty-one degrees fifty-six minutes East (N 51° 56' E) two hundred seventy-two and sixty one-hundredths (272.60) feet to a point; thence North thirty-seven degrees thirty-five minutes West (N 37° 35' W) one hundred seventy-seven and forty one-hundredths (177.40) feet to a point terminating on the right-of-way line of East Carroll Township Road, Route No. 527. Being thirty-three (33) feet in width and a total of eight hundred twelve and seventy one-hundredths (812.70) feet in length, as shown on the survey of Martin Kirsch, dated August, 1968.

be opened, laid out and accepted as a public road of the Township of East Carroll, Cambria County, Pennsylvania

SECTION 2. That the Secretary of the Board of Supervisors of East Carroll Township shall give public notice of the passage of the within Ordinance by posting handbills in conspicuous places along the line of said road within ten (10) days after the passage of said Resolution. Said notice shall contain the date of passage of the Resolution, the signers of the petition asking for said passage of the Resolution, and the fact that the petition contained a release of damages in favor of the said Township of Clearfield, and that any person interested may, within thirty (30) days after the filing of the report of the Supervisors, upon entering in Court sufficient surety to indemnify them for all costs incurred in the proceedings, file exceptions to the report, together with a petition for a review.

SECTION 3. Any Ordinance or Resolution, or part of any Ordinance or Resolution, conflicting with this Resolution is hereby repealed insofar as the same affects this Resolution.

RESOLVED, this 1st day of September A.D., 1958.

TOWNSHIP OF EAST CARROLL

By E. Paul Hoover
President

ATTEST:

Aaron A. Prosser
Secretary

I, AARON A. PROSSER, Secretary of the Township of East Carroll, hereby certify that the foregoing Resolution was enacted and approved at a regular meeting of the Supervisors of East Carroll Township, Cambria County, Pennsylvania, and that the same is entered in the minutes and records of said Township.

Aaron A. Prosser
Secretary

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING OUT, OPENING AND
ACCEPTING A PUBLIC ROAD IN THE
TOWNSHIP OF EAST CARROLL, COUNTY
OF CAMBRIA AND STATE OF PENN-
SYLVANIA


NO.

SEPTEMBER SESSIONS, 1958

ORDER

NOW, the 7 day of ^{October}~~September~~, 1958, upon consideration of the
foregoing report, Joseph C. Wess, Clerk of the Court of Quarter Sessions of
Cambria County, Pennsylvania, is hereby ordered and directed to file the within
report and the Exhibits attached thereto.

BY THE COURT:



IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING OUT, OPENING AND
ACCEPTING A PUBLIC ROAD IN THE
TOWNSHIP OF EAST CARROLL, COUNTY
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VANIA.

NO. SEPTEMBER SESSIONS, 1958

DECREE

NOW, the 19 day of ~~September~~^{November}, 1958, it appearing that the said report having been filed on the 10th day of ~~September~~^{October}, 1958, and that no citizen or freeholder of East Carroll Township did, within thirty (30) days from the filing of said report of the Supervisors, file exceptions after entering in the Court sufficient surety to indemnify said Supervisors for all costs incurred in the proceedings together with a petition for a review, IT IS ORDERED AND DIRECTED that the following public road lying wholly within the Township of East Carroll, County of Cambria and State of Pennsylvania, more particularly described as follows:

Beginning at a point on the Patton Borough line, the center line of which point is North thirty-three degrees fifty minutes West (N 33° 50' W) one hundred forty-two (142) feet from the center line of Reilly Avenue; thence North thirty-eight degrees thirteen minutes West (N 38° 13' W) one hundred eighty-one (181) feet to a point; thence North forty-two degrees sixteen minutes East (N 42° 16' E) one hundred eighty-one and seventy one-hundredths (181.70) feet to a point; thence North fifty-one degrees fifty-six minutes East (N 51° 56' E) two hundred seventy-two and sixty one-hundredths (272.60) feet to a point; thence North thirty-seven degrees thirty-five minutes West (N 37° 35' W) one hundred seventy-seven and forty one-hundredths (177.40) feet to a point terminating on the right-of-way line of East Carroll Township Road, Route No. 527. Being thirty-three (33) feet in width and a total of eight hundred twelve and seventy one-hundredths (812.70) feet in length, as shown on the survey of Martin Kirsch, Reg. Engr., prepared August, 1958.

be opened, laid out and accepted as a public road in the Township of East Carroll, Cambria County, Pennsylvania.

BY THE COURT:

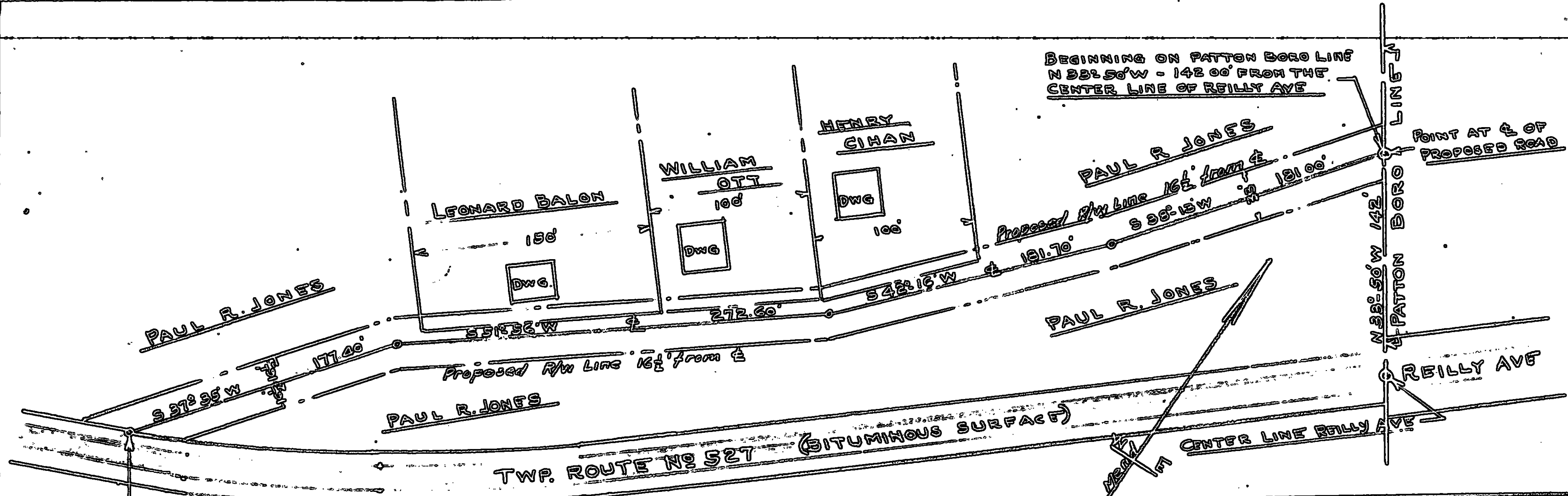
McKenick

R. J.

EXHIBIT A

Not Microfilmed

Rd #3 Dec. 1958



BEGINNING ON PATTON BORO LINE
 N 33° 50' W - 142' 00" FROM THE
 CENTER LINE OF REILLY AVE

PAUL R. JONES

LEONARD BALON

WILLIAM OTT

HENRY CIHAN

PAUL R. JONES

PAUL R. JONES

PAUL R. JONES

TWP. ROUTE NO 527

(BITUMINOUS SURFACE)

REILLY AVE

PATTON BORO LINE

POINT AT E OF PROPOSED ROAD

TERMINATING ON RIGHT OF WAY LINE
 OF EAST CARROLL TWP ROUTE NO 527

TOTAL LENGTH OF PROPOSED ROAD
 ALONG THE CENTER LINE IS 312.70'

MAP SHOWING
 EXISTING PRIVATE ROAD
 SITUATE
 ADJACENT TO PATTON BORO
 EAST CARROLL TWP. CAMBRIA CO. PA
 TO BE DEDICATED AS PUBLIC HIGHWAY
 BY THE
 SUPERVISORS OF EAST CARROLL TWP.
 AUG. 1958
 SCALE 1" = 50'
 Martin & Kirsch, Inc.
 First Nat. Bank Bldg.
 Spangler, Penna.

