

Filed - 10-23-59
J.C.W.

IN RE: PETITION OF JOHN AND
ETHEL KUFEL, HUSBAND AND WIFE,
FOR THE APPOINTMENT OF VIEWERS
TO ASSESS DAMAGES ARISING FROM
THE IMPROVEMENTS IN STATE HIGH-
WAY ROUTE NO. 22 IN JACKSON
TOWNSHIP, CAMBRIA COUNTY, PA.

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

NO. 4 June TERM, 1959

VIEWERS NOTICE

We, the undersigned Viewers appointed by the above court to view and inspect the land and premises owned by John Kufel and Ethel Kufel, his wife, in Jackson Township, Cambria County, Pennsylvania, to determine an estimate of damages or benefits that have resulted or that may seem likely to result to the land and property of the petitioners and owners by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, do hereby give notice that we will meet upon the premises on the 28th day of July, 1959, at 10:00 o'clock, a.m., e.d.s.t., when and where all persons interested may appear if they so desire.

The premises to be viewed are as follows:

BEGINNING at a point located by an iron pin, said pin being at the corner of land of Donelly and land of Louis Sabo, and being on the Old State Highway leading from Mundy's Corner to Nanty Glo; thence along land of Donelly South 56° 24' East one hundred and fifty (150) feet to a post; thence continuing along land of Donelly South 61° East three hundred and thirty-six (336) feet to a post corner on the right-of-way of the New State Highway leading from Mundy's Corner to Nanty Glo; thence along said right-of-way South 23° 11' West one hundred and fifty (150) feet to a point on the other land of Louis Sabo; thence North 61° West one hundred and fifty (150) feet to a post corner on the line of land of Louis Sabo; thence North 23° 11' East fifty (50) feet to a post; thence along other land of Louis Sabo North 61° West two hundred and twelve (212) feet to an iron pin; thence North 56° 24' West one hundred and fifty (150) feet to a post on the Old State Highway leading from Mundy's Corner to Nanty Glo; thence along said State Highway North 36° 15' East one hundred (100) feet to an iron pin, the place of beginning. Being one lot containing one (1) 14/100 acres as laid out and surveyed by John L. Elder on August 8, 1950, and also containing another lot 50/150 as laid out and surveyed by John L. Elder on August 8th, 1950.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM B. KELLY

By Donald J. Letizia Chairman

ACCEPTANCE OF SERVICE

And now, July 20th, 1959, I hereby accept service of the
above notice.

Robert W. Cunliffe
Asst Atty General

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

VIEWERS' NOTICE

We, the undersigned Viewers appointed by the above court to view and inspect the land and premises owned by John Kufel and Ethel Kufel, his wife, in Jackson Township, Cambria County, Pennsylvania, to determine and estimate the damages or benefits that have resulted or that may seem likely to result to the land and property of the petitioners and owners by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, do hereby give notice that we will hold a hearing at the Jackson Township Municipal Building, Jackson Township, Cambria County, Pennsylvania, on Saturday, August 15, 1959, at 10:00 o'clock, a.m., e.d.s.t., when and where all persons interested may appear if they so desire.

DONALD J. PETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Petizia Chairman

ACCEPTANCE OF SERVICE

And now, August / , 1959, I hereby accept service of the above notice.

Randolph J. Taylor for
Myself Taylor & Pacuzzi

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

VIEWERS' NOTICE

We, the undersigned Viewers appointed by the above court to view and inspect the land and premises owned by John Kufel and Ethel Kufel, his wife, in Jackson Township, Cambria County, Pennsylvania, to determine and estimate the damages or benefits that have resulted or that may seem likely to result to the land and property of the petitioners and owners by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, do hereby give notice that we will hold a hearing at the Jackson Township Municipal Building, Jackson Township, Cambria County, Pennsylvania, on Saturday, August 15, 1959, at 10:00 o'clock, a.m., e.d.s.t., when and where all persons interested may appear if they so desire.

DONALD J. PETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Petizia Chairman

ACCEPTANCE OF SERVICE

And now, August / . 1959, I hereby accept service of the above notice.

William P. Kelly
Com 780, Dept. of Highways

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

NOTICE

The undersigned hereby give notice that they, having been appointed by the Court as a Board of View in the above entitled matter, will hold a meeting at the Jackson Township Municipal Building, Jackson Township, Cambria County, Pennsylvania, on Saturday, August 29, 1959, at 10:00 o'clock, a.m., e.d.s.t., at which time they will exhibit the schedule of damages caused by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Letizia Chairman

ACCEPTANCE OF SERVICE

And now, August 15, 1959, I hereby accept service of the above notice.

Myers Taylor Peduzzi
Dee Renee G. Taylor

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

NOTICE

The undersigned hereby give notice that they, having been appointed by the Court as a Board of View in the above entitled matter, will hold a meeting at the Jackson Township Municipal Building, Jackson Township, Cambria County, Pennsylvania, on Saturday, August 29, 1959, at 10:00 o'clock, a.m., e.d.s.t., at which time they will exhibit the schedule of damages caused by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Letizia Chairman

ACCEPTANCE OF SERVICE

And now, August 15, 1959, I hereby accept service of the above notice.

William L. Hunter
2nd Com. Jpe. Dist. / Hydrop

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

SCHEDULE OF AWARD

From the evidence submitted and the view of the premises affected by the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, the Board of View find the damages sustained by the owners and occupants in this proceeding as follows:

John Kufel and Ethel Kufel, his wife, \$21,500.00

The award above set forth includes damages for delay in payment from the date of the injury in this proceeding to the date of filing of the report.

The Board of View have taken into consideration any benefits accruing to the property affected and hereby assess the damages as above awarded,

DONALD J. LETIZIA

JOHN L. ELDER

WILLIAM P. KELLY

Board of Viewers

By Donald J. Letizia Chairman

ACCEPTANCE OF SERVICE

And now, September *i*, 1959, I hereby accept service of the above notice.

Mary Ann Jay Coz Peduzzi

Jay Peduzzi for my self

IN RE: PETITION OF JOHN AND ; IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, ; OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS ;
TO ASSESS DAMAGES ARISING FROM ;
THE IMPROVEMENTS IN STATE HIGH- ;
WAY ROUTE NO. 22 IN JACKSON ;
TOWNSHIP, CAMBRIA COUNTY, PA. ; NO. 4 JUNE TERM, 1959.

SCHEDULE OF AWARD

From the evidence submitted and the view of the premises affected by the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, the Board of View find the damages sustained by the owners and occupants in this proceeding as follows:

John Kufel and Ethel Kufel, his wife, \$21,500.00

The award above set forth includes damages for delay in payment from the date of the injury in this proceeding to the date of filing of the report.

The Board of View have taken into consideration any benefits accruing to the property affected and hereby assess the damages as above awarded.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers
By _____ Chairman

ACCEPTANCE OF SERVICE

And now, September 1, 1959, I hereby accept service of the above notice.

William L. Huber

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

NOTICE

Notice is hereby given that the undersigned Viewers will file their report in the above matter in the Court of Quarter Sessions of Cambria County, Ebensburg, Pennsylvania, on ^{Friday} ~~Monday~~, October ~~26~~²³, 1959.

You will have thirty days from said date within which to file exceptions to our report, if you so desire. If no exceptions are filed thereto within said thirty days, our report will be confirmed absolutely by the Court.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Kelly Chairman

ACCEPTANCE OF SERVICE

And Now, October 22, 1959, I hereby accept service of the above notice.

Myself, Jay Cox & Pedersen
by Renee G. Myers

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM :
THE IMPROVEMENTS IN STATE HIGH- :
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

NOTICE

Notice is hereby given that the undersigned Viewers will file their report in the above matter in the Court of Quarter Sessions of Cambria County, Ebensburg, Pennsylvania, on ^{Friday} ~~Monday~~, October 23²³, 1959.

You will have thirty days from said date within which to file exceptions to our report, if you so desire. If no exceptions are filed thereto within said thirty days, our report will be confirmed absolutely by the Court.

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By Donald J. Letizia Chairman

ACCEPTANCE OF SERVICE

And Now, October 22, 1959, I hereby accept service of the above notice.

William P. Kelly

IN RE: PETITION OF JOHN AND : IN THE COURT OF QUARTER SESSIONS
ETHEL KUFEL, HUSBAND AND WIFE, - : OF CAMBRIA COUNTY, PENNA.
FOR THE APPOINTMENT OF VIEWERS :
TO ASSESS DAMAGES ARISING FROM : Filed - 10-23-59
THE IMPROVEMENTS IN STATE HIGH- : J. E. W...
WAY ROUTE NO. 22 IN JACKSON :
TOWNSHIP, CAMBRIA COUNTY, PA. : NO. 4 JUNE TERM, 1959.

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The undersigned Board of View, appointed by your Honorable Court to assess damages and benefits, if any, caused by the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, respectfully

REPORT

That in pursuance of their appointment the Board of View caused notice to be served upon the owners and occupants of land affected in the above proceeding, as well as counsel of record for said owners and occupants, and upon counsel for the Pennsylvania Highway Department, that they would meet upon the premises on Saturday, July 28, 1959, at 10:00 o'clock, a.m., e.d.s.t., for the purpose of viewing the premises and of hearing such parties as desired to be heard. Such notices were duly served by personal service and by posting upon the premises more than ten (10) days prior to the sate of said meeting.

The Board of View were duly sworn according to law and proceeded with the view of the premises. In attendance were John Kufel and Ethel Kufel, his wife, the owners, and Randolph Myers, Esq., attorney for John and Ethel Kufel.

A further meeting was held in the Jackson Township Municipal Building, Jackson Township, Cambria County, Pennsylvania, on August 15, 1959, at 10:00 o'clock, a.m., e.d.s.t., at which time all the parties in interest appeared. Notice of said meeting was served upon all parties in interest and upon their counsel of record. Evidence was presented on behalf of the parties in interest for the benefit of the Board of View.

From the evidence submitted to them and from examination of the premises and locality in question the Board of View find the following

FACTS

1. The marketability of the premises directly affected by said construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, has been substantially reduced thereby.

2. The owners of the premises in question have been financially injured by said construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania.

CONCLUSIONS OF LAW

No questions of law were raised in this proceeding for consideration of the Board of View

CONCLUSION

The Board of View reports that after a full and impartial consideration of all the testimony and evidence submitted to them and after a careful view of the premises, and acting according to their best judgment, they have estimated and determined the damages sustained by the owners and occupants of said property by reason of the construction, reconstruction and improvements to State Highway Route No. 22 in Jackson Township, Cambria County, Pennsylvania, as follows:

John Kufel and Ethel Kufel, his wife, \$21,500.00

The award of damages set forth include damages for delay in payment of damages from the date of the injury sustained in this proceeding to the date of filing of the report.

The Board of View have taken into consideration any benefits accruing to the premises and assess said damages ~~against~~

Respectfully submitted

DONALD J. LETIZIA
JOHN L. ELDER
WILLIAM P. KELLY
Board of Viewers

By


Chairman

Road Docket - 4 June 1959

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

Petition of John Kufel and
Ethel Kufel, husband and wife,
for appointment of viewers to
assess damages arising from the
improvements to State Highway
Route No. 22 in Jackson Town-
ship, Cambria County, Penn-
sylvania

Filed - May 5, 1959

J. C. Weese

LAW OFFICES

MYERS, TAYLOR & PEDUZZI

213 S. CENTER STREET - OPPOSITE COURT HOUSE
EBENSBURG, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of John Kufel and Ethel Kufel, respectfully represents:

- 1 -

That they are the owners of all that certain piece or tract of land situate in the Township of Jackson, County of Cambria and State of Pennsylvania, bounded and described as follows:

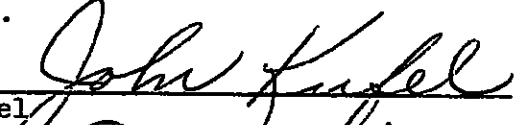
BEGINNING at a point located by an iron pin, said pin being at the corner of land of Donelly and land of Louis Sabo, and being on the Old State Highway leading from Mundy's Corner to Nanty-Glo; thence along land of Donelly South $56^{\circ} 24'$ East one hundred and fifty (150) feet to a post; thence continuing along land of Donelly South 61° East three hundred and thirty-six (336) feet to a post corner on the right-of-way of the New State Highway leading from Mundy's Corner to Nanty-Glo; thence along said right-of-way South $23^{\circ} 11'$ West one hundred and fifty (150) feet to a point on the other land of Louis Sabo; thence North 61° West one hundred and fifty (150) feet to a point on other land of Louis Sabo; thence North 61° West one hundred and fifty (150) feet to a post corner on line of land of Louis Sabo; thence North $23^{\circ} 11'$ East fifty (50) feet to a post; thence along other land of Louis Sabo North 61° West two hundred and twelve (212) feet to an iron pin; thence North $56^{\circ} 24'$ West one hundred and fifty (150) feet to a post on the Old State Highway leading from Mundy's Corner to Nanty-Glo; thence along said State Highway North $36^{\circ} 15'$ East one hundred (100) feet to an iron pin, the place of beginning. Being one lot containing one (1) $14/100$ acres as laid out and surveyed by John L. Elder on August 8th, 1950, and also containing another lot $50/150$ as laid out and surveyed by John L. Elder on August 8th, 1950.

- 2 -

That in the construction, re-construction and improvements of State Highway No. 22 in the Township of Jackson, Cambria County, Pennsylvania, said property has sustained serious loss and damage and that compensation for such damage has not been fixed or agreed between the Commonwealth of Pennsylvania and your petitioners.

Your petitioners, therefore, pray your Honorable Court to appoint three viewers from the Board of Viewers of the County of Cambria to view the premises and assess the damage, if any, by reason of the construction, re-construction and improvement of said Highway, and to assess the benefits, if any, and to report the same to your Honorable Court in such case made and provided.

And your petitioners will ever pray.


John Kufel


Ethel Kufel

STATE OF PENNSYLVANIA §
 § SS:
COUNTY OF CAMBRIA §

John Kufel and Ethel Kufel, being duly sworn according to law,
deposes and say that the statements set forth in the foregoing petition are
true and correct to the best of their knowledge, information and belief.

John Kufel
Ethel Kufel

Sworn and subscribed before me
this 17th day of April, A. D.,
1959.

Helen L. McMerritt
Notary Public - Ebensburg, Cambria Co., Pa.
My commission expires: August 30, 1960

DECREE

And now, April 30, 1959, the foregoing petition having been read
and considered, it is ordered that Honored J. Leticia Egg,
John L. Elder and W^m B. Kelly,
three members of the permanent Board of Viewers of Cambria County, be and
hereby are appointed to view the said premises and make a return of their
proceedings according to law.

Driffith
J.