

NO. *Pl 10* *Sept* SESSIONS, 1966

COURT OF QUARTER SESSIONS
CAMBRIA COUNTY PENNSYLVANIA

IN RE: LAYING-OUT, OPENING
AND ACCEPTING PORTIONS OF
WESTGATE DRIVE AND VESTA
LANE IN THE TOWNSHIP OF
LOWER YODER, CAMBRIA
COUNTY, PENNSYLVANIA

REPORT OF THE SUPER-
VISORS OF LOWER YODER
TOWNSHIP

Di Francesco & Di Francesco

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416 LINCOLN STREET

Johnstown, Pennsylvania

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STEPHEN D. OBLACKOVICH
CLERK OF COURTS

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY PENNSYLVANIA

IN RE: LAYING-OUT, OPENING ::
AND ACCEPTING PORTIONS OF ::
WESTGATE DRIVE AND VESTA :: NO. R.D. 10 Sept SESSIONS 1966
LANE IN THE TOWNSHIP OF ::
LOWER YODER, CAMBRIA ::
COUNTY, PENNSYLVANIA ::

REPORT OF THE SUPERVISORS OF LOWER YODER TOWNSHIP

The petition of WILLIAM SLADKI, CARL J. KOHLER and HERMAN ZILKE, respectfully represents:

1. That they are the Supervisors of the Township of Lower Yoder, Cambria County, Pennsylvania.

2. That they propose to lay-out, open and accept portions of Westgate Drive and Vesta Lane in the Township of Lower Yoder, County of Cambria and State of Pennsylvania, which portions of said streets are described as follows:

WESTGATE DRIVE

The centerline grade is hereby established as follows: BEGINNING at the centerline of Westgate Drive and the westerly side of Mount View Drive at Station 0+0 at an elevation of 1725.77, thence descending at the rate of two (2) feet per hundred feet, a distance of 132.73 feet to Station 1+32.73 at an elevation of 1723.12, thence by a vertical curve a distance of 67.27 feet to Station 2+0 at an elevation of 1719.60, thence descending at the rate of 10.40 feet per hundred feet a distance of 82.73 feet to Station 2+82.73 at the intersection of the centerline of Vesta Lane at an elevation of 1711.00, thence descending at the rate of 12.0 feet per hundred feet a distance of 167.27 feet to Station 4+50 at an elevation of 1690.93, thence by a vertical curve a distance of 129.50 feet to Station 5+79.50 at the intersection of the centerline of Zucco Lane at an elevation of 1681.60, the place of ending, a total distance of 579.50 feet more or less.

BEING shown on the Plan of Lots laid out by Rudolph Zucco July 8, 1959 and revised by Hinks and Locher Engineers, Inc., May 23, 1960, and recorded in the office of the Recorder of Deeds in and for Cambria County, Pennsylvania in Plat Book Vol. 6, pages 16 and 24.

VESTA LANE

The centerline grade is hereby established as follows: BEGINNING at the centerline of Westgate Drive at Station 0+0 at an elevation of 1711.00, thence descending at the rate of 4.40 feet per hundred feet a distance of 25.0 feet to Station 0+25 at an elevation of 1709.90, thence descending at the rate of 7.92 feet per hundred feet a distance of 125.0 feet to Station 1+50 at an elevation of 1700.00, thence descending at the rate of 5.36 feet per hundred feet a distance of 125.0 feet to Station 2+75 at an elevation of 1693.30, thence by a vertical curve a distance of 125.0 feet to Station 4+0 at an elevation of 1693.30, thence ascending at the rate of 1.60 feet per hundred feet a distance of 75.0 feet to Station 4+75 at an elevation of 1694.50, thence by a vertical curve a distance of 100.0 feet to Station 5+75 at an elevation of 1699.70, thence ascending at the rate of 8.72 feet per hundred feet a distance of 97.5 feet to Station 6+72.5 at an elevation of 1708.20, the place of ending, a total distance of 672.5 feet, more or less.

BEING shown on the Plan of Lots laid out by Rudolph Zucco July 8, 1959, and revised by Hinks and Locher Engineers, Inc., May 23, 1960, and recorded in the office of the Recorder of Deeds in and for Cambria County, Pennsylvania, in Plat Book Vol. 6, pages 16 and 24.

The said portions of Westgate Drive and Vesta Lane above described, appear on a map, draft or survey, hereto attached, made a part hereof and marked Exhibit A, and colored in red line.

3. That your petitioners have given ten days' notice to the property owners affected by the laying-out, opening and accepting of the said portions of Westgate Drive and Vesta Lane, as required by the Act of Assembly, of a hearing and after said hearing your Supervisors deem that the said portions of the said streets are necessary and convenient, and by ordinance duly made and adopted, the said portions of streets were laid-out, opened and accepted by the Supervisors of Lower Yoder Township, as a part of the said Township, which ordinance is hereto attached, made part hereof, and marked Exhibit B.

4. That attached hereto and made a part hereof is a petition and release of damages executed by the owners of the property abutting on the said proposed portion of said streets, marked and designated as Exhibit C.

WHEREFORE, your petitioners pray that this report and Exhibits attached hereto may be filed in the Office of the Clerk of Courts of the Court of Quarter Sessions of Cambria County, Pennsylvania.

William Bladke

Herman Zilke

Carl J. Kohler

Supervisors of Lower Yoder Township

STATE OF PENNSYLVANIA)
(SS:
COUNTY OF CAMBRIA)

Personally appeared before me, a Notary Public in and for said County and State, WILLIAM SLADKI, CARL J. KOHLER and HERMAN ZILKIE, Supervisors of the Township of Lower Yoder, 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.

William Sladki

Herman Zilke

Carl J. Kohler

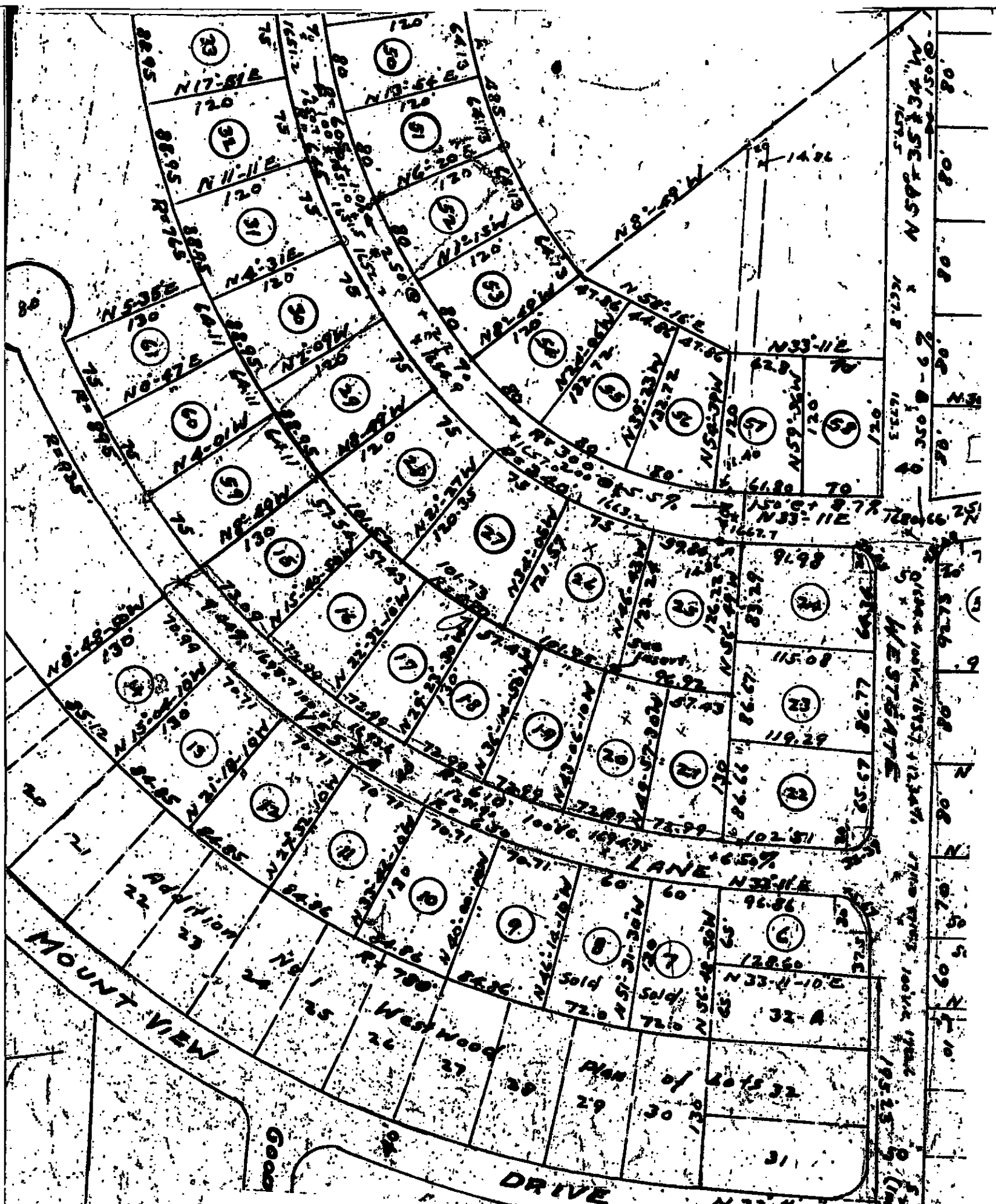
Supervisors of Lower Yoder Township

SWORN and subscribed before me
this 6th day of Sept., 1966.

Frances M. Bartko
Notary Public

FRANCES M. BARTKO, Notary Public
Johnstown, Cambria County, Penna.
My Commission Expires October 2, 1967

EXHIBIT A



PLAN OF LOTS
AS LAID OUT BY
RUDOLPH ZUCCO

SITUATE IN
LOWER YODERTWP - CAMBRIA CO PA

SCALE - 1" = 100'

N. J. BOSSLER, R. S.

SCALE - 1" = 50' MAY 23, 1960 - HINKS & LOCHER, ENGINEERS INC.

5411 - F-56

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING CERTAIN PORTIONS OF WESTGATE DRIVE AND VESTA LANE, IN THE TOWNSHIP OF LOWER YODER, COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA

SECTION I. BE IT ORDAINED and it is hereby ordained by the Supervisors of the Township of Lower Yoder that the following described portions of Westgate Drive and Vesta Lane be and are hereby accepted by the Township as public streets and highways of the said Township, described as follows:

Westgate Drive

The centerline grade is hereby established as follows BEGINNING at the centerline of Westgate Drive and the westerly side of Mount View Drive at Station 0+0 at an elevation of 1725.77, thence descending at the rate of two (2) feet per hundred feet, a distance of 132.73 feet to Station 1+32.73 at an elevation of 1723.12, thence by a vertical curve a distance of 67.27 feet to Station 2+0 at an elevation of 1719.60, thence descending at the rate of 10.40 feet per hundred feet a distance of 82.73 feet to Station 2+82.73 at the intersection of the centerline of Vesta Lane at an elevation of 1711.00 thence descending at the rate of 12.0 feet per hundred feet a distance of 167.27 feet to Station 4+50 at an elevation of 1690.93, thence by a vertical curve a distance of 129.50 feet to Station 5+79.50 at the intersection of the centerline of Zucco Lane at an elevation of 1681.60, the place of ending, a total distance of 579.50 feet, more or less.

BEING shown on the Plan of Lots laid out by Rudolph Zucco July 8, 1959 and revised by Hinks and Locher Engineers, Inc., May 23, 1960 and recorded in the office of the Recorder of Deeds in and for Cambria County in Plat Book Vol. 6 at pages 16 and 24.

Vesta Lane

The centerline grade is hereby established as follows: BEGINNING at the centerline of Westgate Drive at Station 0+0 at an elevation of 1711.00 thence descending at the rate of 4.40 feet per hundred feet a distance of 25.0 feet to Station 0+25 at an elevation of 1709.90, thence descending at the rate of 7.92 feet per hundred feet a distance of 125.0 feet to Station 1+50 at an elevation of 1700.00, thence descending at the rate of 5.36 feet per hundred feet a distance of 125.0 feet to Station 2+75 at an elevation of 1693.30, thence by a

vertical curve a distance of 125.0 feet to Station 4+0 at an elevation of 1693.30, thence ascending at the rate of 1.60 feet per hundred feet a distance of 75.0 feet to Station 4+75 at an elevation of 1694.50, thence by a vertical curve a distance of 100.0 feet to Station 5+75 at an elevation of 1699.70, thence ascending at the rate of 8.72 feet per hundred feet a distance of 97.5 feet to Station 6+72.5 at an elevation of 1708.20, the place of ending, a total distance of 672.5 feet, more or less.

BEING shown on the Plan of Lots laid out by Rudolph Zucco July 8, 1959, and revised by Hinks and Locher Engineers, Inc., May 23, 1960, and recorded in the office of the Recorder of Deeds in and for Cambria County in Plat Book Vol. 6 at pages 16 and 24.

ORDAINED and enacted by the Board of Supervisors of the Township of Lower Yoder this 6th day of September, 1966, at a regular meeting of the Board.

LOWER YODER TOWNSHIP

By

William Stodki

President

ATTEST:

Carl J. Kohn
Secretary

PETITION AND RELEASE OF DAMAGES

We, the undersigned, citizens and property owners in the Township of Lower Yoder, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay-out, open and accept the following described streets which abut along side of our respective properties:

Westgate Drive

BEGINNING at the centerline of Westgate Drive and the Westerly side of Mount View Drive at Station 0+0 at an elevation of 1725.77, thence descending at the rate of two (2) feet per hundred feet, a distance of 132.73 feet to Station 1+32.73 at an elevation of 1723.12, thence by a vertical curve a distance of 67.27 feet to Station 2+0 at an elevation of 1719.60 thence descending at the rate of 10.40 feet per hundred feet a distance of 82.73 feet to Station 2+82.73 at the intersection of the centerline of Vesta Lane at an elevation of 1711.00, thence descending at the rate of 12.0 feet per hundred feet a distance of 167.27 feet to Station 4+50 at an elevation of 1690.93, thence by a vertical curve a distance of 129.50 feet to Station 5+79.50 at the intersection of the centerline of Zucco Lane at an elevation of 1681.60, the place of ending, a total distance of 579.50 feet, more or less.

Vesta Lane

BEGINNING at the centerline of Westgate Drive at Station 0+0 at an elevation of 1711.00, thence descending at the rate of 4.40 feet per hundred feet a distance of 25.0 feet to Station 0+25 at an elevation of 1709.90, thence descending at the rate of 7.92 feet per hundred feet a distance of 125.0 feet to Station 1+50 at an elevation of 1700.00, thence descending at the rate of 5.36 feet per hundred feet a distance of 125.0 feet to Station 2+75 at an elevation of 1693.30, thence by a vertical curve a distance of 125.0 feet to Station 4+0 at an elevation of 1693.30, thence ascending at the rate of 1.60 feet per hundred feet a distance of 75.0 feet to Station 4+75 at an elevation of 1694.50, thence by a vertical curve a distance of 100.0 feet to Station 5+75 at an elevation of 1699.70, thence ascending at the rate of 8.72 feet per hundred feet a distance of 97.5 feet to Station 6+72.5 at an elevation of 1708.20, the place of ending, a total distance of 672.5 feet, more or less.

In consideration of the opening and acceptance of the said streets, we, the undersigned, do hereby remise, release and discharge the Township of Lower Yoder of and from all and all manner of actions or causes of actions in

law or in equity, especially from a claim for damages arising out of the laying-out, opening and accepting of the above described streets, and we release the Township for ourselves, our heirs, executors, administrators, successors and assigns, and we further hereby waive our right to receive a ten days' notice of the intention of the Supervisors to adopt an ordinance for the purpose of laying-out, opening and accepting the above streets.

113 Vesta La.	(SEAL)	113 Vestabane	(SEAL)
Kenneth J. Zingling	(SEAL)	John Zingling	(SEAL)
106 Vesta Lane			
William D. Hays	(SEAL)	Tatiana A. Hays	(SEAL)
107 Vesta Lane			
Mrs. Joseph G. Gortz	(SEAL)	Joseph G. Gortz	(SEAL)
102 Vesta Lane			
Lancee Wagner	(SEAL)	Mrs. Nellie Wagner	(SEAL)
107 Vesta Lane			
Edward J. Golias	(SEAL)	Elizabeth J. Golias	(SEAL)
103 Vesta Lane			
John Patterson	(SEAL)	Angela Jean Patterson	(SEAL)
105 Vesta Lane			
John A. Terminus Jr.	(SEAL)	Viola Terminus	(SEAL)
109 Vesta Lane			
Norma Hornum	(SEAL)	Angeline K. Hornum	(SEAL)
252 Westgate drive			
Mary Catherine Felip	(SEAL)	William Felip	(SEAL)
244 Westgate Dr.			
Richard E. Seidel	(SEAL)	W. Louise Seidel	(SEAL)
240 Westgate Dr.			
Paul Mours	(SEAL)	Mary Elizabeth Mours	(SEAL)
243 Westgate Dr.			
Edward J. Kelly Jr.	(SEAL)		(SEAL)
232 Westgate Dr.			
M. E. Bracken	(SEAL)	Phyllis Bracken	(SEAL)
236 Westgate Dr.			
Shirley Nathan	(SEAL)		(SEAL)
256 Westgate Dr.			
Fred R. Delich	(SEAL)	Mary J. Delich	(SEAL)
241 Westgate Dr.		241 Westgate Dr.	
C. S. Thompson	(SEAL)	Anne A. Thompson	(SEAL)

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DECREE

NOW, the *7th* day of *Sept.*, 1966, upon con-
sideration of the foregoing Petition, Stephen Oblackovich, Clerk of the Court
of Quarter Sessions of Cambria County, Pennsylvania, is hereby directed to
file the within report and the exhibits attached hereto.

BY THE COURT,

McWilliams

J.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY PENNSYLVANIA

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FINAL DECREE

NOW, the *7th* day of *October*, 1966, it appearing that the said Petition having been filed on the *7th* day of *September*, 1966, and that no citizen or freeholder of the Township did within thirty (30) days from the filing of this report of the Supervisors file exceptions to the report or a petition for a review, IT IS ORDERED AND DIRECTED that the said portions of Westgate Drive and Vesta Lane in Lower Yoder Township, Cambria County, Pennsylvania described as follows:

Westgate Drive: The centerline grade is hereby established as follows:

BEGINNING at the centerline of Westgate Drive and the westerly side of Mount View Drive at Station 0+0 at an elevation of 1725.77, thence descending at the rate of two (2) feet per hundred feet, a distance of 132.73 feet to Station 1+32.73 at an elevation of 1723.12, thence by a vertical curve a distance of 67.27 feet to Station 2+0 at an elevation of 1719.60, thence descending at the rate of 10.40 feet per hundred feet a distance of 82.73 feet to Station 2+82.73 at the intersection of the centerline of Vesta Lane at an elevation of 1711.00, thence descending at the rate of 12.0 feet per hundred feet a distance of 167.27 feet to Station 4+50 at an elevation of 1690.93, thence by a vertical curve a distance of 129.50 feet to Station 5+79.50 at the intersection of the centerline of Zucco Lane at an elevation of 1681.60, the place of ending, a total distance of 579.50 feet more or less.

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be and are hereby confirmed as Township streets and declared to be a part of the public street and highway system of the said Township of Lower Yoder.

BY THE COURT,

McWilliams J.