

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING-OUT, OPENING AND :
ACCEPTING PORTIONS OF A PROPOSED : NO. Rd. Abt. #3-1976
ROAD IN THE TOWNSHIP OF WEST CARROLL, :
CAMBRIA COUNTY, PENNSYLVANIA : ROAD DOCKET

REPORT OF THE SUPERVISORS OF WEST CARROLL TOWNSHIP

The Petition of Eugene Sutter, Tom Venesky and Annie Myers, respectfully represents:

1. That they are the Supervisors of the Township of West Carroll, Cambria County, Pennsylvania.
2. That they propose to lay out, open and accept portions of a proposed road in West Carroll Township, Cambria County, Pennsylvania, which portion of road is described as follows:

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at point "A" on the intersection of Jackman Avenue and being known as Township Route #T-534 and the intersection of Dunsmore Avenue known as Township Route #T-533; thence North $74^{\circ} 30'$ East a distance of 200 feet to the place of beginning known as point "B" on the aforesaid Dunsmore Avenue; thence North $30^{\circ} 0'$ East a distance of 186 feet to a point; thence North $51^{\circ} 30'$ West a distance of 321 feet to a point on Jackman Avenue; Being a 33-foot wide road.

The said portion of road above described appears on a map, draft or survey hereto attached and made a part hereof, and marked Exhibit "A" and colored in a yellow line. Said map being prepared by Martin C. Kirsch and being dated August, 1966.

3. That your Petitioners have given ten (10) days notice to the property owners affected by the laying out, opening and accepting of the said portion of road as required by the Act of Assembly, of a hearing and after said hearing your Supervisors deem that the said portion of road is necessary and convenient and by Ordinance duly made and adopted, the said portion of road was laid out.

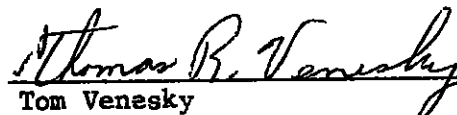
opened and accepted by the Supervisors of West Carroll Township, Cambria County, Pennsylvania, as a part of the highway system of the said Township, which Ordinance is hereto attached and made a part hereof, and marked as Exhibit "B".

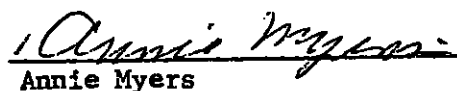
4. That attached hereto and made a part hereof is a Petition and Release of Damages, executed by the owners of the property abutting on the said proposed portion of road, marked and designated as Exhibit "C".

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 Common Pleas of Cambria County, Pennsylvania.

SUPERVISORS OF WEST CARROLL TOWNSHIP:


Eugene Sutter, President


Tom Venesky


Annie Myers

TOWNSHIP OF WEST CARROLL
COUNTY OF CAMBRIA
STATE OF PENNSYLVANIA

ORDINANCE NO. 8

WHEREAS, the abutting property owners have petitioned the Board of Supervisors of West Carroll Township to open and lay-out the hereinafter described road; and

WHEREAS, the petitioners have signed a release of damages; and

WHEREAS, it is the desire of the Supervisors of the Township of West Carroll to lay-out, open and accept the said portion of the hereinafter described road as part of the public highway system of the said Township of West Carroll; and

WHEREAS, the property owners affected thereby have specifically waived their right to receive a ten (10) days notice of the intention of the Supervisors and adopt an Ordinance for the purpose of laying out, opening and accepting the said roads, and after hearing and consideration of the matter at a meeting, the Board of Supervisors unanimously decided in favor of exercising the power so conferred in them to lay-out, open and accept the said portion of said road.

NOW, THEREFORE, BE IT RESOLVED, that the following described road be laid out, opened and accepted by the Supervisors of the Township of West Carroll as part of the highway system of the said Township after making written report thereof, together with a draft or survey of said portion of road, to be presented and filed in the Office of the Clerk of Courts of the Court of Common Pleas of Cambria County, such portion of road being described as follows:

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at point "A" on the intersection of Jackman Avenue and being known as Township Route #T-534 and the intersection of Dunsmore Avenue known as Township Route #T-533; thence North 74° 30' East a distance

of 200 feet to the place of beginning known as point "B" on the aforesaid Dunsmore Avenue; thence North 30° 0' East a distance of 186 feet to a point; thence North 51° 30' West a distance of 321 feet to a point on Jackman Avenue; Being a 33-foot wide road.

AND BE IT FURTHER RESOLVED, that in accordance with the provisions of the Act of Assembly in such case made and provided, any citizens or freeholder of the Township may, within thirty (30) days after the filing of the report of the Supervisors, file exceptions to the report, together with a Petition for a review.

ADOPTED this 20th day of May, 1976.

TOWNSHIP OF WEST CARROLL
BOARD OF SUPERVISORS:

ATTEST:

Edith M. James (SEAL)
Edith James, Secretary

By: Eugene Sutter
Eugene Sutter, President

VASIL FISANICK, ESQ.
Solicitor
1111 Philadelphia Avenue
Barnesboro, Pa. 15714

PETITION AND RELEASE OF DAMAGES

WE, the undersigned, citizens and property owners in the Township of West Carroll, Cambria County, Pennsylvania, respectfully petition the Honorable Board of Supervisors of the said Township to lay-out, open and accept the following described road which abuts along the side of our respective properties.

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at point "A" on the intersection of Jackman Avenue, being known as Township Route #T-534, and the intersection of Dunsmore Avenue known as Township Route #T-533; thence North 74° 30' East a distance of 200 feet to the place of beginning known as point "B" on the aforesaid Dunsmore Avenue; thence North 30° 0' East a distance of 186 feet to a point; thence North 51° 30' West a distance of 321 feet to a point on Jackman Avenue; Being a 33-foot-wide road.

The said portion of road above described appears on a map, draft or survey hereto attached and made a part hereof, and marked Exhibit "A" and colored in a yellow line. Said map being prepared by Martin C. Kirsch and being dated August, 1966.

IN CONSIDERATION of the opening of the said road we, the undersigned, do hereby remise, release and discharge the Township of West Carroll of and from any and all manner of action 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 road, 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 (10) day notice of the intentions of the Supervisors to adopt an Ordinance for the purpose of laying-out, opening and accepting the above roads.

<u>Stephen J. Drovato - President</u>	<u>St. Benedict Pa.</u>
<u>R. Allen Hicks - Vice Pres.</u>	<u>" " "</u>
<u>Wm A Miller</u>	<u>" " "</u>
<u>Joseph Johnson</u>	<u>" " "</u>
<u>Louis Lepore</u>	<u>" " "</u>
<u>Daniel W. Kelly - Sec.</u>	<u>" " "</u>
<u>Leo A. Bieringer</u>	<u>" " "</u>
<u>Augustin Bilko</u>	<u>St. Benedict Pa.</u>
_____	_____
_____	_____
_____	_____

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING OUT, OPENING AND :
ACCEPTING PORTION OF A PROPOSED : NO. R.D. # 3-1976
ROAD IN THE TOWNSHIP OF WEST CARROLL, :
CAMBRIA COUNTY, PENNSYLVANIA : ROAD DOCKET

FINAL DECREE

NOW, this 29th day of July 1976, it appearing that the said Petition having been filed on the 28th day of June, 1976, and that no citizens 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 review, IT IS ORDERED AND DIRECTED that the said portion of a proposed road in West Carroll Township, Cambria County, Pennsylvania, described as follows;

ROADWAY NO. 1

BEGINNING at a permanent iron stake, this place of beginning being at poing "A" on the intersection of Jackman Avenue, being known as Township Route #T-534 and the intersection of Dunsmore Avenue known as Township Route # T-533; thence North $74^{\circ} 30'$ East a distance of 200 feet to the place of beginning known as point "B" on the aforesaid Dunsmore Avenue; thence North $30^{\circ} 0'$ East a distance of 186 feet to a point; thence North $51^{\circ} 30'$ West a distance of 321 feet to a point on Jackman Avenue; Being a 33-foot-wide road.

be and is hereby confirmed as a Township road and declared to be part of the public road and highway system of the said Township.

BY THE COURT:

COURT ADMINISTRATOR

McWilliams O. J.

NO. *Rd. Docket # 3-1976*
ROAD DOCKET

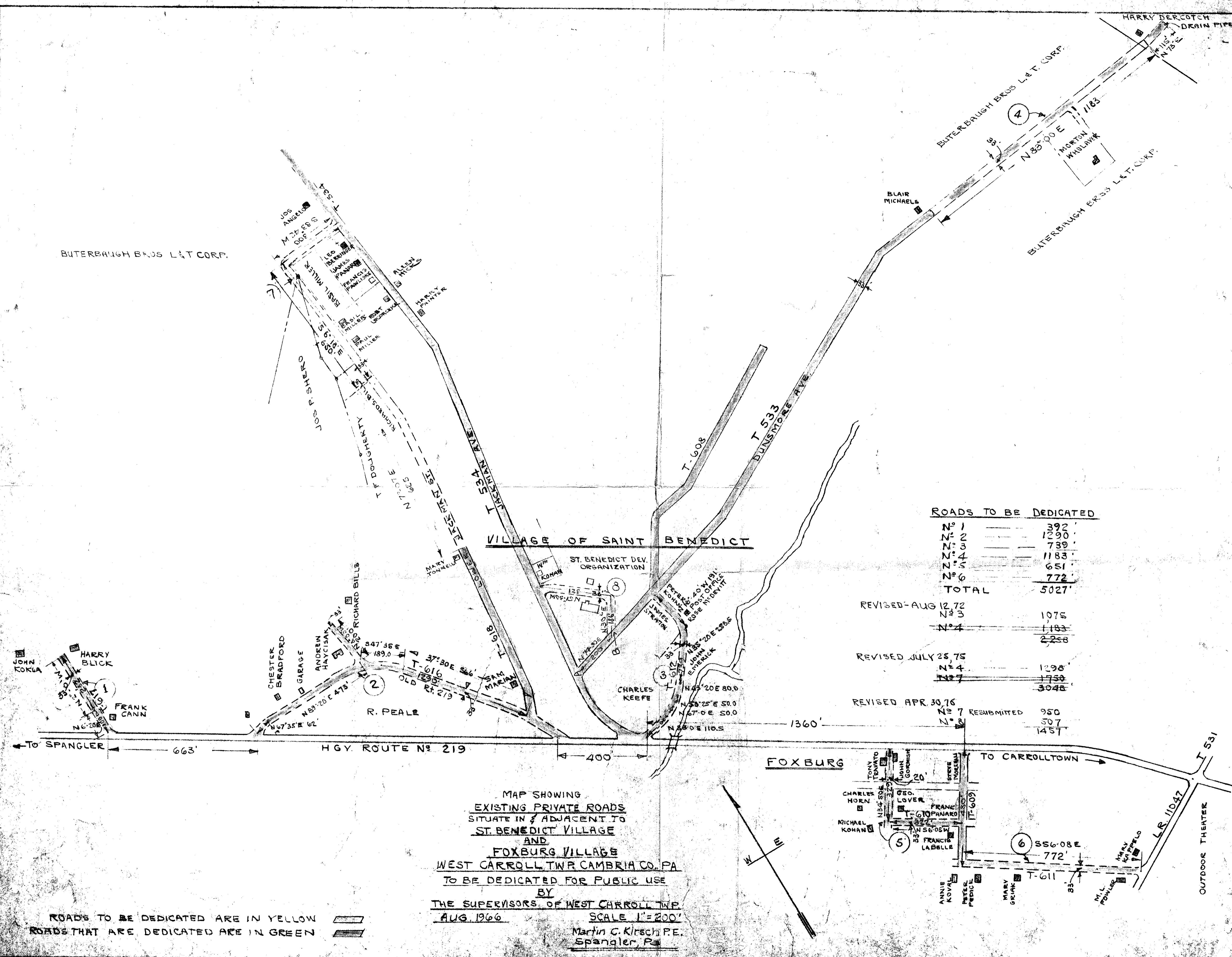
IN THE COURT OF COMMON PLEAS OF
CAMBRIA COUNTY, PENNSYLVANIA

IN RE: LAYING OUT, OPENING AND
ACCEPTING PORTION OF A PROPOSED ROAD
IN THE TOWNSHIP OF WEST CARROLL,
CAMBRIA COUNTY, PENNSYLVANIA

REPORT OF THE SUPERVISORS
OF WEST CARROLL TOWNSHIP

FISANICK & SOLOMON
ATTORNEYS-AT-LAW
1111 PHILADELPHIA AVENUE
BARNESBORO, PENNSYLVANIA
18714

Filed May 28, 1976



ROADS TO BE DEDICATED

N ^o 1	392'
N ^o 2	1090'
N ^o 3	739'
N ^o 4	1183'
N ^o 5	651'
N ^o 6	772'
TOTAL	5027'

REVISED-AUG 12, 72

N ^o 3	1075'
N ^o 4	1183'
TOTAL	2258'

REVISED JULY 25, 75

N ^o 4	1298'
N ^o 7	1759'
TOTAL	3048'

REVISED APR 30, 76

N ^o 7 RESUBMITTED	950'
N ^o 8	507'
TOTAL	1457'

MAP SHOWING
 EXISTING PRIVATE ROADS
 SITUATE IN & ADJACENT TO
 ST. BENEDICT VILLAGE
 AND
 FOXBURG VILLAGE
 WEST CARROLL TWP. CAMBRIA CO. PA.
 TO BE DEDICATED FOR PUBLIC USE
 BY
 THE SUPERVISORS OF WEST CARROLL TWP.
 AUG. 1966. SCALE 1"=200'
 Martin C. Kirsch P.E.
 Spangler, Pa.

ROADS TO BE DEDICATED ARE IN YELLOW
 ROADS THAT ARE DEDICATED ARE IN GREEN