

R.D.
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FILED
CLERK OF COURTS
CAMBRIA CO. PA.
MAR 20 12 14 PM '78
STEPHEN D. CALANOVICH
CLERK OF COURTS

March 14, 1978

Larry and Ruth Shingler
Brush Valley
Indiana, Pennsylvania

Re: Boundary Line Dispute
Cambria Township-Borough of Ebensburg; No. 1977 Misc. Docket 41

Dear Mr. & Mrs. Shingler:

As I understand it, you did sometime in the fall of 1977, purchase a piece of property from Cletus Bopp, located in the Crestwood Estates-Lakeview Plan. That piece of property is being assessed as lying in the Borough of Ebensburg, however there has been a dispute between the Borough of Ebensburg and the Township of Cambria as to exactly where the boundary line lie.


The hearing was held on March 13, 1978, at 1:30 p.m. in front of President Judge McWilliams, wherein the enclosed Petition was presented asking that the Court establish the boundary line as set forth in Paragraph 8 of that Petition.

This establishment of the boundary line would affect your property--in that it would place it in the Township of Cambria. You were not given notice of this hearing as the assessment map showed the property as being owned by Cletus Bopp, and same was not changed until recently.

However, the Court did continue the hearing and if you do have any questions or want to in any way state your opinions for the record, I would suggest that you contact my office, and I will notify you as to when the next hearing is to be held-if any.

In any event, if we do not hear from you, we will assume that you have no objections and in all probability the Court will be proceeding.

I have enclosed herein a copy of the Petition for your perusal.

Very truly yours,

Dennis Govachini

DG/rh
enc.
c/c Clerk of Courts.

NOTE: THIS IS TO BE FILED IN THE MATTER OF TOWNSHIP OF CAMBRIA
VS. THE BOROUGH OF EBENSBURG BOUNDARY LINE DISPUTE ROAD DOCKET NO. 1 of 1978
AND MISCELLANEOUS DOCKET NO. 41, 1978

IN THE COURT OF COMMON PLEAS
OF
CAMBRIA COUNTY, PENNSYLVANIA

IN RE: OPENING AND VACATING CER-
TAIN PUBLIC ROADS IN THE TOWNSHIP
OF WASHINGTON, COUNTY OF CAMBRIA
AND STATE OF PENNSYLVANIA

REPORT OF SUPERVISORS OF
WASHINGTON TOWNSHIP

ROBERT J. CASSIDY
ATTORNEY AT LAW
GOOD BUILDING
PATTON, PENNSYLVANIA 16668

FILED
CLERK OF COURTS
CAMBRIA CO. PA.
JAN 13 3 49 PM '78
STEPHEN D. OBLACKOVICH
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: OPENING AND VACATING CERTAIN PUBLIC
ROADS IN THE TOWNSHIP OF WASHINGTON, COUNTY
OF CAMBRIA AND STATE OF PENNSYLVANIA

Roadsocket
#1, 1978

REPORT OF SUPERVISORS OF WASHINGTON TOWNSHIP

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

JOHN SENO, MICHAEL CRAMER, and EDWARD STOMBAUGH, respectfully
report:

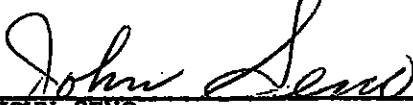
1. That they are the road Supervisors of the Township of Washington, County of Cambria and State of Pennsylvania.
2. That they propose to vacate a certain section of a public road leading from Lilly Borough to the Village of Lilly Coal and to open as a public road a right of way to span the vacated section for the purpose of straightening said township road.
3. That the owner of the property abutting the road to be opened, namely, C.A. Hughes and Co., has petitioned to the Supervisors to open said road. The said petitioner is the only property owner abutting said road to be opened. A copy of said Petition is attached hereto and made a part hereof and marked "Exhibit A".
4. That the petitioner waived all damages that might result from the opening of said road as a public road.
5. That pursuant to said Petition of the abutting owner, the Supervisors of Washington Township, at a regular meeting held on the 4TH of ~~4~~^{NOV.} 1976, enacted an Ordinance opening as a public road the road more particularly described in Section 2 of said Ordinance, which Ordinance with survey attached, is attached hereto and made a part hereof and marked "Exhibit B".
6. The Supervisors of Washington Township pursuant to the Agreement with C.A. Hughes and Co. vacated a section of the township road leading from

the Borough of Lilly to the Village of Lilly Coal more particularly described in Section 1 of the Ordinance enacted on the 4 day of ~~October~~^{November}, 1976. The Supervisors of Washington Township believe that the vacation of the portion of said public road above referred to and the opening of a section of public road for the purpose of straightening said public road is in the public interest.

7. That no protest or appeal has been taken following the enactment of the aforesaid Ordinance.

8. That this Report, with survey attached, is made and filed in the Clerk of Courts, County of Cambria and State of Pennsylvania pursuant to the Act of Assembly approved the 1st day of May, 1933, P.L. 103, as amended.

Respectfully submitted


JOHN SENO


MICHAEL CRAMER


EDWARD STOMBAUGH


ROAD SUPERVISORS OF WASHINGTON TOWNSHIP

STATE OF PENNSYLVANIA I
 I
COUNTY OF CAMBRIA I

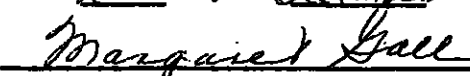
Personally appeared before me, a Notary Public in and for the said County and State, John Seno, Michael Cramer and Edward Stombaugh, Road Supervisors of the Township of Washington, Cambria County, Pennsylvania, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Report are true and correct to the best of their knowledge, information and belief.


JOHN SENO


MICHAEL CRAMER


EDWARD STOMBAUGH

Sworn to and subscribed before me
this 2nd day of December 1977.



MARGARET GALL, NOTARY PUBLIC
LILLY BOROUGH, CAMBRIA COUNTY
MY COMMISSION EXPIRES NOV. 22, 1981
Member, Pennsylvania Association of Notaries

TO WHOM IT MAY CONCERN:

WHEREAS, the public road leading from the Borough of Lilly to the Lilly Coal Company No. 3 houses have been located as depicted upon the attached blueprint; and

WHEREAS, the Washington Township Road Supervisors desire to re-locate the said road between point A and B as indicated on said map running North seventy eight degrees thirty five minutes East (N 78⁰ 35' E) one thousand ninety four (1094) feet.

NOW THEREFORE, it is agreed between said parties, C.A. Hughes and Co. and the Washington Township Road Supervisors, that an exchange will be effected between the parties whereby C.A. Hughes and Co. conveys to said Township of Washington a right of way thirty three (33) feet in width between points A and B as indicated and said Township of Washington will release, grant and convey whatever rights, easements or title it may have in the old road as delineated on said map attached between said points A and B.

C.A. HUGHES AND CO.

By: /s/ C.R. Hughes, President

WASHINGTON TOWNSHIP ROAD SUPERVISORS

BY: /s/ John Seno

/s/ Michael Cramer

/s/ Edward Stombaugh

LAW OFFICES
ROBERT J. CASSIOY
EBENSBURG, PA.
PATTON, PA.

"EXHIBIT A"

OPENING AND VACATING A PORTION OF A PUBLIC ROAD IN THE TOWNSHIP
OF WASHINGTON, COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA

An Ordinance laying out and adopting a public road in the Township of Washington, County of Cambria and State of Pennsylvania and fixing and regulating the width and grading thereof, and also vacating a certain portion of an existing public road in said Township.

The Supervisors of Washington Township hereby ordain as follows:

Section 1. The following section of the Township Road thirty-three (33) feet in width leading from the Borough of Lilly in an easterly direction to the village known as Lilly Coal is hereby vacated and the Supervisors of Washington Township authorize to release and quit claim said section to the Hughes Coal Company, a description of the course of the center line of said section being as follows:

Beginning at a point, said point being located as follows: Beginning at the Lilly Borough-Washington Township line on said Township Road, thence the following courses and distances along said Township Road: South sixty-five degrees fifteen minutes East, (S 65° 15' E) six hundred (600) feet to a point, South sixty-four degrees five minutes East (S 64° 05' E) one-thousand two-hundred (1,200) feet to a point, South fifty-six degrees forty-five minutes East (S 56° 45' E) two-hundred forty-nine (249) feet to a point, South sixty-four degrees 00' East (S 64° 00' E) five-hundred seventy-eight (578) feet to a point, North eighty-one degrees forty-five minutes East (N 81° 45' E) four-hundred seven (407) feet to the point of beginning. Thence from said point of beginning South seventy-six degrees East (S 76° 00' E) four hundred twenty (420) feet to a point; thence South sixty degrees East (S 60° 00' E) one-hundred sixty (160) feet to a point; Thence North fifty-one degrees thirty minutes East (N 51° 31' E) five hundred thirty-one (531) to a point as shown on the attached survey which is made a part hereof.

Section 2. The following section of the aforesaid public road leading from the boundary between Lilly Borough and Washington Township to Lilly Coal is hereby laid out, opened and ordained as a public road to a width of thirty-three (33) feet to take the place of that portion of the road vacated in Section one, a description of the course of the center line of said section to be opened is as follows:

Beginning at a point, which point is the same point of beginning of the section of public road vacated in Section one of the within Ordinance; thence from said point of beginning North seventy-eight degrees thirty-five minutes East (N 78° 35' E) one-thousand ninety-four (1,094) feet to a point as shown on the attached survey which is made a part hereof.

Section 3. The above section of public road to be laid out, opened and ordained shall conform to the existing grades of the Township Road of which it is a part.

Enacted this 4TH day of ~~October~~^{NOVEMBER}, A.D., 1976.

ROAD SUPERVISORS OF WASHINGTON TOWNSHIP

John Leno
Edward Stombaugh
Michael Casper

ATTEST:

Secretary