

# PETITION FOR ROAD.

To the County Surveyor of Gallatin County, Montana:

The Undersigned, your petitioners, citizens of the United States, respectfully show and represent that they are residents of Road District No......, in the County of Gallatin, State of Montana, where the road hereafter petitioned for, is to be located, laid out and established, if this petition be granted. That the proposed road will be a public convenience, and, we think, the public good requires it.

Your petitioners do respectfully ask and petition that a County road, sixty feet in width, to be a public highway, be laid out, located and established, and show:— (a) The general route of the proposed road; (b) over what lands it is proposed to be established; (c) who are the owners thereof; (d) whether such of them as ean be found, consent thereto; (e) who of them do not consent; (f) the probable cost of the right-of-way w such consent is not had; (g) the necessity for and the advantages of the proposed road as follows, to-wit:

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Section 30 4.15. R. G.E.	
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the same bring from where the above describes road haves throughter wall to when it indirect with the same to be vacated and discontinued. (c) The owners of the land over which it is proposed to layout the plaide road are, Frank Bohart. R. Fogel. J. Wilson and Welson Story, and the northern sacific townsite Company (a) Frank Bolach agrees to give the right was across farms of Full they road . Helson slowy agains to give the right ofway freez and grade the want, the County to bridge Rocky overk. (E) R. Vogel & J. Milson want donnages in excus The advantages of the proposed road are that on the change north of clay's mill the proposed wall be on a uniform grade and mosty level while the old good pairs on a difficult hill from the mill to the depot and Elistono the road will be shortweet about our mile. NAMES: NAMES:

And the second s

Office of County Surveyor, Gallatin County Montana.

Chairman, Board of County Commissioners, Gallatin County Monta a Dear Sir:

You are hereby given notice, that a petition for a change in a County road has been received in my office, signed byR. F. Bohartand twentyfour others residents of road District No. 5 through which District said proposed road is to run.

Said road is to begin at a point in the west line of Sec. 30 T. I S. R. 6 E. said point being in the center of the traveled Road running Southeasterly & northeasterly westerly and be ing 1717 feet south of the N. W. Cor. of said Sec. the same the same being the terminus of the Luce Road.

And terminating at L. St. in the Northern Pacific Addition.

You are hereby requested to appoint a viewer on the above proposed road.

Yours Respectfully,

C.M. flools

County Surveyed

Dated at Boseman, Montana, this 27 day of Sept. 1898.

Office of Board of Commissioners, Gallatin Co. Montana.
Mr. C. M. Thorhe

County Surveyor, Gallatin County, Montana.

Dear Sir: -

In pursuance of the above notice, I hereby appoint Mr. Les Davis to act on behalf of the Board of Commissioners, as aviewer of the above petitioned four road.

Yours Respectfully,

Chairmann, Board of Commissioners, Gallatin County, Montana Dated at Boseman, Montana, this / day of Oct 1898

# WARRANT FOR ROAD VIEWERS.

County Surveyor's Office,
Gallatin County, Montana.
Your are hereby notified that you were duly appointed Road Viewer by L. Latterson
Maurie Co, Commessioner of Gallatin County, Montana, on the
day of Color 1898, to view and lay out a proposed road, as prayed
for in the petition of K.J., Donard and others, described as follows, to-wit

Beginning at a point in the west line of section 30 T. I S. R. o E. said point being in the centerof the travelexd Road running south easterly & north westerly and being 1717 feet southof the N. W. Cor. of said Sec. the same being the terminus of the Luce Road. Thencealong the road as traveled to a point east of the Bohart house, thence leaving the road as traveled and minning south easterly along the bluff keeping on a uniform grade through the S. W. 1/4 of Sec. 30 crossing the north line of Sec. 31 east of the N. 14 Sec. corner thereof and through the N. E. 14 of said Sec. 31 intersecting the road as traveled at the bluff ax on the north side of Bridger Creek. Thehoesouth along the east side of Sec. 31 to the S. B. corner thereof, along the road as travel d. Thence south easterly keep west of Story's mill and crossing the R.R. track and keeping along the top of the bluffk for about 14 mile thencesouth westerly crossing Rocky Creek and connecting with "L." streat in northern Pacific Addition. The portion of the old road minning from the Bohart house to h the bluff north of Bridger Creek the same being from where the aboved described road leaves the old traveled road to whereith it intersects with the same, to be vacated and discontinued.

County Surveyor.

By..

Deputy.

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# WARRANT FOR ROAD VIEWERS.

Gallatin County, Montana.

MR. C. Brandley C. P. Mosser

Your are hereby notified that you were duly appointed Road Viewer by County, Montana, on the

Lay of Gelletin County, Montana, on the

day of Gelletin of County, Montana, as prayed

for in the petition of County, Montana, and others, described as follows, to-wit.

Beginning at a point in the west line of Sec. 30 T. I S. R. GE. said point being in the center of the traveled Road running southeasterly & northwesterly and being 1717 feet south of the N. W. Cor. of said Sec. the same being the terminus of the Luce Road. Thence along the road as travel -edto a point east of the Bohart house, thence leaving the the road as traveled and minning south easterly along the bluff keeping on a uniform grade through the S. W. 140f SCC. Morossing the north line of Sec. 31 east of the N. 14 Sec. Corner thereof, and through the N. E. 74 of said Sec. 31, intersecting the road as traveled at the bluff on the max northeiddeofofeBridger-Greekxxx Thencexeonkhaekongxthexabxxxxxxxx North side of Bridger Creek, Thence South along the side of 800 Sec. 31 to the S. E. corner thereof along the road as traveled, Thence south easterly keep west of Story's mill and crossing a the R. R. track and keeping along thetop of the bluff for also about 14 mile thence south westerly crossing Rocky Creekand connecting with " L" street in Northern Pacific & Addition. The portion of the old road runningfrom the Bohart house to the bluff north of Bridger Creek, The same being from wherethe above described road leaves the old traveled road to where it intersects with the same, to be vacated and discontinued.

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company with Levy Lavis who was duly appointed as a Viewer on said road by the Marrian County Surveyor, who is Chairman of said Board of Viewers, on the Colover , 189 E, commencing at the place designated in said petition as the Chang col starting point of the road sought to be .. and proceed to view and lay out the same by setting stakes, blazing trees, turning furrows, or other appropriate monuments to the terminus named in said petition, by the most practicable route that you in your judgment can find. You shall notify the resident owner or agent of land over which it passes, of the proposed route; ascertain whether such owner consents thereto and the amount of damages, if any, claimed or demanded for the right of way over the same. You shall estimate the actual damage to any land over which the proposed road passes and the cost of any bridges or grading necessary. You shall report the necessity for and the public convenience to be subserved by the highway, if opened, and whether the opening thereof or the change therein proposed should be made, and make and sign a report of your proceedings, as required by law. Roads shall in all cases, when practicable, be laid out on subdivisional or section lines. In witness whereof I hereurto set my hand, at my office this actober 189 8

County Surveyor.

Deputy.

### ROAD VIEWERS' NOTICE.

appointed by the Chairman of the Board of County Commissioners of the County of Gallatin, and by the County Surveyor of said County, Montana, on the day of County Surveyor of said County, Montana, on the day of county of Gallatin, and by the to view and mark out a proposed county, Montana, on the graph of the County of Said County, Montana, on the graph of the County of Said County, Montana, on the graph of the County of Said County, Montana, on the graph of the County of Said County, Montana, on the graph of the County of Said County, Montana, on the graph of the County of Said Board of Viewers, meet for such view on the graph of graph of Said Surveyor, and at the point designated in said petition, as the starting point of said proposed road, to-wit:

Beginning at a point in the west line of section 30 T. I S. R. 6 E. said point being in the centerof the traveled Road running south easterly & north westerly and being 1717 feet southof the N. W. Cord of said Sec. the same being the terminus of the Luce Road. Thencealong the road as traveled to a point east of the Bohart house, thence leaving the road as traveled and running south easterly along the bluff keeping on a uniform grade through the S. W. 1/4 of Sec. 30 erossing the north line of Sec. 31 east of the N. 14 Sec. corner thereof and through the N. E. 4 of said Sec# 3I intersecting the road as traveled at the bluff a m on the north side of Bridger Creek. Thencesouth along the cast side of Sec. 31 to the S. E. corner thereof, allong the road as traveled. Thence south easterly keep west of Story's mill and crossing the R.R. track and keeping along the top of the bluff. for about 14 mile thencesouth westerly crossing Rocky Creek and connecting with "L." street in northern Pacific Addition. The portion of the old road running from the Bohart houss to h the bluff morth of Bridger Creek the same being from where the aboved described road leaves the old traveled road to whereith it intersects with the same, to be vacated a

Dated this 3d day of Cerother 189 8.

Let Davis

Li Brandley

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B. S. Moury

# REPORT OF ROAD VIEWERS.



To the Honorable, the Board of County Commissioners of Gallatin County.
Chairman of the and the Co. lesoy
WE, the undersigned Road Viewers, appointed by the Board of County Commissioners, at the
Term of said Board to view a proposed road running from a point in the west
I'm I ha sake and the same interest but the and seems
him of See. 30 715 RGE when the same is introvolted by the road many
5. E. If the hair of the city limit of the city of osogram connecting with say, Iste
That on the 29th day of Det, 1898, we started from this above
That on the 49 day of 4, , 189 , we started from 43
eribal front the place designated in the petition as the starting point of such proposed road and
proceeded to view and lay out the same, and submit the following report:
1. The course, termini, length and probable cost of constructing the proposed road, as follows:
The course of the proposed road is as follows to wit: Beginning at a point
in the west live of Sec. 30 + 15 R6 E. Said point bring in the coules
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1717 feet south of the NW. Corner of sails belion and bring the
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2. The estimate of damages to the owner of any land over which it is proposed to run the highway, his
follows: We would recommed that R. Jogel + J. Whon In allowed 250 = Each
for damages in exces of truight provided the old road is discontinued
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3. The names of land owners who consent to give the right of way, and we hereto attach their written
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road as traveled and running south Easterly along the Toly temping on a suriform grack through the swift of ste 30 crown the north line of see. 31 East of the n'14 sec, coming thing and through the n. E. 1/4 of Said See. 31 miles reling the road as traveled at the bluff on the north side of Bridge creek. three south along that road as traveled. on the East sick of Sec 31 to the S.E. Come thereof, threer south Earlists on west side . storys mill, crossing the RR track and keeping along the shifty of the n.E./4 of sec. 6 1.25. P. C. that come string the count to the south live of the city of the city of sogue and of their country with 2" telet in northern racific add to said aby. They postion the road from Story's will to the city Lineato to fullow they weel as constructed and found for trained of rection stay The long the of the proposed road is about I 2 3/4 miles. The probable cost of the change of road from Bohart to stones mill is \$500 on No. 5 Continued would be an improvement our the old wed as it would or on better ground with marly a level graide, but would not recomend the Establishment of two roads so man logather. We would therefor recound that this prolion of the petition be not granted unless the petitioners and intricted parties will secure the right of west for the proposed change, also provide an outlet for told law owners which would be shut in by the closing of they old road, which will be satisfactory to them. So that the old road may be discontinued of and construct our half of the proposed road. Without Expuse to the county of Galla Said County to construct the other half The land owners who would be shot in by the closing of the all roed as petitioned for air. Dave ormand of John House

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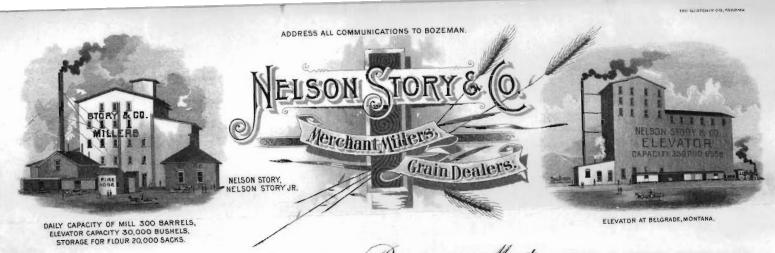
Moved by Mr Cameron that the report of the road viewers regarding the change of road from Story's mill north be accepted subject to the following provisions:

The interested parties or petitioners must agree are assent
to construct the proposed change and put the same in good condition;
further that they said interested parties are to be to one half of
of the expense of obtaining the right of way for said proposed
change, and furthermore the parties interested shall provide an
outlet for David Penman to connect with the proposed change, which
shall be satisfactory to said Penman.

The construction of the proposed road and the right of way to be obtained for Mr Penman are to be without any cost to the ded county.

proposed change leaves the old travelled road at Bohart's house to the SE corner of section 30.T.l.S.R.6.E. is to be discontinued and vacated at the acceptance of the proposed new road, the remaining portion of the old road from said SE corner running south to where the proposed change intersects the old road to remain for a public highway.

musion carried. Ellin voting no.



Bozeman, Mont. March 31st, 1899

To the Honorable Board of County Commissioners of Gallatin County, Montana:

Your proposition of March 30th, 1899 in regard to County road running north from Story's Mkll past Bohart's house and intersecting County road near John Howe's house and discontinuing a part of old road. affording an outlet for one David Penman, is accepted and we ask that a survey be made by your Honorable Body without delay; that work upon said proposed road may proceed as soon as frost will permit.

Most respectfully submitted,

Bozeman, Mont. April 1", 1899.

To the

Honorable Board of County Commissioners

of Gallatin County, Montana.

Gentlemen:-

In regard to discontinuing the road from Mr. Frank Bohart's house to the John Hows gate, corner of Pennman, Vogel, Hows and Water Works Farms, I have the pleasure of informing you that I have made satisfactory arrangements with Mr. Frank Bohart for a passage way through his place to the new proposed County road, running along the bluff from Story's Mill by Frank Bohart's house intersecting the County road near the John Hows residence.

Respectfully,

HOLLOWAY & HOFFMAN, ATTORNEYS AT LAW.

BOZEMAN, MONTANA.

WM. L. HOLLOWAY. EUGENE B. HOFFMAN.

Bozeman, Mont., June 15, 1899.

To the Honerable Board of County Commissioners of Gallatin County, Montana, and to E. V. Blankenship, County Clerk, as Clerk of said Board: Gentlemen:

Your letter of June, 9th, 1899 received, and in reply will say:
That I refuse to accept the sum of \$250.00 awarded me as damages,
for right of way for public road through my premises, as specified
in your said letter and in the order of your Board recently made.

Very respectfully,

Rudolf Vagese

C. M. THORPE, County Surveyor and Superintendent of Roads. Dec. 15 189 8 BOZEMAN, MONTANA, to the Hoursall Board of County Commission en of Gallatin as mont. Gentlema ; County mill order the change of word alon the bluff morth of my mill to Beharts as fertilioned for and secure the right of way. Iwill agree to Full and grade the roadway four where it haves the notherly to the south him of Frank Bokarts South frice land, in accordance with the directions of the Sufet of Roads. pulsen Story.

Road, through or along the AN Hy was and consent to give 60 feet for a Right of Way, for a Country Road, through or along the AN Hy was seen T 2 5 R 6 E., along the road as constructing and narried as viewed and surveyed by C.M. Thorpe Ero. Davis & C.P. Manny , 1898. And hereby agree to place on the .... my fences on said lines without charge to the County. Dated at .... To the County of Gallatin, State of Montana: I Bereby Agree, and consent to give 60 feet for a Right of Way, for a County Road, through or along the S.W. 1/4 of as viewed and surveyed by CM. thorfa Gro. Davis, + C.P. many. , 1898. And hereby agree to place .....day of..... my fences on said lines without charge to the County. also to grade the road provided Signed: 1 3 A ant day of Dae 1898 Dated at ..... STATE OF MONTANA,) County of Gallatin. being first duly sworn deposes and says, that as the .-he received from a copy of said notice, at each of the following points, on the line of road descent of the following points, on the line of road described in said notice, to wit: and further deponeth sayeth not. Subscribed and sworn to before me this.

To the County of Gallatin, State of Montana:

STATE OF MONTANA,	
County of Gallatin.	
C.P. many	A Company
more appointed	being first duly sworn deposes and says, that as the
Surveyor 15 th	day of Ocl. A.D.,
	the 15 day of Oct 1898 he posted
a copy of said notice at each of the following points,	on the line of road described in said notice, to-wit: One
at the front of biginning, and	I am at the trimines
and further deponeth sayeth not.	6. P. marin
Subscribed and sworn to before me this 2.9	day of Oct. A.D., 1898
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OATH OF ROA	AD VIEWERS.
	·
STATE OF MONTANA.	
County of Gallutin. $\int_{-\infty}^{\infty}$	
I, the undersigned, having been appointed	ed a road viewer, do hereby solemnly swear that I will
	w, the duties of ROAD VIEWER, as per instructions
county embodied in the notice of appointment by the Bould	hunt for
embodied in the notice of appointment by the Boald	of County Commissioners.
	6. Phanes
	d a Vert
Subscribed and sworn to be	fore me this day
of Oct	100 8
<i>oj</i>	189.8
	Co. Surveyor
	$C_{i}$
	Co. Juryot
This must be returned to the County Clerk after execution.	
OATH OF ROA	D VIEWERS.
OATH OF ROA	D VIEWERS.

STATE OF MONTANA, County of Callatin.

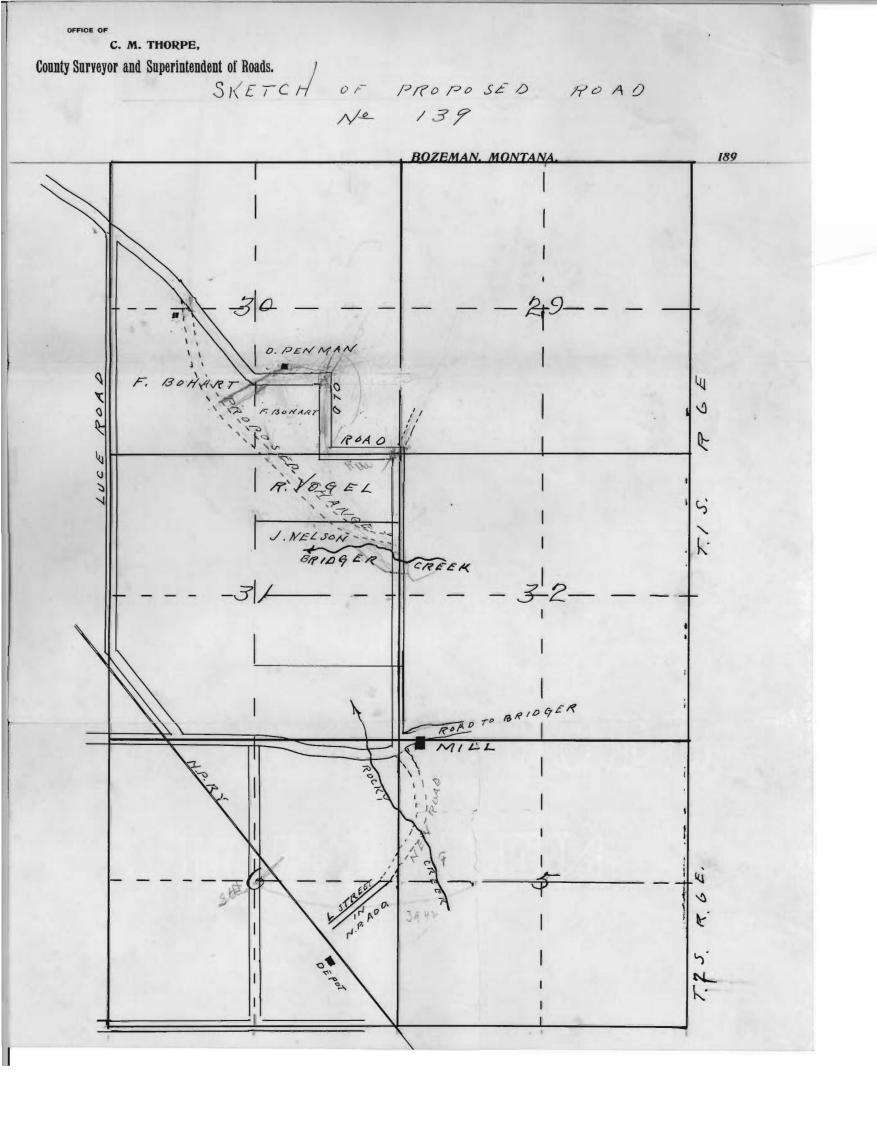
I, the undersigned, having been appointed a road viewer, do hereby solemnly swear that I will  $faithfully\ and\ impartially\ perform,\ according\ to\ law,\ the\ duties\ of\ ROAD\ VIEWER,\ as\ per\ instructions$ Chairman embodied in the notice of appointment by the Board of County Commissioners.

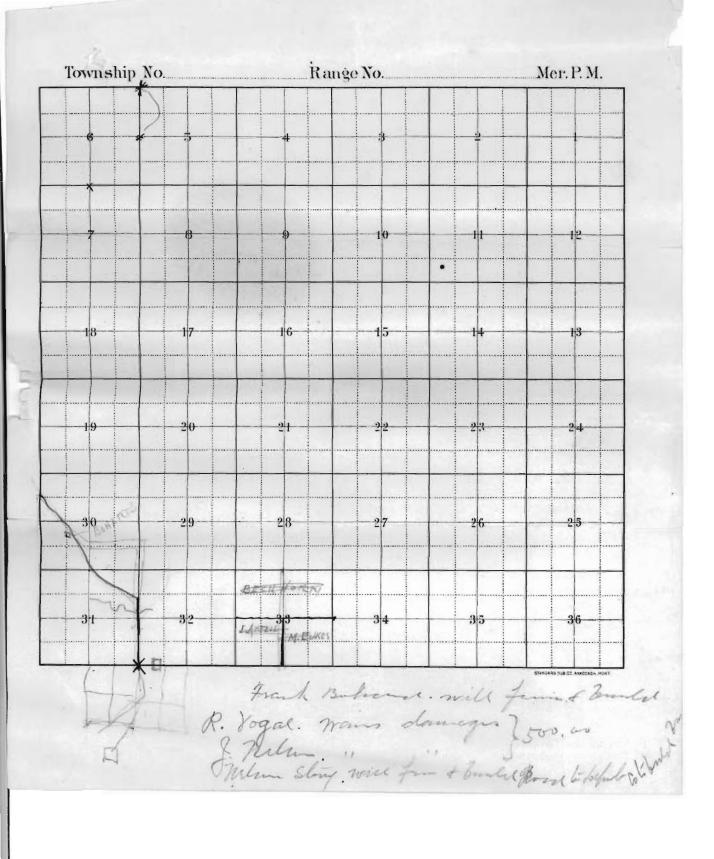
heo. E. Davio

Subscribed and sworn to before me this 29

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When delivery is made to other than addressee, the name of both addressee and recipient must appear.





#### NOTICE OF OPENING'PUBLIC ROAD.

Notice is hereby given that after sixty days from the date of posting this notice, a public highway will be considered opened over the following route, to-wit: -Beginning at a point in the West line of Sec. 30 Tp.1,S R,6 E. said point being in the center of the traveled road running Southeasterly & Northwesterly and being 1717 feet South of the N.W corner of said section and being the terminus of the Luce Road, thence along the road as traveled to a point East of where the Bohart house formerly stood, thence leaving the road as traveled and running Southeasterly along the bluff, keeping on a uniform grade through the S.W.1/4 of Sec. 30 crossing the North line of Sec. 31; Hast of the N 1/4 Sec. Corner thereof and through the N.E.1/4 of said Sec. 31 intersecting the # road as traveled at the bluff on the North side of Bridger Creek. thence South along the road as traveled, on the East side of Sec. 31 to the S.E. corner thereof, thence Southeasterly on the West side of Story's Mill, crossing the R.R. track and keeping along the bluff for about 1/4 mile, thence Southwesterly crossing the Creek to the South line of the N.E.1/4 of Sec.6, Tp 2, S R,6 E. the same being the North line of the City limits of the City of Bozeman and there connecting with " L "Street in Northern Pacific Add. to said City.

The following is the action of the Board of County Commissioners, relative the discontinuance of the old road, as the same appears on page 562 Vol.8 Commissioner's Journal, to-wit:-The portion of the old road from the point where the proposed change leaves the old traveled road at Bohart's house to the S.E. corner of Section 30, Tp 1, S R, 6 E. is to be discontinued and vacated upon the acceptance of the proposed new road, the remaining portion of the old road from said S.E. corner running South to where the proposed change intersects the old road to remain a public highway.

Dated at Bozeman, Montana, this 21st day of March, A.D. 1900

STATE OF MONTANA, ss.

County of Gallatin.

C. C. Blankenship being first duly sworn deposes and says, that which he received from the County Clerk of said County, on the 212 day of March 1932 he posted a copy of said notice at each of the following points, on the 212 day of March 1933 he posted a copy of said notice at each of the following points, on the grady growing Dry at Stry's Hill and our on a functory of the grady points of the grady points of the amplied factoring and further deponents sayeth not.

Subscribed and sworn to before me this 17 th day of april 1. D., 1800