

No. 201

PETITIONER,

J. J. Tomblinson

Petition filed Sept. 7 1901

Viewers appointed June 4 1902

Report filed Aug. 30 1902

Date of hearing Oct. 1st 1902

Report approved Dec. 3 1902

Order of survey Dec. 3 1902

Surveyor's Report filed 1902

Declared County Road Dec. 3 1902

By order of the Board, Geo E Davis
Chairman

See Book Commissioners' Proceedings,
pages

Recorded, Road Book, pages

County Clerk

Tomlinson Change
Petition No 201

FILED

Sept 7, 1901
E. J. Blankenship
County Clerk.
By O. P. Morgan
Deputy.

Change of
PETITION FOR ROAD

TO THE HON. BOARD OF COUNTY COMMISSIONERS, 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. 2, in the County of Gallatin State of Montana, where the road, hereafter petitioned for, is to be ~~laid~~ ^{changed} laid out and established, if this petition be granted; that the proposed road is 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, to 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 can be found, consent thereto; (e) who of them do not consent; (f) the probable cost of the right-of-way where such consent is not had; (g) the necessity for and the advantages of the proposed road as follows, to-wit:

- a- Commencing at a point on the east line of the S.E. qtr of N.W. 1/4 of section 11 T. 3. S. R. 4. E. Where the Saleville road now diverts from main road thence running West to Lynde street of the plat of Saleville. Then South to Mill st
- b- over the S.E. 1/4 of N.W. 1/4 and part of the S.W. 1/4 of N.W. 1/4 of said Sec. 11.
- c- J. J. Tomlinson & M. E. Tomlinson
- d- yes
- e- none
- f- nothing
- g- First- on better ground, 2nd the convenience of the public to Post Office

*C. M. Thorshe
Abe Black
Allen Dale*

NAMES:

- 1 J. J. Tomlinson
- 2 John W. Todd
- 3 John S. Caplin
- 4 Fred Maryott
- 5 Grant Pinkerton
- Wm Michelberg

NAMES:

- 6 L. C. Bartholomew
- 7 J. R. Foster
- 8 J. J. Good
- 9 J. W. Kirtley
- 10 P. H. Tomlinson

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. ~~J. L. PATTERSON~~ *Geo. E. Davis*
Chairman of the Board of County Commissioners, Gallatin County, Montana.

DEAR SIR:—You are hereby notified that a petition for a County Road has been received in this office,
signed by *J. J. Tomlinson and others,*
of Road District No *4*

The petition above referred to, petitions that a Road be established, commencing Section 11 in TP
S. 2 of R. 4 E., where the Salesville Road now diverges from the main road,
thence running West to Lynde Street.

You are hereby notified to appoint three Viewers to view the above proposed Road.

Yours, Very Respectfully,

E. V. Blankenship
County Clerk and Recorder.

Dated at, Bozeman, Montana, this *4th* day of *June* 190*2*.

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

MR. E. V. BLANKENSHIP,
County Clerk, Gallatin County, Montana.

DEAR SIR:—In pursuance of the above notice, I hereby appoint:

C. Mc. Thorpe
Al. Black
Allen Dale's

to act in behalf of the Board of County Commissioners as viewers of the above petitioned Road

Yours, Very Respectfully,

Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this *4* day of *June* 190*2*.

NOTICE OF PETITION FOR CHANGING PUBLIC ROAD.

Notice is hereby given that 11 resident tax payers of Road Dist., No. 4, of Gallatin County, State of Montana, have filed a petition in writing with the Clerk of the Board of County Commissioners of the County of Gallatin, State of Montana, .Said petition praying that a ~~the~~ road be changed.

A description of the route of the Road which it is proposed to change and establish, is as follows, to-wit:--Commencing at a point on the East line of the S.E. quarter of N.W. quarter of Section 11 in Tp., 3, S of R, 4 E, (where the Salesville road now diverts from main road) thence running West to Lynde Street, of the Plat of Salesville, thence South to Mill Street.

Said road will be viewed by viewers appointed by the Board of County Commissioners, according to law, who will commence said view at the place of beginning of said change so proposed to be made, on Tuesday the Fifth (5th) day of August, A.D. 1902,

Said viewing to commence at Ten (10) O'Clock A.M. of said day.

Very Respectfully

E. J. Dankership
Clerk & Recorder, Gallatin Co. Mont

STATE OF MONTANA, }
County of Gallatin. } ss.

P. H. Tomlinson

being first duly sworn deposes and says, that ~~as the~~

he received from

the County Clerk of said County, on the 11th day of July ~~1902~~ A. D.,

1902, three copies of the annexed notice, and that on the 14th day of July ~~1902~~ 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 beginning, One at or near the center and one

at the termination thereof.

and further deponeth sayeth not.

Subscribed and sworn to before me this 19th day of July A. D., 1902

P. H. Tomlinson
E. J. Dankership
County Clerk

Warrant for Road Viewers.

County Clerk's Office, }
Gallatin County, Montana, }

Messrs. *E. M. Thorpe, Alex. Black & Allen Sales,*

You are hereby notified that you were duly appointed Road Viewer by Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 4th day of June 1902 to view and lay out a proposed road, as prayed for in the petition of J. J. Tomlinson and others, described as follows, to-wit:

Commencing at a point on the East line of S. E. 1/4 of Section 11 in T. 3 S. R. 4 E., where the Salesville Road now diverts from the main road, thence running West to Lynde Street.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with each other, who were duly appointed as Viewers on said road by the Chairman of the Board of County Commissioners, on the 5th day of August 1902, commencing at the place designated in said petition as the starting point of the road sought to be at 10 o'clock A.M. 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 practical 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 practical, be laid out on subdivisional or section lines.

In witness whereof I hereunto set my hand, at my office this 19th day of July 1902

E. D. Burkenship
County Clerk,

By _____ Deputy.

Oath of Road Viewers.

STATE OF MONTANA, }
County of Gallatin. } ss.

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 embodied in the notice of appointment by the Board of County Commissioners.

A. H. Black

Subscribed and sworn to before me this 5th day
of Aug 1902

C. M. Thorne

C. Survefor

This must be returned to the County Clerk after execution.

Oath of Road Viewers.

STATE OF MONTANA, }
County of Gallatin. } ss.

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 embodied in the notice of appointment by the Board of County Commissioners.

A. H. Sales

Subscribed and sworn to before me this 5 day
of Aug 1902

C. M. Thorne

C. Survefor

This must be returned to the County Clerk after execution.

Oath of Road Viewers.

STATE OF MONTANA, }
County of Gallatin. } ss.

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 embodied in the notice of appointment by the Board of County Commissioners.

C. M. Thorpe

Subscribed and sworn to before me this 14th day
of August 1902

E. V. Blankenship, Clerk

By S. R. Buzard, Deputy

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 201

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF GALLATIN COUNTY, MONTANA:

We, the undersigned Road Viewers, consisting of A. H. Black,
A. H. Sales and C. M. Phelps,
 appointed by the Board of County Commissioners

appointed to view a proposed road running from a point on the east line of
 the S.E. 1/4 of N.W. 1/4 of Sec. 11 T. 3 S. R. 4 E.
 to Lynch Street of plat of Selleville,
 as described in the annexed petition, say, That on the 5th day of Aug,
 A. D., 1902 we assembled at the place designated in the petition, as the starting point of such proposed
 road and proceeded to view the same, and submit the following report:

1. The width of the proposed road, the description of the center line of the same, the length, how
 defined, the marks and sources, grades, character of ground, description of the land and owners of the
 same, over which the proposed road passes, and probable cost of constructing the said road, as follows:

The width of the proposed road is 60 feet.

The description of the center line of the proposed
 road is as follows to wit:—

Beginning at a point in the east line of the
 S.E. 1/4 of N.W. 1/4 of Sec. 11 T. 3 S. R. 4 E, where said
 line is intersected by an extension of the center
 line of Boyeman Street as platted on the town
 plat of Selleville, thence west to the center
 of Boyeman St. at the east line of said townsite
 of Selleville. The balance of the road as petitioned for
 we find to be platted as street, in the townsite
 of Selleville.

The length of the proposed road as above described is about
 1/8 of a mile. The ground is level and suitable for
 road building. The land over which the road
 is proposed to run is owned by J. J. Tomlinson, ~~the~~

~~consents to give the right of way,~~
 the road is now open and traveled no expense will be
 required to construct the same

2. The names of the land owners who consent to give the right of way, and we hereto attach their written consent, as follows:

J. J. Tomlinson consents, provided Webb street, and the street east of 13th 1/2 townsite of Selisville, from Bogerman Street to Mill Street shall be vacated.

3. The names of the land owners who do not consent, and the amount of damages claimed by each, as follows:

None

4. The estimate of damages in excess of benefits to the owner of any land over which it is proposed to run the highway, as follows:

None

5. The following facts, bearing upon the subject, which may be of importance to the Board:

We believe said road _____ to be practical and _____ of public utility and necessity and do _____ recommend the establishment of the same.

Dated Aug 5

A. D., 1902

A. H. Sales

A. H. Black

C. M. Thorpe

Road Viewers.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 60 feet for a Right of Way

for a County Road, through ~~or along~~ the S.E. 1/4 of NW 1/4 of Sec 11

T. 3 S, R. 4 E. From E. line thereof, West on Line of Bogeman
Strut as platted in the Townsite of Selawick, to the East
line of said Townsite Sec. _____, T. _____, R. _____

as viewed and surveyed by A. H. Black, A. H. Sales & C. M. Thorpe

on the 5th day of Aug., 1902. And hereby agree to

place my fences on said lines without charge to the County.

Signed J. J. Tomlinson

Dated at _____ this _____ day of _____ 190_____

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss.

On this 6th day of Oct.

A. D. 1902, before me

C. M. Thorpe

in and for said County, cause

J. J. Tomlinson

who is personally known to me to be the person... described in and who signed the annexed consent
for right of way and acknowledged to me that... he had executed the same freely and voluntarily,
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

C. M. Thorpe
C. Sawyer

Salesville Mont July 21, '92

To the Honorable Board of
County Commissioners Gallatin Co
We the undersigned citizens and
tax payers of Salesville and
surrounding country do petition
where as there has been a petition
to your Honorable body for the
changing of the road where
the road diverts from the main
road beginning north East line
of South Quarter of the North West
1/4 Section 12 in Township South 3
of Range 4 East where the Salesville
road diverts from the main road
thence running West to Lynde Street
plat of Salesville thence to Mill Street
We the undersigned citizens do
remonstrance in regard to the
change of said road.
Because said ^{proposed} road is a laid out
Street in the Original plat of
Salesville
We respectfully submit this to your
Honorable body

Signers Names

A. Lanman
S. W. Carter
R. L. Todd
Jas Williams
C. Ray Williams
John H. Adams
Jas H. Lemons
L. E. Huntington
S. L. Colburn
J. M. Michellery
S. J. Lemons
L. W. Davis
P. L. Lebeau
E. Alderson.

Signers Names

G. W. Coarstee

J. W. Williams

A. Viraux

H. G. Marriage

Ira Williams

James A. Rude

Samuel Crutcher

S. W. Keattell

W. P. Todd

Bozeman, Montana, JAN 16 1904

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

Gentlemen:-

I hereby report to your Honorable Body that on,

JAN 16 1904

I filed in the office of the county Clerk

of Gallatin County, Montana, the Plat and Field Notes of _____

Tombinson Road, No. 201, Ser P. 158 Vol B of Road Maps

Very Respectfully,

C. M. Thorpe
County Surveyor.

RECEIVED
JAN 16 1904
COUNTY CLERK

109

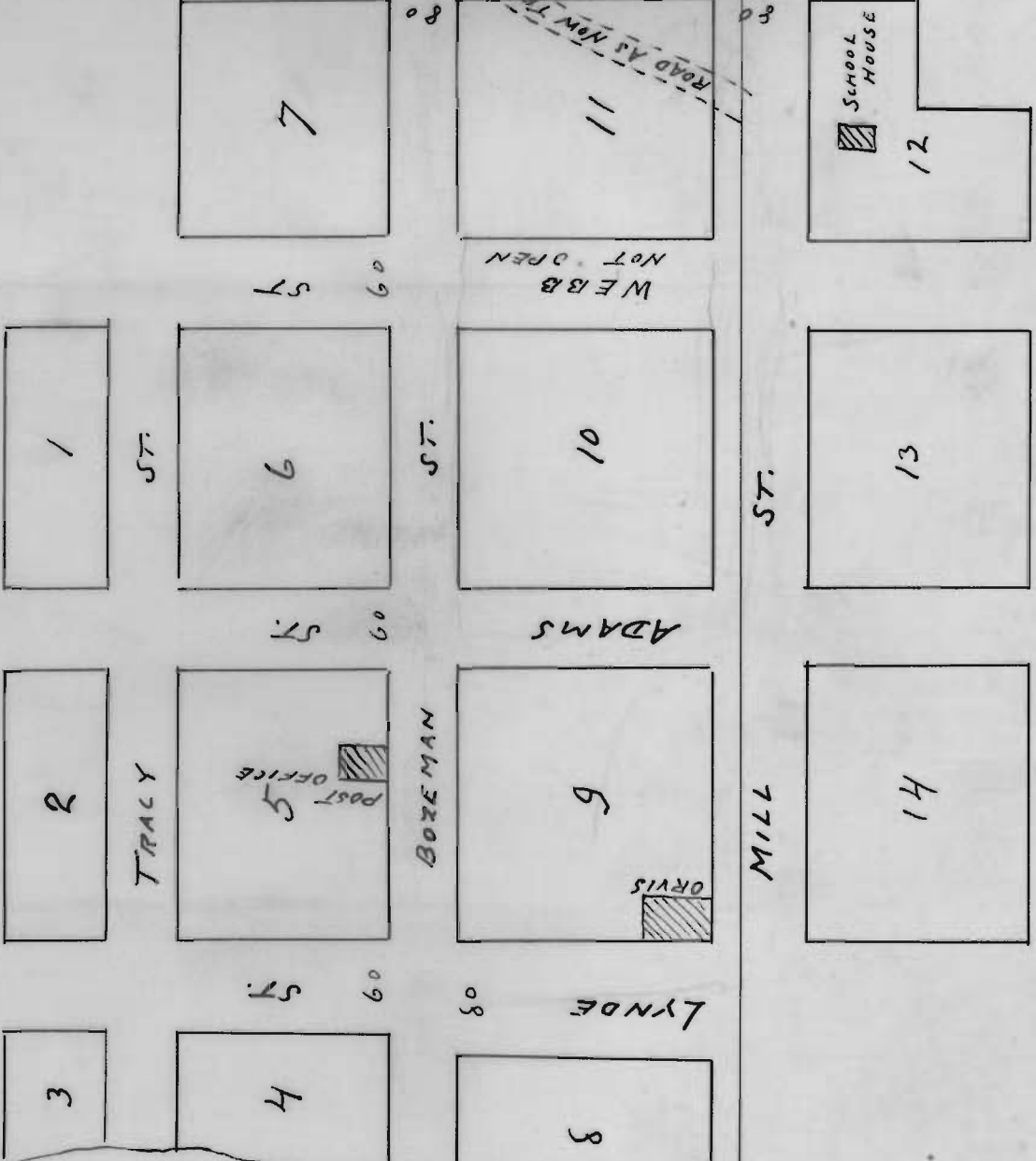
Sub 120

CENTER OF SEC. 11
T.35. R.4 E.

J. J. TOMLINSON

ROADS RECOMMENDED BY DISTRICT

ROAD AS NOW TRAVELED
BLUFF



WE B B
NOT OPEN

SCHOOL HOUSE

TRACY ST.

BOYEMAN ST.

ADAMS ST.

MILL ST.

LYNDEN ST.

W. GALLATIN RIV.

BRIDGE