

Platting P. 17
T2SR3E 66 29

No. 210

PETITIONER,

John H. Chapman et al

Petition filed July 2 1902

Viewers appointed July 19th 1902

Report filed October 6 1902

Date of hearing 1902

Report approved Oct. 6, 1902

Order of survey Oct. 6, 1902

Surveyor's Report filed Dec 3 1902

Declared County Road March 7, 1904

Approved by order of
the board,

Les E. Davis

Chairman

Dec. 3, 1902

See Book 9 Commissioners' Proceedings,

pages 277 and 292, 430

Recorded, Road Book, pages

County Clerk

PETITION FOR ROAD

TO THE HON. BOARD OF COUNTY COMMISSIONERS, of Gallatin County, Montana:

The Undersigned, ^{and undersigned} Your petitioners, Citizens of the United States, respectfully show and represent that they are residents of Road District No. 4, 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 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) A 40 foot right of way commencing at the Southwest corner of Section Twenty Eight (28) in Twp. 2, South of Range Five (5) East, thence running due East on section line between sections 28 and 33, said Twp. & Range and terminating at the Southeast corner of said Section 28.

(b) John G. Chapman, H. W. Catron, David Tudor and John Stucky.
(c) All consent.

(e) none

(f) No cost for right of way. Expense of fencing requested to correct the Grandin and Cottonwood roads and to afford an outlet for the parties above mentioned living on the West end of said proposed road.

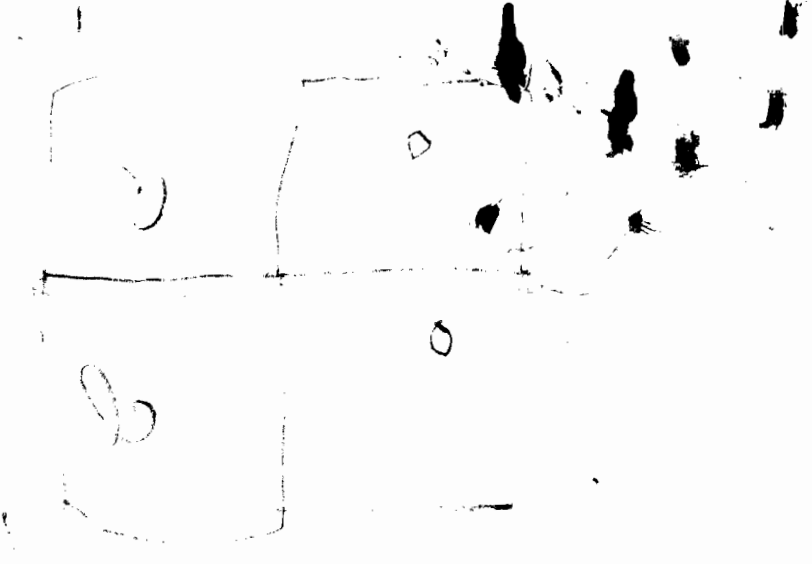
C. M. Turpe
C. H. Sprague
C. H. Sprague

NAMES:

- 1 John G. Chapman
- 2 H. W. Catron
- 3 David Tudor
- 4 J. G. Stucky
- 5 The Authority

NAMES:

- 6 J. G. Fowler
- 7
- 8
- 9
- 10 J. S. The high



F I L E I

July 20 - 1922
W. H. Blankenship
Langford's party

W 210

Bozeman Chronicle Print.

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. J. L. PATTERSON,
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 John G. Chapman & others 1902
Act of Road District No. 4

The petition above referred to, petitions that a Road be established, ~~commencing~~
A 40 foot right of way commencing at the Southwest corner of Section
Twenty Eight (28) in Township Two (2), South of Range Five (5) West,
thence running due East, on Section line, between Sections 28 and 29,
said Township and Range and terminating at the Southeast corner of
said Section Twentyeight (28).

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 19th day of July 1902.

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. M. Thorpe
Percy Linney
E. V. Sprague

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

Yours, Very Respectfully,

Geo. E. Davis
Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this 19 day of July 1902.

NOTICE TO OPEN A PUBLIC ROAD.

1902

NOTICE IS HEREBY GIVEN that the public road proposed to be established in the County of Gallatin, State of Montana, have filed a petition for the establishment of a public road in the County of Gallatin, State of Montana. Said petition recites that a road should be established.

A description of the route of said road which it is proposed to be established is as follows: To-wit: A line of road to be established at the East West corner of Section Twenty-eight (28) to be run up the (2) South of Range Five (5) East, thence to the line due East on Section line between Sections 27 and 28 said 28 and to the East end of the Northeast corner of said Section 28.

Said road will be viewed to be under jurisdiction of the State and County Commissioners, according to law, who will commence said road at the place of beginning of said road as proposed to be established, on or before the first day of September A. D. 1902. Said view is to be given on the first day of said month of said year.

Very truly yours,

E. A. Blankenship

County Clerk

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

John G. Chapman being first duly sworn deposes and says, that as the he received from the County Clerk of said County, on the *13th* day of *September* A. D., *1902*, three copies of the annexed notice, and that on the *17th* day of *September* *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 the other at the termination thereof

and further deponeth sayeth not.

Subscribed and sworn to before me this *17th* day of *September* A. D., *1902*

John G. Chapman
E. A. Blankenship
County Clerk

Warrant for Road Viewers.

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

Messrs. C. M. Hooper, Perry Linn, & C. A. Sprague

You are hereby notified that you were duly appointed Road Viewer by the
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 19th
day of July, 1902, to view and lay out a proposed road, as prayed for in the
petition of John G. Chapman and others, described as follows, to-wit:
to the right of way of a road at the southwest corner of Section
Twenty Eight (28) in Township Two (2), South of Range Five (5) West,
County of Gallatin, State of Montana, between Sections 22 and 23,
and Township Two (2) South, and Range Five (5) West, at the southeast corner of
said Section Twenty-eight (28).

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 29th
day of September, 1902, commencing at the place designated in said petition as the
starting point of the road sought to be at 9 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 17th
day of September, 1902.

C. A. Blankenship
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.

C. M. Thorpe

Subscribed and sworn to before me this 29th day
of September 1902

E. V. Blankenship, Clerk
By *L. P. Buzard, Deputy*

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.

Perry Linney

Subscribed and sworn to before me this 29th day
of Sept 1902

C. M. Thorpe
Cs. Surveyor

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. A. Sprague

Subscribed and sworn to before me this *29th* day
of *Sept.* 190*2*

C. M. T. Hoopes

County Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 210

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

We, the undersigned Road Viewers, consisting of G.H. Sprague, para Limery
and C.M. Thorpe appointed by the Board of
County Commissioners

~~appointed~~ to view a proposed road running from the S.W. Corner of Sec.
28 T. 2 S. R. 5 E
 to the S.E. Corner of said section
 as described in the annexed petition, say, That on the 29th day of Sept.
 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:

as follows:

The width of the proposed road is 40 feet described
 Beginning at the S.W. Corner of Section 28
T. 2 S. R. 5 E. thence east on section line
 between sections 28 & 33 said Township and
 Range, and terminating at the southeast
 corner of said section 28.
 The line of the road is defined by the U.S.
 Gov. Conch. The ground is level and
 some portions need ditching, as it is rather
 wet.

For names of land owners see accompanying
 sketch.

The probable cost of constructing the road is
 as follows.

| | |
|---|----------|
| A 24 ft. A truss bridge over Middle Creek on stone abutments - | \$165.00 |
| An 18 ft. bridge on stone abutments - at Canal | 140.00 |
| 5 small culverts. | 40.00 |
| Grading clearing & grubbing total. | 50.00 |
| | \$395.00 |

A good ford could be made at the crossing of
 Middle Creek, under the Canal.

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

John G. Chapman,

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

H. M. Catron for 1/4 mile of new fence & moving 1/4 mile of old fence. \$37.60

~~John G. Chapman, consent as above 37.60~~

John J. Stucky " " " 37.60

David Tucker consents to give the right of way but claims all expense for new fence and moving old fence, amounting to \$37.60

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:

We recommend that the land owners be allowed the damages claimed as stated above.

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

We find the necessity for the road to be as stated in the petition, also as a saving in distance for people living east of the proposed road in traveling to school.

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

Dated Sept. 29 A. D., 1902

C. H. Sprague }
Perry Linn } Road Viewers.
C. M. Thorne }

Received of

Bozeman, Montana, April 10th, 1903
~~189~~

The County Clerk, of Gallatin County,

Road Fund warrant of Gallatin County, No. 197

for \$ 37.60

in favor of John J. Stucky

for moving fence on Road # 210

John J. Stucky

Received of

Bozeman, Montana, June 13, 1903 ~~189~~

The County Clerk, of Gallatin County,

Road Fund warrant of Gallatin County, No. 274

for \$ 37.60

in favor of David Tudor

for moving fences on Chapman road

D. J. Franshant

Received of

Bozeman, Montana, January 20th 189/1903

The County Clerk, of Gallatin County,

Road Fund warrant of Gallatin County, No. 177

for \$ 37.60

in favor of A. M. Catron for 1/4 mile new fence

and moving old fence 1/4 mile on Road No. 210

A. M. Catron

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

John R. Chapman Road Nos 210 & 17, 129 Vol. B.

Very Respectfully

C. M. Thorpe
County Surveyor.

RECEIVED

RECEIVED

JAN 16 1904

A. J. Chapman
County Clerk.

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BOZEMAN, MONTANA, Sept 1906

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

Gentlemen:

As ordered I have
surveyed the road petitioned for by John E.
Chapman et al. ^{No 210} and corners along the
road are marked with iron monuments.
The maps of said road will be filed later.

Very Respectfully,

C. M. Thorpe

County Surveyor.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 20 feet for a Right of Way
for a County Road, ~~through~~ or along the north side of the N.E. 1/4
of Section 33 T. 2 S. R. 5 E.

as viewed ~~and surveyed~~ by C. H. Sprague, Perry Linnery & C. M. Thorpe
on the 29th day of Sept. 1902. And hereby agree to
~~provide the county pay for the cost of 1/4 mile of new~~
~~fence on said lines without charge to the County.~~
fence, and moving 1/4 mile of old fence amounting to \$37.60

Signed J. J. Stucky

Dated at _____ this 29th day of Sept. 1902

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 29th day of Sept.
A. D. 1902, before me C. M. Thorpe
in and for said County, came J. J. Stucky

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 hereto set my hand the day and year first above written.

C. M. Thorpe
County Surveyor

To the County of Gallatin, State of Montana :

I **Hereby Agree**, and consent to give 20 feet for a Right of Way
for a County Road, ~~through~~ along the North line of N.W. 1/4 of Section
33 T. 2 S. R. 5 E.

as viewed and surveyed by C.H. Sprague, my Surveyor, & C.M. Thorpe

on the 29th day of Sept. 1902. And hereby agree to
~~provide the County pay the cost of 1/4 mile of new fence, and~~
~~place my fences on said lines without charge to the County.~~
~~paying 1/4 mile of old fence, amounting to \$37.60~~

Signed John G. Chapman

Dated at _____ this 29 day of Sept. 1902

ACKNOWLEDGEMENT.

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

On this 29th day of Sept.
County Surveyor.
A. D. 1902, before me
in and for said County, came John G. Chapman.

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.

County Surveyor

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 opened over the following route, to-wit : ~~the~~ The center line of a 40 foot right of way described as follows, beginning at the S.W. corner of Section 28 T 2, S R, 5 E, thence East on Section line between Sections 28 & 33, said Township and Range, and terminating at the South East corner of said Section 28.

By order of the Board of County Commissioners of Gallatin County, Montana.

Dated November 9th 1890²

E. D. Blankenship
Clerk,

By _____ Deputy.

Date of Posting Nov 29 1890²

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

C. M. Thospe
County Surveyor

being first duly sworn deposes and says, that as the

he received from the County Clerk of said County, on the 7th day of Nov. 1890², A. D.,

1890², three copies of the annexed notice, and that on the 29 day of Nov 1890² 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 starting point, one near the center & one at terminus

and further deponeth sayeth not.

Subscribed and sworn to before me this 3^d day of Dec A. D., 1890²

C. M. Thospe
E. D. Blankenship
County Clerk
By *O. P. Morgan* Deputy.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel } No. 575 Rec'd SEP 17 1902, 190

of Co. Clerk

addressed to Mr. C. M. Thorpe
Bozeman, Mont.

I. L. KIRK, P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel } No. 508 Rec'd SEP 17 1902, 190

of Co. Clerk

addressed to Benjamin Limney, Esq.

I. L. KIRK, P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel } No. 579 Rec'd SEP 17 1902, 190

of Co. Clerk

addressed to C. F. Spagnue, Esq.
Bozeman, Mont.

I. L. KIRK, P. M.

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21

22

T. 2 S. R. 5 E.

29

28

27

ROAD TO
SALESVILLE

SCHOOL
HOUSE

H. M. CATRON

DAVID
TUDDER

FOWLER ROAD

JOHN
CHAPMAN

MIDDLE
CREEK

JOHN J. STUCKY

32

33

34

CHURCH

