

T 2 N R 3 E
JOHNSON CANYON ROAD
PLATTED IN VOL. 8, PAGE 55+73

No. 240

PETITIONER,

Alf Johnson et al.

Petition filed June 24" 1904

Viewers appointed July 1 1904

Report filed August 9 1904

Date of hearing 190

Report approved Oct 3rd 1904

Order of survey " 3rd 1904

Surveyor's Report filed Jan 3 1905

Declared County Road Jan 3 1905

See Book 9 Commissioners' Proceedings,

pages 468, 508, 532, 570

Recorded, Road Book, pages

A. A. Cameron County Clerk

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. 6, 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, ~~100~~ 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) To leave the Bozeman and Sixteen mile road near the half mile corner on the west side of Sec (3) three. T. 2 N. R. 5 E. Gallatin Co. Mont. thence in an easterly direction one (1) mi. thence east $\frac{3}{4}$ mi. thence north $\frac{1}{4}$ mi. thence east $\frac{1}{4}$ mi. thence nearly north to connect with the road through Flathead Pass.
- (b.) Through the N. $\frac{1}{2}$ of Section (3) three thence east; on the $\frac{1}{4}$ line in the N. $\frac{1}{2}$ of Sec (2) two; $\frac{3}{4}$ of a mi. thence N. $\frac{1}{4}$ mi. thence east $\frac{1}{4}$ mi. to the N. E. corner of Section (2) two of T. 2 N. of R. 5 E; thence north on or near the west line of section (36) Thirty six T. 3 N. of R. 5 E to the intersection with the road through Flathead Pass.
- (c) The owners are Alf Johnson & J. R. Nelson and Sec 36 is school land.
- (d) All consent (e) None (f) Nothing
- (g) To give a shorter & better route from Flathead Pass to Bozeman and to give access to the timber & mines in the mountains.

NAMES:

- 1 Geo. Metier
- 2 W. P. Knowlton
- 3 J. Morgan
- 4 B. S. Morgan
- 5 M. J. McLaughlin

NAMES:

- 6 J. T. Lutz
- 7 A. Accola
- 8 W. McArthur
- 9 O. Haugkanson
- 10 C. C. McBrown

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. _____, 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 shown - (a) The general route of the proposed road; (b) the route of the road as 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:

Handwritten text, possibly "No. 10"

FILED

JUN 24 1904

Handwritten signature of A. A. Linnaker

County Clerk.

By _____ Deputy.

WITNES:

WITNES:

20 5 20 2

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. 6, 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, ~~100~~ ¹⁵⁰ 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) To leave the Bozeman and Sixteen mile road near the half mile corner on the west side of Sec. (3) three T2 N R5 E Gallatin Co Mont. thence in an easterly direction one mile thence east $\frac{3}{4}$ mi thence north $\frac{1}{4}$ mi thence east $\frac{1}{4}$ mi thence nearly north to connect with the road through Flathead Pass.
- (b) Through the N $\frac{1}{2}$ of Sec (3) three thence east on the quarter line in the N $\frac{1}{2}$ of Sec (2) two $\frac{3}{4}$ mi thence N $\frac{1}{4}$ mi thence east $\frac{1}{4}$ mi to the N.E. corner of Sec. (2) two T2 N R5 E thence north on or near the west line of Sec (36) Thirty six T3 N R5 E to the intersection with the road through Flathead Pass.
- (c) The owners are Alf Johnson & J.R. Nelson and Sec (36) Thirty six is school land.
- (d) all consent (e) None (f) Nothing
- (g) To give a shorter & better route to Bozeman from Flathead Pass & to give access to the timber & mines in the mountains

NAMES:

- 1 Alf Johnson
- 2 J. R. Nelson
- 3 C. E. Richards
- 4 B. A. Morgan
- 5

NAMES:

- 6 J. M. Yates
- 7 J. B. Johnson
- 8
- 9
- 10

A. B. Morgan
W. G. Durham
Paul Whisman
Aron Whiston
S. Swellen
Harve Biggs.

W. D. Brainerd
P. C. Elliott
W. M. Elliott
J. A. Ginton
W. H. Collins

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 *Alf Johnson and others* Residents of Road District No *6*

The petition above referred to, petitions that a Road be established, commencing at the *Bozeman and Sixteen mile road near the 1/2 mile corner on the West side of Sec 3, T 2 N, R 5 E, thence easterly one mile, thence east 3/4 mile, thence north 1/4 mile, thence east 1/4 mile, thence nearly north to connect with the Flathead Pass road*

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

Yours, Very Respectfully,

Q. Cameron
County Clerk and Recorder.

Dated at, Bozeman, Montana, this *1* day of *July* 190*4*

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

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

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

C. M. Thorpe
Sam Courson
John Prichard

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 *1st* day of *July* 190*4*

Warrant for Road Viewers.

Copy

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

Mr. C. M. Thorpe, Sam'l N. Courso & John Pritchard

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 1st day of July 1904, to view and lay out a proposed road, as prayed for in the petition of Alf Johnson and others, described as follows, to-wit:

Commencing at the Bozeman and Sixteen Mile road near the one-half mile corner on the west side of Sec. 3, T. 2, N. R. 5, E., thence easterly one mile, thence east 3/4 of a mile, thence north 1/4 mile, thence east 1/4 mile, thence nearly north to connect with the Flathead Pass road.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with yourselves, who were duly appointed as Viewers on said road by the ~~Chairman~~ of the Board of County Commissioners on the 29th day of July 1904 at 10⁰⁰ o'clock, A. M. commencing at the place designated in said petition as the starting point of the road sought to be opened 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 11th day of July 1904.

A. A. Cameron
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.

S. H. Connor

Subscribed and sworn to before me this 29 day

of July 1904

B. M. Thorne

Co. 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.

B. M. Thorne

Subscribed and sworn to before me this 28 day

of July 1904

A. A. Cameron

Co. Clerk

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.

John Beechard

Subscribed and sworn to before me this 29 day
of July 1904

E. M. Thorne
Co. Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 240

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

We, the undersigned Road Viewers, consisting of S. H. Garrow,
John Prichard, and C. M. Thorpe
 appointed by your Honorable Body on July 1st, 1904

appointed to view a proposed road running from the Bozeman & Sixteen Mile
road near the 1/2 mile corner on the W. side of Sec. 3 T. 2 N. R. 5 E.
to the Flathead Pass road.

as described in the annexed petition, say, That on the 29th day of July
 A. D., 1904 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 40 feet. its description is as follows:
 Beginning at a point in the Bozeman and 16
 Mile Creek Road, about 350 ft. north of the N. 1/4
 Sec. Cor. of Section 3 T. 2 N. R. 5 E. thence
 East on the north side of the fence north
 of the brook thence crossing creek & running
 easterly to near the East side of N. 1/4 of Sec. 3
 thence crossing the creek & running along
 the north side of same creek in a north easterly
 direction running north of Alf Johnson's house
~~thence north easterly~~ to the north line of Sec. 2 T. 2 N.
 R. 5 E. intersecting the same about 200 feet west of
 the N. E. corner ^{to Alf Johnson's corner} thence East along said
 north line of Sec. 2 ^{T. 2 N. R. 5 E.} thence north along the
 East line of Section 35 ^{T. 2 N. R. 5 E.} to a point near the south
 side of Pass Creek, thence north easterly crossing
 Pass Creek at the old crossing, thence north westerly
 intersecting the Flathead Pass Road at or
 near where the same is crossed by the East
 line of Section 35, the same being the
 terminus as described in the petition

The length of the proposed road is about 3 miles.
 The line of the road is marked by stakes, blazed trees,
 and fence posts. The maximum grade will
 be 12 to 14 %. The character of the ground
 is suitable for road building.
 The land through which the proposed road runs
 is all owned by Alf Johnson, except the

N.E. 1/4 of N.E. 1/4 of Sec. 2 T. 2 N. R. 5 E. which
is owned by J. V. R. Nelson and Sec. 36
T. 3 N. R. 5 E. which is state school land.
The probable cost of constructing the proposed
road is for Culverts \$ 75.00
For grading \$ 85.00
Total probable cost. \$ 160.00

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

Alf. Johnson & J. R. Nelson

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

Alf Johnson claims $\$90$ for $\frac{1}{2}$ the fence which would amount to $\$90.00$

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 would recommend that Alf. Johnson be allowed $\$90.00$

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

We find the need of the road to be as stated in the petition, to give access to the mines & timber, and as an outlet for settlers, and a shorter road between Bogeman & Flathead Pass.

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

Dated July 29

A.D., 189-1904

S. H. Carrero
John P. Richard
C. M. Thomas

Road Viewers.

Bozeman, Montana, December 21st 1904

Received of

The County Clerk, of Gallatin County,

Road — Fund warrant of Gallatin County, No. 895

for \$ 90⁰⁰ in favor of Alf. Johnson

for fencing allowed by Board on Road #240.

Alf. Johnson

C. M. THORPE,
COUNTY SURVEYOR,
BOZEMAN, MONTANA.

BOZEMAN, MONTANA.

Jan 3 1905

To the Honorable Board of County Commissioners
of Gallatin Co Mont.

Gentlemen:-

As instructed I have
surveyed the Alf. Johnson Road No. 240
and have marked all angle points with
iron monuments. The map of said survey
will be filed later.

Respectfully,

C. M. Thorpe
Co. Surveyor

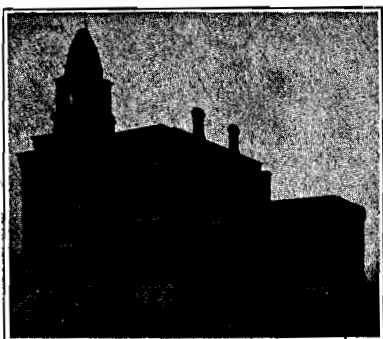
FILED

JAN 3 1905

County Clerk

By _____ Deputy

C. M. THORPE
COUNTY SURVEYOR GALLATIN COUNTY



OFFICE IN CITY HALL

Bozeman, Montana, March 6, 1906.

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

Gentlemen:- I hereby certify to your Honorable Body
that I have this day filed in the office of the County Clerk, the
Plot and Field Notes of "ALF. JOHNSON ROAD" No. 240

Very respectfully,

C. M. Thorpe
County Surveyor.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 40 feet for a Right of Way
for a County Road, through ~~or along~~ the N 1/2 of Sec. 2 and 3 T 2 N
R. 5 E. and 20 feet along the S. and East line
of the E. 1/2 of Sec. 35 T 3 N R 5 E.

Sec. _____, T. _____, R. _____
as viewed and surveyed by S.H. Couron John Richard + C.M. Thorne
on the 29th day of July 1904 And hereby agree to
place my fences on said lines without charge to the County.

Signed Alf Johnson

Dated at _____ this 29 day of July 1904

ACKNOWLEDGEMENT.

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

On this 29 day of July
County Surveyor
in and for said County, came Alf. Johnson

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. Thorne
Co. 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
N.E. 1/4 of Sec 2 T. 2 N. R 5 E

Sec. _____, T. _____, R. _____
as viewed ~~and surveyed~~ by S.H. Cannon, John Pritchard & C.M. Thorpe
on the 29th day of July 1904. And hereby agree to
place my fences on said lines without charge to the County.

Signed J.R. Nelson

Dated at _____ this 29 day of July 1904

ACKNOWLEDGEMENT.

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

On this 29 day of July
A. D. 1904, before me Road Viewer
in and for said County, came J.R. Nelson

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.

S. H. Cannon
Road Viewer

Notice of Opening Public Road.

a public highway 40 ft. in width has been established
 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: Commencing~~ Beginning at a point in
 the Bozeman and sixteen Mile Creek Road 359.5 feet north of the W.
 1/4 Sec. Cor. of Sec. 18, T.2 N., R.5 E., Thence east on the north
 side of the fence north of the brook; thence crossing creek and
 running easterly to near the east side of the W. 1/2 of Sec. 3;
 thence crossing the creek and running along the north side of
 said creek in a northeasterly direction, running north of Alf.
 Johnson's house to the N. & S. 1/4 Sec. line of Sec. 2; thence
 north to the north line of Sec. 2, T.2 N., R.5 E. intersecting the
 same at the North 1/4 Sec. Corner of said Sec. 2; thence east
 along said North line of Sec. 2 to the N.E. Corner thereof; thence
 North along the East line of Sec. 35, T.3 N., R.5 E. to a point
 near the South side of Pass Creek; thence northeasterly, crossing
 Pass creek at the old crossing; thence northwesterly intersecting
 the Flathead pass Road at or near where the same is crossed by the
 East line of Section 35, and that after sixty days from the date
 of posting this notice the same will be opened and worked.

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

Dated 189.

C. M. Thorne
 Clerk,
C. S. Sawyer

By Deputy.

Date of Posting *Dec 13 1904* 189—

State of Montana,
County of Gallatin.

C. M. Thorne
C. S. Sawyer

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

he received from

the County Clerk of said County, on the day of A. D.

he prepared

..... three copies of the annexed notice, and that on the *13* day of *Dec*, 1904,

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 *Starting point. over about midway*
and one at terminus

and further deponent saith not.

C. M. Thorne

Subscribed and sworn to before me this *3rd* day of *January*, A. D. 1905

A. A. Cameron
C. C. Cook

REGISTRY RETURN RECEIPT.

Form No. 154B.

Received from the Postmaster at Bozeman, Mont.
(Delivering office.)

Registered ^(Letter)/_(Parcel) No. 66 from Bozeman, Mont.
(Office of origin.)

Addressed to C. M. Hooper
(Name of addressee.)

Date July 14, 1904
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

C. M. Hooper
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 154B.

Received from the Postmaster at Billings, Mont.
(Delivering office.)

Registered ^(Letter)/_(Parcel) No. 65 from Bozeman, Mont.
(Office of origin.)

Addressed to Samuel J. Connor
(Name of addressee.)

Date 7/18, 1904
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

S. J. Connor
(Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 154B.

Received from the Postmaster at Dixon, Mont.
(Delivering office.)

Registered ^(Letter)/_(Parcel) No. 63 from Bozeman, Mont.
(Office of origin.)

Addressed to John Pritchard
(Name of addressee.)

Date _____, 1904
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

John Pritchard
(Signature or name of addressee.)

Emma Pritchard
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

