

Central Park

No. 278

PETITIONER,

William Wedlake et al

Petition filed March 6 1907

Viewers appointed March 6 1907

Report filed April 1, 1907

Date of hearing 190

Report approved 190

Order of survey 190

Surveyor's Report filed 190

Declared County Road 190

See Book 10 Commissioners' Proceedings,
pages 240-262-249

Recorded, Road Book, pages

County Clerk

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

The undersigned residents and
taxpayers of Gallatin Co. respectfully
petition your honorable body to make
a change in the established County
road running north from Central
Park on the east side of the West Galla-
tin River, and through the lands of
your petitioner W^m Wedlake, as
follows.

Commencing at a point about
120 rods north of the village of Central
Park, where the established road diverges
from the contour of the bank of the West
Gallatin River; thence north-west to
a point where the irrigating ditch
known as the Gibson + Green ditch
comes out on the bank; thence north
along the east side of the aforesaid
irrigating ditch to the point where
said ditch intersects and crosses
the already established County road.

And as reasons for the desired
change, your petitioners respectfully

allege: that the road as at present constructed runs diagonally through the lands of the afore-mentioned petitioner W^m Wedlake detaching from the main body of his farm a small tract of land, thereby making said field more difficult of cultivation and causing the maintenance of about three-fourths of a mile of extra fencing to properly protect his crops.

That the desired change will not cause the road to be moved more than 10 rods at the farthest point, from the established road, will only very slightly increase the distance of travel on said road and will relieve the aforesaid W^m Wedlake from what he feels to be a hardship and great inconvenience.

William Wedlake

W. D. Bell, Jr.

W. D. Bell, Sen

J. E. Burrows

John Robinson

E. B. Bruce

George Reimig

Salt Lake Ranch Co

John B. Boston

Geo T. Pitts

Saver Schmitt
J. M. Beck
S. C. Gibson Bros
J. H. Green

OFFICE OF
COUNTY CLERK AND RECORDER
GALLATIN COUNTY, MONTANA.

HON. W. H. 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 ... *William Wedlake et al*
.....of Road District No.....

The petition above referred to, petitions that a Road be established, commencing *120 rods* north of the village of *Central Park*, where the established road diverges from the contour of the bank of the *West Gallatin River*, thence northward to a point where the irrigation ditch known as the *Edson & Green* ditch comes out from the bank, thence north along the east side of the aforesaid ditch, to the point where said ditch intersects and crosses the already established
County Road.

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

Yours Very Respectfully,

W. E. Brandenburg
.....
County Clerk and Recorder

Dated at Bozeman, Montana, this *6th* day of *March* 190*7*.

OFFICE OF
THE BOARD OF COUNTY COMMISSIONERS
GALLATIN COUNTY, MONTANA.

W. E. BRANDENBURG,
County Clerk, Gallatin County, Montana.

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

Alec Weaver
.....
Geo. M. Lewis
.....
Co. Surveyor Sloan
.....

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

Yours Very Respectfully,

W. H. Davis
.....
Chairman of the Board of County Commissioners, Gallatin County, Montana

Dated at Bozeman, Montana, this *6th* day of *March* 190*7*.

Warrant for Road Viewers.

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

Mr. *Harvey Sloan, A. H. Weaver & Geo. M. Lewis.*

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 *6th* day of *March* 1907, to view and lay out a proposed road, as prayed for in the petition of *William Wedlake et al* and others, described as follows, to-wit:

Commencing at a point about 120 rods north of the village of Central Park, where the established road diverges from the contour of the bank of the West Gallatin River; thence north-west to a point where the irrigating ditch known as the Gibbons Green ditch comes out on the bank; thence north along the east side of the aforesaid irrigating ditch to the point where said ditch intersects and crosses the already established County 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 *27th* day of *March* 1907, 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 *14th* day of *March* 1907.

W. E. Brandenburg
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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

A. S. Wynn

Subscribed and sworn to before me this 18th day

of March 1897

Chas. Sandenhook

Notary Public, in and for the
County of Gallatin, State of Mont.

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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

J. M. Lewis

Subscribed and sworn to before me this 27th day

of March 1897.

J. H. Shaw
County 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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

J. H. Sloan

Subscribed and sworn to before me this 14th day

of March 189¹⁹⁰⁷

W. E. Brandenburg
County Clerk and Recorder

This must be returned to the County Clerk after execution.

Bozeman, Montana, March 14 1907

Received from W. E. Brandenburg _____ DOLLARS

For Warrant to view road on March 27th - 1907 with A. D. Weaver, and Geo. M. Lewis

BY _____ Deputy

J. H. Sloan
Clerk and Recorder

Surveyor

REPORT OF ROAD VIEWERS.

ROAD NO.

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

We, the undersigned Road Viewers, consisting of G M Lewis
A D Hanson
J N Slower

appointed to view a proposed road running from a point about 120 rods north of the village of Central Park, where the established road diverges from the contour of the bank of the West Gallatin river thence north west along the river and north along the Green Gibson ditch to a point where the ditch crosses the established road

as described in the annexed petition, say, That on the 27 day of March A. D., 1907 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:

We recommend that the road be graded as Mr. Wm Medlake agrees to change the fences, and put the new road in as good condition as the one it now replaces and further agrees to give an additional Right of way should the river at any time wash out the road

The width of the road is to be sixty feet and commenced at a point about 120 rods below Central Park where Wm Medlake's Irrigation ditch crosses the road running thence north west along the bank of the river to the head of the Green Gibson ditch thence north along the east bank of this ditch to a point where the established road intersects this ditch

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

Derk Hooyenga
William Medlaker

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:

The river may at some future time encroach upon the highway but this has been provided for in Mr Medlaker's agreement

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

Dated Mar 27 1907 A. D., 189

A. H. Wilson
J. Medlaker
J. H. Sloan

Road Viewers.

To the County of Gallatin, State of Montana:

I **Hereby Agree**, and consent to give Sixty feet for a Right of Way
for a County Road, through or along the north bank of West Gallatin
river, and at any time the road is washed
out or endangered by the river I agree to give an
located in S 24 1/4 of SE 1/4 additional Right of Way
Sec. 18, T. 1 N, R. 4 E
as viewed and surveyed by G M Lewis A D Mearns, J N Sloan
on the 27 day of March 1907. And hereby agree to
place my fences on said lines without charge to the County. also to fill in ditches
and put new road in as good condition as the one
it now replaces Signed William Medlake
Dated at Central Park Mont this 27 day of Mar 1907.

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 27 day of March
A. D. 1907, before me J N Sloan, County Surveyor
in and for said County, came William Medlake

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.

J N Sloan
County Surveyor.

REGISTRY RETURN RECEIPT.

Form No. 1548.

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

Registered ^{Letter}~~{Parcel}~~ No. 848 from Belgrade, Mont.
(Office of origin.)

Addressed to M. A. D. Weaver
(Name of addressee.)

Date _____, 190
(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.

A. D. Warner
(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. 1548.

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

Registered ^{Letter}~~{Parcel}~~ No. 849 from Manhattan, Mont.
(Office of origin.)

Addressed to Mr. Geo. M. Lewis
(Name of addressee.)

Date _____, 190
(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.

Geo. M. Lewis
(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.