

No. 280

PETITIONER,

C. W. Logan et al

Petition filed March 14, 1907

Viewers appointed April 2, 1907

Report filed April 27, 1907

Investigated and ^{with} ~~with~~ ^{at} ~~at~~ by Com. Davis and Emery

Date of hearing July 6, 1907

Report approved 1907

Order of survey Sept 5, 1907

Surveyor's Report filed Nov 6, 1907

Declared County Road Dec 4th, 1907

H. H. Davis Chairman

Platted Nov-6-07

See Book 10 Commissioners' Proceedings,

pages 250-263-282-332-358

73N, 13E

Recorded, Road Book, pages

County Clerk

Petition for Road.

To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

THE UNDERSIGNED, Your petitioners, Citizens of the United States, respectfully show and represent that they are residents of and freeholders in Road District No., in the County of Gallatin, State of Montana, and taxable therein for road purposes, where the road, hereinafter 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..... (60) 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 such right-of-way where such consent is not had.
- (g) The necessity for and advantages of the proposed road as follows, to-wit:

.....
 A- Beginning at a point on the Section line between secs 9 and 10 where the Cottonwood road intersects said line. Thence running south about one hundred feet to quarter corner. Thence East on 1/4 line about 4 hundred feet. Thence Southeast to within about 5 hundred feet of the line between secs 10 and 13. Thence Easterly following a small Gulch to the head and then striking the Sec line between secs 10 and 13. Thence East on said line to Sec. Corner. Thence diverting North about 2 hundred feet around a point of rock and back to Section line between 11 and 14. Thence East to near 1/4 Corner. Thence leaving line and following down ravine to Creek and crossing Creek and following up along Hillside South of Creek to corner of Sections 11-12-13 & 14. Intersecting the Nixon Gulch road at this point. All in Township 2 N Range 3 East as shown in Map attached

B. Over Sections 10 and 11

C. U.S. and N.P. Ry Co

D.

E.

F. Nothing

G. For the convenience of Settlers
Both East and west

NAMES

1. C. W. Logan
2. J. M. Stewart
3. J. S. March
4. Herb Bernhart
5. J. E. Poppo

NAMES

6. Jos. T. Lewis
7. J. M. Smith
8. Chas. H. Francis
9. J. J. Lewis
10. J. C. McDaniel

No. 280.

Road Petition

Petitioner C. W. Logan et al

Filed M.A.C. 1. 14. 1907

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 C.W. Logan and others

..... of Road District No.....

The petition above referred to, petitions that a Road be established, commencing at a point on the line between Sec's 9 & 10 where the Cottonwood road intersects said line thence south about one hundred feet to quarter cor., thence east on quarter line about four hundred feet thence southeast to within about five hundred feet of the line between Sec's 10 & 15, thence easterly following a small gulch to the head and there striking the Sec. line between Sec's. , 10 & 15, thence on said line to Sec. corner, thence diverting north about two hundred feet around a point of Rock and back to Sec. line between Sec's II & 14, thence east to near quarter cor., thence leaving the line and going down ravine to creek and crossing and following up along the hillside south of creek to cor. of Sec's 11, 12, 13, 14, intersecting the Nixon Gulch Road at this point. All in T 2 N. R. 3 E.

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 27 day of April 1907

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:

..... Harry Sloan
..... John Chestnut
..... Ben Gibson

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 27 day of April 1907

Warrant for Road Viewers.

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

Mr.

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 2nd

day of April 1907, to view and lay out a proposed road, as prayed for in the

petition of J. J. O'Connell and others, described as follows, to-wit:
Beginning at a point on the line between Sec's 9 & 10 where the Cotton-wood road intersects said line thence south about one hundred feet to quarter corner, thence east on quarter line about four hundred feet & thence southeast to within about five hundred feet of the line between Sec's 10 & 15, thence easterly following a small gulch to the head and there striking the Sec. line between Sec's 10 & 15, thence on said line to Sec. corner, thence diverting north about two hundred feet around a point of Rock and back to section line between Sec's 11 & 14, thence east to near quarter corner thence leaving the line and going down a ravine to the creek and crossing and following up along the hillside south of the creek to corner of Sec's 11, 12, 13, and 14, intersecting the Nixon Gulch Road at this point. All in T. 2 N. R. 3 E.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with, who were duly appointed as

Viewers on said road by the Chairman of the Board of County Commissioners on the

day of 190, commencing at the place designated in said petition as the

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 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

day of 190

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.

B. F. Gibson

Subscribed and sworn to before me this 25 day

of April 1907
189

J. H. Sloan
County Surveyor

This must be returned to the County Clerk after execution.

Bozeman, Montana, 12 1907

Received from W. E. Brandenburg

Warrant for Road Viewer DOLLARS

For viewing Road # 280

BY J. H. Sloan

REPORT OF ROAD VIEWERS.

ROAD NO. _____

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

We, the undersigned Road Viewers, consisting of _____

B. F. Gibson
J. B. Shawappointed to view a proposed road running from _____ in Sections 10 & 11
T 2 N - R 3 E

to _____

as described in the annexed petition, say, That on the 25th day of April
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:

The road as described in the petition runs over two hills with quite a deep gulch between, extending from the point of beginning to the corner of sections 10, 11, 14 and 15. Running east from this corner the road bears north and runs into a dry creek ^{and crosses river creek} bottom, thence up a very steep rocky side hill where it connects with the Gibson road.

The cost of grading a road along the hill sides from the point of beginning up to the point where the road enters the gulch would probably be \$100, and from this point down the dry gulch and up the rocky slope it would require from \$200 to \$400 to make a road passable for light rigs.

No amount of work will make this a good road for heavy traffic as the grades are very steep.

By running south from the corner
between sections 10, 11, 14, 15, about 30 rods
thence east, down a more gradual
slope and crossing Nixon Creek and
then up a long slope to a point
about 30 rods south of the point
where the petitioned road intersects
the Nixon road, the cost
ought not to exceed \$150 and this
would be a much better road.
This land, beingⁱⁿ the north half of
Sec 14 belongs to -

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. M. Jewart

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

Section 11 is R.R. land but is fenced (not leased) by C. L. Reynolds, who objects to the road through Sec 11

Section 10 is Government land

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:

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 April 25 A. D., 1907

B. F. Gibson
J. E. Shaw

Road Viewers.

EXTRA

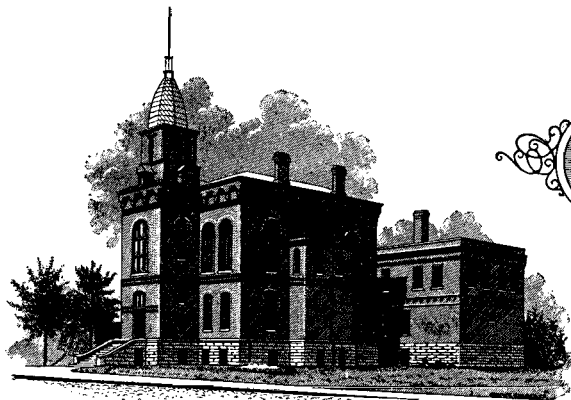
APR 22 1907

W. S. Brantley
County Clerk

By _____

THE VENDOR
EXEMPTED FROM CONTACT AND FEE
BY ATTORNEY

BY ORDER OF THE BOARD, THIS 21th
DAY OF November, A. D. 1907
A. H. Davis
ATTORNEY



County of Gallatin
State of Montana

Office of

J. H. SLOAN, Surveyor

Bozeman, Montana, Nov 6 1907

How Board County Commissioners

Dear Sirs

The C. W. Logan Road No 280 and
the Elk Fox Road No 791 have been
surveyed and platted in the Road Book
and the Present Ownership Book

Very Respectfully
J. H. Sloan

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 SW cor of NW 1/4 Sec 10 T 27 R 3 E. a distance of about 300 feet and agree to move my fences without cost to county

Sec. _____, T. _____, R. _____
as viewed and surveyed by _____

on the _____ day of _____ 1907. And hereby agree to place my fences on said lines without charge to the County.

Signed J. W. Jewart

Dated at Logan Mont this 25 day of April 1907

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 25 day of April

A. D. 1907, before me J. W. Jewart
in and for said County, came _____

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. H. Sloan
County Surveyor

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.
Bozeman, Mont.

Registered ^(Letter) ~~(Parcel)~~ No. 408 from _____
(Office of origin.)

Addressed to Thomas Lewis
(Name of addressee.)

Date aug 13, 1907
(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.

Thomas 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.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.
Bozeman, Mont.

Registered ^(Letter) ~~(Parcel)~~ No. 409 from _____
(Office of origin.)

Addressed to John H. Davis
(Name of addressee.)

Date 8/13, 1907
(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 H. Davis
(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.

TOWNSHIP PLAT.

TOWNSHIP No. *2 North* RANGE No. *3 East* MER.

