

No. 336

PETITIONER,

W. A. Harwood et al

Change in County Road

Petition filed March - 7 - 1900

Viewers appointed March - 10 - 1900

Report filed April, 1, 1900

Date of hearing May - 3 - 1900

Report approved Apr - 5 - 1900

Order of survey 1900

Surveyor's Report filed 1900

Declared County Road June - 8th 1900

H. H. Davis

Chairman

See Book 10 Commissioners' Proceedings,

pages 569-571-579
T15, R1E

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..... 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) As shown by accompanying sketch.

(b) Over the S.W. 1/4 of the N.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 Sec 6 township 1 south range 1 East.

(c) J. J. Williams

(d) Yes

(e) None

(f) No cost.

(g) The change will put the road on the subdivision lines. At present J. J. Williams property is cut in three pieces by the road.

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NAMES

1. H. A. Harwood
2. M. J. West
3. A. R. Peterson
4. John Walbert Jr.
5. H. W. Cook

NAMES

6. Reese J. Roberts
7. W. Scruggs
8. Thos Kelly
9. J. T. Roberts
10. J. Williams

No. 336

Road Petition

Petitioner... W. C. Harwood

Filed... March 7, 1908

W. E. Brandenburg
Clerk

PETITION FOR ROAD

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 *W. A. Harwood and others*
..... of Road District No. *11*

The petition above referred to, petitions that a Road be established, commencing.....
at a point in County road running to Coy in
Section 16 Township 1 S. R. 1 E. and running south
1/4 mile

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 *10th* day of *March* 19*10*

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:

Fred M. Brown
Michael Paul
W. W. Jerny

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 *10th* day of *March* 19*10*

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 12th day of
March 19 10, to view and lay out a proposed road, as prayed for in the petition of
W.A. Harwood and others, described as follows, to-wit:

Beginning at a point in the present travel County road in
section six (6) Township 1 south of range one east where the road
branches one branch going to Pony and the other to Morris thence run-
ing due south about a quarter of a mile, thence west to intersect with
the county road leading to Morris.

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 Board of County Commissioners on the 17th day of March
19 10, commencing at the place designated in said petition as the starting point of the road sought to be
viewed 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 12th
day of March 19 10.

County Clerk.

By _____
Deputy.

REPORT OF ROAD VIEWERS.

ROAD NO. . 336

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

We, the undersigned Road Viewers, consisting of

Fred H. Brown, W.W. Jenny and M. Lane

appointed to view a proposed road running from

to

as described in the annexed petition, say, That on the seventeenth day of March

A. D., 1 910 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 given in the petition

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. Williams

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 March 17, A. D., 189 1910

F. M. B... }
... }
... } Road Viewers.

RECEIVED

1910
U. S. Brandywine

RE WITHIN REPORT
EXAMINED, FOUND CORRECT AND IS
BY APPROVED

BY ORDER OF THE BOARD, THIS
DAY OF *April* A. D. 1. 1910
ATTORNEY *U. S. Brandywine* CHAIRMAN
COUNTY CLERK

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 Route viewed

Sec. Seven, T. 1, South, R. 1, East
as viewed and surveyed by Fred M. Brown, W.W. Jenny, and M. Lane
on the Seventeenth day of March 1900 And hereby agree to
place my fences on said lines without charge to the County.

Signed Thos Kelly

Dated at Willow Creek this 31st day of March 1900

ACKNOWLEDGEMENT.

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

On this _____ day of _____

A. D. 190___, before me _____

in and for said County, came _____

You need not fill this in

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.

To the County of Gallatin, State of Montana :

I Hereby Agree, and consent to give forty feet for a Right of Way
for a County Road, through or along the route described in the petition
for road number 336

Sec. six, T. 1, South, R. 1, East
as viewed and surveyed by Fred M. Brown, WW. Jenny, and M. Lane
on the seventeenth day of March 1900. And hereby agree to
place my fences on said lines without charge to the County.

Signed Joseph J. Williams

Dated at Willow Creek, this 31 day of March 1900

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this _____ day of _____
A. D. 190___, before me _____
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.

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: ~~Commencing~~ ^{Beginning} at a point in the road running up Willow creek, along the west side of said creek at a point where the road leading to Pony Cross said road. Said point being near the north line of Sec. 6 T. 15. R. 1 E. thence S. 61° W. 1633.5 feet. Along the road leading to Pony to a point from which the $\frac{1}{4}$ sec. cor. of said Sec. 6 bears S. 62° W. 1243.7 feet. thence bearing said Pony Road and running S. 13° 7' W. 2236.8 feet. thence S. 9° 29' W. 1094.2 feet to a point from which the S.W. cor. of said Sec. 6 bears N. 87° W. 356.5 feet. thence on same course S. 9° 29' W. 421 feet. thence S. 41° 4' W. 1450.3 feet. thence S. 71° 4' E. 2164.2 feet to the road leading to Red Bluff. thence along said old road S. 5° 15' W. 554.6 feet. thence S. 24° 47' W. 790.7 feet to the S.W. corner of Sec. 7. T. 15. R. 1 E., thence south along the west line of Sec. 18. said T. & R. 2231.9 feet to a point in the center of the road running east, said point being 414 feet north of the $\frac{1}{4}$ sec. cor. of said Sec. 18, said point being the terminus of the road. The above described line is the center of the 60 foot right of way. The portion of the old road leading to Red Bluff from the starting point as described above to the point where the above described road intersects said old road, is to be discontinued and vacated, whenever the parties to be benefited by the proposed change shall make the above described road equally as good for travel as the said old road.

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

Dated Sept 7th 1899

E. V. Blaukenship
Clerk.

By *E. H. Schumacher*
Deputy.

Date of Posting 2nd Novbr 1899

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

Edward Walbert being first duly sworn deposes and says, that as the applicant for change of the road he received from the County Clerk of said County, on the 19th day of Oct. 1899 A. D.,

leading to Pony to a point from which the N/4 sec. cor. of said sec. 6 bears S. 02° W. 1243.7 feet. thence bearing said Pony road and running S. 13° 7' W. 2236.8 feet. thence S. 92° 9' W. 1094.2 feet to a point from which the S.W. cor. of said sec. 6 bears N. 87° W. 356.5 feet. thence on same course S. 92° 9' W. 421 feet. thence S. 41° 4' W. 1450.3 feet. thence S. 71° 4' E. 2164.2 feet to the road leading to Red Bluff. thence along said old road S. 5° 15' W. 554.6 feet. thence S. 24° 47' W. 790.7 feet. to the S.W. corner of sec. 7. T. 1 S. R. 1 E. thence south along the west line of sec. 18. said T. & R. 2231.7 feet to a point in the center of the road running east. said point being 414 feet north of the N/4 sec. cor. of said sec. 18. said point being the terminus of the road. the above described line is the center of the 60 foot right of way. the portion of the old road leading to Red Bluff from the starting point as described above to the point where the above described road intersects said old road, is to be discontinued and vacated, whenever the parties to be benefited by the proposed change shall make the above described road equally as good for travel as the said old road.

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

Dated Sept 7th 1899

E. V. Blaukenship
Clerk,

By E. H. Schumacher
Deputy.

Date of Posting 2nd Novbr 1899

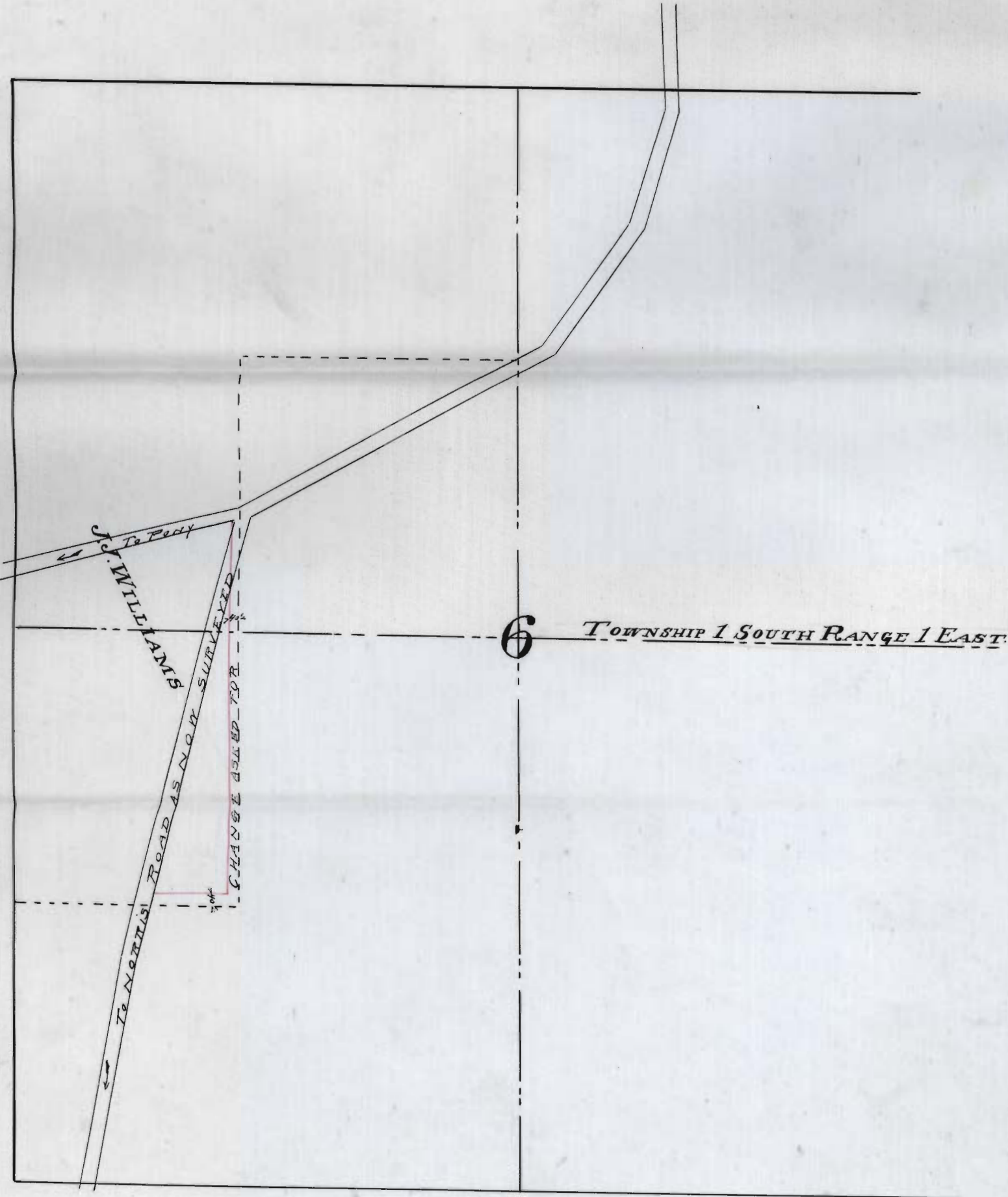
STATE OF MONTANA, }
County of Gallatin. } ss.

Edward Walbert being first duly sworn deposes and says, that as the applicant for change of the road he received from the County Clerk of said County, on the 19th day of Oct. 1899, three copies of the annexed notice, and that on the 2nd day of Novbr 1899 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 West side of the proposed road, one at the East End of the same road, and the third in the middle of the proposed road 3/4 miles from Thomas Kelley's house and further deponeth sayeth not.

Edward Walbert x

Subscribed and sworn to before me this 12th day of November A. D., 1899,

Orrin E. Thomas
Justice of the Peace
in office Gallatin County
Mont.



To POND
S. WILLIAMS

To NORTH'S ROAD AS NOW SURVEYED

6

TOWNSHIP 1 SOUTH RANGE 1 EAST

CHANGE ISSUED FOR

10'