

1216

No. 413

PETITIONER

W. C. Mainer et al

Petition filed Dec. 1 - 1913

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey Dec 1 1913

Surveyor's Report filed Dec 15 1917

Declared County Road Sep 12 1915

C. W. Overstreet

See Book 11 Commissioners' Proceedings,

pages 514

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 and freeholders in Road District No. 11, in the County of Gallatin, State of Montana, and taxable therein for road purposes, when 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 65 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 in the center of the present County Road at the East Quarter corner of section two, township one north range one east; thence south one half mile to the south east corner of said section two; thence west one mile to the south west corner of said section two; thence south three miles to the south west corner of section twenty three township one north range one east connecting with the present County Road.

(b)&(c) Shown on the accompanying sketch.

(d) That those who consent to the building of the road are those who have affixed their signatures to this said petition.

(e) Those who do not consent are as follows:

(f) That the probable cost of such right of way where such consent is not had is about \$

(g) The necessities for and advantages of the proposed road are as follows: It will open a gateway and make a road for about residents who reside south of Three Forks which City is the trading ~~is the trading~~ point and under the present conditions are compelled to drive two or three unnecessary miles. Several of the ranchers who have permitted the undersigned to drive over temporary roads through their fields have now closed the same and it is practically impossible to get to Three Forks which is their trading point by any feasible route.

NAMES

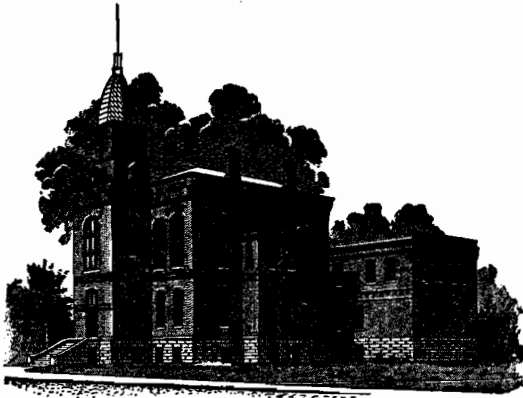
- 1 W. C. Mainer
- 2 J. G. Mainer
- 3 W. J. Mougold
- 4 William H. Pattelman
- 5 J. L. Johnson
- 6 N. B. Bergren
- 7 George Bergren

NAMES

- 6 Erick Walker
- 7 August Everson
- 8 W. L. Simons
- 9 James Lane
- 10

No. 413
Road Petition
 Petitioner W. C. Mainer
 Filed Dec 1, 1913

Petition for Road



County of Gallatin
State of Montana



Office of
Fred M. Brown, Surveyor

Dec. 15, 1913.

Bozeman, Montana.

The Honorable Board of County Commissioners,
Gallatin County, Montana.

Gentlemen:-

We the undersigned
agree to give the necessary right of way for road
No. 413 as shown on the attached print and to set
our fences on line without expense to Gallatin County.

June
7
1915

Mr. James Lane,
Three Forks, Montana.

Dear Sir:-

About two years ago a road was petitioned for along your west line. At this time you agreed to give the right of way for the road and set your fence on line without charge to Gallatin County. The matter of establishing this road has again been taken up. It may be advisable to establish this road along your south line, in case this would prove to be the better way will you give the right of way and move your fence along this line instead of the west line. An early reply will be greatly appreciated.

Yours very truly,

County Surveyor.

June
7
1915.

Mr. Wm. Buttlesman,
Three Forks, Montana.

Dear Sir:-

About two years ago there was a petition circulated for a road running south from Three Forks known as the "Mains Road". The establishment of this road is again being agitated. Mr. Mains tells me that you were to see Mrs. Murray about the right of way fencing etc. I have never heard from you on this matter and should like to know if you have interviewed Mrs. Murray and if you have what you found out from her.

Yours very truly,

County Surveyor.

June
7
1915

Mrs. Walter Farrell,
Three Forks, Montana.

Dear Madam.

There is some talk of establishing a County Road along the south and east sides of a quarter section of land, lying south of Three Forks, which belongs to you.

In granting a ~~Right~~ Road the Commissioners as a rule expect the right of way to be furnished and fenced without charge to the County. In case it should prove to be desirable to establish this road will you be willing to give this right of way and fence it?

An early reply will be greatly appreciated.

Yours very truly,

County Surveyor.

June 23, 1917.

Mrs. Mary Murray,
Willow Creek, Montana.

Dear Madam:-

I am authorized by
the Board of County Commissioners to offer you \$20.00
for the right of way for the new County Road along the
west side of section 2, T.1 N., R.1 E.
This is at the rate of \$40.00 an acre as the right of
way required is one half acre.
The County will move your present fence .
Please let me hear from you at once whether you intend
to accept or reject this offer.

Yours very truly,

Frederic M. Beaman
County Surveyor.

1 QUITCLAIM DEED.

2 THIS INDENTURE, Made this 22 day of April, A. D.
3 1918, between Elizabeth Kennedy ^{a single person} / of Neillsville, Wisconsin, the
4 party of the first part, and Gallatin County, a legal subdivision
5 of the State of Montana, the party of the second part:-

6 WITNESSETH:

7 That the said party of the first part, for and
8 in consideration of the sum of One and no/100 Dollars, to it in
9 hand paid by the said party of the second part, the receipt of
10 which is hereby acknowledged, does remise, release and forever
11 quitclaim unto the said party of the second part, and to its heirs,
12 and assigns the following described real estate, situated in the
13 County of Gallatin, State of Montana, as follows, to-wit:-

14 All that part of the Southeast Quarter of Section
15 Twenty-two, Township One North, Range One East, described as
16 follows:-

17 A strip of land sixty feet in width, being thirty
18 feet on either side of the following described center line: Be-
19 ginning at a point in the south line of said quarter section 1058. 0
20 feet West of the Southeast corner thereof; thence North 10 degrees
21 58' East 1624.0 feet; thence North 15 degrees, 51' East, 1089.0 feet
22 more or less to the North line of said Quarter Section, containing
23 3.73 acres more or less; said land to be used as a right of way
24 for a County Road.

25 Together with all the tenements, hereditaments and
26 appurtenances thereunto belonging, and the reversion and reversions
27 remainder and remainders, rents, issues and profits thereof; and also
28 all the estate, right, title, interest, property, possession, claim
29 demand whatsoever, as well in law as in equity, of the said party
30 of the first part, of, in or to the said premises, and every part
31 and parcel thereof.
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TO HAVE AND TO HOLD, all and singular, the said premises, with the appurtenances unto the said party of the second part, its heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of.

Elizabeth Kennedy (SEAL)

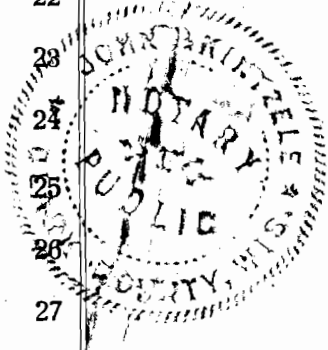
Helen Crocker

John Kintzele

WISCONSIN
STATE OF ~~MONTANA~~,
CLARK | SS.
COUNTY OF GALLATIN. |

On this 22 day of April, A. D. 1918, before me, John P. Kintzele, a Notary Public for the State of Wisconsin, personally appeared Elizabeth Kennedy, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year first above written.



John P. Kintzele

NOTARY PUBLIC,
CLARK COUNTY, WIS.
My Commission expires Jan. 23, 1921

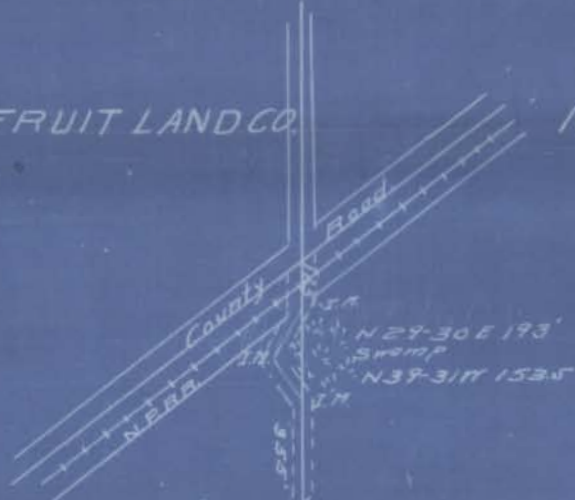
Road No. 413 as surveyed Dec. 3, 1913

T.I.N., R.I.E.

By Fred M. Brown

GALLATIN GRAIN & FRUIT LAND CO.

MARY MURPHY



3

2

GALLATIN GRAIN & FRUIT LAND CO.

JAMES LANE

10992'

25 identified 103 210'

PATRICK HANSBURY

J.C. & W.E. MAINS

Swamp

2653'

10

11

Swamp 10 11 1/2'

THOS. MONGOL

J.C. & W.E. MAINS

1741'

N 48-45 W 392'

N 8-20 E 681'

L.S. 1740

N 36-10 E 336'

W. H. BUTTELMAN

15

14

F. L. JOHNSON

Car lot

W. H. BUTTELMAN

6205'

Fence later identified as cor

N 16-10 E 572'

WESTLAKE BROS.

W. E. TINSLEY

N 4-20 E 1321'

22

21

N 36-10 E 251'

N 15-55 E 1164'

Deep rocky creek

N 57-10 W 803'

W. E. TINSLEY

15

14

W. H. BUTTELMAN

F. L. JOHNSON

5023

Car lot

Pass later identified as car

N16-10E 572

WESTLAKE BROS.

W. E. TINSLEY

N4-20 E 1321

22

22

N36-10 E 251

N15-55E 1164

deep rocky bank

N57-15 W 803 W. E. TINSLEY

ELIZABETH KENNEDY

1048

60

County Road

4.5 rd. pite

Road No. 413 as surveyed Dec. 3, 1913

T.I.N., R.I.E.

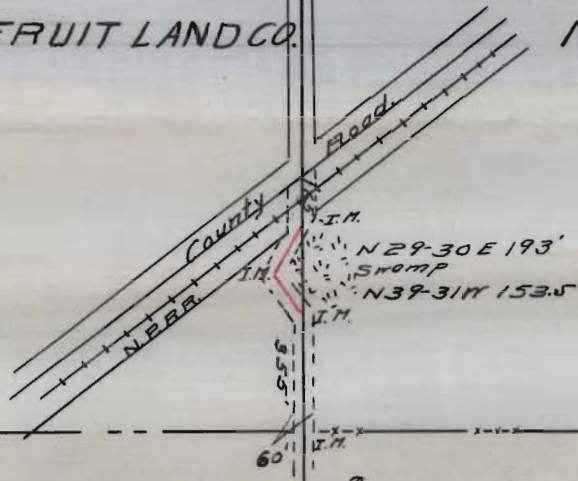
By Fred M. Brown.

GALLATIN GRAIN & FRUIT LAND CO.

MARY MURPHY

3

2



GALLATIN GRAIN & FRUIT LAND CO.

JAMES LANE

2665'

S.S. identified as cor.

PATRICK HANSBURY

J.C. & W.E. MAINS

Swamp

2653'

10

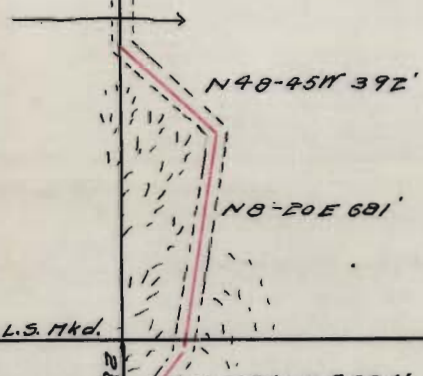
11

Swamp
L.S. Mkd 1/4

THOS. MONGOL

J.C. & W.E. MAINS

1741'



10

11

THOS. MONGOL

J.C. & W.E. MAINS

2653'
1742'

Swamp
L.S. Hkd 1/4

N48-45W 392'

N8-20E 681'

L.S. Hkd.

N36-10E 336'

W. H. BUTTELMAN

15

14

F.L. JOHNSON

5043'

Cor. lost

W. H. BUTTELMAN.

Fence inter
identified as cor.

3561'

N16-10E 572'

WESTLAKE BROS.

W.E. TINSLEY

W. H. BUTTELMAN

15

14

F. L. JOHNSON

W. H. BUTTELMAN.

Fence inter identified as cor.

WESTLAKE BROS.

W. E. TINSLEY

22

23

N 15-55E 1164

N 36-10 E 251'

N 4-20 E 1321'

N 16-10 E 572'

N 57-15 W 803'

W. E. TINSLEY.

ELIZABETH KENNEDY

1065'

60°

County Road S.S. rd. pits

