

No. 430

PETITIONER

W. R. C. Stewart

Petition filed Apr. 8 1914

By Board  
Viewers appointed MARCH 30 1914

Report filed ..... 191

Date of hearing ..... 191

Report approved ..... 191

Order of survey April 8 1914

Surveyor's Report filed July 8 1914

Declared County Road May 4 1914

See Book 11 Commissioners' Proceedings,

pages 359-352

Recorded, Road Book, pages 5

County Clerk

# Petition For Road

No. 480.....

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

Gentlemen:

We, the undersigned free holders of Road District No. 4..... of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable body to establish ..... same as a County Road, beginning at the terminus of the present County Road near the center of section 25, township 3 south, range 4 east; thence in and easterly direction to a point in the west line of section 30, township 3 south, range 5 east, near the school house; thence north along the section line to the west quarter corner of said section 30; thence east on the center line of said section 30, to the east quarter corner thereof; thence north along the section line to the north east corner of said section 30; thence north along the section line to the line between the property of Carl Rosenberg and the Estate of Wm Mc Donell; thence west along said property line <sup>a point 20 ft. west of</sup> to the south west corner of Carl Rosenburgs land; thence northerly to the south west corner of the north east quarter of the north east quarter of said section 19, township 3 south range 5 east; thence <sup>a point 20 ft. south of</sup> north to the south east corner of the north east quarter of the south east quarter of section 18, same township and range; thence west <sup>to a point 20 ft. south.</sup> to the south west corner of the north west quarter of the south west quarter of said section 18, and intersecting here with the County road. Also beginning at the east quarter corner of section 30, township three south, range 5 east and running in a south easterly direction to a point in the south line of section 29, same township and range, near the south quarter corner of said section 29.

Also beginning at a point in the present County Road near the center of section 25, township 3 south, range 4 east, and running in a southerly direction to the south line of the north half of the south half of said section 25. All of said road to be 40 ft. in width.

<i>D. N. Patterson</i>				
<i>Deans &amp; Deans</i>				
<i>W. S. Daney</i>				
<i>Katherine L. McDonnell</i>				
<i>E. E. Murray</i>				
<i>B. B. Saw</i>				
<i>J. B. Badgley</i>				
<i>E. Portwell</i>				
<i>Mrs. W. Miles</i>				
<i>W. H. Galen</i>				
<i>W. W. Overstreet</i>				
<i>Engene Deshey</i>	<i>Geo. Sawyer</i>			
<i>Carl Tomel</i>	<i>H. Tomel</i>			

# Petition For Road

No. **480**.....

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

Gentlemen:

We the undersigned free holders of Road District No. **4** of Gallatin County

*[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]*

We believe the cost of constructing this road will not exceed \$ **500.00**.....

there being **four**.....steep grades, **about 8**.....culverts, **no**.....bridges necessary on the route as proposed; the soil **is fairly well**.....adapted to road construction, and

We consider this road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

**It will provide a public road to the school house.**

Land Owned by Same to be Crossed by Proposed Road

Names of Petitioners	Description	Sec.	Twp.	Range
<i>W.R. (Luna from prairie)</i>				
<i>D.N. Patterson</i>				
<i>Deans &amp; Daures</i>				
<i>W.D. [unclear]</i>				
<i>Catherine L. McConnell</i>				
<i>E.G. Murray</i>				
<i>B.B. Saw</i>				
<i>B.B. Badgley</i>				
<i>J. Partnell</i>				
<i>Mrs. W. Miles</i>				
<i>A.H. [unclear]</i>				
<i>L. W. Overstreet</i>				

*Engene Deshey      Geo. Parker*  
*Leart Tomel      H. Tomel*

For Petitioners Who Propose Donating Gratuitously the Right of Way

....., 19....

We, the undersigned, of the above petitioners, in full consideration for benefits received or to accrue to us, do hereby agree to, and by these presents do gratuitously donate to Gallatin County, Montana, a right of way through any and all lands owned by us along the line of the proposed road hereinbefore petitioned for, the route of same to be definitely determined by the Board of County Commissioners of said County, in accordance with the examination and report of viewers therefor appointed by said Board, or as viewed by the Board of County Commissioners.

The said donation to take effect and be of full force immediately (and only when) said proposed road shall be open to the public throughout its full length.

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<i>W. N. Patterson</i>	North half of the south half of	25	3S.	4E.
Wife	" " " " " "	30	"	5E.
<i>Deas &amp; Dawes</i>	South half of	29	"	"
Wife	West 1/2 of N.W. 1/4	30	"	"
<i>(with correction)</i>				
<i>M. E. Donnell</i>	N.E. 1/4 and E. 1/2 of N.W. 1/4 of	"	"	"
Wife	<i>Katherine L. McDonnell</i> S.E. 1/4 and S. 1/2 of N.E. 1/4 "	19	"	"
Wife	<i>G. Portnell</i> S.E. 1/4 of S.E. 1/4 of	18	"	"
	N.E. 1/4 of N.E. 1/4 "	19	"	"
Wife				
<i>Shank &amp; Seabill</i>	S. 1/2 of S.W. 1/4 of	18	"	"
Wife	<i>G. W. C. Stewart</i> S.W. 1/4 of S.E. 1/4 of	"	"	"
Wife	<i>providing money is arranged and built without expense to us.</i>			
	S.W. 1/4 of S.W. 1/4 of	20	"	"
Wife	S.E. 1/4 of S.E. 1/4 "	19	"	"
Wife				
Wife	<i>Mrs. J. Miles</i> N.W. 1/4	29	"	"
	<i>G. E. Murray</i> S. 1/2 of S. 1/2 of 25 and N.E. 1/4	36	"	4 E

For Petitioners Who Propose Charging for Right of Way and Damages

....., 19....

We, the undersigned, of the first above mentioned petitioners, on demand of the Board of County Commissioners of Gallatin County, Montana, do hereby agree, and by these presents guarantee that we will by good and sufficient instrument, convey to said Gallatin County, the necessary right of way through any and all lands owned by us along the line of the proposed road as petitioned for, and on the line or route as definitely determined by the Board of County Commissioners of said County in accordance with the examination and report of the viewers therefor, appointed by said Board, for the sums of not to exceed the amounts set opposite our respective signatures below; the said sums to be received by us as compensation in full for said right of way, and any damage that may be done us, or to our lands in any manner, by reason of such road crossing any of our said lands.

Provided, however, that no transfer shall be required or demanded of us, as hereinabove provided, prior to the opening of the said proposed road to the public, throughout its full length, and upon the lines as definitely determined upon by said Board of County Commissioners, in the manner as hereinbefore provided.

Name	Land Owned by Same to be Crossed by Proposed Road				Total Amount Proposed to be Charged for	
	Description	Sec.	Twp.	Range	Right of Way	Damages
Wife						
Wife						
Wife						



# Chapter 72, Thirteenth Session 1913, Sections 1-2-18

## CHAPTER IV

Section 1. Any ten, or a majority, of the free holders of a road district, taxable therein for road purposes, may petition in writing, the Board of County Commissioners to, establish, change or discontinue any common highway therein. When such a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented

to the Board of County Commissioners of each County, who may appoint viewers to act jointly and the viewers so appointed must report their findings to both Boards.

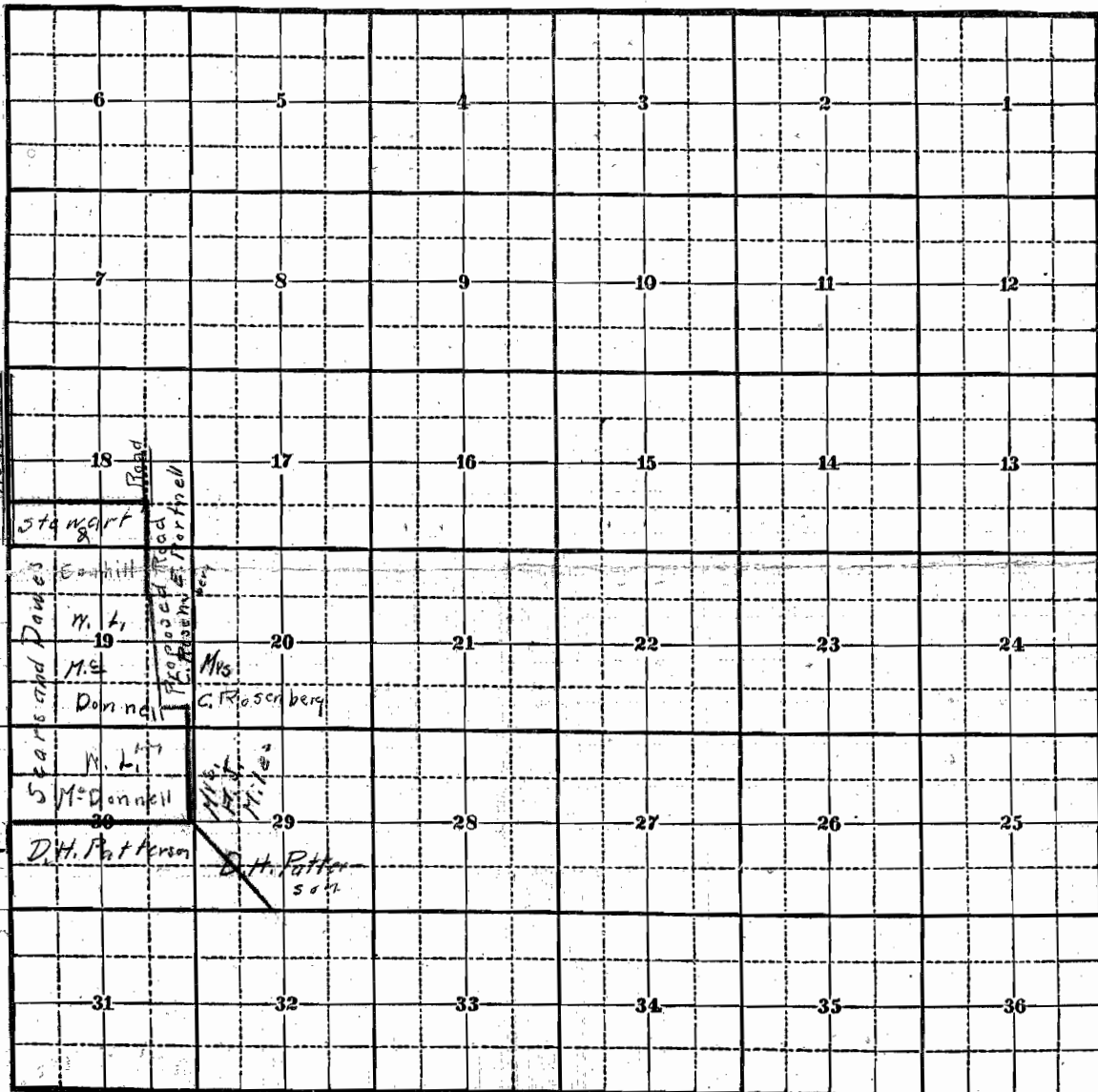
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

such of them as can be found consent thereto, and if not the probable cost of the right-of-way, where consent is not had, the necessity for, and advantage of the proposed road.

Section 18. Highways must be laid out and opened when practicable or upon subdivision or section lines, Provided, however, that the section shall not be construed to prevent oads being laid out on diagonal lines when public purposes shall be best subserved thereby.

### Plat of Proposed Road

Township No. 3.5 Range No. 5.11



Scale 80 chains to an inch  
20 40 60 80

## PETITION FOR ROAD

Principle Petitioner. **W. R. C. Stewart**

No. **430**.....

Filed this **8** day of **Apr.** 19**14**

*W. R. C. Stewart*  
County Clerk and Recorder

By ..... Deputy

Viewers

Appointed .....19.....

To meet.....19.....

At .....

On .....

Report of Viewers

Filed .....

Action by the Board.....

Road Dist. No. .... **4** .....

COUNTY SURVEYORS ESTIMATE OF COST OF CONSTRUCTING  
Mc. DONELL ROAD.

Bozeman, Montana

April 12, 1914.

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

Gentlemen:-

My estimate of the cost of  
constructing the Mc. Donell Road follows.

4000 cu. yd. excavation at 25¢	\$1000.00
11500 ft. B.M. lumber at \$40.00	460.00
2.5 miles road machine work at \$75.00	187.50
0.5 mile rock picking	25.00
34 lineal ft 30" concrete pipe placed	80.00
2 cu. yd. concrete	15.00
Total	<u>\$1767.50</u>

Respectfully submitted,

*Fred M. Brown*

County Surveyor.

Bozeman, Mont.  
April, 20/14.

Mr Brown,

I bought that  
stripe of land on the knole  
which was [875 ft] eight  
hundred and seventy five  
feet. You must verify that  
different some time.

Yours truly  
Carl Rosenberg  
Bozeman, Mont.  
R. F. D. #2.