

SURVEY

No. 432

PETITIONER

Henry Frank

Petition filed May 23 1914

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey 191

Surveyor's Report filed 191

Declared County Road 191

Disallowed Nov. 4 1915

May 7 - 1917  
reconsidered and  
granted.

By Chas. J. Collett

C. W. Overstreet

See Book 11 Commissioners' Proceedings,

pages 365 also Book 12 - Page 98

Recorded, Road Book, pages

County Clerk

# Petition For Road

No. 432.....

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

Gentlemen:

7

We, the undersigned free holders of Road District No..... 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 S.E. corner of..... section 24, township, 3 north, range 7 east, thence north along the section line one mile to intersect the present County Road.

We believe the cost of constructing this road will not exceed \$. building one ten foot bridge there being .. one ..... steep grades, ... one ..... culverts, .... one ..... bridges necessary on the route as proposed; the soil..... good ..... 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: to shorten the distance for all travel to and from Wilsall, as the present road cuts up the land of Henry Frank

it is asked that when this road is granted and ready for travel that the present road now crossing sec. 24 in a north easterly direction be vacated except that part running from the N.E. cor. of sec. 24 1/4 mile Land Owned by Same to be Crossed by Proposed Road west

Names of Petitioners	Description	Sec.	Twp.	Range
Jed M. Brown	S 1/2 of SW 1/4	10	3N	7E
M. A. White		5	2N	7E
Jed Benedict	Sec 13-20-95			
By O. Myers				
Carl Tapel				
Philip Hodson				
Egley Grant				
H. G. Grant				
J. M. Woosley				
J. B. Inabrit				
R. Newman				
Henry Frank by J. Frank		24	3N	7E

For Petitioners Who Propose Donating Gratuitously the Right of Way

*Coeur d'Alene Mont May 24 1904*

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>Henry Frank by S of Frank</i>	<i>All of</i>	<i>24</i>	<i>3 N.</i>	<i>7 E.</i>
<i>Wife Barbara Frank by S of Frank</i>	<i>" "</i>	<i>19</i>	<i>"</i>	<i>8 E.</i>
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				
<i>Wife</i>				

For Petitioners Who Propose Charging for Right of Way and Damages

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
<i>Wife</i>						
<i>Wife</i>						
<i>Wife</i>						



# 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.

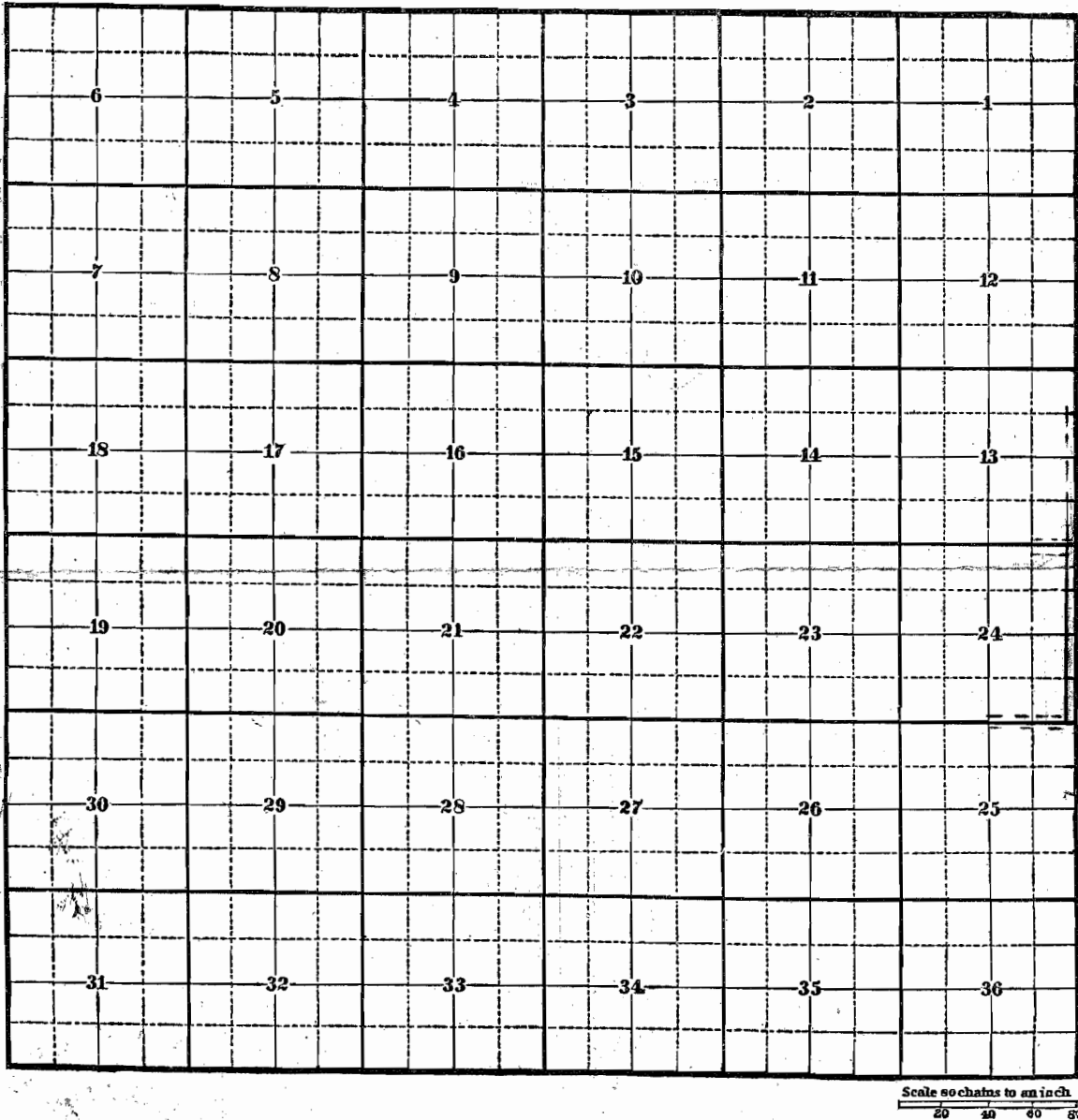
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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. 31N Range No. 7E



No.....432

## PETITION FOR ROAD

Principle Petitioner.....  
**Henry Frank**

Filed this 23 day of May, 1914

*E. H. Schumacher*  
 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. 7

# Henry Frank & Sons

INCORPORATED

Clothing and Furnishings

LIVINGSTON, MONTANA

May 5th. 1917.

Hon Board Of Co. Commissioners,  
Gallitan Co.  
Bozeman, Mont.

Gentlemen:-

Referring to a road petition filed about two years ago, petitioning for change of road in township 3N range 7 E. will state that I was surprised to hear that same was not allowed.

I was under the impression that it had been and under that impression did the work on the road agreed on at that time.

I am now asking you to reconsider the petition at your earliest convenience and if acted upon favorable I trust that you will construct the two small bridges as soon as possible.

In the meantime I would like to have your permission to place gates at the entrances of the lane cutting diagonally across our land. This road is never used by any-one and as the fences on both side are down so bad they will have to be rebuilt at once unless this permission is granted.

As this road will be abandoned when the new one asked for is granted and as stated above is not in use I trust that you will grant this request, I am,

Respectfully yours,

*Sol Frank*  
agent for Estate of Henry Frank