

Referred Aug 8
No. 450

PETITIONER,

H. H. GIRDNER

Petition filed APR 5 1915

Viewers appointed 190

Report filed 190

Date of hearing 190

Report approved 190

Order of survey 190

Surveyor's Report filed 190

Disallowed
~~Declared County Road~~ Jan 3 1917

See Book 11 Commissioners' Proceedings,

pages 466-596

Book 12 page 47
Recorded, Road Book, pages

..... County Clerk

Petition For Road

No.....

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

Gentlemen:

We, the undersigned free holders of Road District No.....10..... of Gallatin County, Montana, residing on or adjacent to the following ~~proposed~~ County Road, do hereby petition your honorable body to ~~establish~~ *change*... same as a County Road, beginning at... *follows*:-

Beginning at a point about 600 ft. north of the south quarter corner of sec. 3, T. 2 N., R. 4 E., leaving the present County Road at this point and taking the general direction of the present road and running about one eighth mile south westerly from the same. The proposed change to join the present road where the same crosses the west line of said section three.

Your petitioners further ask that when the above change is granted that the present road between the terminus and beginning of the change be vacated.

We believe the cost of constructing this road will not exceed \$...*No cost to Gallatin County.* there beingsteep grades,.....culverts,bridges necessary on the route as proposed; the soil.....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:

.....
.....
.....

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<i>A. H. Giddens</i>				
<i>A. H. Lloyd</i>				
<i>M. P. Walls</i>				
<i>Theo. Gervais</i>				
<i>Jos. T. Lewis</i>				
<i>B. H. Stiff</i>				
<i>Peter G. Pond</i>				
<i>W. G. Pond</i>				
<i>Levi M. Collough</i>				
<i>J. B. Horner</i>				

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>J. B. Hornum</i>	<i>As given in petition</i>	<i>03</i>	<i>2N</i>	<i>4E</i>
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				
Wife				

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	RightofWay	Damages
Wife						
Wife						
Wife						

Wife							
Wife							
Wife							
Wife							
Wife							

Principal Petitioner, and List of Non-Consenting Land Owners

I,, a land owner of Road District No. of Gallatin County, Montana, commissioned by the general petitioners as the principal petitioner, do hereby certify that, to the best of my knowledge and belief, the following list contains the names of all non-consenting owners whose lands are crossed, or liable to be crossed by the above petitioned for road; and that all lands of consenting and non-consenting owners, liable to be crossed by said proposed road are indicated upon the attached plat.

Names of Non-Consenting Land Owners (Including the Non-Resident, Protesting or Not Specifically Assenting)	Land Owned by same to be Crossed by Proposed Road				Estimated Total Cost Over Same		
	Description	Sec.	Twp.	Range	RightofWay	Damages	Cost
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
Wife							
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.

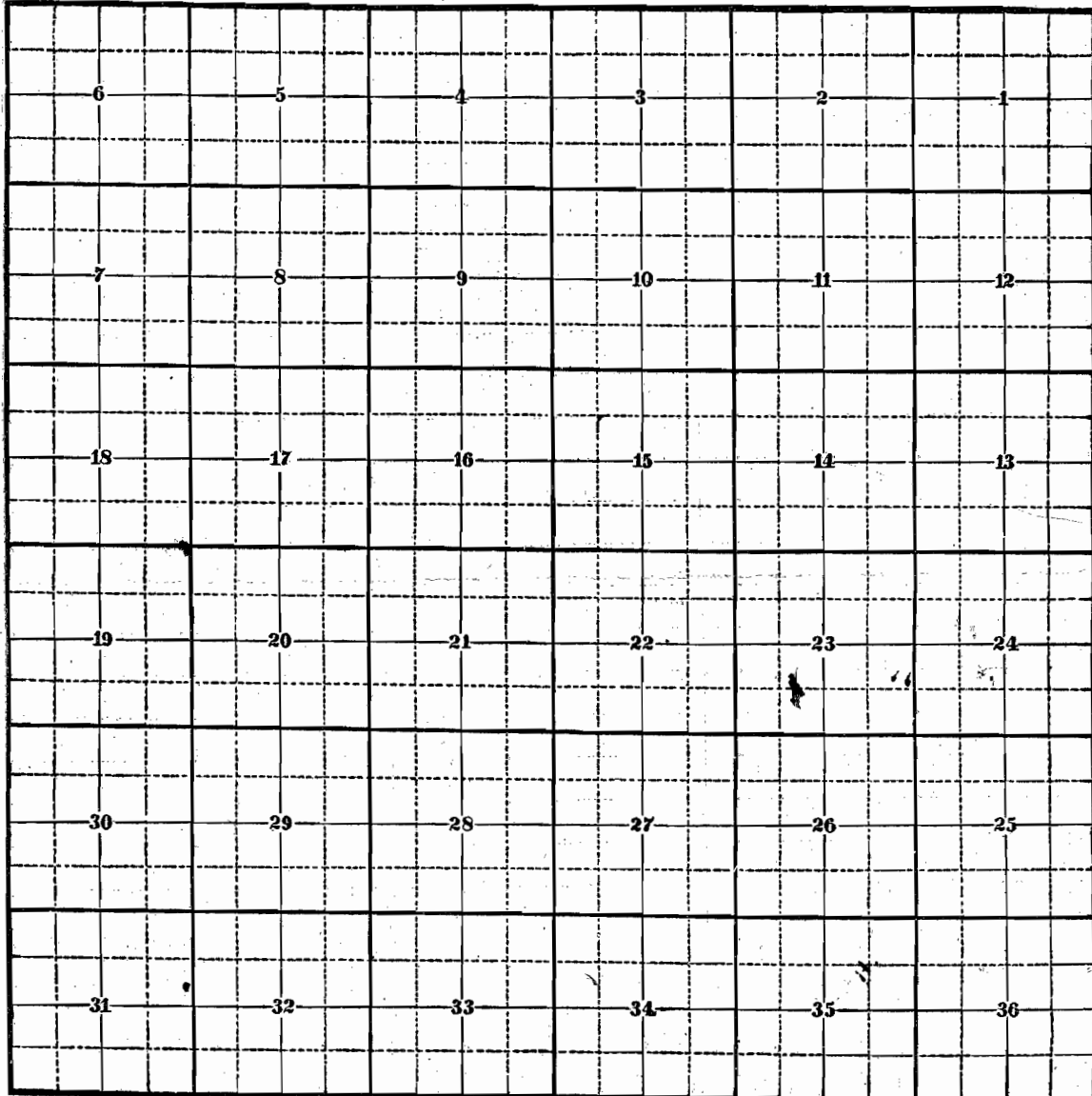
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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 roads being laid out on diagonal lines when public purposes shall be best subserved thereby.

Plat of Proposed Road

Township No. _____ Range No. _____



Scale 60 chains to an inch
20 40 60 80

37th Meridian

No. 4570

PETITION FOR ROAD

Principle Petitioner.....
H. H. GIRONER.

Filed this 27th day of April, 1915.
H. H. Gironer
County Clerk and Recorder
By *H. H. Gironer* Deputy

Viewers

Appointed 19.....
To meet..... 19.....
At
On

Report of Viewers

Filed
Action by the Board.....

Road Dist. No.

August 11th-1916.

Mr. H. H. Girdner,
Belgrade, Montana.

Dear Sir:-

On August 8th at the regular meeting of the Hon. Board of County Commissioners, Road Petition No. 450, filed by you et al April 5th, 1915, was considered and the Honorable Board recommended that not having complied with the Provisions of the Civil Code of the State of Montana, in relation to such matters that it was advisable to refer this petition back to the petitioners.

As the original petition is a matter of record in the County Clerk's office, it is not possible to return it but I am enclosing herewith a copy of original petition and if the petitioners still wish this road, they should sign the enclosed petition and return it to this office.

The names of those who signed the original petition are:-

H. H. Girdner,
A. H. Cloyd,
M. D. Walls,
Theo. Cervais,
Jos. T. Lewis

B. F. Stiff,
Peter C. Pond,
W. G. Pond,
Levi McCollough,
J. B. Hornen.

Respectfully,

County Surveyor.

ENCL.
FB-MC