

No. 451

PETITIONER,

IRRA H. MORRIS

Petition filed Apr 5 1905

Viewers appointed 190

Report filed 190

Date of hearing 190

Report approved 190

Order of survey 12/9/15 190

Surveyor's Report filed 12/24/15 190

Declared County Road 190

Grant to E. Lewis
13136

See Book 11 Commissioners' Proceedings,
pages 466 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..... 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~~.....

as shown on the accompanying map to Garden Gulch; thence following the present road to the Milwaukee Ry.; thence up the Milwaukee Right of way along the present road to the Station Of Crane

Also beginning at the S.E. corner of sec. 7, T. 3 N., R. 3 E.; thence east 485 ft.; thence S. 11° E. 550 ft.; thence S. 23° W. 10159 ft.; thence N. 89° 28' E. 1207 ft.; thence N. 44° 32' E. 364 ft.; thence S. 74° E 1082 ft.; thence N. 75° 20' E. 440 ft.; thence N. 28° 31' E. 511 ft.

We believe the cost of constructing this road will not exceed \$..... there being steep 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	Sec.	Twp.	Range
<i>E. J. Harris</i> <i>W. C. Clark</i>	<i>Sec. 21, T. 3 N., R. 3 E.</i> <i>through sec 5 down line</i> <i>East side of down between</i> <i>9 & 18 & between 12 & 13</i> <i>in D. 37 3 E & 37 2 E</i>	8	3 N	3 E
<i>Arthur C. Smith</i>	<i>at S line of W side of dk W 1/4</i>	8	3 N	3 E
<i>Carl Bassell</i>	<i>lots 9 & 10</i>	4	3 N	3 E
<i>Mr. W. Schenfeld</i>	<i>East side of East half</i>	34	4 N	3 E
<i>John Clark</i>	<i>West side of N. 1/4</i>	26	4 N	3 E
<i>Geo. W. ...</i>	<i>West side of</i>	15	4 N	3 E
<i>A. J. LaBeck</i>	<i>East side of sec. 21</i>			

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
Wife						
Wife						
Wife						
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.

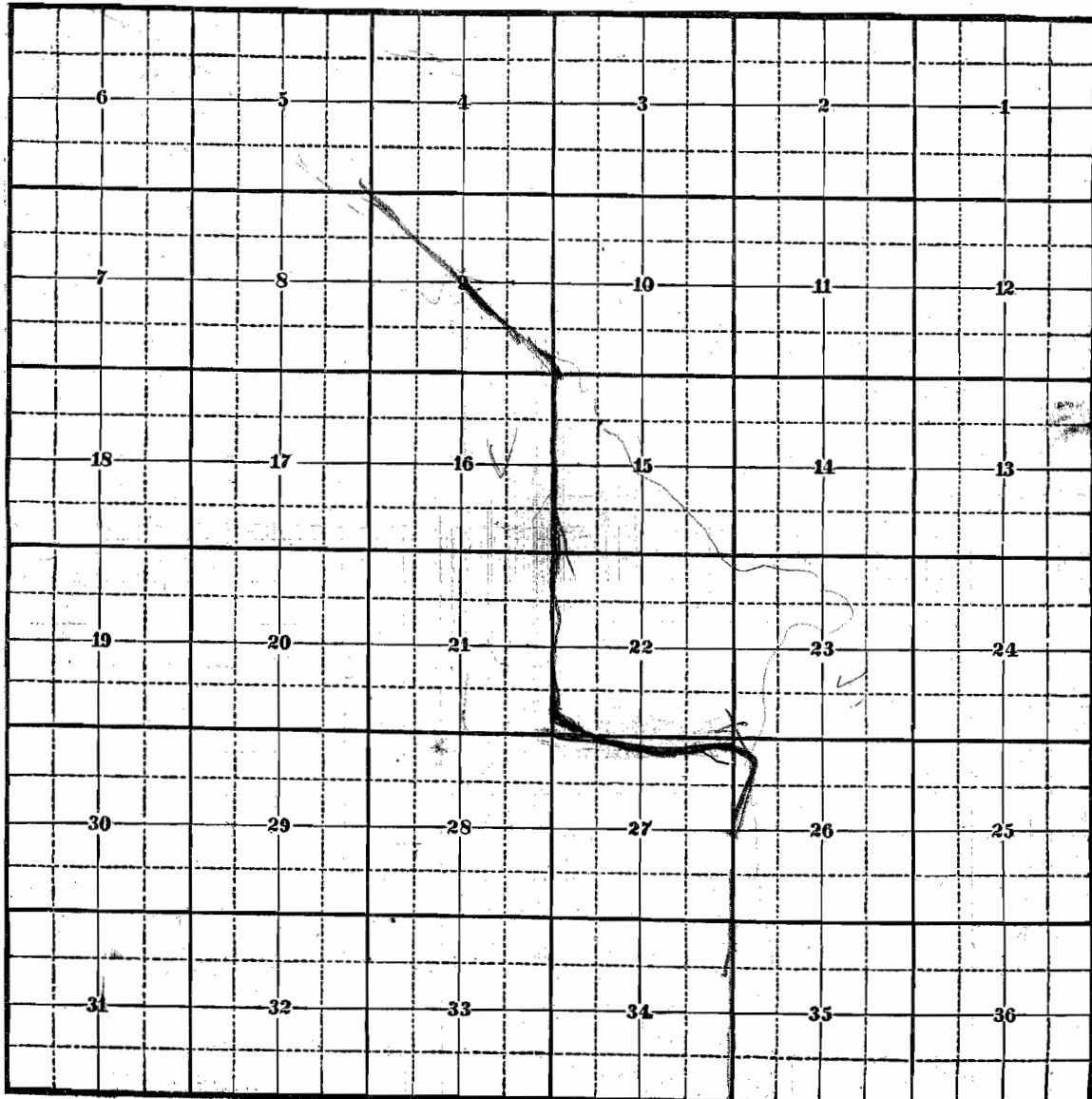
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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. H Range No. 3E



Scale 80 chains to an inch
20 40 60 80

No. 457

PETITION FOR ROAD

Principle Petitioner.....
IRA H. HARRIS

Filed this 27th day of April, 1912.
O. Schumacher
County Clerk and Recorder
By C. J. DePuy Deputy
Viewers

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

Report of Viewers
Filed
Action by the Board.....

Road Dist. No.

These giving Right of Way must sign this agreement
 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
Wife <i>W. G. Clark</i>	<i>South west 1/4</i>	<i>8</i>	<i>3 N 3 E</i>
Wife <i>Alice Clark</i>	<i>through section 5 east line of T south side of 47 N north side of 18 37 3 E 1/4 mile between 12 & 13 37 2 E</i>		
Wife <i>Arthur C. Smith</i>	<i>at S line of W S of NW 1/4</i>	<i>8</i>	<i>3 N 3 E</i>
Wife <i>C. A. Burrell</i>	<i>through lots 3 and 4</i>	<i>4</i>	<i>3 N 3 E</i>
Wife <i>Maggie Burrell</i>	<i>East side of east half</i>	<i>24</i>	<i>4 N 3 E</i>
Wife <i>W. W. Hensfield</i>			
Wife <i>Ilda Springfield</i>			
Wife <i>John Clark</i>			
Wife <i>Mabel Clark</i>			
Wife <i>Geo. W. Sanford</i>	<i>West side of</i>	<i>15</i>	<i>4 N 3 E</i>
Wife <i>Rosa Sanford</i>			
Wife <i>L. J. Crawford</i>	<i>West side of NW 1/4</i>	<i>22</i>	<i>4 N 3 E</i>
Wife <i>Blanche Sanford</i>			
Wife <i>A. C. Hale</i>			
Wife <i>John Hale</i>			
Wife <i>A. J. La Beck</i>			
Wife <i>Danna La Beck</i>			
Wife			
Wife			
Wife			

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					

Fred W. Brown

Bozeman Mont.

Donbard Mont

April 13th / 18

Dear Sir:

Your letter of the 10th received in which you state that Messers Morgan and Gurnby refuse to give right of way between my section and theirs. I wasn't aware that Morgan and Gurnby owned section 16 and I think that if you investigate that you will find it is owned by the State and only under lease to Morgan and Gurnby, under those circumstances I don't think that I should be required to give 40 ft off the west side of section fifteen as Morgan and Gurnby wouldn't have any say in a matter of that kind. Now if you find that Morgan and Gurnby do own section sixteen and still refuse to give the right of way I will give the forty foot right of way and if I have to give all of the right of way I think that someone else should stand the expense of the fencing as I don't feel that I should donate everything. If you find that the State owns the section sixteen then I will give my share of the right of way and do the fencing without charge to the County. Hoping to hear from you in regards to this I remain

Yours Resp.

Geo. W. Danford
Donbard

April 15, 1915.

Mr. Geo W. Sanford,
Lombard, Montana.

Dear Sir:*

Replying to your letter of the 13th. will say that the State will not give right of way for roads except where it is agreeable to the leasee. So you see even though Morgan and Gunby only have a lease on 16 we must look to them for the right of way.

I have talked the matter of fencing over with Mr. Overstreet, the Chairman, and he says that the County can not afford to do any more fencing on this road and all that we can do is to build the road as far as the people furnish the right of way and fence it. The way the matter stands now the road will probably be built to Mr. Clarys place and end there for the present or until such time as the matter of the right of way is adjusted.

Yours very truly,

County Surveyor,

Dec. 23, 1915.

Mr. Chas Burrell,
Clarkston, Montana.

Dear Sir:-

When I was making the survey of the road from Clarkston North you told me that you intended to maintain the gate at your house, I therefore stopped the survey at you west line and the map will show the road extending only this far. If you have removed the gate or will remove it I will come down and finish the survey as far as the road is fenced. You see the County will not establish a public road where there are gates. Let me hear from you on this and if you have taken the gate out I will come down next month and finish the job.

Yours very truly

County Surveyor.

C. R. Smith

Tr. Morace

7

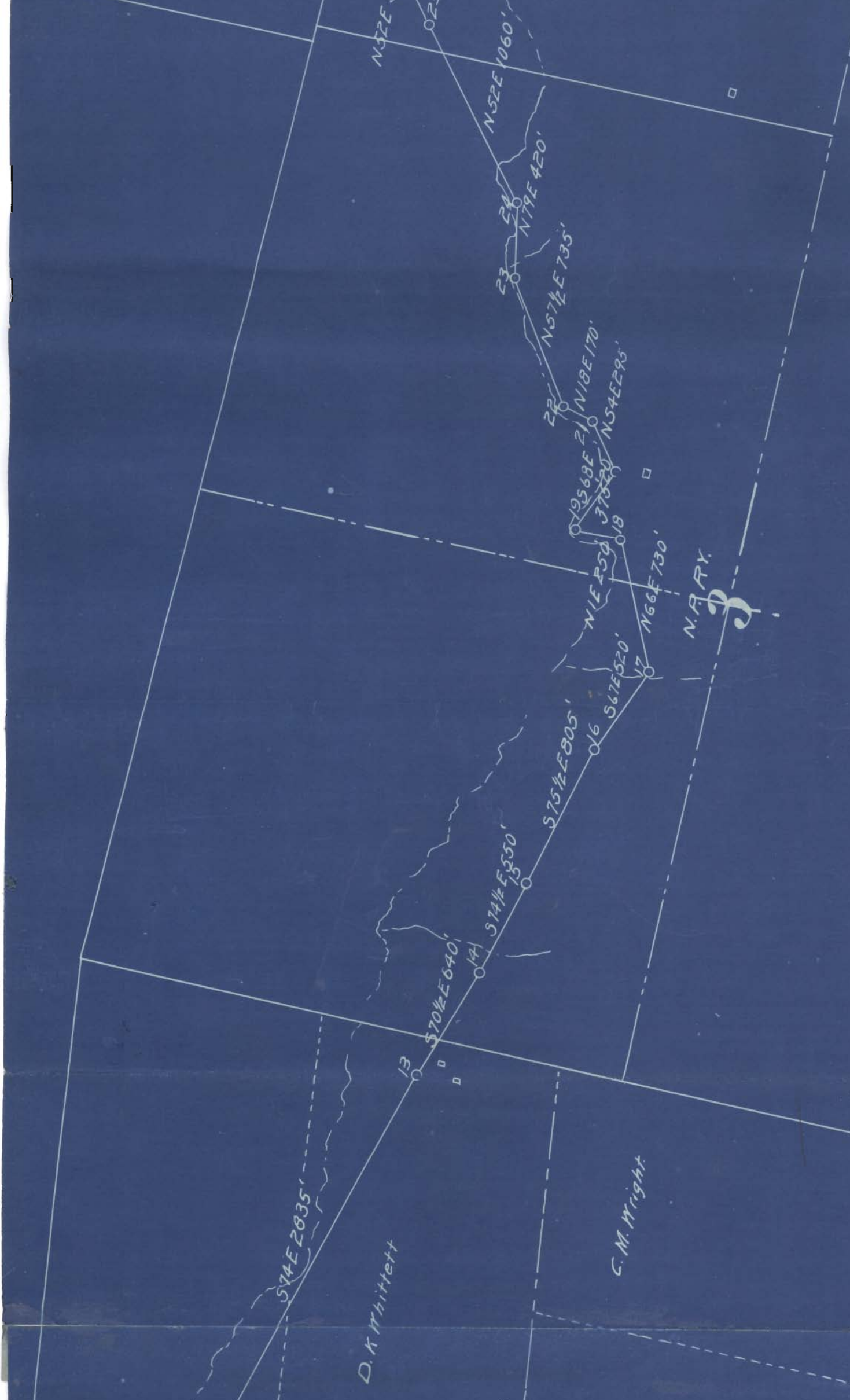
W. Guy Clark

W. Guy Clark

W. Guy
Clark

N. P. RY.

Clerkston



S74E 2035'

D. K. Whittett

C. M. Wright

N. A. Ry.

N52E 580'

N52E 1060'

N19E 420'

N57 1/4 E 735'

N195 68 E 21'

N18E 170'

N54E 293'

N1E 250'

N66E 730'

S74 1/2 E 550'

S75 1/4 E 805'

S67E 520'

S70 1/2 E 640'

School

7

20 N 64 1/2° E 302'
30 N 66° E 455'
40 N 77 1/2° E 605'
50 N 73 1/2° E 1005'
60 N 84° E 2145'
70 N 80 1/2° E 3745'
80 N 82 1/2° E 500'
90 N 86° E 586'
100 N 82 1/2° E 450'
110 S 80 1/2° E 340'

Home Gulch Ditch

School

Chas Burrell

Jna Schultz

5
W. Guy Clark

N 20° E 3820'

4

1

1



6
M. Guy Clark

M. Guy Clark

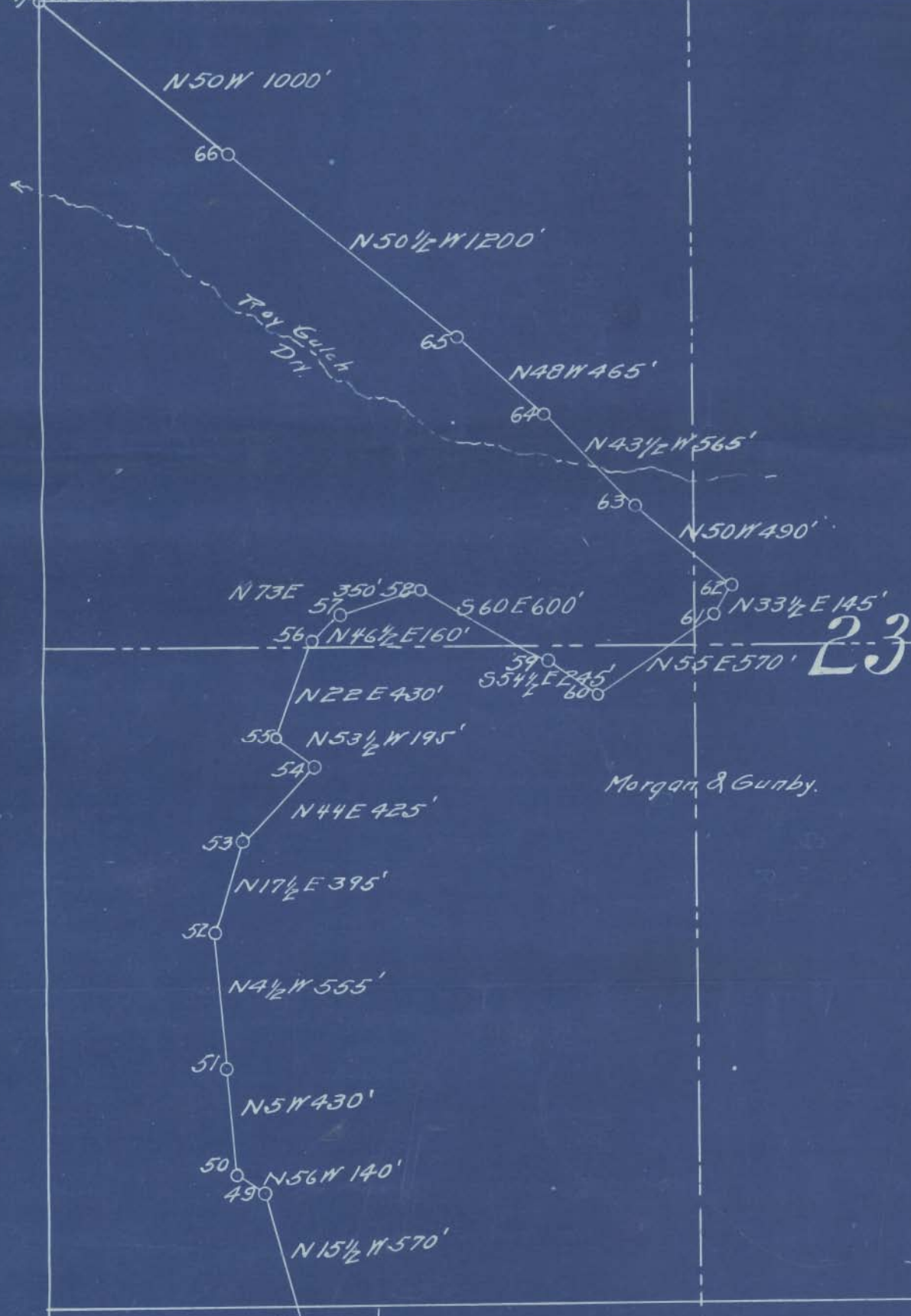
M. Guy Clark

T.3N.16 T.3N.
R.2E.12 7 R.3E.

M. Guy Clark

Clarkston

Thence down old road along Roy Gulch R.R.
thence up old road to Crane

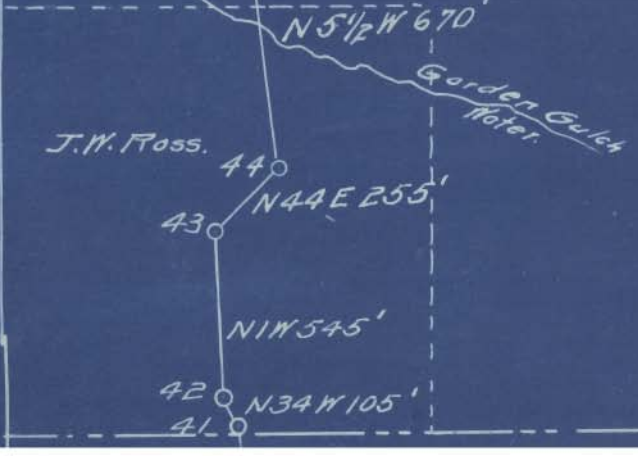


23

Morgan & Gunby.

J. P. Clary.

J. W. Ross.



26

26

41

N6W 340'

40

N4W 810'

39

W. C. Hale

N18E 405'

38

N18E 445'

37

N7S½E 585'

36

Jas Keowen

G. C. Hale

N 3105'

2455'

W. H. Schenfield.

35

N18E 165'

34

35

Jas. Keowen

N19W 950'

33

N14W 640'

32

N9½E 345'

Lone Tree Gulch
Dry

30

N33E 555'

29

N85W 658'

30

S78W 655'

N44½E 495'

27

N34½E 620'

T. 4N. R. 3E.

G.C. Hale

Jos
Keowen

N 31 05'

2455'

W. H. Schenfield.

35 N 18 E 165

340

1351

Jos. Keowen

N 19 W 950'

330

N 14 W 640'

320

N 9 1/2 E 345'

Lone Tree Gulch
Dry

300

N 33 E 555'

290

N 85 W 658'

S 78 W 655'

300

N 44 1/2 E 495'

270

N 34 1/2 E 620'

T. 4 N. R. 3 E.

T. 3 N. R. 3 E.

260

N 52 E 560'

250