

T3NR R4E

No. 471

PETITIONER:

H. H. GIRDNER ET AL

Petition filed APR 11 1916

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey Aug 8 1916

Surveyed 191

Field Book No. Page

Recorded in Roadbook 191

Declared County Road Aug 8 1916

Approved: Chairman

See Book 11 Commissioners' Proceedings, pages 595

County Clerk

# Petition For Road

No...6.....

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 a Road same as a County Road, beginning at... Mouth of...  
Line between Sec 27 and 34 Town  
3 North Range 4 East to Extend  
along the Line or as near  
the Line, as Practicable between  
Sec 27 and 34 Sec 26 and 35 of  
Town 3 north of Range 4 East  
and intersect with the Town  
Site of Merrand

We believe the cost of constructing this road will not exceed \$ 250.00  
there being Two steep grades, Two Stock Pases ~~bridges~~ necessary  
on the route as proposed; the soil is adapted to road construction, and  
most of work can be done  
with Graders

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:

Shorten Hull to Eliminator Myers  
Cumminet to Postoffice and store

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<u>H. H. Gindgen</u>	<u>Chas Clayd</u>	<u>27</u>	<u>3</u>	<u>4</u>
<u>B. H. Stiff</u>	<u>Dave wall</u>	<u>34</u>	<u>3</u>	<u>4</u>
<u>Sam. Kelly</u>	<u>James Hornum</u>	<u>35</u>	<u>3</u>	<u>4</u>
<u>W. J. Gindgen</u>	<u>James Hornum</u>	<u>26</u>	<u>3</u>	<u>4</u>
<u>Charlie Myers</u>	<u>George Heck</u>	<u>26</u>	<u>3</u>	<u>4</u>
<u>W. H. Elliott</u>	<u>RR Town Site Co.</u>	<u>36</u>	<u>3</u>	<u>4</u>
<u>J. P. Clayd</u>				
<u>James Gindgen</u>				
<u>A. F. Clayd</u>				
<u>M. L. Burton</u>				

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
J. B. Harmon Wife	The Right of way for the within described road across	35	3N	4E
J. B. Harmon Wife	The Right of way for the within described road across	26	"	"
Charlie Lloyd 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							
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 RightofWay	Total Over Same	Cost Damages
	Description	Sec.	Twp.			
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.

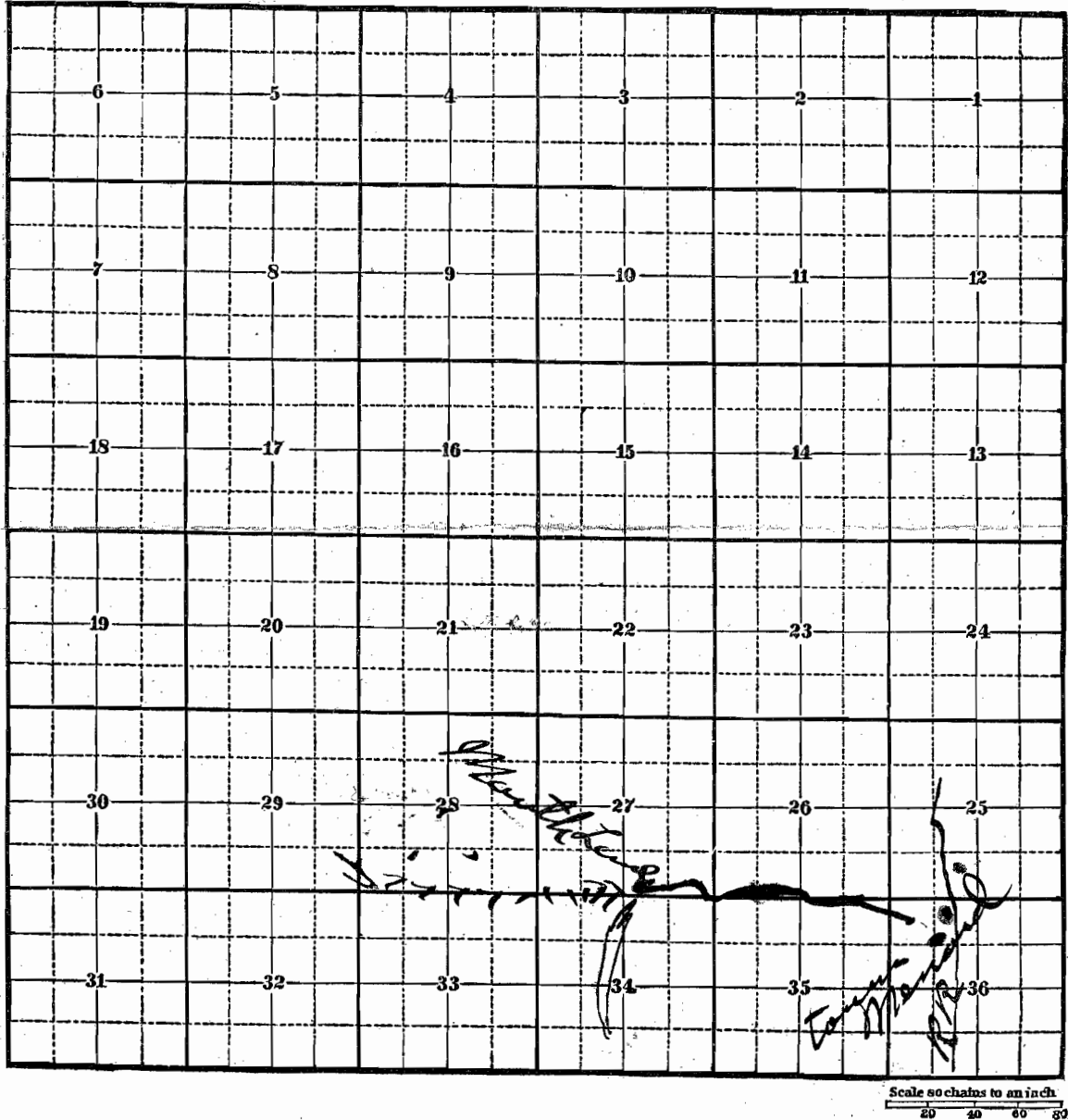
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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

### Plat of Proposed Road

Township No. 3 North Range No. 4 East



No. 771

## PETITION FOR ROAD

Principle Petitioner.....  
H. H. GIRDNER

Filed this 14th day of April, 1916.  
H. H. Girdner  
County Clerk and Recorder

By H. H. Girdner Deputy  
Viewers

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

At .....  
On .....

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

Road Dist. No. ....

762

89  
3425  
4931

520

77534  
71752  
6782

12252  
5704

22115  
1422  
3527  
2093

7055  
+164  
5249  
8781

5204  
2683  
7887

8182  
8205  
2512  
6678

197  
14174  
9806

548  
411  
4254

540  
5238  
2278

NE on 35 mm N38 1/2 E 499.4

N87 25 E

1691  
2609  
2767

4934  
2014  
3858  
1414

144  
1051  
208  
111  
5555  
201  
208

4540  
5224  
8827  
2195  
4972  
2774

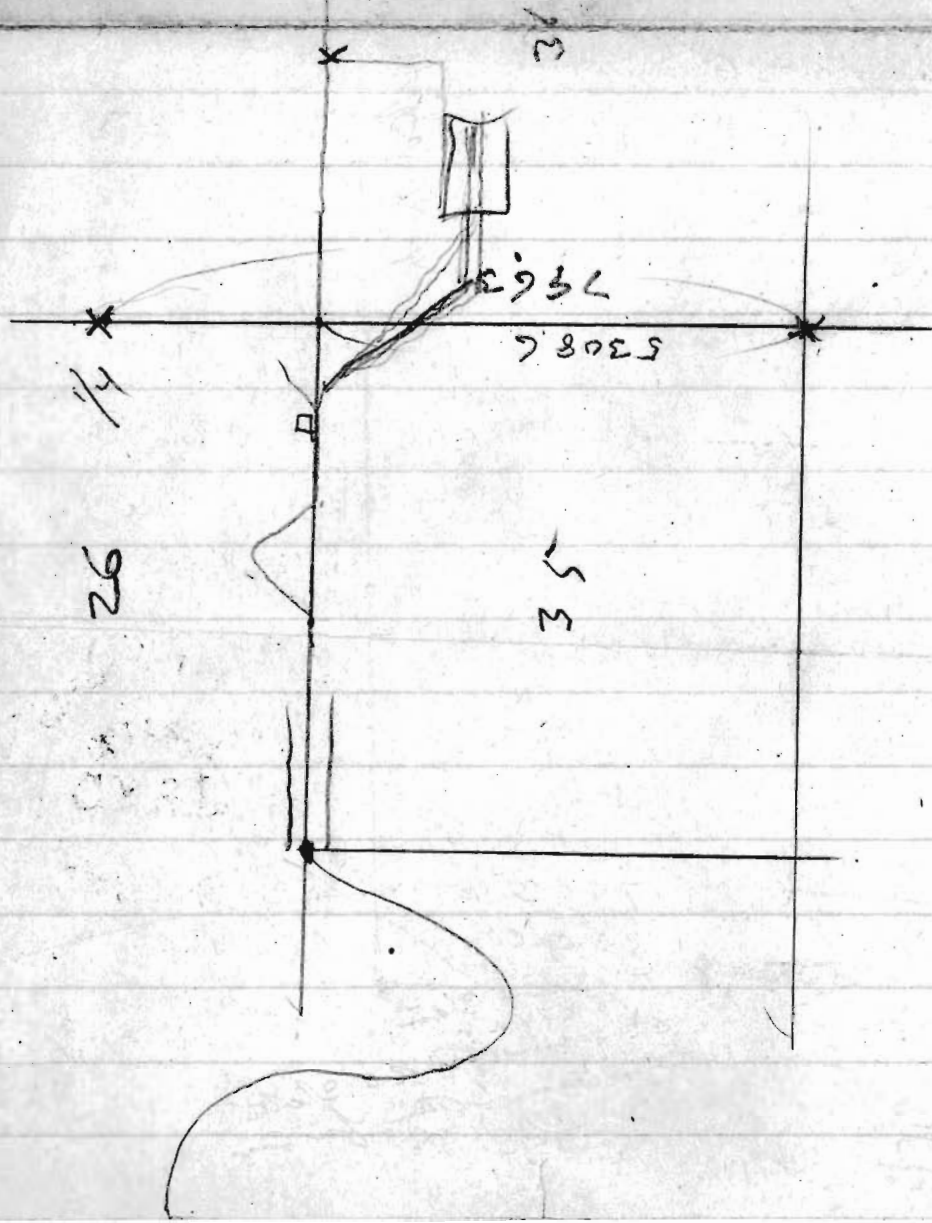
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8074  
1091  
5528

1690  
58027  
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1226  
4927  
5205

988  
4518

2603  
2654  
7963

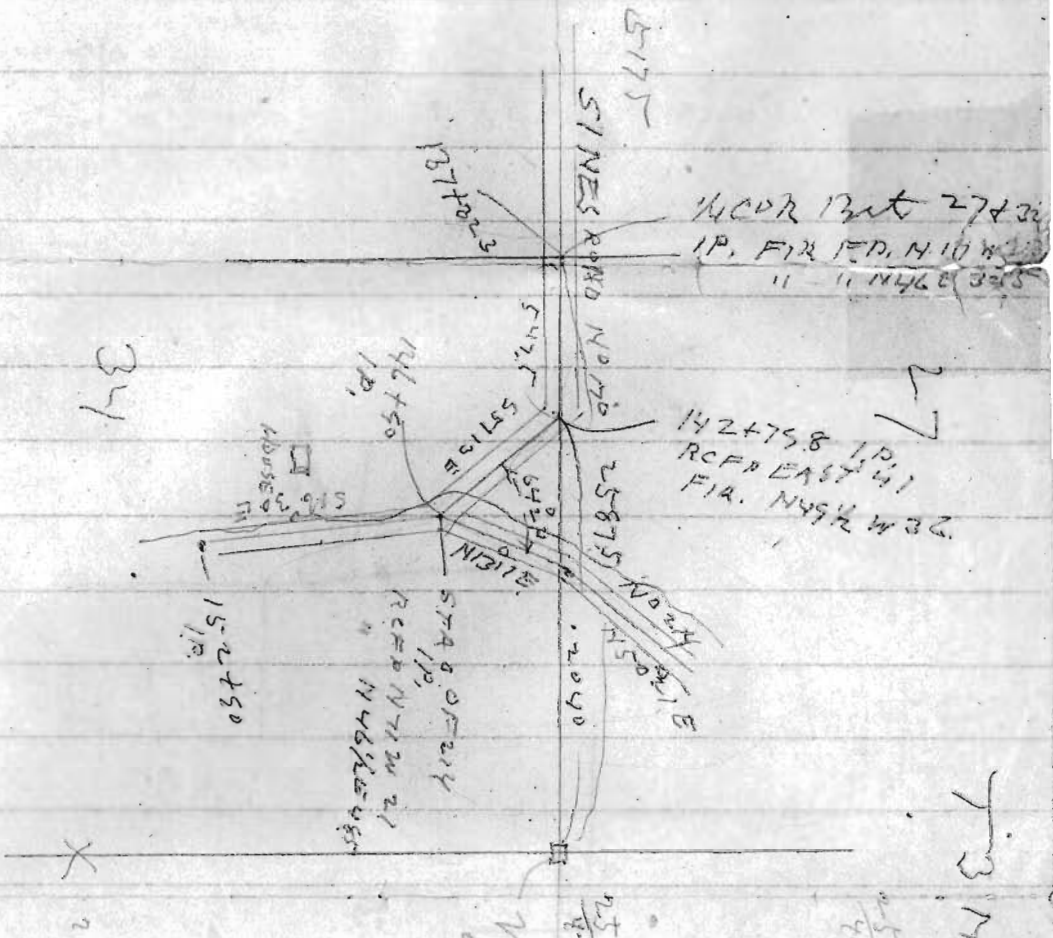
2603  
42115  
4918



2603  
42115  
4918

142798  
 137323  
 5475  
 20440  
 5871.2  
 5175

25873  
 20440  
 5473



34

27

J.M.R. 42

what rock at  
 at fine cor. 45 Co

3) 7963 (-654.3  
 79  
 18  
 16  
 17  
 528  
 2640  
 791

35

26

2645.6  
 7936.8

7963  
 47.00  
 5556.8  
 16 x 14 x 8  
 120 sheets  
 47  
 303

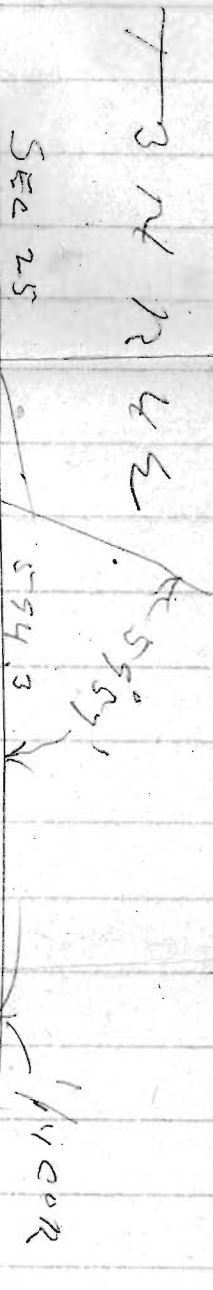
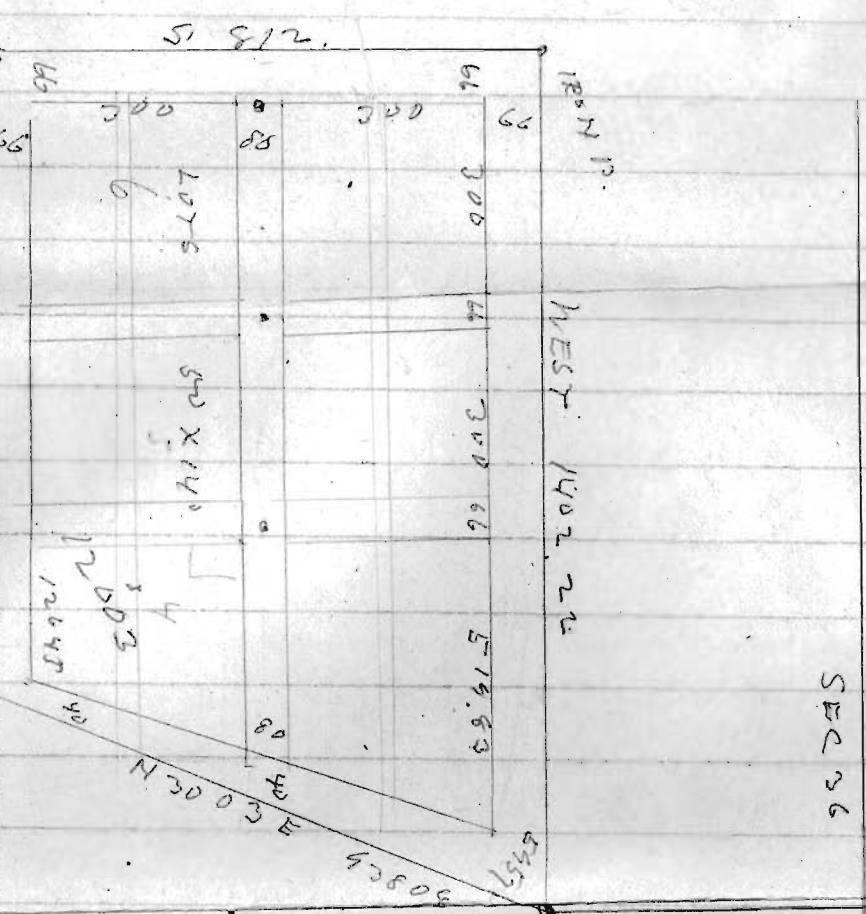
7963  
 5577  
 2426

14 Cor  
 120 sheets  
 120 sheets  
 120 sheets  
 120 sheets

SEC CO.

MEMPHIS

181  
53248  
1120N11



3 N 12 4 E

534.3  
262.55  
1120N  
N 1120N 36

375.64

N 30 03 E  
458.06

N 30 03 E

5th X 14  
LOT 6

181  
53248  
1120N11