

Garden Gulch TANR 3E  
Dissalow

No. 494

PETITIONER:

J. P. Clary

Petition filed May 9 1918

Viewers appointed Not necessary 191

as the entire Board and  
Report filed surveys have taken  
over the property 1918

Date of hearing 191

Report approved 191

Order of survey May 28 1918

Surveyed 191

Field Book No. 82 Page 32

Recorded in Roadbook 191

Dissallowed for lack of R/W  
Declared County Road July 21 1919

Approved: \_\_\_\_\_ Chairman

See Book 12 Commissioners' Proceedings,  
82 p 32  
pages 222

\_\_\_\_\_  
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.....

*Stanley Murin*  
Mont and turning on a south easterly direction up a gulch known as the Garden Gulch, crossing the following sections beginning near the center of sec 18 at the above mentioned point, then east cross sec 20 and 21, 27, 26, finishing at the west boundary line of sec 25, as shown on plot.

We believe the cost of constructing this road will not exceed \$..... there being *no* steep grades,..... culverts,..... bridges necessary on the route as proposed; the soil *is well* adapted to road construction, and *not rocky to any great extent*

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 stop discrepancy and disputes that may be caused from public travel over private lands where the owner is not disposed or wishing for such intrusions*

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road		
	Description	Sec.	Twp. Range
<i>J.P. Claus</i>		<del>26</del>	<del>4 SE</del>
<i>D. Lubrecht</i>		21	4 SE
<i>Wm. Pike</i>		26	4 SE
<i>L.A. Sanford</i>		22	4 SE
<i>J. G. Hale</i>		28	4 SE
<i>W. Donald Leona, by J. J. Keown</i>		27	4 SE
<i>A.L. Malott</i>		30	4 N SE
<i>J. J. Malott</i>		30	4 SE
<i>Mrs. Rose Welch</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.

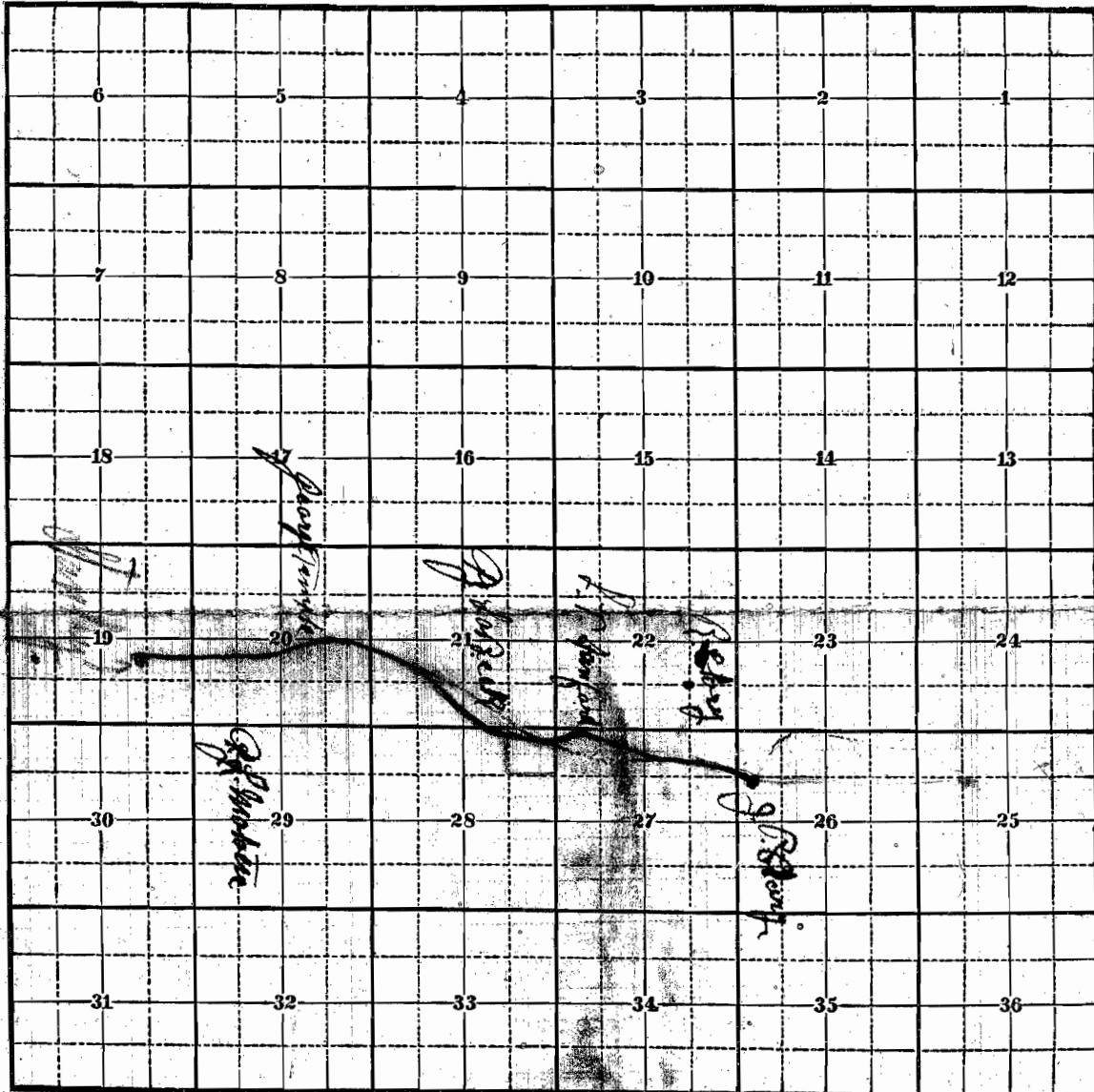
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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

### Plat of Proposed Road

Township No. \_\_\_\_\_ Range No. \_\_\_\_\_



No. 494...

## PETITION FOR ROAD

Principle Petitioner.....  
*J. P. Clary*

Filed this *2<sup>nd</sup>* day of *May*, 19*13*.  
*D. D. M. Lacy*  
 County Clerk and Recorder

By *C. W. D. Reed*, Deputy  
 Viewers

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

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

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

Road Dist. No. ....

July 28-18.

Mr. James Welfl,  
Lombard, Montana.

Dear Sir:-

I am inclosing quit claim  
deed from yourself et. al. to Gallatin County for  
right of way for the Garden Gulch Road across your land.  
I hope you will see fit to execute this and return it  
at an early date.

Yours very truly,

County Surveyor.

OFFICE OF  
**FRED M. BROWN**  
SURVEYOR--COUNTY OF GALLATIN  
STATE OF MONTANA

BOZEMAN, MONTANA.

November 15th-1918

Mr. J. M. Stanley,  
Billings, Montana.

Dear Sir:-

Some months ago I forwarded you a deed for right of way for county road across Section 20. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return same as soon as possible. If you are not willing to give right of way, I wish you would return the deed to me at your earliest convenience.

Yours very truly,

*Fred M. Brown*  
County Surveyor.

November 15th-1918

Mr. James W. Elfl,

Lombard, Montana.

Dear Sir:-

Some months ago I forwarded you a deed for right of way for County road across Section 19. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return as soon as possible. If you are not willing to give right of way, I wish you would return deed to me at your earliest convenience.

Yours very truly,

County Surveyor.

November 15th-1918

Mr. J. M. Stanley,  
Billings, Montana.

Dear Sir:-

Some months ago I forwarded you a deed for right of way for county road across Section 20. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return same as soon as possible. If you are not willing to give right of way, I wish you would return the deed to me at your earliest convenience.

Yours very truly,

County Surveyor.

November 15th-1918

Mr. G. A. Temple,  
Lombard, Montana.

Dear Sir:-

Some months ago I forwarded you a deed for right of way for county road across Section 20. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return same as soon as possible. If you are not willing to give right of way, I wish you would return the deed to me at your earliest convenience.

Yours very truly,

County Surveyor.



November 15th-1918

Mr. A. D. Atkins,  
Three Forks, Montana.

Dear Sir:-

Some months ago I forwarded you a deed for right of way for county road across Sections 8 and 21. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return same to me as soon as possible. If you are not willing to give right of way, I wish you would return deed to me at your earliest convenience.

Yours very truly,

County Surveyor.

November 15th-1918

Mr. Lester Sanford,

Lombard, Montana.

Dear Sir:-

Some months ago I forwarded you deed for right of way for county road across Sections 22 and 27. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign the deed and return same to me as soon as possible. If you are not willing to give right of way, I wish you would return deed to me at your earliest convenience.

Yours truly,

County Surveyor.

November 15th-1918

Mr. Roy Clary,  
Lombard, Montana.

Dear Sir:-

Some months ago I forwarded you deed for right of way for county road across Section 27. As yet I have heard nothing from you. If you are willing to give this right of way, I wish you would sign deed and return to me as soon as possible. If you are not willing to give right of way, I wish you would return deed to me at your earliest convenience.

Yours very truly,

County Surveyor.

Dec 3<sup>d</sup> 1918

Billings Mont

Mr Fred M Brown

County Surveyor

Boyerhan Mont

Dear Sir

I Return this  
Deed to you according to  
your Request - as I do not  
want to sign it. There is  
already a Road from East to  
West through my Place it  
Runs along the South side  
of Garden Gulch and is a  
better Road because the ground  
is harder and is shorter and  
more direct than the one  
the Deed calls for the fact  
that it is all on my ground  
makes no difference, all of the  
men I spoke to about it this  
summer when I was there  
said they wished that I would  
have it open and not the  
other as it was a better Road  
than could be built where

2

The Survey Rooms  
New Trinity  
J M Stanley  
Billings  
Mont-  
Box 732

P.S.

I would suggest that  
you place this address on  
file to be used in case you  
should have an occasion to  
write to me again for there  
is another J M Stanley  
here to whom all letters go  
if they do not bear my Box  
number and he is not  
very particular to return  
them  
JMS

QUITCLAIM DEED.

1  
2 THIS INDENTURE, Made this \_\_\_\_\_ day of May, A.D.  
3 1918, between J. M. Stanley and \_\_\_\_\_ Stanley, his wife  
4 of Billings, Montana, the parties of the first part, and Gallatin  
5 County, a legal subdivision of the State of Montana, the party  
6 of the second part.

7 WITNESSETH:

8 That the said parties of the first part for and  
9 in consideration of the sum of \$ \_\_\_\_\_ to them in hand paid by  
10 the said party of the second part, the receipt of which is hereby  
11 acknowledged, does remise, release and forever quitclaim unto the  
12 said party of the second part, and to its heirs, and assigns the  
13 following described real estate, situated in the County of Gallatin,  
14 State of Montana, as follows, to-wit:-

15 All that part of the Northwest Quarter of Section  
16 20, Township Four North, Range Three East, M.P.M. laying South of  
17 the following described line, to-wit: Commencing at a point in  
18 the West line of Section 20, Township 4 North, Range 3 East, M.P.M.  
19 and 30 feet North of the Southwest corner of the Northwest Quarter  
20 of said Section 20, and running in an easterly direction, and 30  
21 feet North of a line beginning at the Southwest corner of the North-  
22 west Quarter of said Section 20, and thence East 1349.5 feet; thence  
23 North 74 degrees, 45' East, 139.8 feet; thence North 87 degrees,  
24 19' East, 253 feet; thence South 66 degrees, 45' East, 121.0 feet;  
25 thence East 810 feet more or less to the Southeast corner of the  
26 Northwest Quarter of said Section 20, containing 2 acres more or less.

27 Together with all the tenements, hereditaments and  
28 appurtenances thereunto belonging, and the reversion and reversions,  
29 remainder and remainders, rents, issues and profits thereof, and  
30 also all the estate, right, title, interest, property, possession,  
31 claim and demand whatsoever, as well in law as in equity, of the said  
32

1 parties of the first part, of, in or to the said premises, and every  
2 part and parcel thereof.

3 TO HAVE AND TO HOLD, all and singular, the said  
4 premises, with the appurtenances unto the said party of the second  
5 part, its heirs and assigns for ever.

6 IN WITNESS WHEREOF, the said parties of the first  
7 part have hereunto set their hands and seals the day and year first  
8 above written.

9 Signed, sealed and delivered \_\_\_\_\_ (SEAL)  
10 in the presence of. \_\_\_\_\_ (SEAL)

11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_

14 STATE OF MONTANA,  
15 COUNTY OF YELLOWSTONE, ss

17 On this \_\_\_\_\_ day of May, A. D. 1918, before me,  
18 \_\_\_\_\_, a Notary Public for the State of  
19 Montana, personally appeared J. M. Stanley and \_\_\_\_\_ Stanley,  
20 his wife, known to me to be the persons whose names are subscribed  
21 to the within instrument, and acknowledged to me that they executed  
22 the same.

23 IN WITNESS WHEREOF, I have hereunto set my hand  
24 and affixed my Notarial Seal, the day and year first above written.

25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_  
29 \_\_\_\_\_  
30 \_\_\_\_\_  
31 \_\_\_\_\_  
32 \_\_\_\_\_

This Indenture, Made the 3<sup>rd</sup> day of May in the year of our Lord one thousand nine hundred and eighteen between A.D. Atkins ~~and~~ Atkins, his wife, of Three Forks, Montana,

A single man, Party of the first part, and Gallatin County, Montana

the part ~~of~~ the second part, WITNESSETH, that the said part of the first part, for and in consideration of the sum of One and 20/100 DOLLARS

to them, in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do remise, release and forever quitclaim unto the said part of the second part, and to its heirs and assigns, the following described real estate, situated in the Gallatin County of Montana

and State of Montana, to-wit: A strip of land 60 feet wide and laying 30 feet on each side of the following described center line, to-wit: Beginning at a point in the East line of Section Twenty, Township Four North, Range Three East of M.P.M., and 252 feet South of the Northeast corner of the said Southeast Quarter of said Section Twenty, and running North 82 degrees, 17' West 1330 feet more or less to the West line of the East half of the East Half of said Section Twenty, containing 1.8 acres more or less.

Together with all the tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said part ies of the first part of, in or to the said premises, and every part and parcel thereof.

To Have and to Hold, all and singular, the said premises, with the appurtenances unto the said part y of the second part, its heirs and assigns forever.

In Witness Whereof, the said part ies of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

A D Atkins [SEAL]  
[SEAL]  
[SEAL]



STATE OF MONTANA,

County of Gallatin } ss.

On this 31st day of May in the year one thousand nine hundred and 18 before me L.D. Blodgett (Name of Officer) a Notary

Public for the State of Montana, personally appeared A. D. Atkins and (Name of Party) Atkins, his wife

known to me (Or proved to me on the oath of)

to be the person whose name are subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

L.D. Blodgett (Signature)

Notary Public for the State of Montana residing at Three Forks Montana

My commission expires Nov 19 1920



7653 INDEXED EXAMINED 6-22-18 QUITCLAIM DEED 6-22-18

A.D. Atkins and Wife TO Gallatin County STATE OF MONTANA County of Gallatin ss. Filed for record June 22 1918 A. D. 1918 at 9:30 o'clock P.M., and Recorded in Book 57 of Deeds, page 623, Records of Gallatin County, Montana By [Signature] Deputy County Recorder When recorded County Clerk will please refer to



The Standard Publishing Co., Anaconda, Mont.

77

This Indenture, Made the \_\_\_\_\_ day of July in the year of our Lord one thousand nine hundred and Eighteen between James Welfl and Welfl, his wife of Lombard, Montana.

parties of the first part, and Gallatin County, a legal subdivision of the State of Montana,

the party of the second part, WITNESSETH, that the said party of the first part, for and in consideration of the sum of One and no/100----- DOLLARS

to them, in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do remise, release and forever quitclaim unto the said party of the second part, and to its heirs and assigns, the following described real estate, situated in the County of Gallatin

and State of Montana, to-wit: A tract of land laying 30 feet on each side of the following described line, to-wit: Commencing at the Southwest corner of the Northwest Quarter of Section 20, Township Four North, Range Three East, M. P. M. and running West 1034.5 to the right of way boundary of the Northern Pacific Railway, containing 0.71 acres more or less.

Together with all the tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part of, in or to the said premises, and every part and parcel thereof

To Have and to Hold, all and singular, the said premises, with the appurtenances

unto the said party of the second part, its heirs and assigns forever.

In Witness Whereof, the said party of the first part hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Witness lines with [SEAL] markers.

STATE OF MONTANA,  
County of Gallatin } ss.

On this \_\_\_\_\_ day of July \_\_\_\_\_ in the year one thousand  
nine hundred and 18 \_\_\_\_\_ before me \_\_\_\_\_ a Notary  
(Name of Officer)

Public for the State of Montana, personally appeared James Welfl and \_\_\_\_\_  
(Name of Party)

Welfl, his wife,  
known to me \_\_\_\_\_  
(Or proved to me on the oath of \_\_\_\_\_)

to be the persons whose names are \_\_\_\_\_ subscribed to the within instrument, and acknowledged to me that  
they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial  
Seal the day and year first above written.

Notary Public for the State of Montana residing at \_\_\_\_\_ Montana  
My commission expires \_\_\_\_\_ 19 \_\_\_\_\_

Returned to [unclear]

# QUITCLAIM DEED

James Welfl, et al  
TO  
Gallatin County

STATE OF MONTANA } ss.  
County of Gallatin

Filed for record \_\_\_\_\_  
A. D. 19 \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and  
Recorded in Book \_\_\_\_\_ of  
Deeds, page \_\_\_\_\_, Records of  
Gallatin County, Montana

County Recorder  
By \_\_\_\_\_ Deputy

When recorded County Clerk will  
please return to \_\_\_\_\_

N 1/2

E 1/2

N 1/2

S 1/2

Jan Wolff

J. M. Stanley

Daniel  
M. Intosh

J. G. Jumper

Arch. Altman

M. G.

E. St.

Arch. Altman

4N 3E

Richard  
Book # 494  
Book 82 page 32

Klewin  
&  
M. D. Dannel

Ernest Hale

Klewin  
&  
M. D. Dannel

3/15/00

3/15/00

