

T38R3E

No. 501

PETITIONER:

Joe Hupka

Petition filed Apr. 9, 1919

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey June 26, 1919

Surveyed April 1918

Field Book No. 83 Page 33

Recorded in Roadbook ✓ 191

Declared County Road 10/9/19 191

Approved: Chairman

See Book 13 Commissioners' Proceedings,

pages 37 & 104.

County Clerk

Petition For Road

No. 501

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

Gentlemen:

We, the undersigned free holders of Road District No. 14 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 ~~corner~~ ^{corner} 8 1/2

run like to straighten out the county road.

From corner 7 and 8 north between the 3 and 4. about 3/4 mile both

then turn to the east and strike the old county road, about 1/2 mile East to old road

also extended the county road as far as you can run with the grader.

and also condemn off the piece of the county road where you are going to straighten it out. ~~between 3 and 4~~ across the 3:

up to the place where new road strikes it.

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:

Land Owned by Same to be Crossed by Proposed Road			
Names of Petitioners	Description	Sec.	Typ. Range
J. H. Hays	Cor. N. 1/4 Sec 4	4	3 - 3
J. H. Hays	Cor. S. 1/4 Sec 4	4	3 - 3
E. B. Owen	J. V. Burrell	4	3 - 3
Frank Hays	J. V. Burrell	4	3 - 3
L. O. Hays			
Guy Rohla			
Ed. G. Hays			
Mr. Pike			
R. Prather			
G. T. Street			
J. R. Lincum			
Chas. Malott			
J. H. Hays			

East from school house in section 4 T3 N-R 3 E

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>Joe Hupka</i>		5	3	3
Wife		6	3	3
<i>John Jurak</i>				
Wife				
<i>J. V. Rehurek</i>		4	3	3
Wife		11	11	11
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	Right of Way	Damages
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.

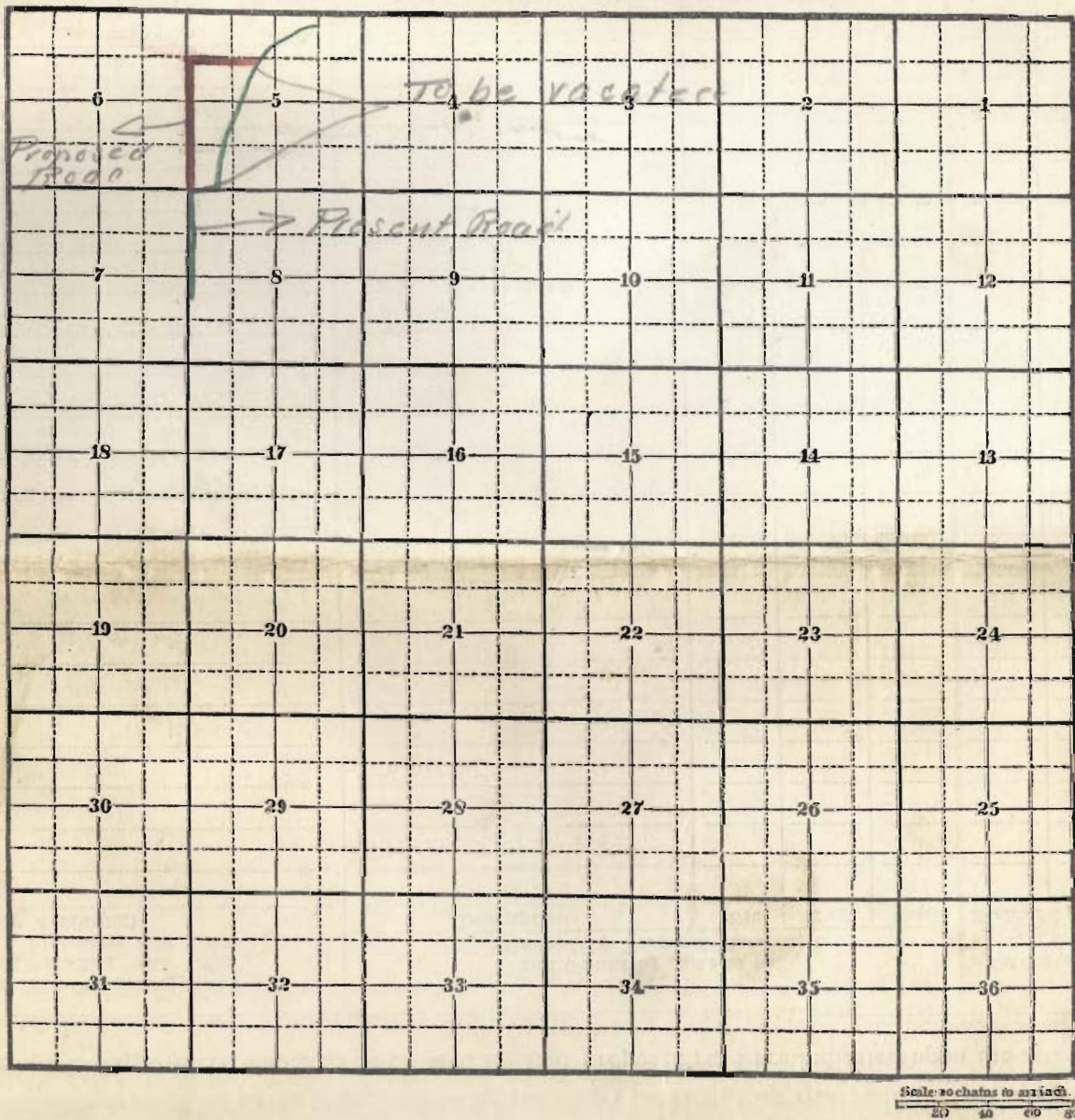
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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. 3N Range No. 3E



PETITION FOR ROAD

No. 2701

Principle Petitioner.....

Joe Hopkins

Filed this 9th day of April, 1919.

D. J. McLeod

County Clerk and Recorder

By W. M. Brandenburg Deputy

Viewers

Necessery

Appointed 9 day of April, 1919.

To meet 9 day of April, 1919.

At

On

Report of Viewers

Filed

Action by the Board.....

Declined County

Road 10/19/19

Road Dist. No.....