

TINRIE

No. 508

PETITIONER:

W^m H. Buttelman

Petition filed Oct 9 1919

Viewers appointed 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey 191

Surveyed 191

Field Book No. Page

Recorded in Roadbook 191

Declared County Road 10/9/19 191

Approved: Chairman

See Book 13 Commissioners' Proceedings,

pages 124

County Clerk

Petition For Road

No. *508*.....

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

Gentlemen:

We, the undersigned free holders of Road District No....**one (1)**..... of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable body to establish ...**the**.....same as a County Road, beginning at...**the point in section**.....**seventeen (17) T.1.N., R.1 E.** where the present county road commences to deviate from the south line of the N.P.Ry.right of way line and running thence in a south westerly direction and parallel to the said south line of the N. P. Ry. Co's. right of way line into the town of Willow Creek as shown ^{in red} on the accompanying plat.

We believe the cost of constructing this road will not exceed \$..... 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>Wm. H. Battelmann</i>				
<i>Ernest Tomblin</i>				
<i>J. J. Miller</i>				
<i>John J. Gallagher</i>				
<i>J. J. [unclear]</i>				
<i>W. H. Nelson</i>				
<i>H. D. Barker</i>				
<i>Leopoldus J. [unclear]</i>				
<i>(J. J. Woodward Estate)</i>				
<i>(By F. A. Woodward)</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>Wm. A. Ruttelman</i>				
Wife				
<i>J. J. Miller</i>				
Wife				
<i>H. G. Parker</i>				
Wife				
<i>Cephus Inabrit</i>				
Wife				
<i>A. J. Woodward Estate</i>				
Wife <i>By B. A. Woodward</i>				
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						
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		
	Description	Sec.	Twp.	Range	RightofWay	Over Same	Damages	
Wife								
Wife								
Wife								
Wife								
Wife								
Wife								
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J. S. Lowry

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. _____

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Scale so chains to an inch
20 40 60 80

True Meridian

No. 5.08

PETITION FOR ROAD

Principle Petitioner.....
W. H. Buttelman

Filed this... *9th* day of *October* 19*13*.
D. M. Lee
County Clerk and Recorder

By Deputy
Viewers

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

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

Road Dist. No.....

THIS INDENTURE, Made this day of **June** in the year of our Lord one thousand nine hundred and **Twenty**, between **Mary Murray, a widow, of Willow Creek, Montana,**

the part **y** of the first part, and **J F Miller, of Willow Creek, Montana,**

....., the part **y** of the second part.

WITNESSETH, That the said part **y** of the first part, in and for the consideration of **(\$50.00)** **Fifty Dollars** ~~XXXXXXXX~~ DOLLARS,

in hand paid, the receipt.....whereof is hereby acknowledged, ha^s GRANTED, BARGAINED AND SOLD, and by these presents do^{es} hereby GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said part **y** of the second part, and to **his** heirs and assigns, forever, the following described real estate, situate in the County of Gallatin, in the State of Montana, to-wit:

All that part of the southeast quarter of the northwest quarter of Section Seventeen (17), Township One (1) North, Range One (1) East, Gallatin County, Montana, lying southeasterly of the southerly right-of-way of the Northern Pacific Railway, containing one and two-tenths (1 2/10) acres, more or less.

TOGETHER with all the tenements, hereditaments, appurtenances, water rights and water ditches to the same belonging, and all the estate, title, interest, claim and demand, of the said part **y** of the first part therein.

TO HAVE AND TO HOLD the above described premises, with the appurtenances and privileges, unto the said part **y** of the second part, and to **his** heirs and assigns forever. And said part **y** of the first part, for **herself** and **her** heirs, administrators and assigns, do^{es} covenant with the said part **y** of the second part, and with **his** heirs, administrators and assigns, that **she is** lawfully seized of said premises, and that said premises are free from all incumbrances; that **she** ha^s good right and lawful authority to sell the same and that **she** will, and **her** heirs, administrators and assigns, shall warrant and defend the title to said premises unto the said part **y** of the second part, and **his** heirs and assigns, forever, against the lawful claim and demand of all persons whomsoever.

IN WITNESS WHEREOF, The said part **y** of the first part ha^s hereunto set **her** hand.....and seal....., the day and year above written.

Signed, Sealed and Delivered in the Presence of (SEAL) (SEAL) (SEAL) (SEAL)

Acknowledgment

STATE OF MONTANA, }
County of Gallatin, } ss.

On this.....day of....., A. D., 191.....

before me.....

in and for said....., personally appeared

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

IN WITNESS WHEREOF, I hereunto set my hand and affix.....

at my office in.....the day and year first above written.

Warranty Deed

TO

STATE OF MONTANA, }
County of Gallatin, } ss.

OFFICE OF COUNTY RECORDER

I hereby certify that the within Deed
of conveyance was filed in my office on

the.....day of.....

A. D., 191..., at.....o'clock...M.

and is recorded on Page.....of

Book.....of Deeds, Records of

Gallatin County, Montana.

Attest: My hand and the seal of said
County.

County Recorder

By.....

Deputy

Fees, \$.....

This Indenture, Made the _____ day of **June** in the year

of our Lord one thousand nine hundred and **Twenty** between **J. F. Miller and (his wife)**, of Willow Creek, Montana, the parties of the first part, and Gallatin County, a legal subdivision of the State of Montana,

the part **y** of the second part, WITNESSETH, that the said part **ies** of the first part, for and in consideration of the sum of **ONE** DOLLAR

Legal money of the United States to **them**, in hand paid by the said part **y** of the second part, the receipt of which is hereby acknowledged, do **remise, release and forever quitclaim** unto the said part **y** of the second part, and to **its** ~~heirs and assigns~~ ^{assigns} the following described real estate, situated in the _____ County of **Gallatin** and State of Montana, to-wit:

All that part of Section Seventeen (17), Township One (1) North, Range One (1) East, described as follows:-
A strip of land 60 feet in width, Beginning at a point in the southeasterly right-of-way line of the Northern Pacific Railroad where the same is intersected by the North and South center line of said section seventeen (17); thence southwesterly along said right-of-way line to the south line of the North half of the southwest quarter of said Section seventeen (17); thence east along said south line to a point 60 feet distant from said southeasterly right-of-way line when measured at right angles; thence northeasterly 60 feet distant from and parallel to said southeasterly right-of-way line to the north and south center line of said section seventeen (17); thence north along said North and South center line to the point of beginning, containing three and five-tenths (3.5) 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~~ ^{heirs and assigns} forever.

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

Signed, Sealed and Delivered in the Presence of

} _____ [SEAL]
_____ [SEAL]
_____ [SEAL]

STATE OF MONTANA,

County of

ss.

On this day of in the year one thousand
nine hundred and before me a Notary

(Name of Officer)

Public for the State of Montana, personally appeared

(Name of Party)

known to me

(Or proved to me on the oath of))

to be the person whose name subscribed to the within instrument, and acknowledged to me that
he 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

QUITCLAIM DEED

TO

STATE OF MONTANA }
County of } ss.

Filed for record

A. D. 19

at o'clock M., and

Recorded in Book of

Deeds, page, Records of

..... County, Montana

.....
County Recorder

By Deputy

When recorded County Clerk will

please return to

This Indenture, Made the _____ day of **June** in the year

of our Lord one thousand nine hundred and **Twenty** between **Wm H Buttelman, and Caroline K Buttelman, his wife, of Willow Creek, Montana,** the parties of the first part, and **Gallatin County, a legal sub-division of the State of Montana,**

the party ~~of~~ ^{of} the second part, WITNESSETH, that the said parties of the first part, for and in consideration of the sum of **ONE** DOLLARS **Lawful money of the United States** 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:

All that part of Section Seventeen (17), Township One (1) North, Range One (1) East, within the following metes and bounds:- Beginning at a point in the northeast quarter of the northeast quarter of said section seventeen (17), from which point the southeast corner of the northeast quarter of said section seventeen (17) bears South 41°42' East, 1833 feet; thence north 44°40' East, 623 feet; thence south 50°12' west, parallel to and 50 feet distant from the center line of the Northern Pacific Railroad, to the west line of the Northeast quarter of said section seventeen (17); thence south along said west line to a point 110 feet distant from the said center line of the Northern Pacific Railroad when measured at right angles; thence north 50°12' east, parallel to and 110 feet distant from the said center line of the Northern Pacific Railroad to the point of beginning, containing two and three-fourths (2-3/4) 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 parties 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

_____[SEAL]
_____[SEAL]
_____[SEAL]

STATE OF MONTANA,

County of } ss.

On this day of in the year one thousand
nine hundred and before me a Notary

(Name of Officer)

Public for the State of Montana, personally appeared
..... (Name of Party)

known to me

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

to be the person whose name subscribed to the within instrument, and acknowledged to me that
..... he 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

QUITCLAIM DEED

TO

STATE OF MONTANA } ss.
County of

Filed for record

A. D. 19

at o'clock M., and

Recorded in Book of

Deeds, page, Records of

..... County, Montana

County Recorder

By Deputy

When recorded County Clerk will

please return to

This Indenture, Made the _____ day of June in the year of our Lord one thousand nine hundred and Twenty between _____

F J Parker and _____ (his wife) of Willow Creek, Montana, the 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 ^{ies} of the first part, for and in consideration of the sum of _____ ONE DOLLAR lawful money of the United States 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 ^{assigns} ~~its heirs and assigns~~ the following described real estate, situated in the _____ County of Gallatin and State of Montana, to-wit: _____

All that part of section seventeen (17), township One (1) North, Range One (1) East described as follows:-
A strip of land 60 feet in width. Beginning at a point in the southeasterly right-of-way line of the Northern Pacific Railroad where the same is intersected by the North line of the south half of the southwest quarter of said section seventeen (17); thence southwesterly along said right-of-way line to the west line of said section seventeen (17); thence south along said west line to a point 60 feet distant from said southwesterly right-of-way line when measured at right angles; thence northeasterly 60 feet distant from and parallel to said southeasterly right-of-way line to the north line of the south half of the southwest quarter of said section seventeen (17); thence west along said north line to the point of beginning, containing one and three-tenths (1.3) acres, more or less.

ALSO, all that part of section eighteen (18), Township One (1) North, Range One (1) East, described as follows:-
A strip of land 60 feet in width. Beginning at a point in the southeasterly right-of-way line of the Northern Pacific Railroad where the same is intersected by the east line of said Section Eighteen (18); thence southwesterly along said southeasterly right-of-way line to where the same is intersected by a line drawn parallel to and 300 feet north of the south line of said section Eighteen (18); thence east along the last described land to a point 60 feet distant from the southeasterly right-of-way line of the Northern Pacific Railroad when measured at right angles; thence northeasterly 60 feet distant from and parallel to said southeasterly right-of-way line to the east

line of said Section Eighteen (18), thence north along said east line to the point of beginning, containing nine-tenths (0.9) acres, more or less.

[SEAL]
[SEAL]

STATE OF MONTANA, }
County of } ss.

On this day of in the year one thousand
nine hundred and before me a Notary
(Name of Officer)
Public for the State of Montana, personally appeared
(Name of Party)

known to me
(Or proved to me on the oath of)
to be the person whose name subscribed to the within instrument, and acknowledged to me that
he 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.....

QUITCLAIM DEED

TO

STATE OF MONTANA }
County of } ss.

Filed for record

A. D. 19.....

at o'clock M., and

Recorded in Book of

Deeds, page , Records of

..... County, Montana

County Recorder

By Deputy

When recorded County Clerk will

please return to

This Indenture, Made the _____ day of **June** in the year of our Lord one thousand nine hundred and **Twenty** between _____

_____ and Gallatin County, a legal subdivision of the State of Montana, the party _____ of the second part, WITNESSETH, that the said part ~~ies~~ of the first part, for and in consideration of the sum of _____ **ONE** _____ DOLLAR~~S~~ lawful money of the United States to _____ them _____, in hand paid by the said part **y** of the second part, the receipt of which is hereby acknowledged, do _____ remise, release and forever quitclaim unto the said part **y** of the second part, and to _____ its ~~business~~ assigns, the following described real estate, situated in the _____ County of **Gallatin** and State of Montana, to-wit:

All that part of Section Eighteen (18), Township One (1) North, Range One (1) East, described as follows:-
A strip of land 60 feet in width, lying between two lines distant respectively 50 feet and 110 feet when measured at right angles, from the center line of the Northern Pacific Railroad and bounded on the North by a line parallel to and 300 feet north of the south line of said section eighteen (18), and bounded on the west by a line drawn at right angles to the center line of the Northern Pacific Railroad and distant from the west line of the Northeast quarter of the northeast quarter of section nineteen (19), Township One (1), Range One (1) East, 780 feet, in a north-easterly direction when measured along said center line, containing **0.4** acre, 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 ~~business~~ assigns forever.

In Witness Whereof, the said part ~~ies~~ of the first part ~~h~~ve hereunto set _____ their _____ hand^s and seal^s the day and year first above written.

Signed, Sealed and Delivered in the Presence of

_____ [SEAL]
_____ [SEAL]
_____ [SEAL]

STATE OF MONTANA,

County of } ss.

On this day of in the year one thousand
nine hundred and before me a Notary

(Name of Officer)

Public for the State of Montana, personally appeared
(Name of Party)

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

to be the person whose name subscribed to the within instrument, and acknowledged to me that
he 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.....

QUITCLAIM DEED

TO

STATE OF MONTANA } ss.
County of

Filed for record

A. D. 19.....

at o'clock M., and

Recorded in Book of

Deeds, page, Records of

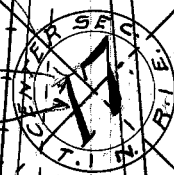
..... County, Montana

County Recorder

By Deputy

When recorded County Clerk will

please return to



Woodward

Nancy Woodward

F. J. Parker

Parker

N.P.R.V.
Rail W. Line

Exposed Road

Cep has Inabnit.

Mullen

Co. County Road

to Co. City

MATY MUTTOY

Mary Murray to
John Miller

To County

W. H. Buttelman

Mary

30' 60'

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Proposed Road. Cephas Inabnit. Miller

County Road.

Parker

M.P. Ry
Raf W. King

F.T. Parker

Woodward

Nancy
Woodward

COUNTY ROAD

WILLOW CREEK



CENTER SEC 31
18
T1N R1E

MARY MUTTAY

CENTER SEC 31
18
T1N R1E

Proposed Road
Cephos Inabnit

Elizabeth
Kantag

N.P.R.Y.
Rd. W. Long

F.J. Pothet

Nancy
Woodward

Wm. H. Buttelman

County Road

30'

60'

30'

60'

MATY MUTTAY



Proposed Road

Cephus Inabnit

County Road

Elizabeth
Kuntze

M.P.R.Y.
Red W. Road

F.J. Parker

Nancy
Woodward

THIRTY ROAD

WILLOW CREEK

