

TINR 3E

No. 517

PETITIONER:

Albert Van Diest et al

Petition filed Feb 23 1921

Viewers appointed Feb 28 1921

Report filed April 7 1921

Date of hearing 191

Report approved April 7 1921

Order of survey 191

Surveyed Feb 19- 1925

Field Book No. 105 Pages 59-65

Recorded in Roadbook 191

Declared County Road 191

N.B. Report as

Accepted Approved Only

Part of Road Petitioned

For. See Surveyors Record  
Book

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

Chairman

See Book 13 Commissioners' Proceedings,

pages 425 & 463

Viewers: G.W. Darrinton &  
S.D. Waldorf

County Clerk

# Petition For Road

No. 517.....

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.....

Southeast corner Section 8 One North Three East thence North along the East line of Section 8 to the Moreland Canal; thence along the upper bank of the said Moreland Canal to a point in the said East line of said Section 8 in the Northeast Quarter of the Southeast Quarter thereof; thence North along the said East line of Section 8 to the Moreland Canal; thence Northwesterly along the upper bank of the Moreland Canal to a point in the Southeast Quarter of the Northeast Quarter of said Section 8; thence Northeasterly along a wash running to the Northeast corner of said Section 8; thence North along the East line of Sections 5 and 32 to a point in the East line of Section 32 Two North Three East where the present Manhattan-Logan road intersects.

Beginning again at the Northeast corner of Section 8 One North Three East thence due East along the North line of Sections 9 and 10 One North Three East to a point in the Northeast Quarter of the Northwest Quarter of Section 10 One North Three East where the Manhattan-Logan road intersects, all of the said road being 40 feet wide.

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			
	Description	Sec.	Twp.	Range
<i>Albert Van Hiest</i>				
<i>Martin G. Duesch</i>				
<i>Robert J. Morris</i>				
<i>Nicholas H. Froust</i>				
<i>Frank C. Shodan</i>				
<i>E. C. Cash</i>				
<i>Rich J. Ferguson</i>				
<i>The Manhattan Company</i>				
<i>Andrew Mangon</i>				
<i>Martin Beckman</i>				
<i>Yde Jong</i>				
<i>Ed D. Baer</i>				
<i>John S. Seaward</i>				
<i>Chas. Furr</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
Albert Van Dier Wife Mabel Van Dier				
Martin Gappert Wife Mary Gappert				
Robert J. Morris Wife Sophia J. Morris				
Nicholas H. Stewart Wife None				
Easter Shadon Wife Frank E. Shadon				
E. J. Cash Wife				
The State of Montana Wife				
Martin Beckman Wife Cornelia Beckman				
A. S. de Jong Wife				
Ed De Bure				

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						

*Albert Van Dier  
Mabel Van Dier  
Martin Gappert  
Mary Gappert  
Robert J. Morris  
Sophia J. Morris  
Nicholas H. Stewart  
Easter Shadon  
Frank E. Shadon  
E. J. Cash  
The State of Montana  
Martin Beckman  
Cornelia Beckman  
A. S. de Jong  
Ed De Bure  
Miss Ed De Bure  
Mrs. Chae Farn  
Mrs. James Seeliard*



# 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

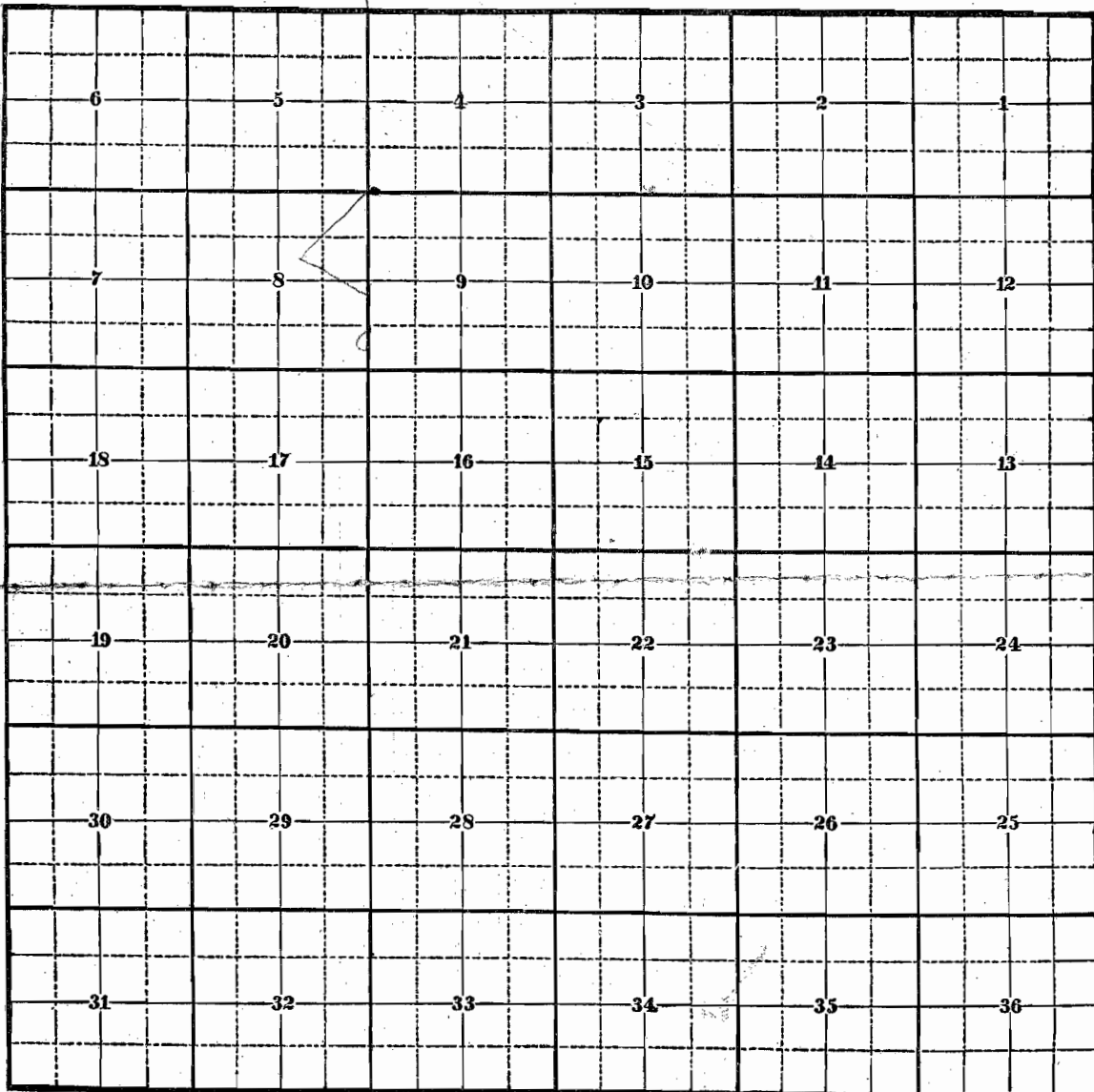
such of them as can be found consent thereto, and if not the probable cost of the right-of-way, where consent is not had, the necessity for, and advantage of the proposed road.

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. \_\_\_\_\_

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



True Meridian

No. 517

## PETITION FOR ROAD

Principle Petitioner.....  
*Albert Van Diest*

Filed this... *23*... day of... *Feb*... 19*21*..

*A. D. Walden*  
County Clerk and Recorder  
*Lawyer*

By .....

Viewers

Appointed .....

To meet .....

At .....

On .....

Report of Viewers

Filed .....

Action by the Board.....

Road Dist. No. ....

Petition #517

1st Road 2 1/2 miles

Practically all grader work

Colverts required

- 2 - 12"
- 1 - 15"
- 3 - 18"

Grader work  
 69 Station  
 - 208 Mile  
 we 150-200/Mile

Steel Cap. 550  
 W. 300 - 1 bridge over Warm Springs Canal - 16' span  
 " " 375 1 " " Moreland " - 12' "

2nd Road 1 1/4 miles

1 bridge over Warm Springs Canal (Wood Bridge in place)

Colverts all in place & road graded entire length.

16  
 32  
 32-4x14x5 48  
 70  
 2240  
 726

280  
 16  
 1680  
 280  
 4480  
 1493

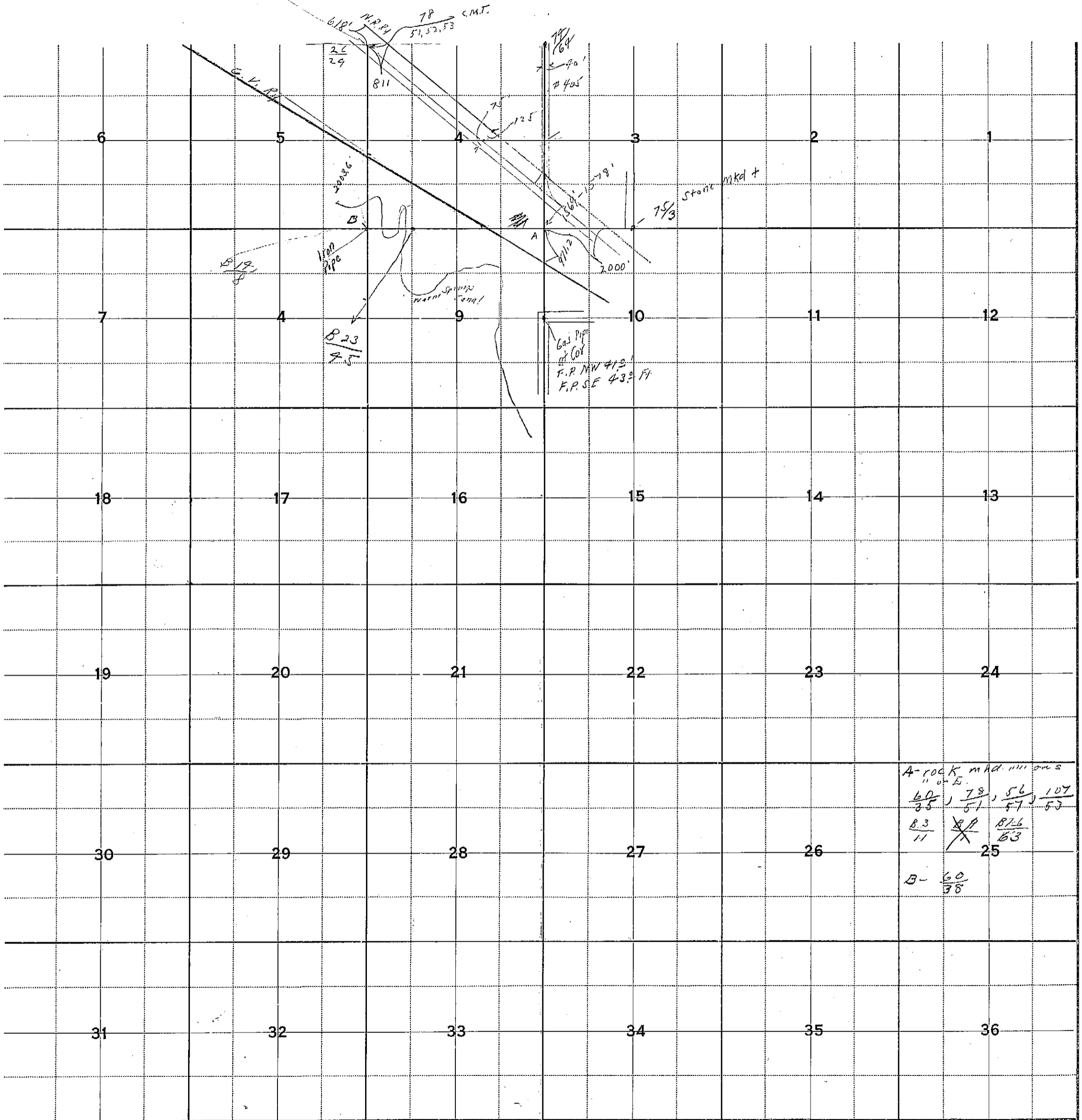
256  
 4  
 1024

12/17/29 get F.M.B. notes

Township No. / N. Range No. 3 E W. Mer.

# 517

$\frac{B16}{63}$   $\frac{B11}{29}$



No. 131

Scale 40 Chains to an Inch.