

T 29 R 2 E

No. 524

PETITIONER:

John Patton et al

Petition filed April 30 1923

Viewers appointed April 30 1923

Report filed July 13 1923

Date of hearing 191

Report approved July 13 1923

Order of survey May 16 1924

Surveyed July 11 1924

Field Book No. 107 Page 27

Recorded in Roadbook 1924 191

Declared County Road 191

Opened thro. Pitts  
ranch 1924

Approved: Chairman

See Book Commissioners' Proceedings,  
Book 14 - Page 569  
pages Book 15 - Pages 15 - 352 - 427

County Clerk

# Petition For Road

No. 524

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

Gentlemen:

We, the undersigned free holders of Road District No. 11 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 a point on the

Bozeman-Virginia City Road in the West Half of Section 23, Township 2 South Range 2 East, thence northerly across the west half of section 23 to the northwest corner thereof; thence north along the line between sections 14 and 15 to the northwest corner of section 15; thence west two miles along the north lines of sections 15 and 16 to the northwest corner of section 16; thence northerly 1 1/2 miles to a junction with the Madison Valley Road at the east quarter corner of section 5, all in Township 2 South, Range 2 East.

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
<u>John Balkema</u>	<u>sect 9 25 2 E</u>		
<u>Frank J. Benson</u>			
<u>J. W. McLees</u>			
<u>Elmer H. Frank</u>	<u>sect 17 25 2 E</u>		
<u>Henry T. Giff</u>	<u>sect 7 and 8. 28 2 E</u>		
<u>Esa Hutchinson</u>			
<u>Margaret Hutchinson</u>			
<u>W. B. McKisson</u>			
<u>Chas. R. Alderson</u>			
<u>W. W. Lewis</u>			
<u>J. J. Pitt</u>	<u>sect 23 28 2 E</u>		
<u>John B. Sloan</u>			
<u>Gundy Gergstra</u>			
<u>George W. Mass</u>	<u>sect 14 28 2 E</u>		
<u>Mrs. F. J. Benson</u>	<u>" 10 15 28 2 E</u>		

# 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. 2 S Range No. 2 E



No. 524

## PETITION FOR ROAD

Principle Petitioner.....  
*John Balkman et al*

Filed this 30th day of April, 1923  
*John Balkman*  
County Clerk and Recorder  
*S. D. Waldorf*

By ..... Deputy  
Viewers  
*G. W. Dar Linton*  
*S. D. Waldorf*

Appointed ..... 19.....  
To meet..... 19.....  
At viewed July 11-1923  
On .....

Report of Viewers  
Filed July 13-1923  
Action by the Board.....  
*Report of Viewers*  
*Accepted*

Road Dist. No. 11

July 17

Commissioner Darlington & Surveyor Waldorf, viewers for Road Petition #524, reported as follows: - that they viewed proposed route of road on July 11th. and recommend the following: - that a county road be established beginning at a point on the Bazeman-Virginia City Road in the West Half of Section 23 - Township 2 South, Range 2 East, thence northerly across said section 23 to the Northwest Corner thereof; thence north along the line between sections 14 & 15 of same township and range, to the corner common to sections 10, 11, 14, & 15; thence westerly along the north line of said section 15 a distance of approximately 200 yards to an intersection with the present private trail road leading from this point to an intersection with the Madison Valley road at the Jno. Mc Lee's place in Section 33, Township 1 South, Range 2 East. The Viewers recommend that the said private road be not opened as a public highway, and that the above described location for Road #524 be opened and made passable for traffic only on the provision that all rights of way be furnished and all fencing be done without cost to Gallatin County. The viewers further recommend that as soon as reasonable assurance can be given that rights of way <sup>can be obtained</sup> and fencing can be done without cost to Gallatin County, that survey be ordered to determine most feasible route across section 23.

65  
11/16  
12/14  
J. Darlington  
S. Waldorf.