

T1 #2-S. R 3-E.

No. 527

PETITIONER:

W.E. Westlake

Petition filed July 9 1923

Viewers appointed none necessary 191

Report filed 191

Date of hearing 191

Report approved 191

Order of survey July 9 1923

Surveyed Aug. 20-22 1923

Field Book No. 100 Page 45

Recorded in Roadbook 191

Declared County Road Dec. 16 1929

Approved: Chairman

See Book 15 Commissioners' Proceedings,
pages 13-580

County Clerk

Petition For Road

No. 527

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

Gentlemen:

We, the undersigned free holders of Road District No. 22 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.....

Amsterdam, and running in a southwesterly direction on the East side
of the Northern Pacific Railroad through sections 14 and 22 and
connecting with the old road at a point known as Westlake Siding.

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:

The present road has two bad hills, and other small ones. That during the winter months it is impassable a large part of the time because of snow drifting in the hills, and in the spring there is always washouts that block passage, and the people have to go thru the fields to get out. The proposed ^{Road} will eliminate all this trouble.

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road		
	Description	Sec.	Twp. Range
<u>W. B. Nutlake</u>		<u>22</u>	<u>15 3E</u>
<u>W. B. Clump</u>		<u>10</u>	<u>15 3E</u>
<u>E. M. Cushing</u>		<u>8</u>	<u>25 3E</u>
<u>A. B. Octro</u>		<u>14</u>	<u>15 3E</u>
<u>John Knippers</u>		<u>10</u>	<u>25 3E</u>
<u>J. Sparto</u>		<u>34</u>	<u>15 3E</u>
<u>Will. M. Alberda</u>		<u>11</u>	<u>25 3E</u>
<u>A. Vanderark</u>		<u>35</u>	<u>15 3E</u>
<u>H. D. Donald</u>		<u>32-33</u>	<u>15 3E</u>
<u>B. Chinneman</u>		<u>6</u>	<u>25 3E</u>
<u>A. Drombys</u>		<u>4-9</u>	<u>25 3E</u>
<u>W. J. Somers</u>		<u>22</u>	<u>1-5 3E</u>
<u>John T. Kamps</u>	<u>Stocks with Ship & Residence</u>		
<u>Benny Alberda</u>	<u>Garage & Residence</u>	<u>11</u>	<u>4</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 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

Type Meridian

No. 527

PETITION FOR ROAD

Principle Petitioner.....
W. E. Westlake

Filed this *9* day of *July*, 19*23*.

By *S. D. Waldorf* Deputy
County Clerk and Recorder
County Surveyor

Viewers
None necessary

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

Report of Viewers
Filed
Action by the Board.....
Pickard County Survey
Rec. 16-1929

Road Dist. No. *27*.....

S. D. WALDORF
SURVEYOR FOR GALLATIN COUNTY
BOZEMAN, MONTANA

July 2, 1923,

Mr. W.E. Westlake,
Manhattan, Montana,

Dear Sir:-

The County Commissioners have turned over to me the enclosed road petition, and I am returning it to you herewith for the reason that it is not signed by ten freeholders residing within your road district.

Three of the signers on this petition, namely M.C. Smiley, D.A. Copeland, and A.G. Berthot, do not reside in your road district, and therefore their signatures cannot be counted according to law. You should get three additional signers, being careful to obtain three who are freeholders residing in your road district.

Also you will note that on the second page there are provided spaces for those to sign who propose to give rights of way, and spaces for those to sign who propose to charge for rights of way. These spaces should be signed up by the owners of the land upon which the proposed road would be constructed.

It will not be necessary to get the Northern Pacific Railway to sign, however, as the railroad company would require a plat of the proposed road, and this we cannot furnish until a survey has been made. We anticipate no trouble in getting a lease from the railroad company, provided everything else is satisfactory.

We should be able to give you prompt action on this petition, as soon as it shows the proper signatures to enable us to file it.

Yours very truly,

W. E. WESTLAKE
PINE TREE RANCH
MANHATTAN, MONTANA

ROUTE 2
7/7/23.

Mr S.D.Walderf,
Bozeman, Montana.

Dear Sir.

Received your letter of the 2nd inst, and also the road petition. I had been informed by Mr Moore that the petition was not sufficient and have made up another one with 14 freeholders on it and all of whom live on the proposed road. I sent this new petition to the county commissioners at least two weeks ago and do not see why they had not turned it over to you before now.

In my talk with Mr Moore it was agreed that the consent of the landowners donating land could be secured later, or after the survey was made, in this way they would know just where the road was and just what they were giving. I got up the other petition just as they told me to do it and had consent of all except Mr Euell. And for this reason of the extra trouble Mr Moore was to get the consent of those who live in Bozeman, and I will get those ~~out~~ here. I wish you would ask them about the petition I sent in last.

I will try to see you soon but we are in a very busy time just now. But we do not want to delay this and I will do all I can to push it along.

Yours Very Truly,

