

TIN RAE

No. 530

PETITIONER:

W.T. Cox et al

Petition filed Sept. 17, 1923

Viewers appointed Sept. 17, 1923

J.E. Moore - G.D. Waldorf

Report filed Oct. 13, 1923

Date of hearing 191

Report approved Oct 13, 1923

Order of survey 191

Surveyed March, 1926

Field Book No. 112 Page 16

Recorded in roadbook 191

Declared County Road 191

Jan 1926 Location changed to that originally shown on petition

Opened to traffic July 1926

Approved: Chairman

See Book 15 Commissioners' Proceedings,

pages 98-108-116-252 - Book 16 - Pages 217-227-230-280

County Clerk

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>G. S. Smith</i> Wife <i>La M Smith</i>	<i>N.E. 1/4 Sec 17</i>	<i>17</i>	<i>1</i>	<i>4E</i>
<i>W.T. Cox</i> Wife <i>Mrs W.T. Cox</i>				
<i>G. W. Ellington</i> Wife <i>Mrs G. W. Ellington</i>				
<i>John Robinson</i> Wife <i>Emma J. Robinson</i>		<i>8</i>	<i>1</i>	<i>4E</i>
<i>R. J. Spain</i> Wife <i>Eva S. Spain</i>				
<i>J. R. Miller</i> Wife <i>Anna Mary Hoffmann</i>		<i>15</i>	<i>1</i>	<i>4E</i>
<i>D. L. Cowan</i> Wife <i>Margie Cowan</i>		<i>10</i>	<i>1</i>	<i>4E</i>
<i>H. S. Blasinger</i> Wife				
<i>D. D. Abernombis</i> Wife <i>Kate Cowan</i>				

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
<i>John Cowan</i> Wife		<i>10</i>	<i>1</i>	<i>4E</i>		
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 oads 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

TIN RAE

No. 530.

PETITION FOR ROAD

Principle Petitioner.....
W. T. Cox

Filed this *17* day of *Sept.*, 19*13*.
W. T. Cox
County Clerk and Recorder
Surveyor.

By

Viewers

J. E. Moore
S. D. Waldorf

Appointed 19.....

To meet..... 19.....

At

On

Report of Viewers

Filed

Action by the Board.....

Road Dist. No.

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

ROADVIEWERS REPORT ON PETITION NUMBER 530.

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

Gentlemen:- The undersigned J.F. Moore and S.D. Waldorf, viewers for Road Petition Number 530, report as follows:- That on October 4th, 1923, they viewed the location of the proposed road, and recommend as follows:-



(1) that, inasmuch as the east end of the proposed road would run through a bad swamp, the location should be changed so that the description would read thus:- Beginning at a point on the present county road on the east line of Section 15, Township 1 North, Range 4 East, said point being just north of the right of way line of the Northern Pacific Railway Co.'s Second Track, thence running northwesterly parallel to and along the northeasterly side of the northeasterly right of way line of said railroad a distance of approximately $1\frac{1}{8}$ miles to the west line of said section 15; thence northerly along the west line of said section a distance of approximately $\frac{3}{8}$ miles to the northwest corner of said section; thence westerly along the south lines of sections 9, 8, and 7 a distance of approximately $2\frac{1}{2}$ miles to an intersection with the present county road running along the east side of the West Gallatin River.

(2) That, in case all rights of way are donated, and all fencing done without cost to Gallatin County, the road be constructed and made passable for traffic.

(3) That wood bridges be used for the Cowan Creek, Duck Creek, and Bull Run Creek crossings, and for all other drainage structures, except those that can be handled by the installation of small pipes.

(4) That said road be made 60 feet in width.

Respectfully submitted

Viewers.

Dated at Bozeman, Montana, October 12, 1923.

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

STATEMENT OF LESSEE.

To I. M. Brandjord, Register.

The undersigned, Mr. Thomas Gibson of Manhattan, Montana, states that he leases the Northwest Quarter ($NW\frac{1}{4}$) of Section Sixteen (16), Township One North, Range Four East (T1N, R4E), M. P. M. from the State of Montana; that he is familiar with and has inspected the two strips of ground along the north line thereof to be purchased from the State of Montana by Gallatin County for road purposes; the two said strips being more particularly described as follows,-

Tract # 1. A tract of land lying in the Northwest Quarter ($NW\frac{1}{4}$) of Section Sixteen (16), Township One North, Range Four East (T1N, R4E), M. P. M. and more particularly described as follows,- Beginning at the Northeast corner of the said Northwest Quarter ($NW\frac{1}{4}$); thence West along the North line of the said Northwest Quarter ($NW\frac{1}{4}$) a distance of 417.6 feet, more or less, to a point in the Northeasterly Right-of-way line of the Northern Pacific Railway - "Bozeman to Logan, Second Track"; Thence $S57^{\circ}37'E$ along the said Northeasterly Right-of-way line a distance of 56.0 feet, more or less, to a point 30 feet south of the north line of the said Northwest Quarter ($NW\frac{1}{4}$) when measured at right angles thereto; thence East 30 feet distant from and parallel to the North line of the said Northwest Quarter ($NW\frac{1}{4}$) a distance of 370.3 feet, more or less, to a point in the East line of the said Northwest Quarter ($NW\frac{1}{4}$); thence north along the said east line a distance of 30 feet to the point of beginning, tract containing in all 0.27 acres, more or less.

Tract # 2. A tract of land lying in the Northwest Quarter ($NW\frac{1}{4}$) of Section Sixteen (16) Township One North, Range Four East (T1N, R4E), M. P. M. and more particularly described as follows,- Beginning at the point of intersection of the north line of the said Northwest Quarter ($NW\frac{1}{4}$) with the Southwesterly Right-of-way line of the Northern Pacific Railway - "Bozeman to Logan, Second Track", said point being 651.0 feet, more or less, west of the Northeast corner of the said Northwest Quarter ($NW\frac{1}{4}$); thence West along the north line of the said Northwest Quarter ($NW\frac{1}{4}$) a distance of 1982.3 feet, more or less, to the Northwest Corner of the said Northwest Quarter ($NW\frac{1}{4}$); thence South along the west line of the said Northwest Quarter a distance of 30 feet; thence east 30 feet distant from and parallel to the north line of the said Northwest Quarter ($NW\frac{1}{4}$) a distance of 2029.6 feet,

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

STATEMENT OF LESSEE (2)

more or less, to a point on the Southwesterly Right-of-way line of the said railway; thence N57°37'W along the said Right-of-way line a distance of 56.0 feet, more or less, to a point in the north line of the said Northwest Quarter (NW $\frac{1}{4}$), the place of beginning; tract containing in all 1.38 acres, more or less.

The undersigned further states that Gallatin County has made satisfactory settlement with him as lessee for the above described strips of Right-of-way.

Dated at Manhattan, Montana, this 23rd day of March, 1926

Signed: *Thomas Gibson*

Witness:

Orville R. Moore

Feb. 3, 1925.

Mr. Peter Eliassen,
Hardi, Mo-t.,

Dear Sir:-

I am informed by Mr. John Robinson that you formerly owned the Southwest Quarter (SW $\frac{1}{4}$) of Section 8, T1W R&E, near Central Park in this county, and that you could probably tell me something about the corners to this property. We are contemplating the construction of a road along the south line of this property, and I find that the old marks set for the corners by C.M. Thorpe in 1906 cannot be found at this time. Therefore, if you can identify the corners definitely, it will save us a relocation survey.

I am enclosing a sketch showing the location of the southwest corner as established by C.M. Thorpe in 1906, also a sketch showing the fences at the approximate location of the corner now. You will note that Mr. Thorpe shows the corner as being 13.8 feet north and 7 $\frac{1}{2}$ feet west of the fence intersection at that time, also he notes that there was a ditch 4 feet east of corner. I do not believe that the fencing is the same now. Can you tell me as to whether the fence intersection has been moved since 1906, and if so how it was set with reference to the corner?

Mr. Thorpe also located the southeast quarter corner, or the southeast corner of your former place, and his notes state that this corner is located one foot south of the south end of the fence running north. However there are no marks here at present. Do you know as to whether or not this fence has ever been moved?

I am enclosing a stamped addressed envelope and shall appreciate any information you may be able to give me regarding the corners on this place.

Yours very truly,

County Surveyor.

March 30, 1925.

Mr. I.M. Brandjord,
Register of State Lands,
Helena, Mont.,

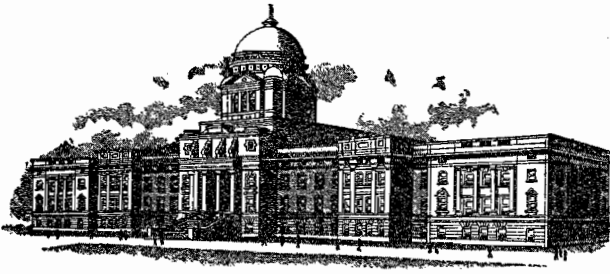
Dear Sir:-

Your letter of March 29th relative to Right of Way Application #1930 has been received, and in accordance with your instructions I am enclosing herewith a claim for the amount of \$4.00 in favor of the State Land Department. Please sign this and return to the County Clerk of Gallatin County so that warrant can be issued.

Thanking you for your courtesy in this matter, I am

Yours very truly,

County Surveyor.



STATE OF MONTANA
LAND DEPARTMENT

STATE BOARD OF
LAND COMMISSIONERS

J. E. ERICKSON, GOVERNOR MAY TRUMPER, SUPT. OF PUBLIC INSTRUCTION
C. T. STEWART, SECRETARY OF STATE L. A. FOOT, ATTORNEY GENERAL

I. M. BRANDJORD, REGISTER
NANITA B. SHERLOCK, DEPUTY REGISTER
G. W. COOK, STATE LAND AGENT

In reply please refer to

HELENA,

March 29, 1926

S. D. Waldorf
County Surveyor
Bozeman, Montana

Dear Sir:

Right of Way Application #1930

Your letter of the 24th has been received transmitting right of way application, agreement with the lessee, and tracings covering application for public highway along the north line of the NW $\frac{1}{4}$, Sec. 16, T. 1N, R. 4E.

As this proposed road follows the section line, it is not likely that it will be necessary for the Land Agent to make a personal inspection. The State Board of Land Commissioners will meet in a few days and I hope to have your application granted at that time, and deed can then issue at once. As the road follows the section line, no compensation will be asked, except the nominal consideration of \$1.00, and the cost for issuing the deed is \$3.00. You might as well arrange to have a county warrant for \$4.00 sent to this office so that the deed can issue without delay.

Very truly yours,


REGISTER.

IMB-A

Board of Railroad Commissioners OF THE STATE OF MONTANA

Ex-Officio
Public Service Commission of Montana
Montana Trade Commission
Montana Irrigation Commission

MEMBERS
SAM M. ROSS, CHAIRMAN
DANIEL BOYLE
LEONARD C. YOUNG

COUNSEL
E. G. TOOMEY
ADDRESS ALL COMMUNICATIONS
TO THE COMMISSION

Helena April 2, 1926.

Subject: Highway Crossing.

Mr. G. W. Darlinton, Chairman,
Board of County Commissioners,
Bozeman, Montana.

Dear Sir:

This will acknowledge receipt of copy of resolution dated March 31, 1926, in the matter of a grade crossing with the Northern Pacific railway as therein described.

We are enclosing herewith copy of Chapter 148, Session Laws of 1919; your attention being directed particularly to Sections 4 and 6.

Very truly yours,

BOARD OF RAILROAD COMMISSIONERS, MONTANA,

R. F. McLean
Asst. Secretary.

rfm-m

May 10 1926

Railroad Crossings

Outside of

Incorporated Cities and Towns



Chapter 148, Session Laws of 1919

"An Act Regulating Railroad Crossings Outside of Incorporated Cities and Towns; Conferring Upon County Commissioners Power to Order the Construction of Railroad Crossings; Empowering the Board of Railroad Commissioners of the State of Montana to Enforce This Act; Providing Penalties for the Violation of This Act, and Repealing Chapter Eighteen and Chapter Sixty-five of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That at all places in the State of Montana, outside of incorporated cities and towns where a lawfully established public highway now crosses or shall hereafter cross any railroad, it shall be the duty of the railroad company, owning or operating such railroad, to construct and thereafter maintain, in proper condition, a good and safe crossing.

Section 2. In any unincorporated community ordinarily known as a village or town where the public necessity and convenience require a railroad crossing at the intersection of the railroad with any street or highway, whether lawfully established or otherwise, which is commonly used by the public, the board of county commissioners of the county may order the construction and maintenance of such railroad crossing, and upon such order becoming final and effective, it shall be the duty of the railroad company to construct and maintain in proper condition, a good and safe crossing. The board of county commissioners may order more than one railroad crossing in such unincorporated community, as in this section provided, when the public necessity and convenience require more than one such crossing to afford reasonable facilities for public travel.

Section 3. Whenever any board of county commissioners shall order the construction of any railroad crossing, said board shall enter an order upon its minutes specifying the place of such crossing, and a copy of said order shall be served upon the railroad company, and a copy shall also be immediately mailed to the board of railroad commissioners of the State of Montana. Service of said order may

be made upon the railroad company by delivering such copy to any station agent employed in connection with the operation of said railroad in said county.

Section 4. It shall be the duty of a railroad company to construct a crossing ordered by the board of county commissioners of any county within sixty (60) days after service of such order; provided, however, that in case any crossing shall be ordered requiring any extended period of construction, such additional time as is reasonably necessary to complete the same, shall be allowed by the said board of railroad commissioners upon proper application for such extension.

Section 5. The said board of railroad commissioners is hereby given full power to enforce the orders of any board of county commissioners for the construction of railroad crossings, and is likewise given full power to pass upon the reasonableness of any such order and to modify, change or annul the same.

Section 6. Whenever any railroad crossing has been ordered by the county commissioners, as herein provided, the railroad company may, within thirty (30) days after the service of such order, serve upon the board of railroad commissioners, a notice stating why such order is considered unreasonable or unjust, and request that the board of railroad commissioners hold a hearing for the purpose of determining whether or not the construction of such crossing should reasonably be required. The board of railroad commissioners shall thereupon institute a hearing for said purpose and all interested parties shall be given reasonable notice and an opportunity to be heard, and said board of railroad commissioners may after such hearing, either affirm, modify or annul such order.

Section 7. That no railroad crossing, other than a grade crossing, shall be ordered by any board of county commissioners. The board of railroad commissioners may, however, upon petition or request in writing of any board of county commissioners, order an overhead or underground crossing at any place where a railroad crossing has not been constructed and is required by the provisions of this Act, provided in its judgment the safety, necessity and convenience of the traveling public require such crossing.

When any such petition or request is presented, the Board of Railroad Commissioners shall fix a date for hearing the same, and shall give at least ten days' written notice to the board of county commissioners, and the owner or operator of the railroad to be affected by such order, of the time fixed for the hearing. At such hearing, the said board of railroad commissioners shall hear all testimony offered as to the safety, necessity and convenience of the traveling public requiring such a crossing, the expense of constructing and maintaining same, and make such investigation and inspection of the conditions at the place of crossing, as may be deemed necessary or advisable, and shall thereupon determine whether such order should be made. In the event an overhead or underground crossing is ordered, the board of railroad commissioners may, in its discretion, require the same to be constructed and maintained by, and at the expense of the railroad company, or may apportion the expense between the railroad company and the county in which said crossing is located. The part of the expense apportioned to said county, if any, shall be paid to the railroad company from the funds of said county properly applicable to the payment of such expense.

Section 8. The board of county commissioners or the railroad company affected by an order or decision of the board of railroad commissioners made pursuant to the provisions of this Act, may commence an action in any court having jurisdiction, to determine the justness and reasonableness of such order or decision, and in any such action, the order or decision sought to be reviewed shall prima facie be deemed just, reasonable and proper.

Section 9. In the event of an application to the board of railroad commissioners to review any order made by the board of county commissioners, and in the event of any action to review any order or decision of the board of railroad commissioners as herein provided, the time within which to comply with said order shall be extended, and the railroad company shall have sixty (60) days after the said order or decision becomes final and effective within which to comply with the same. The time for compliance as herein provided, may be extended for good cause shown, by the board of railroad commissioners of the state.

Section 10. Nothing in this Act contained shall in any way affect the liability of any railroad company for damage to persons or property injured at any crossings.

Section 11. Any railroad company failing to construct any crossing after the order or decision requiring the construction of same has become final, within the time herein provided, or within any extension of time granted by the said board of railroad commissioners, shall for each day's failure, pay to the State of Montana, a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), to be recovered in a civil action in the name of the State of Montana, and it shall be the duty of the county attorney of the county within which is located the site of the proposed crossing to prosecute such action.

Section 12. The words "railroad company" as herein used, shall be taken and construed to mean any corporation, person or association of persons owning or operating a railroad.

Section 13. Chapter eighteen and Chapter sixty-five of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and all others Acts and parts of Acts in conflict herewith, are hereby repealed.

Section 14. This Act shall take effect and be in full force and effect from and after its passage and approval.

Approved March 7, 1919.

(Copy for Surveyor)

Rec'd #1930

April 1, 1926

J. H. Harris
County Clerk & Recorder
Gallatin County
Bozeman, Montana

Dear Sir:

You will find herewith claim of the State in the amount of \$4.00 in connection with Right of Way Application #1930 of your county.

The County Surveyor will be able to give you any desired information in regard to the claim.

When warrant has been issued, kindly send to this office and the deed will then be mailed to your surveyor without any long delay. We assume that your county warrants are as good as the cash.

Very truly yours,

(Sgd) I. M. Brandjord

IMB-A

Register of State Lands.

April 27, 1926

Mr. J. H. Jacobus,
Division Superintendent,
Northern Pacific Railway,
Livingston, Montana.

Dear Sir,-

I am mailing under separate cover a section of the Plan and Profile for the proposed Gallatin County Road # 530, showing the crossing over the Northern Pacific tracks at the section line between Sections Nine (9) and Sixteen (16), Township 1 North, Range 4 East. (Bozeman to Logan - Second Track).

I wish to call attention to the fact that the Ry. Right-of-way on the Southwest is fenced 90 feet out at this point, where the records show the right-of-way to be 75 feet.

Will be glad to furnish any other information you may need relative to this crossing.

Yours Truly,
S. D. Waldorf
County Surveyor.

By
Deputy



Livingston, May 19th, 1926.

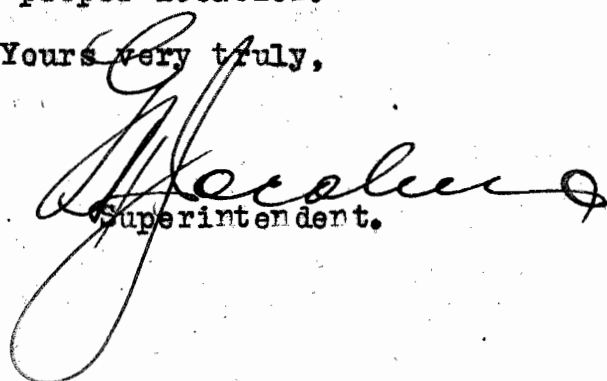
Mr. S. D. Waldorf,
County Surveyor,
Bozeman, Montana.

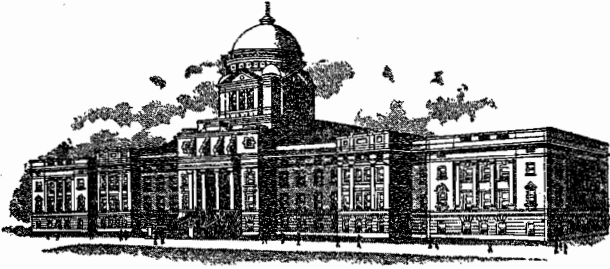
Dear Sir:

Referring to your letter April 27th in reference to proposed Gallatin County Road No. 530, showing crossing over the Northern Pacific's tracks at Mile Post 164 plus 400 feet.

The width of the right of way on the southerly side of the track is 75 feet. The fence as now constructed is 90 feet from the center of the track and is outside of our right of way line. I do not think it should be necessary to change this fence at the present time, unless there is some serious complaint made in regard to its location. However, when the fence is rebuilt or extensive repairs made to the line, the fence will be placed in its proper location.

Yours very truly,


Superintendent.



STATE OF MONTANA

LAND DEPARTMENT

STATE BOARD OF
LAND COMMISSIONERS

J. E. ERICKSON, GOVERNOR MAY TRUMPER, SUPT. OF PUBLIC INSTRUCTION
C. T. STEWART, SECRETARY OF STATE L. A. FOOT, ATTORNEY GENERAL

I. M. BRANDJORD, REGISTER
NANITA B. SHERLOCK, DEPUTY REGISTER
G. W. COOK, STATE LAND AGENT

In reply please refer to

HELENA.

March 19, 1926

S. D. Waldorf
Bozeman, Montana

Dear Sir:

You will find herewith the regular blank for making application for Right of Way over State lands, which I think will explain itself.

Two tracings are required as you say in your letter of the 12th. We have no blanks for making settlement with the lessee. Just get any kind of a statement or receipt signed by him showing that you have made satisfactory settlement showing the land over which the Right of Way passes.

This office will take great pleasure in giving your Right of Way Application prompt and careful attention. As you know, we have to submit the application to the State Land Agent and then to the State Board of Land Commissioners.

Yours for service,

IMB-A

I. M. Brandjord
REGISTER.

March 24, 1920,

Mr. I.M. Brandjord,
Register of State Lands,
Helena, Mont.,

Dear Sir:-

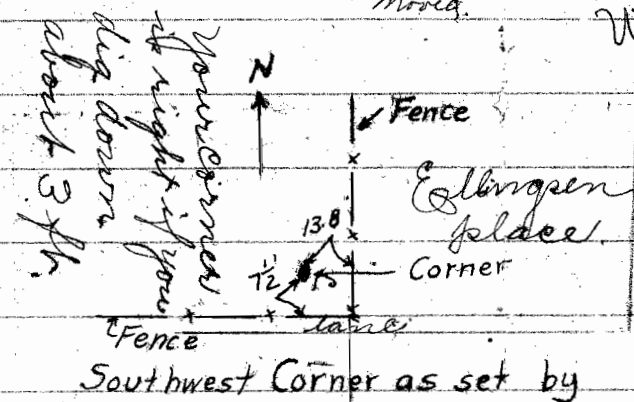
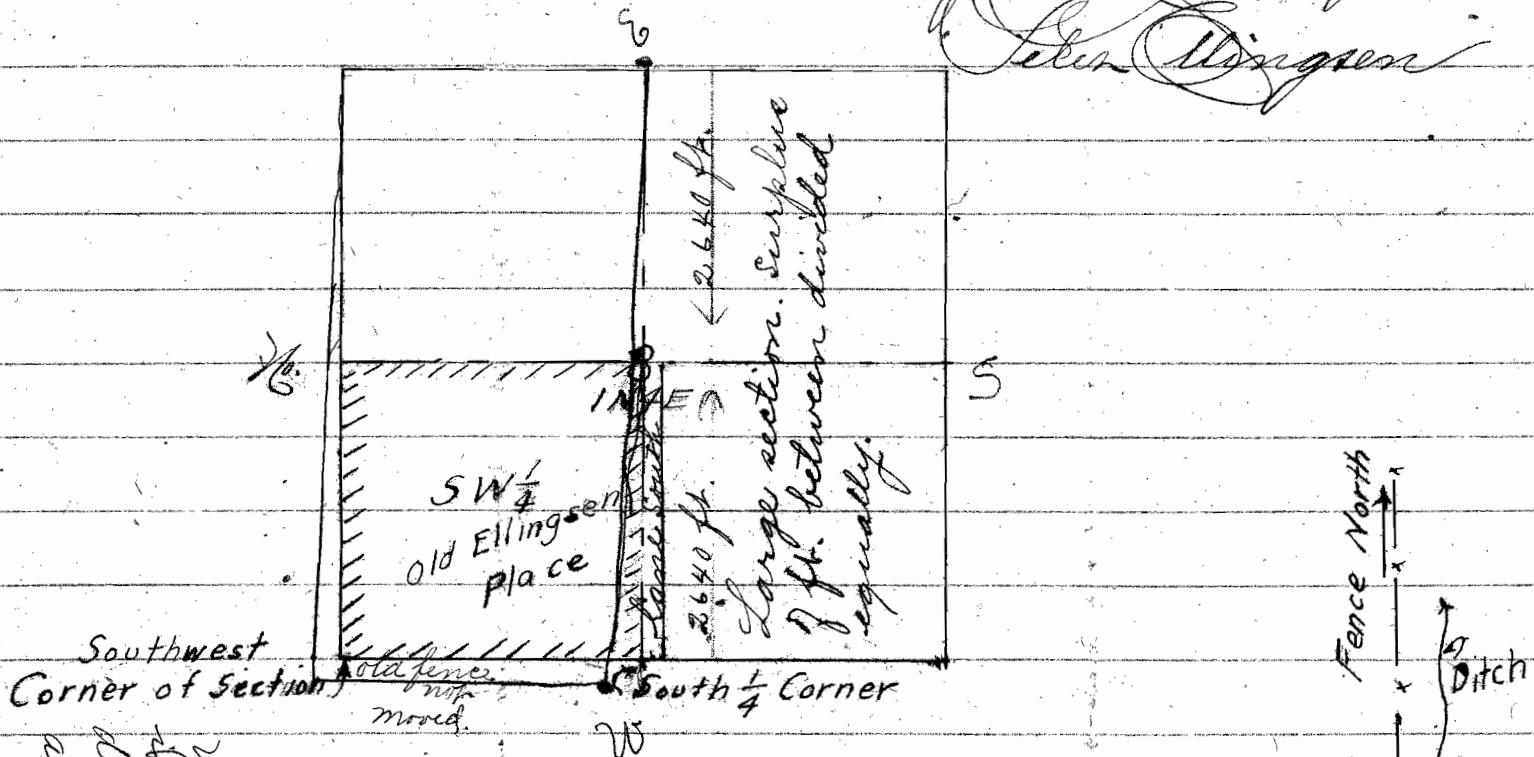
In accordance with the instructions received from you in your letter of March 19th to the undersigned, I am enclosing herewith a Right of Way Application in duplicate, a statement from the lessee showing that satisfactory settlement has been made with him, and original and duplicate tracings showing the right of way desired.

We shall appreciate it if you will have these submitted to the State Land Agent and the State Board of Land Commissioners for early action.

Yours very truly,

County Surveyor.

Glad to give you any information available
 Yours Truly
 Peter Ellingsen



Southwest Corner as 'Fenced Now'

C. M. Thorpe in 1906

The east fence moved on line after survey was made. corner in the brush close to corner post.

* on top of rock was a cedar post about 3 ft. long and about 3 1/2 inches square that I would just come to surface at that time. I was there

The old fence not moved unless Robinson has moved it. This corner is west of the old fence.

Dig down at that corners about three feet, you find a rock in hole.

Myself and saw it. The little cedar post might be lost but you dig down and you will find the rock. The rock was a smooth, oblong boulder.

March 12, 1926,

Register of State Lands,
Helena, Montana,

Dear Sir:-

This county expects to construct a new road which will require for right of way a strip of ground thirty feet wide running along the North boundary of the Northwest Quarter of Section Sixteen, Township 1 North Range Four East, N. P. M., Gallatin County, Montana. This land is under lease to Thomas Gibson.

I understand that you require two tracings to be submitted, showing the right of way required, also an application blank to be filled out, and also a certificate of settlement with lessee for improvements, if any, upon the tract in question.

Please send me the necessary blanks and instructions for making application for this right of way.

Yours very truly,

County Surveyor.

1	1	✓4
2	43	- 48
3	49	- 57
4	58	- 75
5	76	- 90
6	91	- 101
7	102	- 111
8	112	- 134
9	135	- 150
10	151	- 159
11	160	- 173
12	174	- 189
13	190	- 209
14	210	- 215
15	216	- 225
16	226	- 236
17	237	- 245
18	246	- 256
19	257	- 279
20	280	- 301
21	302	- 319
22	320	- 336
23	337	- 360

RIGHT OF WAY DEED

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF MONTANA

To All To Whom These Presents Shall Come:

Know ye that the State of Montana, in consideration of the sum of -----
ONE AND NO/100----- Dollars

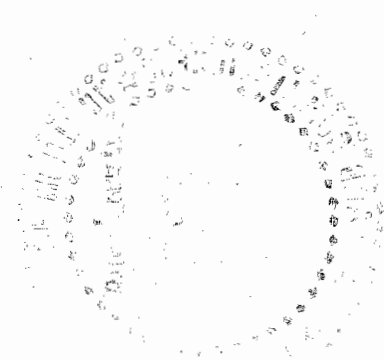
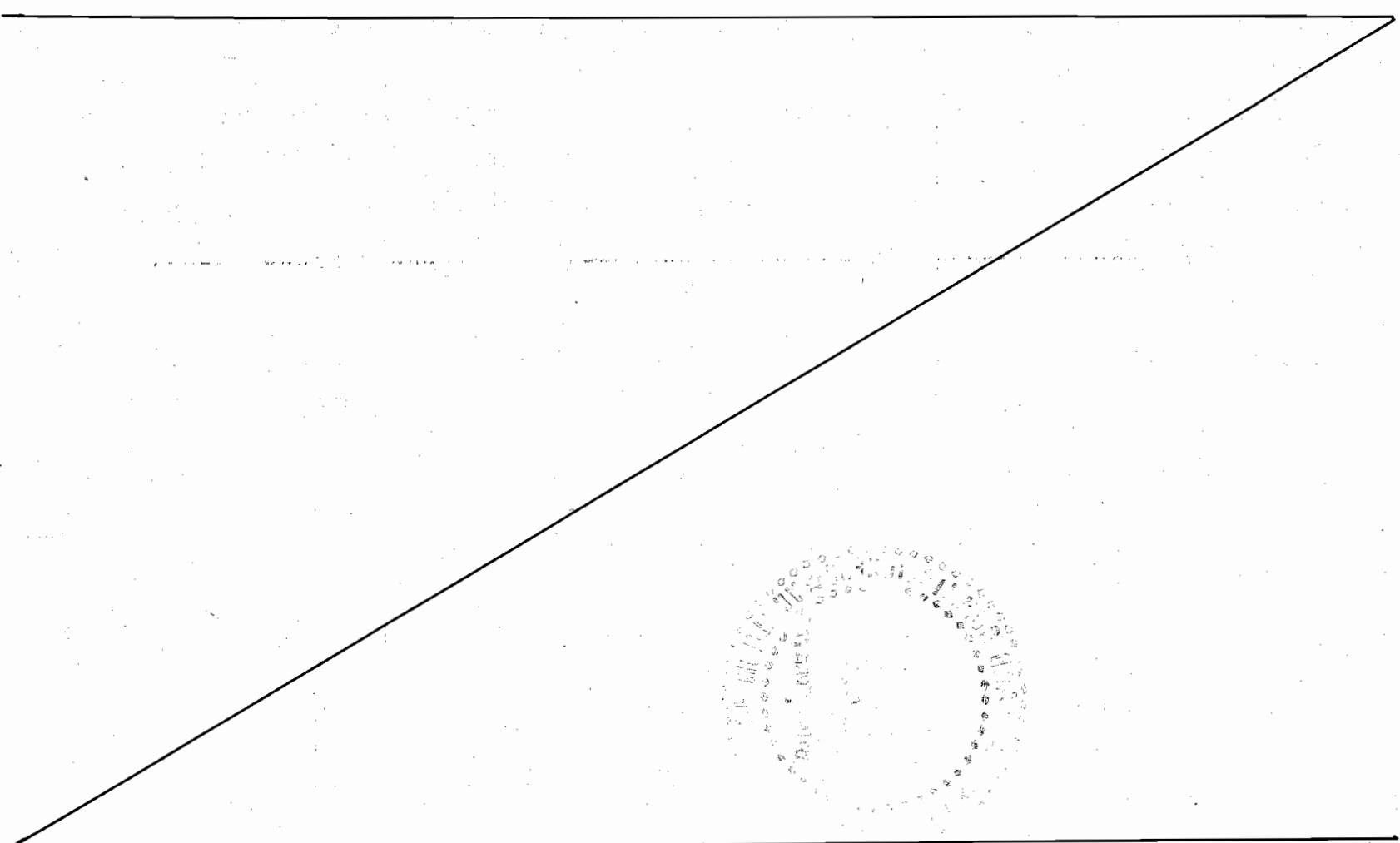
now paid, grants to THE COUNTY OF GALLATIN IN THE STATE OF MONTANA, -----
~~corporation~~, a right of way for a PUBLIC HIGHWAY, -----

upon and across state lands, as follows:

RIGHT OF WAY APPLICATION NO. 1930

Tract #1. A tract of land lying in the Northwest Quarter (NW $\frac{1}{4}$) of Section Sixteen (16), Township One North, Range Four East, M.P.M., and more particularly described as follows:- Beginning at the Northeast corner of the said Northwest Quarter (NW $\frac{1}{4}$); thence West along the north line of the said Northwest Quarter (NW $\frac{1}{4}$) a distance of 417.6 feet, more or less, to a point in the Northeastly Right of Way line of the Northern Pacific Railway- "Bozeman to Logan, Second Track"; thence S 57 degrees 37'E along the said Northeastly Right of way line a distance of 56.0 feet, more or less, to a point 30 feet south of the north line of the said Northwest Quarter (NW $\frac{1}{4}$) when measured at right angles thereto; thence East 30 feet distant from and parallel to the north line of the said Northwest Quarter (NW $\frac{1}{4}$) a distance of 370.3 feet, more or less, to a point in the east line of the said Northwest Quarter (NW $\frac{1}{4}$); thence North along the said east line a distance of 30 feet to the point of beginning, tract containing in all 0.27 acres, more or less.

Tract #2. A tract of land lying in the Northwest Quarter (NW $\frac{1}{4}$) of Section Sixteen (16), Township One North, Range Four East, M.P.M., and more particularly described as follows:- Beginning at the point of intersection of the north line of the said Northwest Quarter (NW $\frac{1}{4}$) with the Southwesterly Right of Way line of the Northern Pacific Railway - "Bozeman to Logan, Second Track", said point being 651.0 feet, more or less, west of the Northeast corner of the said Northwest Quarter (NW $\frac{1}{4}$); thence West along the north line of the said Northwest Quarter (NW $\frac{1}{4}$) a distance of 1982.3 feet, more or less, to the Northwest corner of the said Northwest Quarter; thence South along the west line of the said Northwest Quarter (NW $\frac{1}{4}$) a distance of 30 feet; thence East 30 feet distant from and parallel to the north line of the said Northwest Quarter (NW $\frac{1}{4}$) a distance of 2029.6 feet, more or less, to a point in the Southwesterly Right of Way line of the said railway; thence N 57 degrees 37'W along the said Right of way line a distance of 56.0 feet, more or less, to a point in the north line of the said Northwest Quarter (NW $\frac{1}{4}$), the place of beginning; tract containing in all 1.38 acres, more or less.



INDEXED	B7.
EXAMINED	B7-7
PLATTED	

State of Montana }
 County of Gallatin } ss.

Office of County Recorder.

I hereby certify that the within
 instrument was filed in my office
 on the 5th day of May
 A.D. 1926 at 1⁴⁰ o'clock P.M.
 and is recorded on page 91 of
 Book 70 of Deeds
 records of Gallatin County, Mon-
 tana.

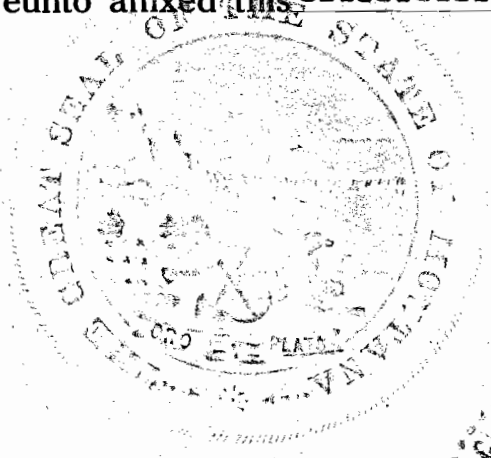
Attest: My hand and The Seal
 of said County.

J. Harris
 County Recorder.

By *Bess Fowler* Deputy.
 Fees \$.

It is further Provided that whenever said lands herein granted as a right of way shall cease to be used for such purpose, the same shall revert to the state upon notice to that effect being given to the said grantee named herein.

IN TESTIMONY WHEREOF, the State of Montana has caused these presents to be executed by the Governor, and to be attested by the Secretary of State, and countersigned by the Register of State Lands, and the Great Seal of the State, and the Seal of the State Board of Land Commissioners to be hereunto affixed this 30th day of April A. D. 1926



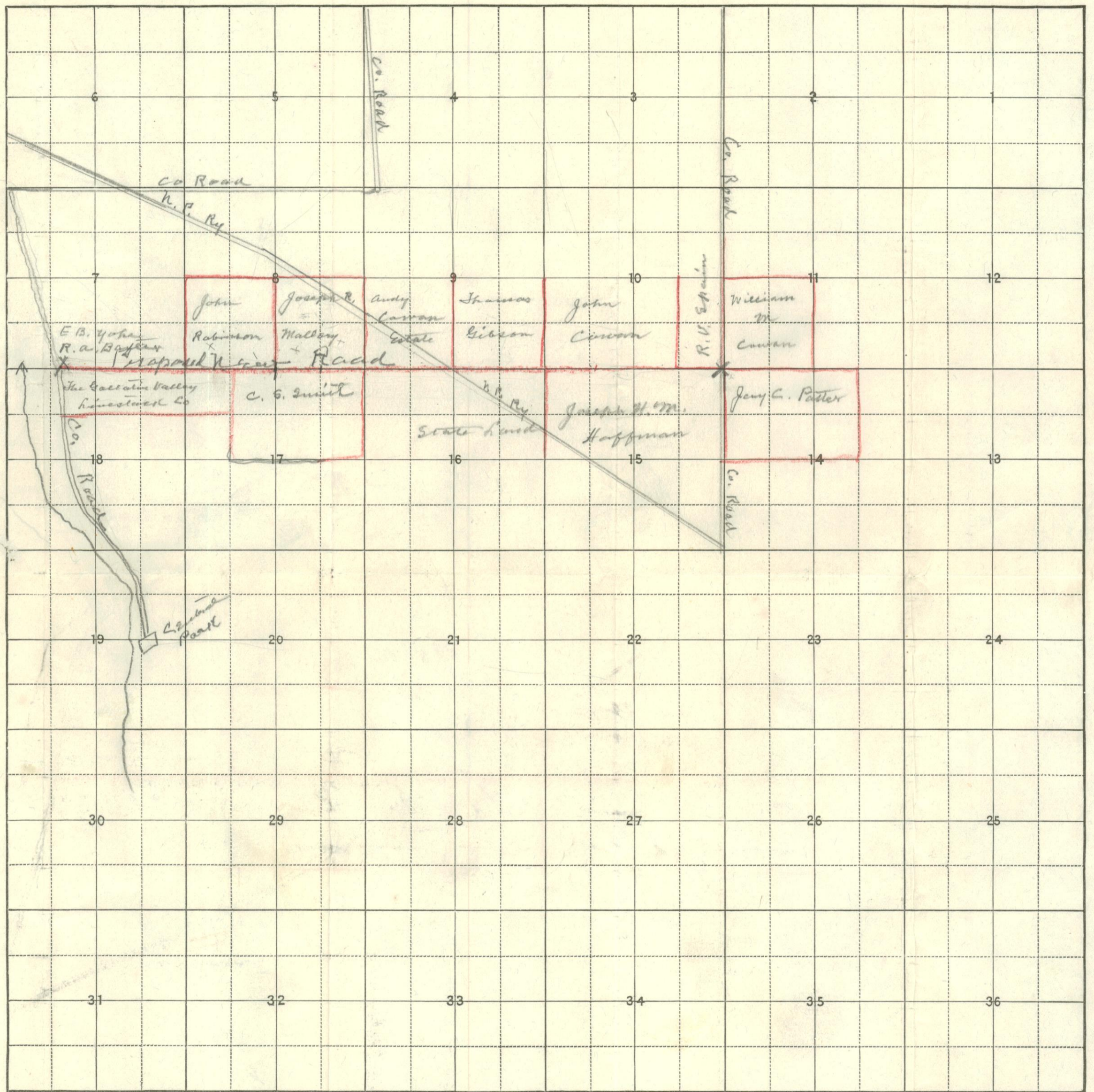
J. H. Harrison
 Governor of the State of Montana

ATTEST:
E. J. ...
 Secretary of State

Countersigned by
J. M. ...
 Register of State Lands

EXPLANATORY NOTES.

Township No. 17 Range No. 4 E. Mex.



True Meridian.

Under the second section of the act of March 3, 1883, authorizing a charge to be made for plats or diagrams, the fees for the same are fixed as follows:

For a township diagram showing entered land only.....	\$1.00
For a township plat showing form of entries, names of claimants, and character of entries.....	2.00
For a township plat showing form of entries, names of claimants, character of entry, and number.....	3.00
For a township plat showing form of entries, names of claimants, character of entry, number, and date of filing or entry, together with topography, etc.....	4.00

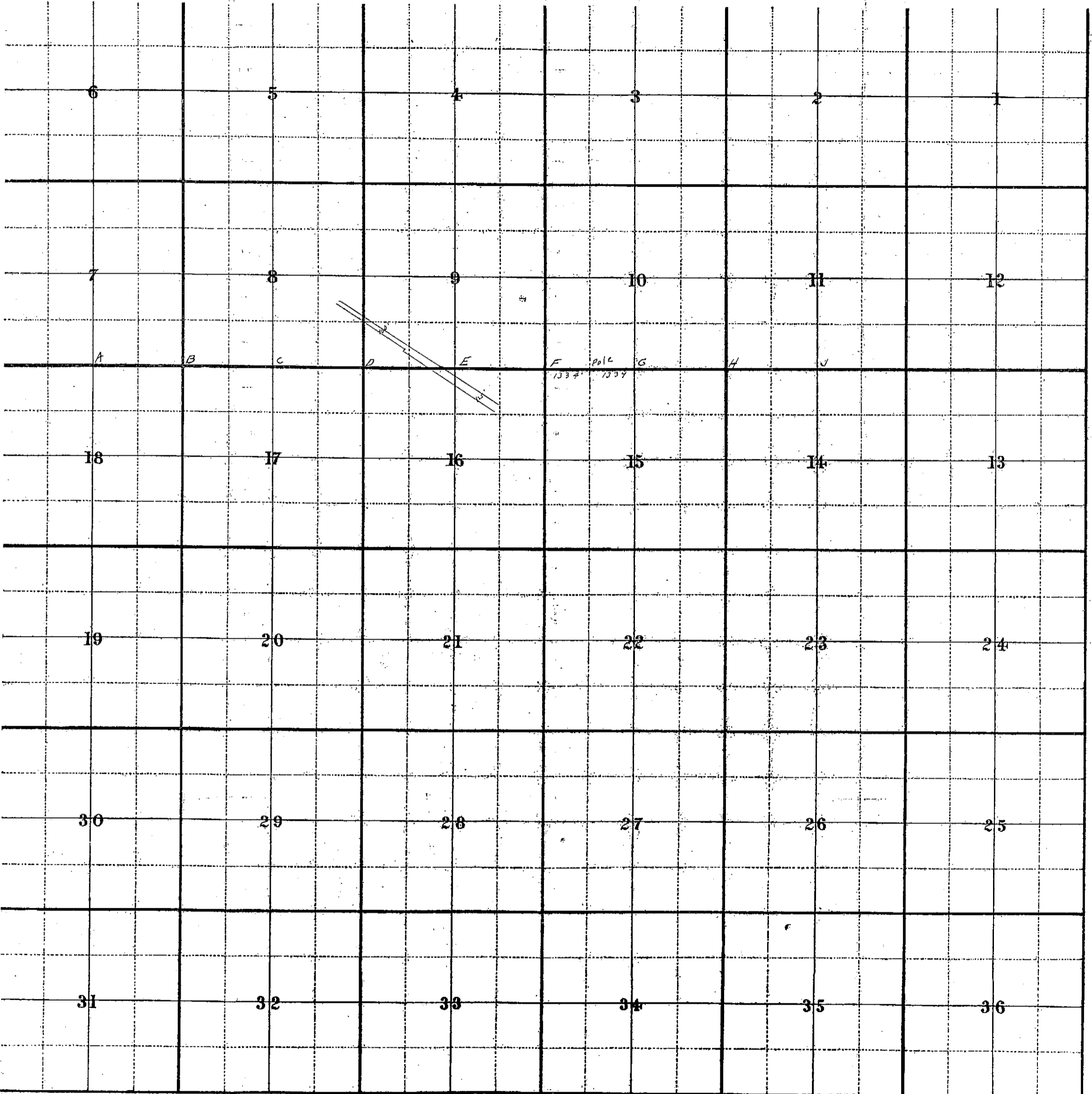
Scale 40 Chains to an Inch.

There is no legal authority for registers and receivers to charge or receive a fee of 25 cents for plats or diagrams of a section or a part of a section of a township.

NOTE.—Purchasers of township diagrams at a cost of one dollar each are entitled to definite information as to whether each and every smallest legal subdivision or lot is vacant public land. Registers and receivers are therefore required, in case of application for a township diagram showing vacant public land, to plainly check off with a cross, thus X, every lot or smallest legal subdivision within the township which is not vacant, leaving the vacant tracts unmarked. The character of the entries thus checked off need not be shown.

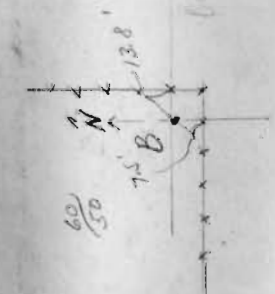
A. $\frac{106}{75}$ by S.D.W. - $\frac{18}{78}$ - $\frac{60}{8}$ E
 B. $\frac{106}{75}$ ✓ ✓ - $\frac{18}{78}$ - $\frac{60}{8}$ - $\frac{60}{50}$ F TYP $\frac{12}{12}$
 C. $\frac{106}{75}$ ✓ ✓ - $\frac{68}{2}$ - $\frac{93}{71}$ - G. TYP $\frac{12}{12}$ also S.D.W. Private
 D. $\frac{106}{75}$ ✓ ✓ - $\frac{68}{2}$ $\frac{93}{71}$ - $\frac{79}{42}$ H $\frac{169}{46}$ ✓ ✓ ✓ $\frac{56}{55}$
 J $\frac{169}{46}$

Township No. 1 North Range No. 4 East Mer.



No. 131

Scale 40 Chains to an Inch



(A+B) Located S.E. Cor 7 from ties $\frac{18}{78}$ set pole at fence 7.5' S. of cor. Found S.E. Cor - 7 - R.C. Stake $\frac{18}{78}$ - From S.E. cor Iron west on line of pole - 13.26' corrected S 3.75' to line of S.E. cor. ? at corrected line 5.88' N

(B) 1906⁶⁰ Cor 7-8-17-18 - Located corner from notes $\frac{18}{78}$ Set 4.14 x 2.24" post squared - Also N.W. Pitts N-S. W. - Ditch 4' E of corner. In digging at above point I found a boulder 8x5x5' not marked but just at right point - only stone in sight.

(C) $\frac{68}{72}$ at $\frac{1}{2}$ Cor, between 8x17 I found old stakes 1' 5" + 0.6" W of Fence Post at S. end of line N. Nearly all flattened off, but shows charcoal-point of stake in water & sound - O.K.

(D) $\frac{68}{72}$ Cor 8-9-17-18 - Mound at Cor. Fences E-W-N-S - Dug & found bottom old sharpened Fence Post & charcoal N.W. Pitts gone but orig. corner.

Robinson Road

Township No. 1N Range No. 4E Mer. W.

