

No. 545

PETITIONER:

Mark Cowan, et. al

Petition filed Aug. 24, 1915

Viewers appointed Aug. 24, 1915

Report filed Sept. 7, 1915

Date of hearing 191

Report approved Sept. 7, 1915

Order of survey Sept. 7, 1915

Surveyed Oct. 22, 1915

Field Book No. 111 Page 51

Recorded in Roadbook 191

Declared County Road 191

Opened to traffic

1926

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

See Book 16 Commissioners' Proceedings,

pages 144-152.

\_\_\_\_\_  
County Clerk

# Petition For Road

No.....

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

Gentlemen:

We, the undersigned free holders of Road District No.....**7**..... 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 County Road # 409 located a short distance south of the North  $\frac{1}{4}$  Corner of Section 3, Township 2 North, Range 7 East; thence running in a northwesterly direction a distance of approximately  $\frac{1}{2}$  mile to a junction with County Road # 64 at the North line of said Section 3; the exact route of the road to be established on the most feasible location as determined by survey.

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
✓ Mark Cowan				
A. A. Cross				
W. J. Maddox				
J. P. Hally not x				
G. J. Wittman				
Walter Beagle				
A. J. Kunk				
J. J. Brown				
L. G. J. ...				
W. J. ...				
E. J. ...				
...				
...				

**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
X <i>C.B. Robinson</i>				
X Wife <i>Mrs. C.B. Robinson</i>				
Wife <i>Louise Boegli</i>				
Wife <i>Walter Boegli</i>				
Wife <i>J. W. Wooley</i>	<i>SW 1/4 SE 1/4 except that room must be left for private roadway South of farm building</i>	<i>34</i>	<i>3 N</i>	<i>7 E</i>
Wife				
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						



# 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 there in. 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

Type Meridian

No. 545

## PETITION FOR ROAD

Principle Petitioner.....  
*Mark Cowan, et al.*

Filed this... *24<sup>th</sup>* day of *Aug.* 19*13*.  
*S. D. Waldorf*  
County ~~Clerk and Recorder~~  
*Surveyor*

By ..... *E. O. Moor* Deputy

Viewers  
*John Aajker*  
*S. D. Waldorf*

Appointed *Aug. 24.* 19*13*.  
To meet.....19.....

At .....  
On .....

Report of Viewers  
Filed *Sept. 7.* 19*13*.  
Action by the Board.....  
*Petition Approved.*

Road Dist. No.....

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

September 7, 1925,

Honorable Board of County Commissioners,  
Gallatin County, Montana,

Gentlemen:-

We your viewers appointed for Road Petition # 545,  
wish to report as follows:-

- (1) That we viewed the proposed route of said road on September 5, 1925;
- (2) That we find that a road on this location would save considerable distance for many people in going to and from the school, cheese factory and their ranches;
- (3) That one twelve foot span wood bridge and one culvert for an irrigating ditch would be required, as well as a small amount of brush cutting, and fills across bottom land in two places, neither of which is of very great length;
- §(4) That we recommend that said road be constructed and opened to traffic provided that all rights of way and fencing be furnished and constructed free of expense to Gallatin County, and that road be located on most feasible route as determined by survey.

Respectfully submitted,

John H. Papier  
S. D. Waldorf

Viewers,