

No. 551

PETITIONER:

Wm. Huhnerkoch, et al.

Petition filed Nov. 1 1927  
*Benepe & Waldorf*

Viewers appointed Mar. 1, 1927

Report filed Nov. 31 1927

Date of hearing Dec. 7, 1927  
*2:00 pm*

Report approved Oct 31 1927

Order of survey ..... 191

Surveyed ..... 191

Field Book No. .... Page .....

Recorded in Roadbook ..... 191

Declared County Road ..... 191

*Petition Denied*

*Dec. 7 1927*

Approved: ..... Chairman

See Book 16 Commissioners' Proceedings,

pages 509-Book 17- Pages 53-64

..... County Clerk

# Petition For Road

No. 551.....

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

Gentlemen:

We, the undersigned free holders of Road District No. 5 of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable

body to ~~establish~~ ~~discontinue~~ same as a County Road, beginning at.....  
the intersection of Road #172 or the Kelly Canyon Road, with the  
East Line of the W $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 14, T2S R6E, thence West and South  
along said Road #172 to its intersection with Federal Aid Project  
#222 on the West Line of Section 15, T2S R6E.

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
H. W. Davis ✓			
Crystal B. Davis ✓			
Wm. Huberkoeh ✓			
Mrs. Lou Huberkoeh ✓			
F. G. Harding ✓			
W. B. Johnson ✓			
Otto Arnison ✓			
Mrs. J. N. King ✓			
J. N. King ✓			
Mrs. E. Johnson ✓			
T. G. Johnson ✓			
F. L. Collins ✓			
Robert K. King ✓			
Wm. J. King ✓			
Jacob Carlus ✓			
William Carlus ✓			
W. D. Pittenhouse ✓			
Mrs. H. D. Pittenhouse ✓			

# 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.

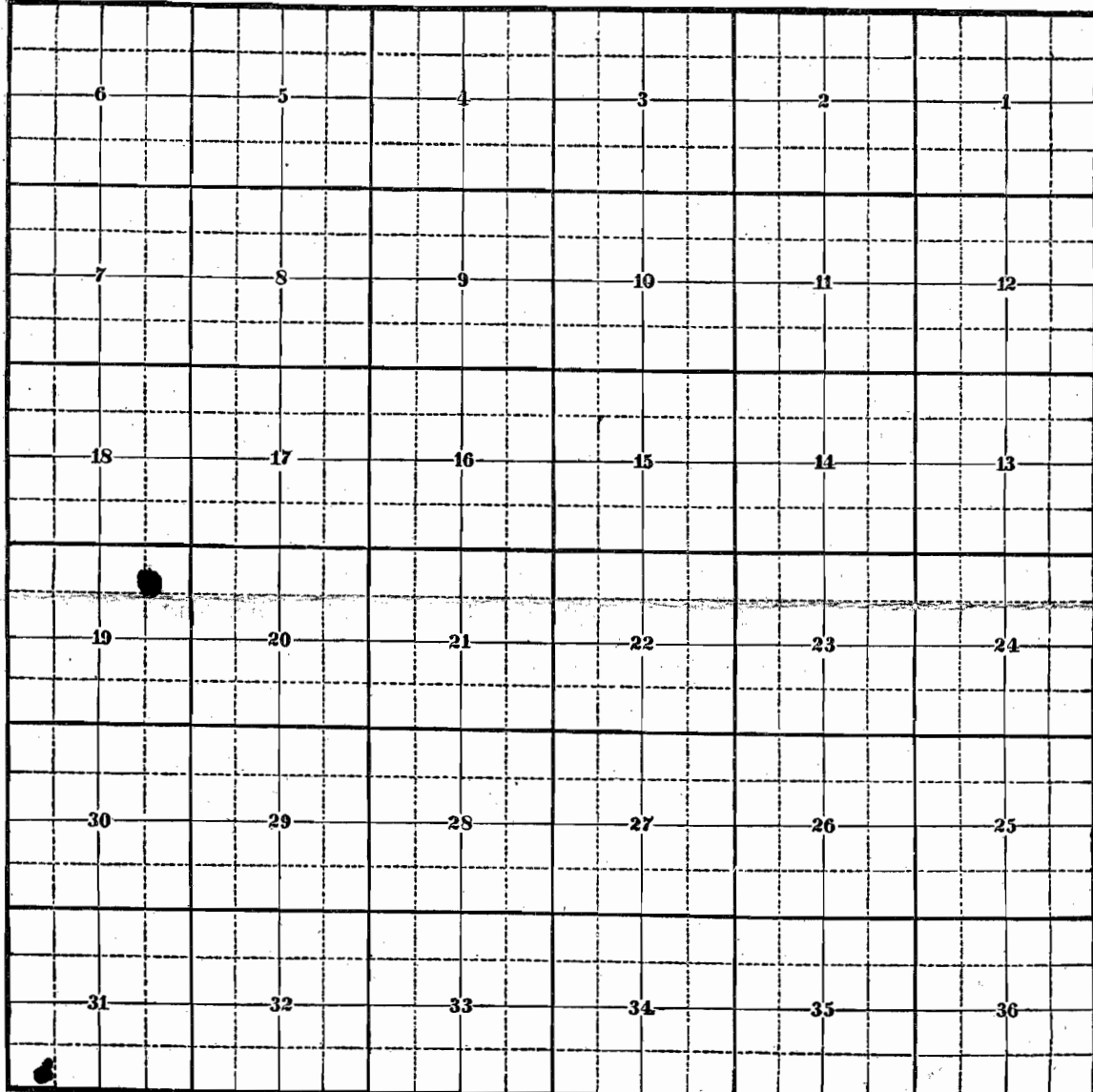
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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. \_\_\_\_\_



Scale 80 chains to an inch  
20 40 60 80

Foot Measure

No. 551....

## PETITION FOR ROAD

Principle Petitioner.....  
*Mr. Ahnertach et al*

Filed this... day of... 1927.

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

By ..... Deputy

Viewers

*F.L. Benepe, Jr.*  
*S.D. Waldorf*

Appointed... 1927.

To meet... weather permits. 19...

At .....

On .....

Report of Viewers

Filed ... Oct. 21. 1927.

Action by the Board.....

*Petition Dealed*  
*Dec. 7 1927*

Road Dist. No. 5.....

*Bozeman Grant*  
*Oct. 31 - 1927*

VIEWERS' REPORT ON PETITIONS #550 AND #551.

We, the undersigned viewers, appointed for Road Petitions #550 and #551, wish to report as follows:

We recommend that:

(1) Road #550 be constructed provided all fencing and rights of way be furnished free of cost to Gallatin County; and

(2) That the road described in Petition #551 be closed, excepting that portion extending from the east line of the West half of the Northwest quarter ( $W\frac{1}{2} NW\frac{1}{4}$ ) of Section Fourteen (14), Township Two (2) South, Range Six (6), East, west a distance of approximately one-half ( $\frac{1}{2}$ ) mile to the southeast corner of the West half of the Southeast quarter ( $W\frac{1}{2} SE\frac{1}{4}$ ) of Section Ten (10), Township Two (2) South, Range Six (6) East.

*H. B. B. B. B. B.*

*H. B. B. B. B.*  
Viewers

*Approved Oct. 31 - 1927*  
*by Board of Co. Commissioners*  
*ordered surveyor to post notice notice on*  
*road on Petition No 537 for showing on P.C. 7 at*  
*L.P.P.*

Box 213. P.H.  
Tacoma, Wash"

Nov 14/27

Board of County Commissioners

Bozeman, Mont."

Gentlemen:

I am the owner of 120 acres of land in  
Sec 10, Twp 2 S, Range 6 E. I am informed there is  
being circulated a petition to have certain changes  
made in the road in that neighborhood which  
would be very detrimental to me, and resulting  
in the depreciation of my land. I hereby protest  
against such action.

Very Truly Yours

Alma E. Smith.

Hearing Dec. 7.

#551  
#553.

NOTICE OF ABANDONMENT OF HIGHWAY.

Notice is hereby given that a petition has been filed with the undersigned Board of County Commissioners to abandon and discontinue the following described highway:-

Beginning at the Northwest Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 13, Township Two South Range Five East, thence running East  $\frac{1}{2}$  mile to the Northeast Corner of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

*Insert description below*

Hearing on said petition has been ordered by the Board of County Commissioners for the <sup>7th</sup> ~~17th~~ day of <sup>December</sup> ~~October~~, 1927, at <sup>2:00</sup> ~~10:00~~ o'clock A.M. at the Court House at Bozeman, Montana, at which time the Commissioners will finally determine the merits of said petition, and at which time all persons interested may make objections or offer suggestions relative to the abandonment of said highway.

BOARD OF COUNTY COMMISSIONERS.

By J.H. Harris, County Clerk and Recorder.

Dated at Bozeman, Montana,  
<sup>Nov. 7</sup>  
~~Sept. 13~~, 1927.

*Beginning at the intersection of Road #172 with Federal Aid Project No. 222 on the west line of Section 15, T 25 R 6 E, thence running northerly and easterly along said Road #172, or the Kelly Canon Road, a distance of approximately 1 mile to the Southeast Corner of the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 10, T 25 R 6 E*

#551

NOTICE OF ABANDONMENT OF HIGHWAY

Notice is hereby given that a petition has been filed with the undersigned Board of County Commissioners to abandon and discontinue the following described highway:

Beginning at the intersection of Road #172 with Federal Aid Project No. 222 on the west line of Section Fifteen (15), Township Two (2) South, Range Six (6) East, thence running northerly and easterly along said Road #172, or the Kelly Canyon Road, a distance of approximately one (1) mile to the southeast corner of the West half of the Southeast quarter ( $W\frac{1}{2}SE\frac{1}{4}$ ) of Section Ten (10), Township Two (2) South, Range Six (6) East.

Hearing on said petition has been ordered by the Board of County Commissioners for the 7th day of December, 1927, at 2:00 o'clock P. M. at the Court House at Bozeman, Montana, at which time the Commissioners will finally determine the merits of said petition, and at which time all persons interested may make objections or offer suggestions relative to the abandonment of said highway.

BOARD OF COUNTY COMMISSIONERS,

By J. H. Harris,  
County Clerk and Recorder.

Dated at Bozeman, Montana,  
November 1st, 1927.