

No. *557*

PETITIONER:

W. B. Quantic et al

Petition filed *Aug 29* 19*27*
Benepe - Waldorf
Viewers appointed *Aug 30* 19*27*
viewed Nov. 2 - 1927
Report filed *Nov 8* 19*27*

Date of hearing 191

Report approved *Nov 8* 19*27*

Order of survey 191

Surveyed 191

Field Book No. Page

Recorded in Roadbook 191

Declared County Road 191

Denied Nov. 8 - 1927

Approved: Chairman

See Book *16* Commissioners' Proceedings,

pages *632* - Book *17* - Pages *43*

..... County Clerk

#557

Petition For Road

No... 557...

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

Gentlemen:

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

~~the corner common to Sections 25-26-27, T28, R6E, thence~~

running east along the section line between sections 23 and 26 a distance of approximately 7/8ths mile to a junction with the Bear Canyon Road

Said road to have a right of way 40 feet in width except thru the swampy section near the $\frac{1}{4}$ corner common to sections 23 and 26, where said right of way shall be 60 feet in width

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:

Land Owned by Same to be Crossed by Proposed Road

Names of Petitioners

Description

Sec.

Twp.

Range

W. B. Guanter		15, 22, 23	28	6 E	OK
C. Lawrence	S ² SW	36	28	6 E.	OK
E. J. Stoell					
Frank Stoell Sr.	E ² SE	26	28	6 E	OK
(Out) O. A. Langland		24	28	6 E.	
(Out) Frank Stoell Jr.					
Otto Sievert		26 & 27	28	6 E	OK
(Out) H. W. Johnson	SW	23	28	6 E	
(Out) M. J. Trent	SW	14	28	6 E	OK
(Out) J. H. New	SE NE	26	28	6 E	
(Out) Harry Wood	S ²	26	28	6 E.	OK
(Out) Stanley or Dept					
(Out) Vern Williams					
(Out) H. Williams		27 & 36	28	6 E.	OK
(Out) Lee Williams					
(Out) John J. Williams					

July 10 28 6 E

and 26, where said right of way shall be 60 feet in width

We believe the cost of constructing this road will not exceed \$.....
 there beingsteep 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
W. B. Swartz		15, 22, 23	28	6E
O. Lawrence	S ² SW	26	28	6E
E. J. Hoell				
Frank Hoell Sr.	E ² SE	26	28	6E
Al. Hargland		24	28	6E
Frank Hoell Jr.				
Otto Sievert		26, 27	28	6E
H. P. Johnson	SW	23	28	6E
Wm. Trent	SW	14	28	6E
J. H. Dixon	SE, NE	26	28	6E
Harry Wood	S ²	26	28	6E
Roncy [unclear]				
[unclear]				
Vern Williams				
H. Williams		27, 36	28	6E

Lee Williams				
John J. Williams				
[unclear]		21, 4	10	28, 6E
[unclear]				14, 23, 28, 6E
T. B. Johnson	NE, NW	23	28	6E
Mrs. J. N. King	S ²	16	28	6E
Henry Sievert				

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>H. T. Johnson</i>			
Wife			
<i>Ron St. Jean</i>	<i>1/2 of right of way</i>		
Wife			
<i>W. S. [unclear]</i>			
Wife	<i>1/2 of NE 1/4</i>		<i>26 20 6 E</i>
<i>W. S. [unclear]</i>	<i>1/2 of [unclear]</i>		
Wife	<i>1/2 Right of way</i>		
<i>Hern Williams</i>	<i>beginning on east side</i>		
Wife	<i>[unclear]</i>		
<i>Lee Williams</i>			
Wife			
<i>John J. Williams</i>			
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					

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.

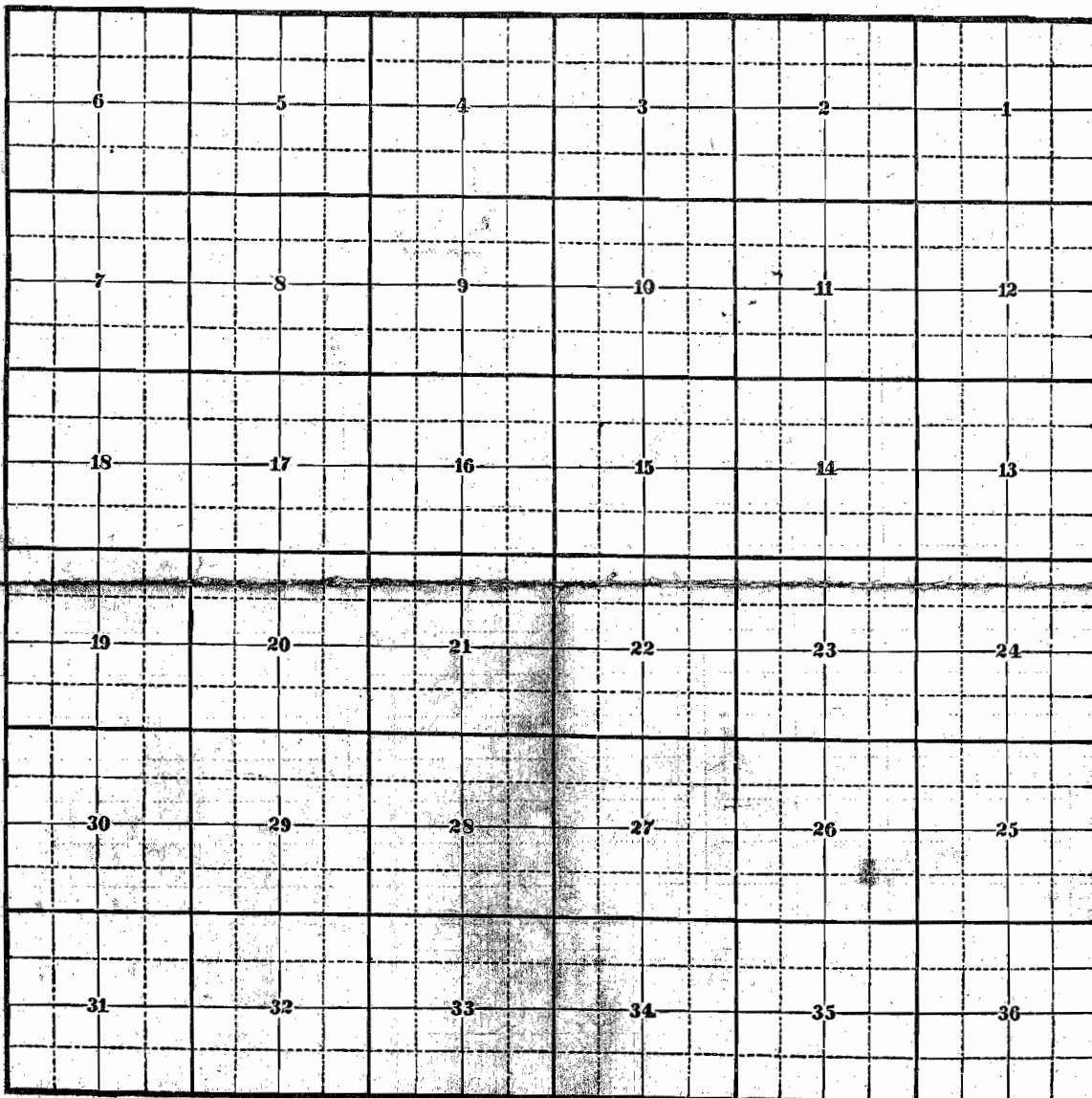
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

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 so chains to an inch
20 40 60 80

No. 5577

PETITION FOR ROAD

Principle Petitioner.....
W. B. Grant

Filed this 29 day of Aug. 1927

W. B. Grant
County Clerk and Recorder
Sworn

By Deputy

Viewers

Beape - Waldorf

Appointed ... *Aug. 30* ... 1927

To meet ... *Nov. 2* ... 1927

At

On

Report of Viewers

Filed ... *Nov. 8, 1927*

Action by the Board.....

Petition Denied Nov. 8, 1927

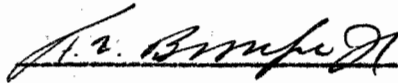
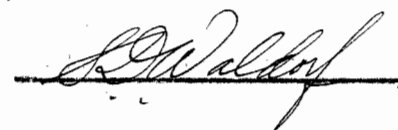
Road Dist. No. 5.....

REPORT OF VIEWERS ON ROAD PETITION NO. 557.

We, your viewers, appointed for Road Petition No. 557, wish to report as follows:-

- (1) We viewed the location of the proposed road on Nov. 2, 1927;
- (2) We find that the main reason for the demand for this road appears to be that its establishment would provide a short route to and from school for several families;
- (3) We find that this proposed road would require expensive construction, as a substantial bridge would have to be constructed over Bear Creek, and at least $\frac{1}{4}$ mile of the road would be on swampy ground requiring drag line construction;
- (4) We recommend that this petition be denied for the reason that the high cost of construction is not justified at this time by the amount of traffic to be served.

Respectfully submitted,

Viewers.

Dated at Bozeman, Montana, November 7, 1927.