

Road Petitioned for by W. A. Defenbaugh and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 8 day of Sept, A. D. 1908, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 8th day of Sept, A. D. 1908, there was presented to said Board for their consideration, a petition signed by W. A. Defenbaugh and 31 others, praying for the Location of a certain road, hereinafter described.

The Board do find as follows: First—That said petition is a legal one, and is signed by at least twelve householders of Montgomery County, Kansas, residing in the vicinity of the road prayed for. Second—That the proper bond required by law has been filed, signed by W. A. Defenbaugh as principal and W. B. Thompson as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed Location be had on the 2^d day of Oct, A. D. 1908, and appoints Arthur Dunlap, Jas. Gilkey, and Chas. Todd, three disinterested householders of Montgomery County, as viewers of said road, with instructions to meet in conjunction with the County Surveyor of Montgomery County, at the Said place of Beginning, in Barney Township, and proceed to view and survey the same, give to all parties a hearing, and make report thereof, as the law directs.

The Board further orders the County Clerk to prepare for publication, in the official newspaper of the County, a notice which shall contain a correct and pertinent description of said proposed Location of road, which said notice is in words and figures as follows, to wit:

State of Kansas, Montgomery County, ss.

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That on the 8 day of Sept, A. D. 1908, a petition signed by W. A. Defenbaugh and 31 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the Location of a certain road, described as follows, viz.: Beginning at the SW corner of the SE⁴ of the SW⁴ of Section 26 Twp 34 Range 13 Thence on said 1/4 line to intersect with Road near the north line of said Section 26

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: Arthur Dunlap, Jas. Gilkey, and Chas. Todd, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of Beginning, in Barney Township, on the 2^d day of Oct, A. D. 1908, and proceed to view said road, give to all parties a hearing, and make report thereof as the law directs.

(SEAL.)

By order of the Board of County Commissioners.

E. H. Stewart, County Clerk.

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State of Kansas, Montgomery County, ss.

FINAL ORDER.

NOW, On this day, being one of the days of the regular meeting of the Board of County Commissioners of Montgomery County, Kansas, begun and holden on the 8 day of Sept, A. D. 1908, comes on for hearing the report of the viewers and surveyor upon the Location of a road petitioned for by W. A. Defenbaugh and others, praying for the Location of a road described as follows, to wit:

Beginning at the SW corner of the SE⁴ of the SW⁴ of Sec 26 Twp 34 Range 13 Thence North on 1/4 line to the center of the NW⁴ of said Sec 26 Twp 34 R 13. Thence Va 10° 50' E Thence North 625' Va 6° 30' E Thence North 100' Va 33° W Thence North 300' Va 13° W Thence North 362' Va 24° W to intersection of Road on north line of Section

Recommended by viewers that a subway at or near north end for stock to go to creek be made for within block.

The Board finds thereon as follows: First—That notice of the view and survey of said Location has been given by advertisement in the Cherryvale Republican, a newspaper published and of general circulation in Montgomery County, Kansas, for two consecutive weeks, the last publication of which was not more than twenty days prior to the time appointed for the view and survey thereof, in pursuance of an order made at the Sept 8, 1908, meeting of said Board; that a copy of said notice has been set up in the County Clerk's office, and in every municipal township through which any part of said road was designated to be Located, for at least twenty days next preceding the view and survey thereof. Second—That the proper notices have been given in writing to the owners and agents of owners through whose lands such road is proposed to be Location at least six days prior to the view and survey thereof.

THEREFORE, Upon due consideration, and no legal objection having been made against the Location of said road, and believing the same will be of public utility, it is ordered that the viewers' report of view, surveyor's report of survey, and his plat thereof, be accepted and adopted, and said road Established in accordance therewith.

IT IS FURTHER ORDERED, That the Surveyor make a record of said road in the County Road Records, including field-notes and plat; also, that the County Clerk notify the Trustee of Barney Township to cause said road to be Opened for public travel to a width of 50 feet.

IT IS FURTHER ORDERED, That warrants issue to the following-named persons, for amounts stated, in full compensation for all damages occasioned by the location and establishment of said road, to wit:

<u>William Black</u>	<u>Damages</u>	<u>\$150.00</u>
<u>J. J. Quicker</u>	<u>Viewer</u>	<u>2.00</u>
<u>Chas. Todd</u>	<u>"</u>	<u>2.00</u>
<u>A. E. Dunlap</u>	<u>"</u>	<u>2.00</u>
<u>E. E. Haulon</u>	<u>Chairman</u>	<u>1.50</u>
<u>H. C. Abell</u>	<u>"</u>	<u>1.50</u>

Attest:

E. H. Stewart, County Clerk.

(SEAL.)

O. F. Harris, Chairman of the Board of County Commissioners.