

Road Petitioned for by W F Lawson and others.

State of Kansas, Montgomery County, ss.

## Order on Road Petition

AND NOW, On this 8 day of Dec, A. D. 1928, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 8 day of Dec, A. D. 1928, there was presented to said Board for their consideration, a petition signed by W F Lawson and 40 others, praying for the Establishment 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 F Lawson as principal and J. H. Walker and J. M. Shile as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed Establishment be had on the 2 day of January, A. D. 1929, and appoints W. H. Allin, W. B. Adams, and J. D. Young, 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 Fawn Creek 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 Establishment 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 Dec, A. D. 1928, a petition signed by W F Lawson and 40 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the Establishment of a certain road, described as follows, viz.: Beginning at a point in the public road about Twenty (20) Rods West of the South east corner of Lot 1 Sec 1 Twp 35 Range 15 Thence in a circular direction about Forty four (44) Rods to a point in the public Road about Thirty four (34) Rods North of the South east corner of Said Lot 1 Sec 1 Twp 35 Range 15

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: W. H. Allin, W. B. Adams, and J. D. Young, as viewers, with instructions to meet in conjunction with the County Surveyor at the Place of Beginning, in Fawn Creek Township, on the 2 day of Jan, A. D. 1929, and proceed to view said road, give to all parties a hearing, and make report thereof as the law directs.

By order of the Board of County Commissioners. E. H. Stewart, County Clerk.

(SEAL)

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## 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 5 day of Jan, A. D. 1929, comes on for hearing the report of the viewers and surveyor upon the Location of a road petitioned for by W F Lawson and others, praying for the Establishment of a road described as follows, to wit:

Starting at a point 310' West of the intersection of the East line of Sec 1 Township 35 Range 15 East and the Esagr diminished reserve line on the said Esagr diminished Reserve line Thence North 26.2 ft Va 110° 35' E North 6.2 ft Va 47° 40' West Thence North 183 ft Va 61° 10' West Thence North 253 ft Va 13° 45' West to intersect with North and South Road.

It is Recommended by Viewers That a runway be built for the use of Stock to get to and from the bank. The Report of Viewers is accepted Except the Runway for Stock to get to and from the bank which is Rejected and not allowed as per order of the board of County Commissioners on Jan 5<sup>th</sup> 1929

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 Dec 8<sup>th</sup>, 1928, 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 Located at least six days prior to the view and survey thereof.

THEREFORE, Upon due consideration, and no legal objection having been made against the Establishment 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 Fawn Creek Township to cause said road to be Established for public travel to a width of 40 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>W O Vincent</u>	For Lands Taken	<u>\$100.00</u>
<u>W H Allin</u>	Viewer	<u>2.00</u>
<u>W B Adams</u>	"	<u>2.00</u>
<u>J D Young</u>	"	<u>2.00</u>
<u>W F Lawson</u>	Chamman	<u>1.50</u>
<u>E H Carson</u>	"	<u>1.50</u>
	<u>Damages</u>	<u>200.00</u>

Attest:

E. H. Stewart, County Clerk.

(SEAL)

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