

Commissioners' Road Journal,

Road Petitioned for by T. H. Brownlee and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 1st day of February, A. D. 1904, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 1st day of February, A. D. 1904, there was presented to said Board for their consideration, a petition signed by T. H. Brownlee and 44 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 T. H. Brownlee as principal and St. F. Wiley and Jasper Swearingen as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed proposed road be had on the 18th day of March, A. D. 1904, and appoints Bert Nolle, Jasper Swearingen, and R. G. Burns, 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 designated place of beginning, in Rustland 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 1st day of February, A. D. 1904, a petition signed by T. H. Brownlee and forty four 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 1/4 Post on the South line of Section 24 Township 33 Range 14 East Thence North on the 1/4 line 80 Rods to the 1/8 line. Thence West on the 1/8 line 160 Rods to the West line of of Section 24 Township and Range as above. Thence in a South westerly direction around the foot of the hill to the South line of Section 23 about 23 rods west of the Southeast Corner of said Section 23

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: Bert Nolle, Jasper Swearingen, and R. G. Burns, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of beginning, on the 18th day of March, A. D. 1904, 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.

Samuel McMurtry, County Clerk.

Montgomery County, Kansas.

Road Petitioned for by T. H. Brownlee and others.

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 1st day of April, A. D. 1904, comes on for hearing the report of the viewers and surveyor upon the location of a road petitioned for by T. H. Brownlee and others, praying for the location of a road described as follows, to wit:

Beginning at the 1/4 Post on the South line of Sec 24 Township 33 Range 14 East. Thence North on the 1/4 line 80 Rods to the 1/8 line, thence West on the 1/8 line 160 rods to the West line of Section 24 Township and Range as above, thence in a Southwesterly direction around the foot of the hill to the South line of Section 23 about 23 rods west of the Southeast corner of said Section 23

The Board finds thereon as follows: First—That notice of the view and survey of said proposed road has been given by advertisement in the CoFFEYVILLE Journal, 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 February, 1904, 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 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 located in accordance therewith.

IT IS FURTHER ORDERED, That the County Clerk 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 Rustland Township to cause said road to be located for public travel to a width of 66 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:

And the report of the said Viewers being against said proposed road and said report being in the opinion of said Board of County Commissioners, a just one, and it being the opinion of said Board that said road, as applied for is unnecessary; it is by the Board of County Commissioners Ordered That no further proceedings shall be had upon said petition

Attest:

Samuel McMurtry, County Clerk.

(SEAL.)

J. Allen, Chairman of the Board of County Commissioners.