

Road Petitioned for by Wesley C. Wyant and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 5th day of July, A. D. 1910, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 5th day of July, A. D. 1910, there was presented to said Board for their consideration, a petition signed by Wesley C. Wyant and 14 others, praying for the location and 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 J. W. Emersale as principal and Wm. L. Davis as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed road be had on the 29 day of July, A. D. 1910, and appoints J. W. Emersale, and L. B. Davis, 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 place of beginning of said proposed road on line of Township 32 North, 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 and 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 5th day of July, A. D. 1910, a petition signed by Wesley C. Wyant and 14 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the location and establishment of a certain road, described as follows, viz.: From at S & E cor. of S² Sec. 13, Twp. 32, Range 13, thence running west one half mile on section line.

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: J. W. Emersale, and L. B. Davis, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of beginning of said proposed road on line of Township 32 North on the 29 day of July, A. D. 1910, 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 1 day of August, A. D. 1910, comes on for hearing the report of the viewers and surveyor upon the location and establishment of a road petitioned for by Wesley C. Wyant and others, praying for the location and establishment of a road described as follows, to wit:

Starting at the South 1/4 Stone of Section 13, Township 32, Range 13 East, said 1/4 Stone established and in place, thence West along the Section line one half mile to South West corner of Section, the said South West corner of Section established and corner stone standing, said road to be 40 ft. wide 20 ft. on each side of Section line

The Board finds thereon as follows: First—That notice of the view and survey of said establishment road 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 July 5th, 1910, 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 location & 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 located and established in accordance therewith.

IT IS FURTHER ORDERED, That the County 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 Lansburg & Rutland Township to cause said road to be opened 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:

Attest:

E. H. Stewart

County Clerk.

(SEAL.)

W. H. Carter

Chairman of the Board of County Commissioners.