

Road Petitioned for by H. W. Smirl and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 9th day of September, A. D. 1903, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 9th day of September, A. D. 1903, there was presented to said Board for their consideration, a petition signed by H. W. Smirl and 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 H. W. Smirl as principal and W. C. Lyon 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 23rd day of October, A. D. 1903, and appoints W. H. Frost and E. P. Todd and L. S. Heckman, 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 road, in Independence 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 9th day of September, A. D. 1903, a petition signed by H. W. Smirl and 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 south end of Waldschmidt Avenue and running south to the South line of Poplar Street, Independence City.

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: W. H. Frost and L. S. Heckman, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of beginning of said road, in Independence Township, on the 23rd day of October, A. D. 1903, 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.

Sam'l M. Murtry County Clerk.

Road Petitioned for by H. W. Smirl 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 4th 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 H. W. Smirl and others, praying for the establishment of a road described as follows, to wit:

Beginning at the South end of Waldschmidt Avenue and running South to the South line of Poplar Street Independence City

The Board finds thereon as follows: First—That notice of the view and survey of said proposed 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 September, 1903, 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 established 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 viewers make a record of said road in the County Road Records, (including field-notes and plat; also, that the viewers notify the Trustee of Independence Township to cause said road to be opened for public travel to a width of 30 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:

Ordered that no further proceedings shall be had upon said petition

Attest:

Sam'l M. Murtry County Clerk.

(SEAL.)

D. A. Bliss Chairman of the Board of County Commissioners.