

Road Petitioned for by W. F. Wiley and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 5th day of April, A. D. 1904, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 5th day of April, A. D. 1904, there was presented to said Board for their consideration, a petition signed by W. F. Wiley and twenty 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. F. Wiley as principal and _____ as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed location of road be had on the 20th day of May, A. D. 1904, and appoints A. J. Sullivan and C. C. Paxson, 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 Rutland 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 5th day of April, A. D. 1904, a petition signed by W. F. Wiley and twenty 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 Quarter (1/4) post on the South line of Section 24, Township 33, Range 14, East, thence North on the 1/4 line 1340 feet to a point 20 feet North of the 1/8 line, thence West 20 feet from and parallel to the 1/8 line 80 rods, thence South to a point 20 feet South of the 1/8 line, thence West 20 feet from and parallel to the 1/8 line 80 rods to the West line of Section 24, Township 33, Range 14, East, thence in a Southwesterly direction around the foot of the mound to a point about 23 rods West of the Southwest corner of Section 24, thence in a Southeasterly direction around the foot of the mound to the corner of Section 24, Township 33, Range 14, East, about 20 rods South of the Southwest corner of Section 24, Township 33, Range 14, East, said line to be the center of the road,

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: A. J. Sullivan and C. C. Paxson, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of beginning of said road, in Rutland Township, on the 20th day of May, 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 H. Murtagh, County Clerk.

Road Petitioned for by W. F. Wiley 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 6th day of September, A. D. 1904, comes on for hearing the report of the viewers and surveyor upon the vacation of certain roads petitioned for by W. F. Wiley and others, whereupon, the petitioners for location of a road described as follows, to wit:

W. N. Banks attorney for W. F. Wiley the principal petitioner, and the other petitioners, appeared before the Board and requested for said W. F. Wiley and the other petitioners for the opening of the roads described in said petition and the vacating of certain other roads described in said petition to be allowed to withdraw said petitions, for the reason, that the proceedings up to the present time had been in some respects irregular and upon and after due consideration by the Board the request of said W. F. Wiley to withdraw said petitions was granted. Whereupon said petitions were by said W. F. Wiley withdrawn from further consideration of the Board.

The Board finds thereon as follows: First—That notice of the view and survey of said _____ has been given by advertisement in the _____, 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 _____, 19____, 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 _____, 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 _____ 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 _____ in accordance therewith.

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

Samuel H. Murtagh, County Clerk.

(SEAL.)

W. F. Wiley, Chairman of the Board of County Commissioners.

This day the petition of W. F. Wiley for the location of a road was presented to the Board for consideration and it appearing that the time set for the view of said road was a day of time than provided for by the Statutes; It is therefore by the Board ordered that there be another publication notice and notices posted for another view of said road. It is further ordered that said view shall be had on the 30th day of May 1904 and that the County Clerk shall give notice by publication in the official paper of Montgomery County of the time of said viewing of said road that the viewers already appointed are hereby ordered to meet at said time and place and proceed to view said road.