

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

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 8th day of September, A. D. 1904, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 8th day of September, A. D. 1904, there was presented to said Board for their consideration, a petition signed by H. F. Wiley and 23 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 H. 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 wagon road be had on the 30th day of September, A. D. 1904, and appoints David La Duke, Ed Ferguson, and John W. Glass, 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, 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 8th day of September, A. D. 1904, a petition signed by H. F. Wiley and 23 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.:

Beginning at the quarter (1/4) Post on the South line of Section twenty four (24) Township Thirty three (33) Range Fourteen (14) East. Thence North on the quarter (1/4) line 1340 feet to a point 20 feet North of the one eighth (1/8) line, thence west 20 feet from and parallel to the one eighth (1/8) line 80 Rods. Thence South Forty (40) feet to a point 20 feet South of the one eighth (1/8) line, thence west 20 feet from and parallel to the one eighth (1/8) line 80 Rods to the west line of Section Twenty four (24) Township and Range above named; thence in a Southwesterly direction around the foot of the mound to a point about twenty three (23) Rods west of the Southwest corner of said section 24. Thence in a Southeasterly direction around the foot of the mound to the section line between sections 25 and 26, about 20 Rods South of the Southwest corner of said section 24 said line to be the center of the road

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: David La Duke, Ed Ferguson, and John W. Glass, as viewers, with instructions to meet in conjunction with the County Surveyor at the _____ place of beginning, on the 30th day of September, 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.

43840 Crane & Company, Topeka.

Road Petitioned for by H. 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 10th day of October, A. D. 1904, comes on for hearing the report of the viewers and surveyor upon the Location of a road petitioned for by H. F. Wiley and others, praying for the location and establishment of a road described as follows, to wit:

Beginning at the quarter (1/4) Post on the South line of Section twenty four (24) Township Thirty three (33) Range Fourteen (14) East. Thence North on the quarter (1/4) line 1340 feet to a point 20 feet North of the one eighth (1/8) line, thence west 20 feet from and parallel to the one eighth (1/8) line 80 Rods. Thence South Forty (40) feet to a point 20 feet South of the one eighth (1/8) line, thence west 20 feet from and parallel to the one eighth (1/8) line 80 Rods to the west line of section Twenty four (24) Township and Range above named; Thence in a Southwesterly direction around the foot of the mound to a point about twenty three (23) rods west of the Southwest corner of said section 24. Thence in a Southeasterly direction around the foot of the mound to the section line between sections 25 and 26 about 20 Rods South of the Southwest corner of said section 24, said line to be the center of the road

The Board finds thereon as follows: First—That notice of the view and survey of said road has been given by advertisement in the Coopersville 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, 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 establishment and location 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 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 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:

<u>Edmund Mason</u>	damages	\$ 200 ⁰⁰
<u>J. I. Johnson</u>	"	\$ 50 ⁰⁰
<u>H. F. Wiley</u>	"	\$ 100 ⁰⁰

Attest:

Samuel McMurtry, County Clerk.

(SEAL.)

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