

Road Petitioned for by W. 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 W. F. Wiley and 23 others, praying for the Vacation 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 Vacation 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 Vacation 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 30th day of September, A. D. 1904, a petition signed by W. F. Wiley and 23 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the Vacation of a certain road, described as follows, viz.:

That portion of Road No. 30 lying South and adjoining the South half (1/2) of the Southwest quarter (1/4) of Section 24 Township 33 Range 14 East; Also that part of Road No. 216 lying west and adjoining the South half (1/2) of the Southwest quarter (1/4) of Section 24 Township 33 Range 14 East; Also that part of Road No. 216 from the Southwest corner of Section 24 Township and Range above named, South to a point about 20 Rods South of said Southwest corner of said Section 24; Also that part of road No. 30 beginning at the Southeast corner of Section 23 running west about 23 Rods

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 said proposed Vacation, in Rutland Township, 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.

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 10th day of October, A. D. 1904, comes on for hearing the report of the viewers and surveyor upon the Vacation of a road petitioned for by W. F. Wiley and others, praying for the Vacation of Parts of Roads No. 30 & 216 of a road described as follows, to wit:

That portion of Road No. 30 lying South and adjoining the South half (1/2) of the Southwest quarter (1/4) of Section 24 Township 33 Range 14 East. Also that part of road No. 216 lying west and adjoining the South half of the Southwest quarter of Section 24 Township 33 Range 14 East; Also that part of road No. 216 from the Southwest corner of Section 24 Township and Range above named, South to a point about 20 Rods South of said Southwest corner of said Section 24; Also that part of road No. 30 beginning at the Southeast corner of Section 23 running west about 23 Rods

The Board finds thereon as follows: First—That notice of the view and survey of said Vacation of 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 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 Vacated, 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 Vacated at least six days prior to the view and survey thereof.

THEREFORE, Upon due consideration, and no legal objection having been made against the Vacation 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 Vacated 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 Vacated 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 Vacating establishment of said road, to wit:

For damages see Wiley road Pages 26 & 27

Attest:

Samuel McMurtry, County Clerk.

(SEAL.)

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