

Vacation of Road Petitioned for by Elmer Joyce and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 8th day of August, A. D. 1925, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 8th day of August, A. D. 1925, there was presented to said Board for their consideration, a petition signed by Elmer Joyce and 73 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 Elmer Joyce as principal and D. A. Cline and D. L. Riggs 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 22nd day of September, A. D. 1925, and appoints R. Y. Kennedy, D. L. Riggs, and W. H. Overfield, 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 designated place of beginning, in Parker 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 8th day of August, A. D. 1925, a petition signed by Elmer Joyce and 73 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.:

Beginning at a point on the west bank of the Verdigris river, fifty (50) feet North of the south line of Section twelve (12) Township Thirty five (35) Range Sixteen (16) East; running thence in a Northwestly direction along the west bank of the said Verdigris river to the Quarter (1/4) Section line in the center of said Section twelve (12) Township and Range above mentioned; Thence beginning at a point on the west bank of the Verdigris river along the Quarter (1/4) Section line in the center of Section twelve (12) Township Thirty five (35) Range Sixteen (16) East Thence west along said Quarter line to road number five hundred and thirty four (534) as the same is now platted and established. All in Montgomery County Kansas

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: R. Y. Kennedy, D. L. Riggs, and W. H. Overfield, as viewers, with instructions to meet in conjunction with the County Surveyor at the place of beginning of said road in Parker Township, on the 22nd day of September, A. D. 1925, 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 Elmer Joyce 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 October, A. D. 1925, comes on for hearing the report of the viewers and surveyor upon the Vacation of a road petitioned for by Elmer Joyce and others, praying for the Vacation of a road described as follows, to wit:

Beginning on the west bank of the Verdigris river fifty feet North of the south line of Section Twelve (12) Township 35 Range 16 East. Thence in a Northwestly direction up and along the west bank of the Verdigris River twenty eight hundred and ninety (2890) feet to the quarter line running East and West through said section twelve (12) Thence west on the quarter line seventeen hundred and fifteen (1715) feet to the East line of Road No. 534 running South through said Section 12

The Board finds thereon as follows: First—That notice of the view and survey of said proposed Vacation has been given by advertisement in the Cooffeyville 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 August, 1925, 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 Parker 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 location and establishment of said road, to wit:

Attest:

Samuel McMurtry, County Clerk.

(SEAL.)

John Givens, Chairman of the Board of County Commissioners.