

Road Petitioned for by Sam Bowlby and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this Fifth day of May, A. D. 1908, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the Fifth day of May, A. D. 1908, there was presented to said Board for their consideration, a petition signed by Samuel Bowlby and 120 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 Samuel Bowlby as principal and Geo. T. Quimsey 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 29th day of May, A. D. 1908, and appoints W. H. Frost and R. B. Krishnam, 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 Said place of Beginning, 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 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 Fifth day of May, A. D. 1908, a petition signed by Samuel Bowlby and 120 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 499 1/2 ft East and 30 ft North of the Intersection of Haldschmidt Avenue and Main Street Independence Kansas Thence Diagonally Across Lands in a North Easterly Direction to a point 150 ft South of Iron Bridge over Verdigris River in Section 31-32-16

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: W. H. Frost and R. B. Krishnam, as viewers, with instructions to meet in conjunction with the County Surveyor at the Said place of Beginning, in Independence Township, on the 29 day of May, A. D. 1908, and proceed to view said road, give to all parties a hearing, and make report thereof as the law directs.

By order of the Board of County Commissioners.

(SEAL.)

E. H. Stewart
County Clerk.

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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 First day of July, A. D. 1908, comes on for hearing the report of the viewers and surveyor upon the Vacation of a road petitioned for by Samuel Bowlby and others, praying for the Vacation of a road described as follows, to wit:

Starting at a point 499 1/2 ft E of the intersection of main st and Haldschmidt Avenue and 30 ft North Thence North East Va 49° 45' E to a point about 30 ft West & 150 ft South of the center of the South End of Bridge Shown on Plat

The Board finds thereon as follows: First—That notice of the view and survey of said Vacation has been given by advertisement in the Cherryvale Republican, 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 May 5, 1908, 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 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 Independence 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:

<u>S. H. Hooker</u>	Viewers	2.00
<u>W. H. Frost</u>	"	2.00
<u>R. B. Krishnam</u>	"	2.00
<u>L. S. Parsons</u>	Marker	—

Attest:

E. H. Stewart
County Clerk.

(SEAL.)

O. F. Morris
Chairman of the Board of County Commissioners.