Appendix M

SAMPLE ROAD PETITION

MONTANA RIGHT-OF-WAY
DESIGN MANUAL

Spaceholder page for double-sided printing.

Appendix M
SAMPLE ROAD PETITION

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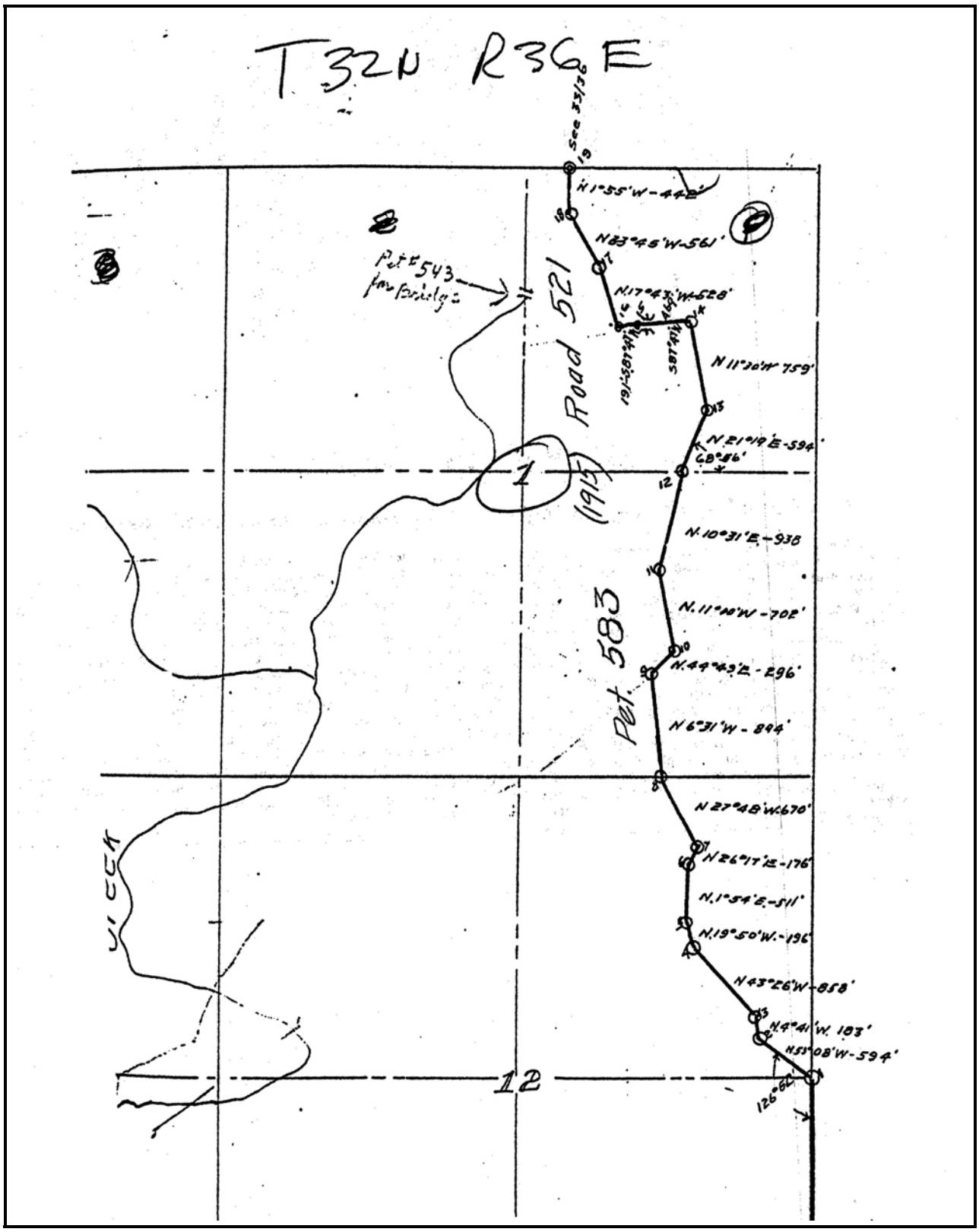
Sample Road Petition M-1

Spaceholder page for double-sided printing.



SAMPLE ROAD PETITION

Figure 1M

Petition No. 583

Road No. 521

ROAD PETITION

To establish a Co. Road

Extending ~~through or~~ also between

~~Section~~ T31N, R36E, and T31N, R37E, T32N, R36E and T32N, R37E

T. ..... N. R. .....

Filed this 5th day of Apr. 1915

Shoemaker

County Clerk and Recorder

By ..... Deputy

Viewers.

W. H. Magin

James Sherry

Dee Calvert

Appointed Apr. 9 1915

Report of Viewers

Filed .....

Action by the Board .....

HOUSE BILL NO. 145

As Enacted by the Eighth Legislative Assembly of the State of Montana

Section 54. Any ten, or a majority, of the freeholders of a road district, taxable therein for road purposes, may petition in writing the board of county commissioners to alter or discontinue any highway or to lay out a new highway therein. When a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented to the board of county commissioners of each county, who must appoint viewers to act jointly, and report to their respective boards the action of such viewers.

Section 55. The petition must set forth and describe particularly the highway to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid out or constructed, the general route thereof, over what lands, who are the owners thereof, whether such of them as can be found consent thereto, and if not the probable cost of the right of way where such consent is not had, the necessity for, and advantages of the proposed road.

Section 58. The road viewers must be disinterested citizens of the county, but not petitioners.

Section 73. Highways must be laid out and opened when practicable upon subdivision or section lines; provided, however, that the section shall not be construed to prevent roads being laid out on diagonal lines when public purposes shall be best subserved thereby.

Section 74. Upon a petition for that purpose by a majority of the freeholders or the owners residing upon any highway when it can be done without material damage, the board of county commissioners may change such highway to subdivision or section lines and lay out and open the same thereon; provided, however, that those interested in making such change must bear all the expense and cost thereof.

SAMPLE ROAD PETITION

Figure 1M (continued)

PETITION FOR NEW ROAD News Print, Glasgow, Mont.

Petition for New Road

No.....Pending

To the Honorable Board of County Commissioners of Valley County, Montana:

Gentlemen:

We, the undersigned residents and taxpayers of Road District No.....of Valley County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable body to establish same as a County Road, beginning at the NE Cor. Sec. 24, T.31N,R36E. thence North 8 miles to the SE cor. sec. 1, T32N,R36E.; thence N51W, 618ft.; thence N26-30W, 533ft.; thence N57-10W, 455ft.; thence N18-40W, 156ft.; thence N4-40W, 512ft.; thence N24-25E, 343ft.; thence N32-55W, 400ft.; thence N12-35W, 110ft.; thence N55-50E, 200ft.; thence N38-20E, 264ft.; thence N21-40W, 679ft.; thence N14-15E, 1033ft.; thence N3-35E, 1413ft.; thence N87-25W, 326ft. to the Willow Creek Bridge; thence across bridge and in a NW direction to the foothills and following along the foothills to connect with the old road above the ford.

Total length of this road is about 10 miles.

We believe the cost of.....this.....road will not exceed $.....

there being.....steep grades, ...culverts, ...bridges necessary on the route as proposed;.....

We consider this.....road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

and should you cause this said.....road to be established and opened, we agree to abide by the report of the viewers appointed by you.

Name of Petitioners	Land Owned by Same Liable to be Crossed by Proposed Road
[illegible]	
F. C. Ramberg	
[illegible]	
A. G. Craig	
[illegible]	
Geo. P. Thieries	
[illegible]	
[illegible]	
[illegible]	
[illegible]	
P. P. Laasch	
[illegible]	
O. C. Phillips	
Walter Peterson	

SAMPLE ROAD PETITION

Figure 1M (continued)

Oath of Posting

NOTICE OF OPENING

OF

Road No. [illegible]

Petition No. [illegible]

State of Montana, }
County of Valley. } SS.

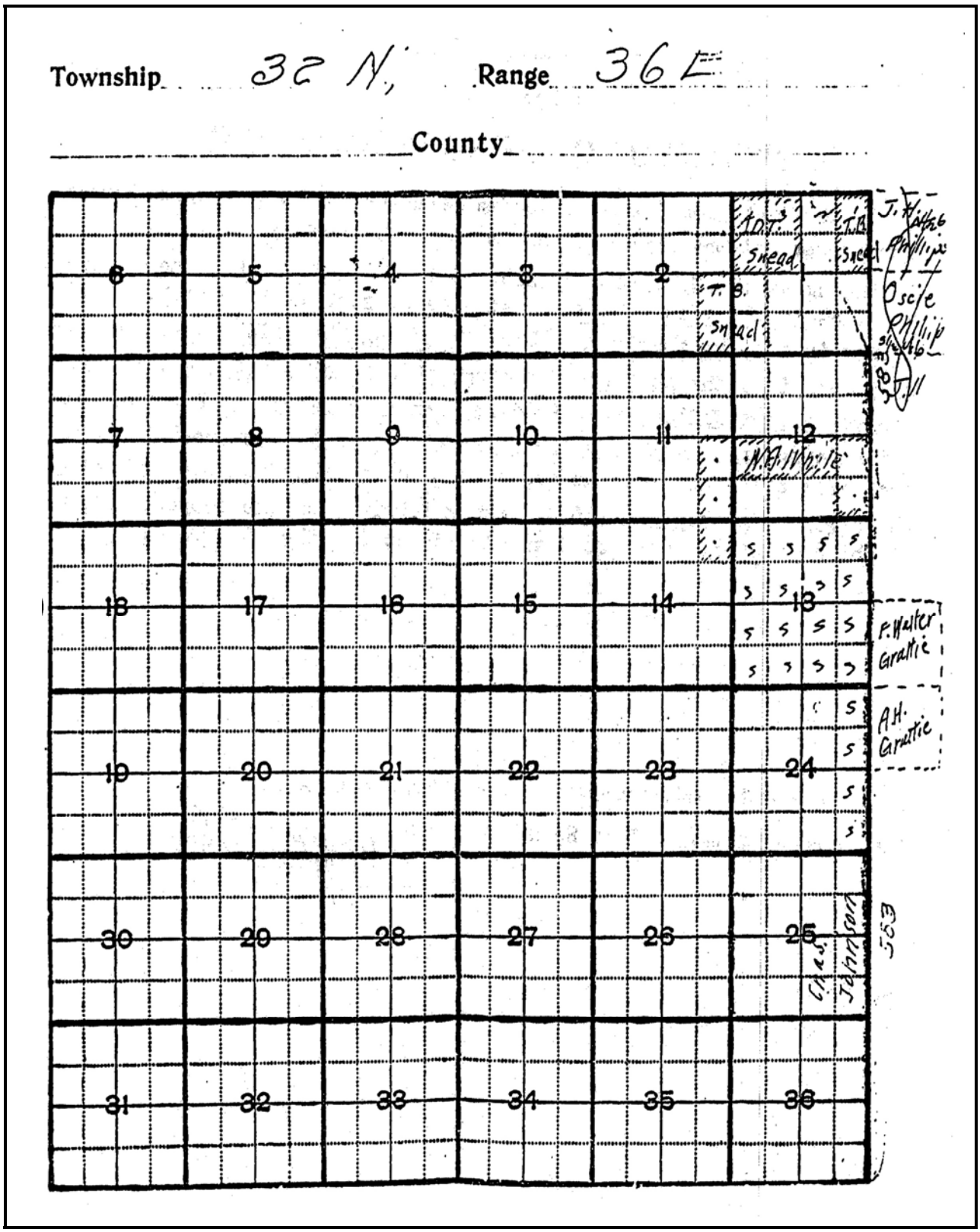
Filed for Record this 25 day of June A. D. 1913 at 4 o'clock P. M. and duly Recorded in book ____ Page ____ of ____

W B Shoemaker County Recorder

ES Deputy

SAMPLE ROAD PETITION

Figure 1M (continued)



SAMPLE ROAD PETITION

Figure 1M (continued)

Petition No. 583

Road No. 521

NOTICE OF OPENING PUBLIC ROAD

Notice is hereby given that after sixty days from the date of posting this notice a public highway sixty feet wide will be opened over the following route, to-wit: Commencing at

Beginning at the N.E. cor. of sec. 24 T. 31 N. R. 36 E., thence nor th 7½ miles to the ¼ cor. on the east side of sec. 12 T. 32 N.R. 36 E. thence in a nothwesterly direction following the laid out and worked road down into the Rock Creek bottom; thence following the trail to and across the Willow Creek Bridge; thence crossing said bridge and and running in a northerly direction along the Willow Creek bottom, thencefollowig the trail up shotgun coulee to the N.E. cor. of the the SW¼SW¼ of sec. 26-33-36 E. ~~thence~~ terminus of the proposed road at which point it intersects an already established Co. road.

By order of the Board of County Commissioners of Valley County, Montana.

Dated at Glasgow, Montana, June 22nd 1915

[signature] Shormaker

Clerk.

By

Deputy.

Date of Posting 191

SAMPLE ROAD PETITION

Figure 1M (continued)

T31N T32N
36-37 36-37 Petition No. 583 REC

Road No. 521

PRINCIPAL PETITIONER,

F. B. Rambery

Petition Filed Apr 5 191 5
Viewers Appointed " 9 191 5
Warrant Sent to Viewers " 12 191 5
Date of Viewing May 27 191 5
Viewers' Report Filed June 2 191 5
Date of Hearing 191
Non Consentors Notified 191
Report Approved June 10 191 5
Order of Survey and Opening 191 5
Notices of Opening Sent June 22 191 5
To James D. Harry
Date of Posting June 24 191 5
Oath Posting Returned June 25 191 5
Declared County Road 191

Viewers: County Surveyor

See Book Commissioners' Proceedings
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County Clerk.

SAMPLE ROAD PETITION

Figure 1M (continued)

PETITION FOR NEW ROAD — THE REPUBLICAN, Culbertson

PETITION FOR NEW ~~ROAD~~

No. ..... Pending

To the Honorable Board of County Commissioners of Valley County, Montana:

Gentlemen:

We, the undersigned residents and taxpayers of Road District No. 4 of Valley County Montana, residing on or adjacent to the following proposed County road, do hereby petition your honorable body to ~~[illegible]~~ to build a bridge in Willow Creek, at the point selected by viewers, about 80 rods North of exact center of Sec. 1, Twp. 32N., R.36E., M.M.

We believe the cost of ..... this ..... road will not exceed $ ..... there being ..... steep grades, ... culverts, ... bridges necessary on the route as proposed: .....

We consider this bridge in ..... road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

Willow Creek rises to such an extent that travel is impassible, and residents are delayed for weeks oftentimes: This road is also the U.S. Mail road.

and should you cause the said ..... road to be established and opened, we agree to abide by the report of the viewers appointed by you.

Name of Petitioners	Land Owned by Same Liable to be Crossed by Proposed Road
R.R. Black	Hugo Hansen
Frank Jones	[illegible]
[illegible]	Thomas E. Gnead
D.T. Gnead	
P.P. Cusack	
[illegible]	
H.S. Prithoe	
Jan Kaland	
Albert [illegible]	
Harry Strond	
[illegible] A. Quitney	
Mary R. Burkhart	
John J. Black	
[illegible]	
W. Arthur White	

SAMPLE ROAD PETITION

Figure 1M (continued)

Petition No. 354 52

Road No.

ROAD PETITION

To establish

Extending through or between

Sections

T. N. R.

Filed this 7 day of June, 19 74

County Clerk and Recorder

By Deputy

Viewers

Appointed 19

Report of Viewers

Filed

Action by the Board

HOUSE BILL NO. 145

As Enacted by the Eighth Legislative Assembly of the State of Montana

Section 54. Any ten, or a majority, of the freeholders of a road district, taxable therein for road purposes, may petition in writing the board of county commissioners to alter or discontinue any highway or to lay out a new highway therein. When a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented to the board of county commissioners of each county, who must appoint viewers to act jointly, and report to their respective boards the action of such viewers.

Section 55. The petition must set forth and describe particularly the highway to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid out or constructed, the general route thereof, over what lands, who are owners thereof, whether such of them as can be found consent thereto, and if not the probable cost of the right of way where such consent is not had, the necessity for, and advantages of the proposed road.

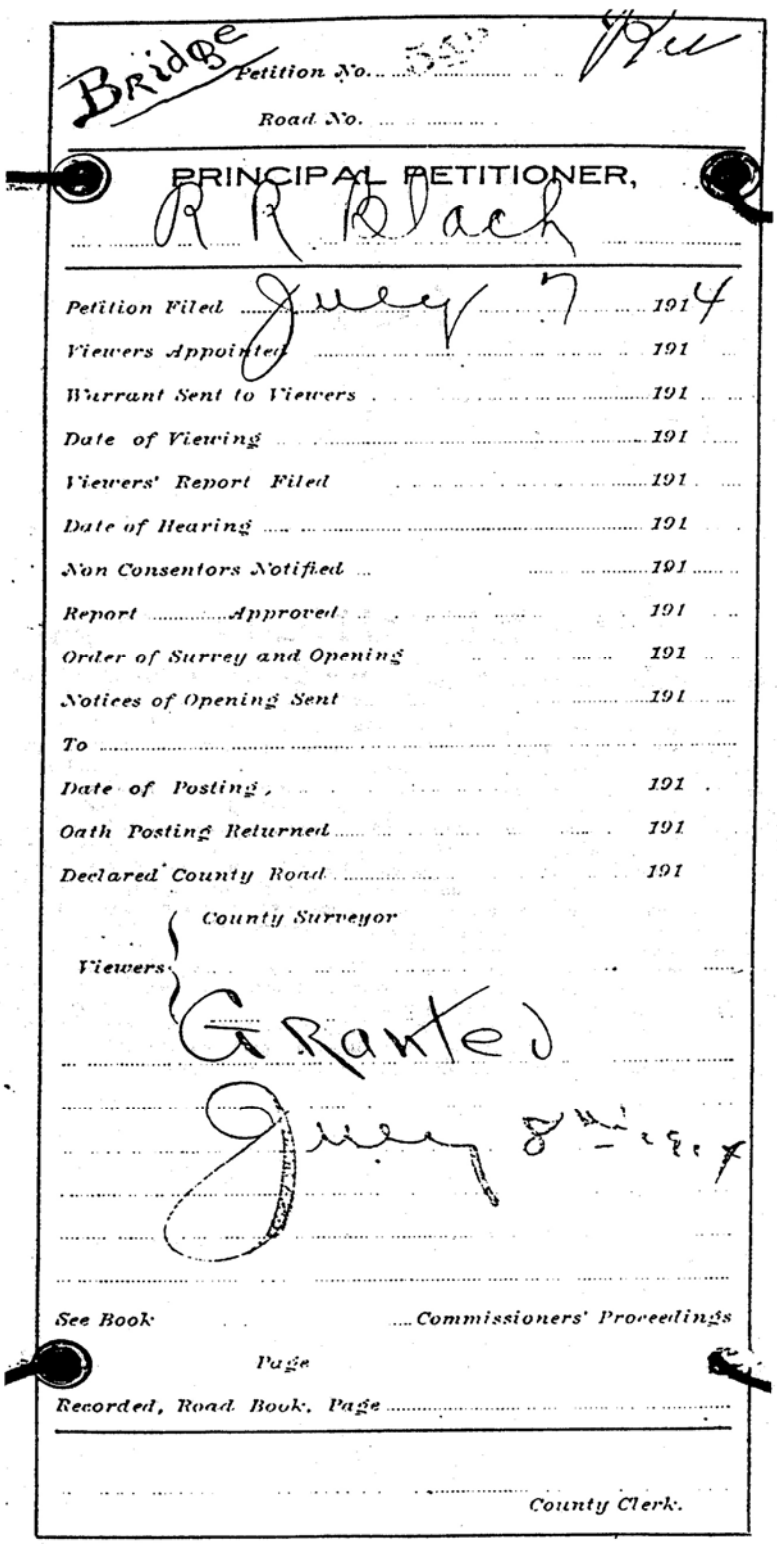
Section 58. The road viewers must be disinterested citizens of the county but not petitioners.

Section 73. Highways must be laid out and opened when practicable upon subdivision or section lines; provided, however, that the section shall not be construed to prevent roads being laid out on diagonal lines when public purposes shall be best subserved thereby.

Section 74. Upon a petition for that purpose by a majority of the freeholders or the owners residing upon any highway, when it can be done without material damage, the board of county commissioners may change such highway to subdivision or section lines and lay out and open the same thereon; provided, however, that those interested in making such change must bear all the expense and cost thereof.

SAMPLE ROAD PETITION

Figure 1M (continued)



Bridge Petition No. 55 Ku

Road No.

PRINCIPAL PETITIONER,

R R Black

Petition Filed July 7 1914

Viewers Appointed 191

Warrant Sent to Viewers 191

Date of Viewing 191

Viewers' Report Filed 191

Date of Hearing 191

Non Consentors Notified 191

Report Approved 191

Order of Survey and Opening 191

Notices of Opening Sent 191

To

Date of Posting, 191

Oath Posting Returned 191

Declared County Road 191

Viewers { County Surveyor

Granted

July 8th 1914

See Book Commissioners' Proceedings

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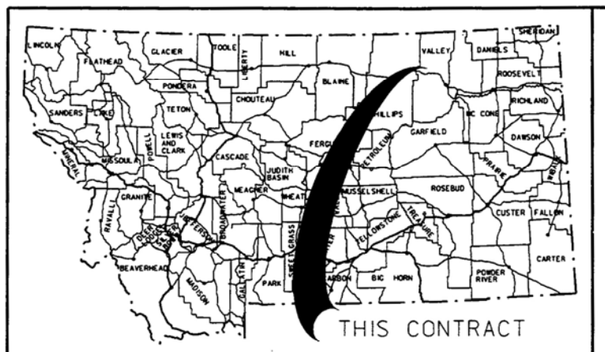
County Clerk.

SAMPLE ROAD PETITION

Figure 1M (continued)



MONTANA DEPARTMENT OF TRANSPORTATION

STATE	RIGHT OF WAY ID.	SHEET NO.	TOTAL SHEETS
MONTANA	BR 9053 (17)	1	2
PROJECT NUMBER 2474-017			
WILLOW CREEK - N. OF HINSDALE			

RIGHT OF WAY PLAN OF
FEDERAL AID PROJECT BR 9053 (17)
WILLOW CREEK – N. OF HINSDALE
VALLEY COUNTY

0.5 Kilometers

CONVENTIONAL SIGNS

- PROPOSED RIGHT OF WAY LINE
- EXISTING RIGHT OF WAY LINE
- RAILROAD RIGHT OF WAY LINE
- CENTERLINE (℄) OR PROJECTED LINE
- STK'D CENTERLINE
- SECTION LINE
- OWNERSHIP BOUNDARY
- FULL ACCESS CONTROL
- LIMITED ACCESS CONTROL
- EXISTING ACCESS CONTROL
- PRESENT TRAVELED WAY (P.T.W.)
- FENCE LINE
- EXISTING GUARDRAIL
- PROPOSED GUARDRAIL
- GATE IN FENCE
- CATTLE GUARD: EXIST. - PROPOSED
- SECTION CORNER (FOUND / UNFOUND)
- ¼ SECTION CORNER
- CLOSING CORNER
- MEANDER CORNER
- CENTER OF SECTION
- RIGHT OF WAY MONUMENT
- PROPERTY CORNER PIN
- POWER POLE IN PLACE
- TELEPHONE POLE IN PLACE
- TELEGRAPH POLE IN PLACE
- LIGHT POLE
- PROPOSED CULVERT
- EXISTING CULVERT
- OUTLET DITCH
- INLET DITCH
- EXISTING DITCH
- CHANNEL CHANGES
- DITCH BLOCK
- RIPRAP
- BRIDGES
- RAILROADS
- PARCEL NUMBERS
- APPROACH: EXIST.- PROPOSED

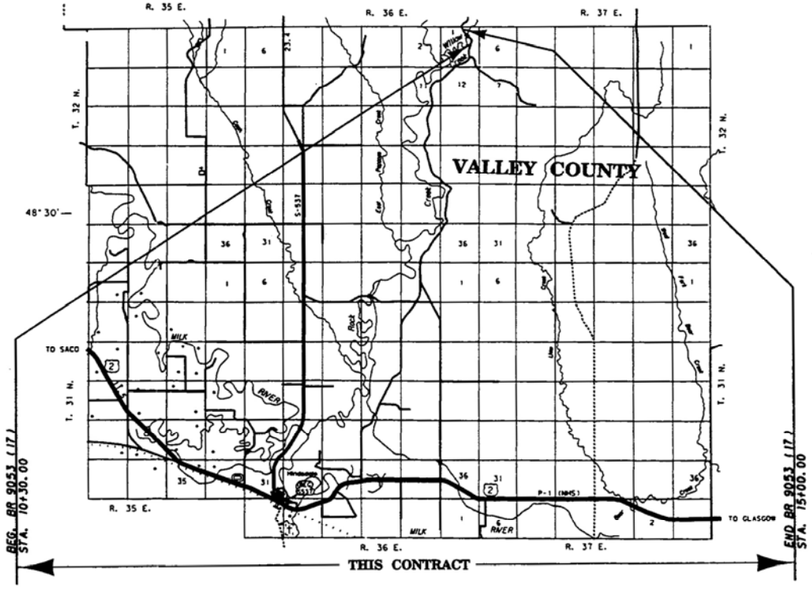
MONTANA CADD

ASSOCIATED PROJECT ID.
BR 9053(17) CONST.

RELATED PROJECTS

FHWA/DOT APPROVAL 12-15-98

MAP REVISED

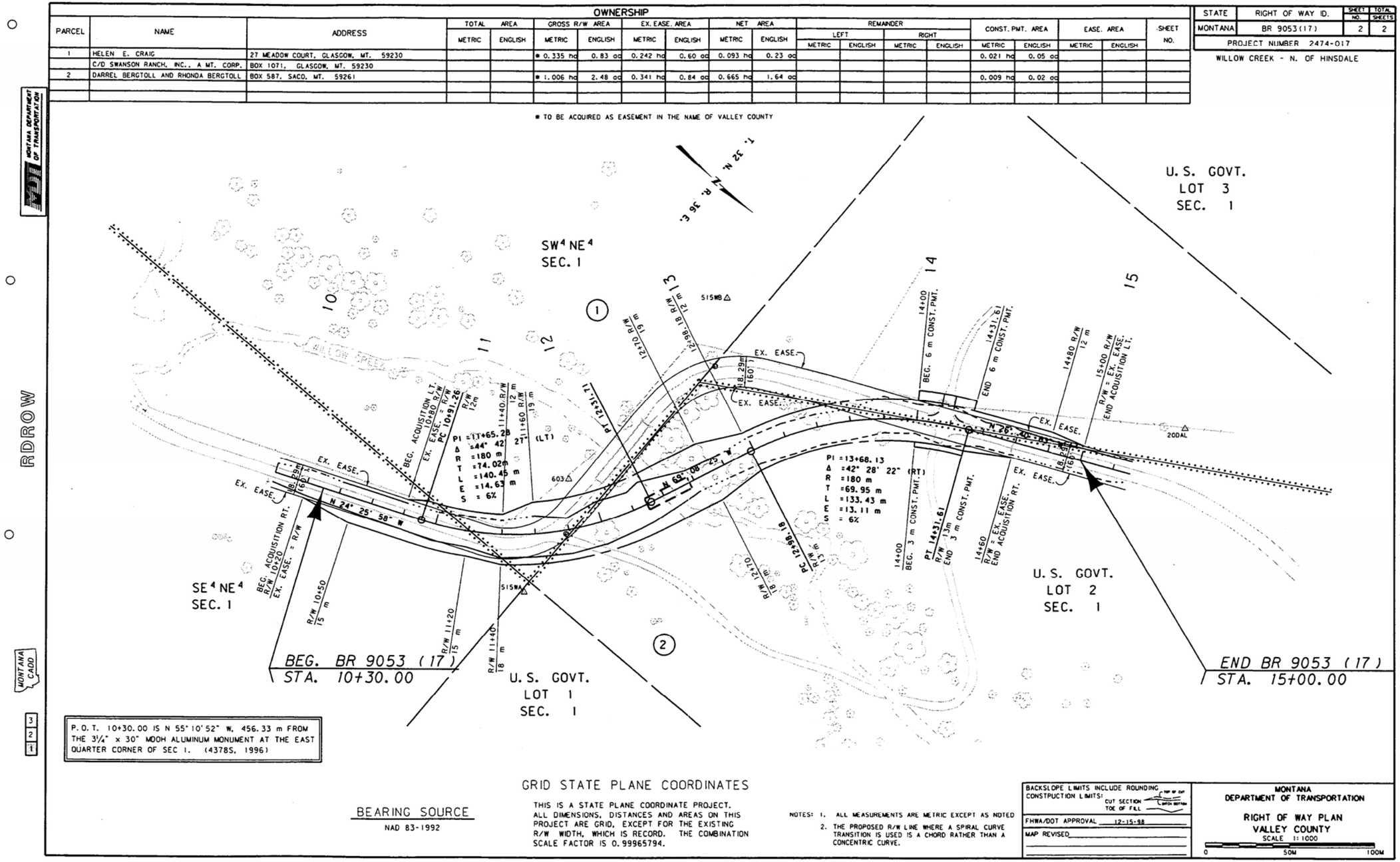


SEE SHEET NO. 2 FOR OWNERSHIP NAMES, ADDRESSES, AREAS, ETC.

NOTES: 1. ALL MEASUREMENTS ARE METRIC EXCEPT AS NOTED

SAMPLE ROAD PETITION

Figure 1M (continued)



SAMPLE ROAD PETITION

Figure 1M (continued)