

Final Road Order of Town Board

General Statutes 1913

Filed this 20th day of May
A. D. 1938

E. W. Prosser
Town Clerk

The within Road Order, together with the Award of Damages, was recorded by me this 20th day of May 1938 in the Road Record Book of the Town, and then sent by me to the County Auditor, to be filed and preserved by him.

E. W. Prosser
Town Clerk

Office of County Auditor

County of _____ Minn.

Filed on this _____ day of _____ 19____, at _____ o'clock _____ M., in this office

County Auditor

Within five days after date of within order Town Board shall make its Award of Damages and file all papers pertaining to the road with the Town Clerk. The Town Clerk must not record this order until thirty days after filing, and not then, if an appeal has been taken, until the order is confirmed on appeal. But if no appeal is taken, or if on appeal this order is confirmed, it, together with the award, must be recorded and then transmitted to the County Auditor, to be filed and preserved by him.

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<i>J. H. Pitzer</i>	<i>SW 1/4 of SE 1/4 and SW 1/2 of SW 1/4</i>	<i>30</i>	<i>135</i>	<i>30</i>
	<i>NW 1/4 of NE 1/4</i>	<i>31</i>	<i>135</i>	<i>30</i>
<i>Owned unknown</i>	<i>NW 1/2 of NW 1/4</i>	<i>31</i>	<i>135</i>	<i>30</i>

The names of the Petitioners, the places where, and the time when copies of the Supervisors' Order or Notice of Hearing were posted; and the names of the persons served with the Supervisors' Order or Notice, and how served, are as follows, viz:

NAMES OF PETITIONERS	SUPERVISORS' ORDER OR NOTICE, WHEN AND WHERE POSTED	SUPERVISORS' NOTICE, ON WHOM SERVED	HOW SERVED
<i>John Pitzer</i> <i>Harold Mullerix</i> <i>J. E. Madson</i> <i>Joe Nemes</i> <i>Willard B. Harrington</i> <i>E. W. Prosser</i> <i>Leola Prosser</i> <i>Earl Cole</i>	<i>Posted May-10-1938</i> <i>Joe Nemes corner</i> <i>Leo Norwood corner</i> <i>Gas tax and State Road</i>	<i>John Pitzer</i>	<i>By Clerk</i>

State of Minnesota, County of Cass Town of Nome Brook ss:

Whereas, Upon the petition of eight legal voters who own real estate or who occupy real estate under the homestead or pre-emption laws of the United States, or under contract from the State of Minnesota, within three (3) miles of the road proposed in said petition to be _____; which said petition was filed with the Town Clerk, who forthwith presented it to us for action thereon, and which said proposed Road is set forth and described in said petition as follows, viz: Beginning at east quarter line sections 30 & 31

Township 135- Range 30 running on section line between sections 30 & 31 to west Town line distance of three quarters of a mile

And Whereas, Upon receiving said petition, we did, within thirty days thereafter, make out an order or notice of hearing, and fix therein a time and place at which we would meet and act upon said petition, to-wit: On the 30th day of May 1938, at Beginning of proposed road

causing copies of such notice to be posted in three public places in said Town, at least ten days before such meeting; and having met at such time and place as above named in said notice, and being satisfied that the petitioners had, at least ten days previous to said time caused said notice of time and place of hearing to be given to all the occupants of the land through which such road might pass, by serving the same personally upon each of said occupants, proof of which was shown by affidavit, we proceeded to examine personally such roads, and heard all persons interested, and any and all reasons for or against the Road the same, and being of opinion that such Road was necessary and proper, and that the public interest would be promoted thereby, we granted the prayer of said petitioners and determined to grant said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so _____ is as follows, to-wit: Beginning

at east quarter line sections 30 & 31 Township 135 Range 30 running on section line between sections 30 & 31 to west Town line distance of three quarters of a mile

It is Therefore Ordered and Determined, That a road be, and the same is hereby granted and established according to the description last aforesaid, and the report and plat herewith accompanying which is hereby made a part of this Order, and it is declared to be a public road _____ rods wide, the said description above given being the center of said road.

Given under our hands this 30th day of May 1938

Chas Stummell
Ed Mahany
J. E. McAllen } Supervisors

State of Minnesota, County of Cass Town of Home Brook ss:

Whereas, A road was laid out on the 20th day of May 1938, by us, the Supervisors of the said Town of _____ on the petition of eight legal voters who own real estate or who occupy real estate under the homestead or pre-emption laws of the United States, or under contract from the State of Minnesota, within three (3) miles of said road, which said road _____

is set forth and described in the foregoing Supervisors' Order, made by us, and

Whereas, A part of the damages sustained by reason of the laying out _____ said road has been ascertained by the agreement of the owners of the lands through which said road passes, with us, and a part of the owners of said lands have in writing released all claims to damages; but not being able to agree with the owners of the following described lands, claiming damages by reason of said road passing through, and the owners of some of the said lands being unknown, we have assessed the damages to each of such individual claimants with whom we could not agree, and awarded damages to the owners of such lands through which such road passes as are unknown, at what we deemed just and right; taking into account and estimating the benefits the road will confer on the claimants and owners, as well as the disadvantages. We have assessed and awarded damages as follows:

(Persons lawfully occupying United States or State land, considered the owners thereof for purposes hereof.)

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>John Geyer</u>	<u>SW 1/4 of S 6 1/4 and SW 1/2 of SW 1/4</u>	<u>30</u>	<u>135</u>	<u>30</u>	
	<u>NW 1/4 of N 6 1/4</u>	<u>31</u>	<u>135</u>	<u>30</u>	
<u>Owner unknown</u>	<u>NW 1/2 of NW 1/4</u>	<u>31</u>	<u>135</u>	<u>30</u>	

And in case of the following lands and claimants for damages, we estimate that the advantages and benefits said road will confer on them are equal to all damages sustained by them by reason of laying out _____ said road, to-wit:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
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