

Byron Twp.

Supervisors' Road Order

Filed this 20th day of March
A. D. 1901.

E. W. Anderson
Town Clerk.

The within Road Order, together with the Award of Damages, was recorded by me the 19th day of March 1901, 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. Anderson
Town Clerk.

Office of County Auditor,
County of Good Minn.

Filed this 22nd day of April
1901 at 10 o'clock A.M. in this office
P. E. Murphy
County Auditor.

The Town Clerk must not record this order within 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.

General Laws—General Laws 1889, Chapter 28, as amended General Laws 1893, Chapter 169, allows "eight legal voters who are ready to sign the petition of the town within three miles of the road to sign the petition. When such persons sign the petition it must be so stated on the blank line left for that purpose after the "in the following blank" Supervisors' Road Order and the Award of Damages."

Entered according to Act of Congress in the year 1880, by
WARREN S. BOOTH,
In the office of the Librarian of Congress at Washington
5-99-1000

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION.

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<i>G. Westmark</i>	<i>N.E. 1/4 of S.E. 1/4 of</i>	<i>8</i>	<i>135</i>	<i>32</i>
<i>H. S. Clark</i>	<i>S.E. 1/4 " S.E. 1/4 "</i>	<i>8</i>	<i>"</i>	<i>"</i>

The names of the Petitioners, the places where, and the time when the copies of the Petition and of the Supervisors' Notice of Hearing were posted; and the names of persons served with the Supervisors' Notice, and how served (personally or "by copy"), are as follows, viz:

NAMES OF PETITIONERS	PETITION AND NOTICES, WHEN AND WHERE POSTED	SUPERVISORS' NOTICE, ON WHOM SERVED	HOW SERVED
<i>G. Westmark</i> <i>E. Anderson</i> <i>Origen Batis</i> <i>P. J. Hildahl</i> <i>M. H. Seely</i> <i>R. J. Teeter</i> <i>J. A. Matthews</i> <i>O. J. Thorsett</i> <i>L. J. Thorsett</i> <i>C. C. Connelly</i>	<i>Petition were posted on the 7th day of Feb. 1901 one at the S.E. corner of sec 30, one at the S.E. corner of section 10 and one near the S.E. corner of the Esterdy Cemetery. Notices of hearing were posted at the above named places on the 28th day of February 1901</i>	<i>Supervisors notice of hearing was served on H. S. Clark and G. Westmark by reacting a copy of the notice to each of them</i>	

State of Minnesota, County of Cass Town of Byron SS:

Whereas, Upon the petition of ten 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 two (2) miles

of the road proposed in said petition to be laid out and changed which said petition was filed with the Town Clerk previous to the time of posting copies thereof, and copies of said petition having been first duly posted up in three of the most public places of said Town, at least twenty days before any action was had in relation thereto, proof of which posting was duly shown to us by affidavit; which said proposed Change of road is set forth and described in said petition as follows, viz: Beginning

at a point 16 rods north of the N.E. corner of the S.E. 1/4 of the S.E. 1/4 of section 8, Town 135, Range 32

To discontinue that part of the road described above and to lay part of a road as follows:

Beginning at a point 5 rods north of N.E. corner of the S.E. 1/4 of S.E. 1/4 of section 8, Town and Range aforesaid and running thence in a South westerly direction to a point 24 rods west of the S.E. corner of section 8, said Town and Range and there connect with the present laid out road

And Whereas, Upon receiving said petition, we did, within thirty days thereafter, make out a notice and fix therein a time and place at which we would meet and decide upon such application, to-wit: On the 9th day of March A. D. 1901.

at one o'clock in the afternoon, at the South West corner of section nine (9)

causing copies of such notice to be posted in three public places in said Town, at least ten days previous to such meeting; and having met at such time and place as above named in said notice, and being satisfied that the applicant 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 highway might pass, by serving the same personally or by copy left at the usual place of abode of each of said occupants, proof of which was shown by affidavit, we proceeded to examine personally such highway, and heard any and all reasons for or against the changing and

laying out of the same, and being of opinion that such change of road

was necessary and proper, and that the public interest would be promoted thereby, we granted the prayer of said petitioners and determined to change and lay out said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so changed

is as follows, to-wit: Beginning at a point five rods north of the North East corner of the S.E. 1/4 of the S.E. 1/4 of section eight (8) of the above named town, and running in a direct line to a point twenty four (24) rods west of the South East corner of said section eight (8), and to discontinue the road as heretofore laid between the two points named above

It is Therefore Ordered and Determined, That a road be, and the same is hereby laid out

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 highway four rods wide,

the said description above given being the center of said road.

Given under our hands, this 19th day of March A. D. 1901

A. H. Clapham
Oliver E. Holmquist } Supervisors.

To the Board of Supervisors of the Town of _____ County of _____ and State of Minnesota:

The undersigned, having been employed by you to make a survey of a road in said Town, would report that the following is a correct survey of the line thereof, as made by me under your directions, to-wit: Beginning at _____ of Section _____ Township _____ Range _____ thence running as follows, with a variation of _____ degrees and _____ minutes:

STATION	BEARING	DISTANCE	REMARKS

and that below is a correct plat of said road according to said survey.

Dated at _____ this _____ day of _____ A. D. 1 _____

Surveyor.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13

State of Minnesota, County of Cass Town of Byron SS:

Whereas, A road was laid out by us on the 19th day of March A. D. 1901 by us, the Supervisors of the said Town of Byron on the petition of nine 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 two (2) 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 and altering 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 the 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 highway 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 highway passes as are unknown, at what we deemed just and right; taking into account and estimating the advantages and benefits the road will confer on the claimants and owners, as well as the disadvantages. We have assessed and awarded damages as follows:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>S. H. Clark</u>	<u>S. E. 1/4, S. E. 1/4</u>	<u>8</u>	<u>135</u>	<u>32</u>	<u>\$ 12 00</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	DAMAGES

Given under our hands, this 19th day of March A. D. 1901.

A. H. Clark
Ol. A. Koppin } Supervisors.