

FINAL ROAD ORDER OF TOWN BOARD

Filed this 16th day of Oct. A. D. 1930

Mrs. N. R. Hinckley
Town Clerk

The within Road Order, together with the Award of Damages, was recorded by me this 18 day of Nov. 1930, in the Road Record Book of the Town, and then sent by me to the County Auditor, to be filed and preserved by him.

Mrs. N. R. Hinckley
Town Clerk

Office of County Auditor
County of Cass Minn.
Filed on this 19th day of Nov. 1930, at 10 o'clock A. M., in this office.
A. A. Carter
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 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.

0221000

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
Make Middleton	upover timber land	29	139	29
William Hoag	" "	20	139	29
Seabell Smith	cultivated land, unimproved	28	139	29
Mary W. Smith (maundy)	" "	21	139	29

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 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
Mrs. Annie Layton O'Brien	Notices posted on Oct. 6 th 1930 at the above specified posting places;	William Hoag	mail
Mrs. Ann Lane		Make Middleton	registering
Good Mrs. George		Seabell Smith	mailman
J. T. Edwards		Mrs. Mary Smith	mailman
Wloyd Clark			
E. P. Hogan		Notices served	
Osceola Swoden		Oct. 6 th 1930.	
M. T. Upton			
J. W. Silberman			
John E. Gardis			
C. X. Baldwin			

State of Minnesota, County of

Cook

Town of *Ponto Lake*

SS:

Whereas, Upon the petition of *thirteen (13)* 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 *land situated*; which said petition was filed with the Town Clerk, who forthwith presented it to us for action thereon, and which said proposed *road (cutway)* is set forth and described in said petition as follows, viz: Beginning

at a point near (7) rods south of sections twenty (20) and twenty one (21) trap 139, range 29; and on the section line between sections twenty eight (28) and twenty nine (29), trap 139, range 29; thence running north a distance of eighty seven (87) rods, to the southeast (SE) corner of the northeast quarter (NE 1/4) of south east quarter (SE 1/4) section twenty (20) trap 139, range 29.

The proposed road (cutway) to be two (2) rods in width, the section line in the center.

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 *16* day of *Oct.* 19*30*, at *the De Garbis market, on Pine River Highway.*

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 road, and heard all persons interested, and any and all reasons for or against the *establishing* the same, and being of opinion that such *road (cutway)* was necessary and proper, and that the public interest would be promoted thereby, we granted the prayer of said petitioners and determined to *establish* said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so *said* is as follows, to-wit: Beginning

no survey made, as the road, (cutway) follows the section line.

Description above.

It is Therefore Ordered and Determined, That a road be, and the same is hereby *laid out* which is hereby made a part of this Order, and it is declared to be a public road *two (2)* rods wide, the said description above given being the center of said road.

Given under our hands this *16* day of *Oct.* 19*30*

A. W. Dickerson
W. J. Johnson
W. J. Johnson
Supervisors

State of Minnesota, County of Chaska Town of Ponto Lake SS:

Whereas, A road was laid out and allowed on the 16th day of October 1890, by the Supervisors of the said Town of Ponto Lake on the petition of thirteen (13) 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 and establishing 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 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>Isabella Smith</u>	<u>cultivated field with a</u>	<u>28</u>	<u>139</u>	<u>29</u>	
<u>Mary V Smith (ma ma)</u>	<u>barren wire fence on</u>	<u>21</u>	<u>139</u>	<u>29</u>	
	<u>section line (89 rods)</u>				

Damages awarded:
Either the Town Board will move the fence, put it up in
as good shape as it is now and furnish new posts,
or - the Town Board will pay half toward a new
fence + new posts, the wire to be as nearly like the
present one as can be gotten and will either erect
this new fence or allow the owners a fair compensation
for moving the old one erecting the new fence.
Also the Town Board will allow sixty dollars
(\$60) per acre for the land taken.

Mabel Middleton (by P.H. Miller) owner timber, 1000 rods
cut over timber by 9 rods long. \$22 + for 189
139 29 \$1.00

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 and establishing said road, to-wit:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>William Hoy</u>	<u>cut over timber, 100 rods by 80 ft by</u>	<u>20</u>	<u>139</u>	<u>29</u>	<u>given and</u> <u>written by</u> <u>himself</u>

Given under our hands this 16th day of Oct^r 1890

W. H. Leppan
W. H. Leppan
 Supervisors

Nov. 19, 1938

Mr. H. B. Haddock,
Deputy Town Clerk,
Pouke Lake Town,
Richmond, Wisconsin.

Dear Sirs:

This is to acknowledge receipt of your order of town board covering parcels 20 and 21 and 22 and 23, section 13a between Sections 20 and 21 and 22 and 23, Pouke Lake Township.

Yours truly,
[Signature]

RHD

CHIEF TOWN CLERK