

FINAL ROAD ORDER OF TOWN BOARD

Filed this 26 day of November

A. D. 1923

Demarcus
Town Clerk

The within Road Order, together with the Award of Damages, was recorded by me this 26 day of Jan. 1924, in the Road Record Book of the Town, and then sent by me to the County Auditor, to be filed and preserved by him.

Demarcus
Town Clerk

Office of County Auditor

County of *Case* Minn.
Filed on this 28th day of January 1924, at 10 o'clock A.M., in this office.

Demarcus
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.

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<i>M. Armpie Raboyin</i>	<i>lot 1</i>	<i>16</i>	<i>144</i>	<i>31</i>
<i>Frank & Elizabeth</i>	<i>lot 2</i>	<i>16</i>	<i>144</i>	<i>31</i>
<i>Ernie & Margaret</i>	<i>lot 3</i>	<i>16</i>	<i>144</i>	<i>31</i>
<i>Andam Allotment</i>	<i>lot 4 of the NE 4</i>	<i>16</i>	<i>144</i>	<i>31</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 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>W. S. Allen</i>	<i>to Wilson & son</i>	<i>M. Armpie Raboyin</i>	<i>personally</i>
<i>Geo. A. & Susan</i>	<i>Ernie & Margaret</i>	<i>Frank & Elizabeth</i>	<i>"</i>
<i>W. C. & Gilbert</i>	<i>Raborn G. D.</i>	<i>Ernie & Margaret</i>	<i>"</i>
<i>H. B. M. Armp</i>		<i>Andam Allotment</i>	<i>"</i>
<i>R. J. Foye</i>			<i>personally</i>
<i>Geo. M. Bennett</i>			<i>personally</i>
<i>M. Armpie & son</i>			<i>personally</i>
<i>E. M. Johnson</i>			<i>personally</i>
<i>Ch. W. Johnson</i>			<i>personally</i>
<i>J. W. & M. Armp</i>			<i>personally</i>
<i>M. Armpie & son</i>			<i>personally</i>

State of Minnesota, County of Le Sueur Town of Wilkinson SS:

Whereas, Upon the petition of Amelie (182) 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 re-established; 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 the quarter corner corner to section 15-7-16 in said township of Wilkinson commencing thence west along the north line of lot 1 of section 16 the said corner to the north west corner of said lot 1, thence south on the line between lots 1 & 2 in said section 16 to the point on said line near the shore of Portage Lake where the grade for the highway as now made and cut across said line; thence in a south westerly direction following the general course of the shore of Portage Lake along the grade as now established and built for the point on the south section line of section 16 where the said grade as now established crosses said line, and thence thereon somehow two highways in said township, the one established and built for the north end and the one at the center and being newly established

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 26th day of November 1923, at Marion, Le Sueur

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

proposed road the same, and being of opinion that such proposed road was necessary and proper, and that the public interest would be promoted thereby, we granted the prayer of said petitioners and determined to lay out and construct said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so established is as follows, to-wit: Beginning

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 road four (4) rods wide, the said description above given being the center of said road.

Given under our hands this 26th day of November 1923.
A. B. Birkley
W. A. Benson
Supervisors

State of Minnesota, County of Le Sueur Town of Wilkerson SS:

Whereas, A road was laid out on the 26th day of November 1923, by us, the Supervisors of the said Town of Wilkerson on the petition of Marlene (19) 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 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>Mabelle Robin</u>	<u>lot 1</u>	<u>16</u>	<u>144</u>	<u>31</u>	<u>\$50.00</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 and awarding said road, to-wit:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<u>Stanley Leichter Caleb Johnson Almon Johnson</u>	<u>lot 2 lot 3 S 1/4 of the N.E. 1/4</u>	<u>16 16 16</u>	<u>144 144 144</u>	<u>31 31 31</u>

Given under our hands this 26th day of November 1923
A. Leebenberg
J. W. Gilbert
Wasson Snow
 Supervisors

Quit to Same Deed.

~~Copy~~

This Indenture made on the 1st day of October 1923, between George McKenneth, and his wife Edna McKenneth of Cass County, state of Minn. party of the first part, and the Township of Wilkinson, County of Cass, State of Minn. party of the second part.

That the first party for the sum of One dollar quit claim to the second party a certain parcel of land conditionally, to wit, starting on the N-E corner of N.W.^{1/4} & S.E.^{1/4} of section 17 town 144, Range 31, thence running in a southerly direction along the Great Northern Right of way 45 rods to S.N. gate and crossing, said parcel to be twenty-four feet in width, said parcel to be used only as a road to Raboin Spur on S.N. R.R. This instrument to be in force until said R.R. takes up Spur track, when same shall revert back to original owners.

Witnesses

Minnie Besage
Warren Lever.

seal

George McKenneth
Edna McKenneth

State of Minn }
Co. of Cass }
Township of Wilkinson }

On this first day of October A.D. 1923 before me a town clerk within and for said Co. personally appeared Geo. McKenneth and his over

wife Edna to me known to be the persons
described in, and who executed the foregoing
instrument and acknowledged that they
executed the same as their free act and
deed

Leon C. Page
Town Clerk