

Maple Twp

FINAL ROAD ORDER OF TOWN BOARD

Filed this 22<sup>nd</sup> day of May A. D. 1911

W. H. Saffman Town Clerk

The within Road Order, together with the Award of Damages, was recorded by me this 23 day of June 1911, in the Road Record Book of the Township, and then sent by me to the County Auditor, to be filed and preserved by him.

W. H. Saffman Town Clerk

Office of County Auditor,

County of JUN 30 1911 Minn.

Filed 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 within thirty days after filing, and not file on, if an appeal has been taken until the order is confirmed on appeal. But if no appeal is taken or if on appeal the 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.

892300

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
John Hylan	N 6 1/4 E 6 1/4	10	136	30
John Hylan	N 2 W 1/4 S 6 1/4	10	136	30
John Hylan	N 4 W 1/4 S 6 1/4	10	136	30

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
John Hylan W. H. Saffman Jonas Lundberg Gustav Swanson* Helo Johnson Hans E. Larson Andrew Brandt Clay Olson John Olson Martin Torkelson C. J. Glander.	On the 8 <sup>th</sup> day of May A.D. 1911 one copy of notice was posted at the S <sup>2</sup> corner of sec: 12, Twp 136 R 30. one copy of notice was posted at the N <sup>2</sup> E corner of sec: 26, Twp 136 R 30 and one copy at the S <sup>2</sup> corner of sec: 10 Twp 136 R 30. These three places being the public posting places of the town of Maple.	a copy was served on John Hylan on the 8 <sup>th</sup> day of May A.D. 1911.	By personally served written notice.

\* The name of Gustav Swanson was ordered struck from the list of Petitioners by the Town Board of Supervisors, as said Gustav Swanson was not a legal voter, or freeholder of the Town, and was therefore not qualified to sign as a legal petitioner.

State of Minnesota, County of Cass Town of Maple SS.

Whereas, Upon the petition of Ten (10) 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 <sup>cartway</sup> road proposed in said petition to be laid out and established; which said petition was filed with the Town Clerk, who forthwith presented it to us for action thereon, and which said proposed route of cartway is set forth and described in said petition as follows, viz: Beginning

The centre line of cartway to begin at a point on the section line between sections 10 and 11 Twp: 136 Range 30 at a distance of one rod south of a point which is midway between the north and south section corner posts of said section line - thence to run west, at a distance of one rod from, south of, and parallel to a line running from the last said point on said section line, west to the 1/4 sec. post between sections 9 and 10 Twp: 136 R. 30. for a distance of 1351.875 ft. from the starting point of cartway. From a point on the said centre line of cartway, distant from said starting point of cartway - a distance of 1335.375 feet (being one rod east from its western terminus) the course of the centre line of cartway to run in a northerly direction parallel to the section line between sections 10 and 11 Twp: 136 R. 30 to a point where said centre line crosses to the north bank of Mayo Brook. Thence in a general northwesterly direction to the residence of John Hylen in sec. 10. Twp: 136 R. 30, and terminating thereat. The cartway to be of the width of two rods - that is one rod wide on either side of said described centre line of cartway. The Plat of this cartway is now on file in the office of the Town Clerk of Maple Twp: Cass Co., Minn.

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 such petition, to-wit: On the 22<sup>nd</sup> day of May 1911, at the residence of John Hylen at the hour of 8.30 A.M.

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 highway 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 highway, and heard all persons interested, and any and all reasons for or against the laying out and establishment of the same, and being of opinion that such laying out and establishment 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 establish said <sup>cartway</sup> road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so laid out and established is as follows, to-wit: Beginning

The centre line of cartway to begin at a point on the section line between sections 10 and 11 Twp: 136 Range 30 at a distance of one rod south of a point which is midway between the north and south section corner posts of said section line - thence to run west, at a distance of one rod from, south of and parallel to a line running from the last said point on said section line - west to the 1/4 section post between sections 9 and 10. Twp: 136 R. 30. for a distance of 1351.875 ft. from the starting point of cartway - From a point on the said centre line of cartway, distant from said starting point of cartway a distance of 1335.375 ft (being one rod east from its western terminus); the course of the centre line of cartway to run in a northerly direction parallel to the section line between sections 10 and 11 Twp: 136 R. 30. to a point where said centre line crosses to the north bank of Mayo Brook - Thence in a general northwesterly direction to the residence of John Hylen in sec. 10. Twp: 136. R. 30 and terminating thereat. - The cartway to be of the width of two rods - that is one rod wide on either side of said described centre line of cartway. - The said route of cartway to be in accordance with the plat herewith annexed and forming part of this order.

It is Therefore Ordered and Determined, That a <sup>cartway</sup> 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 of Two (2) rods wide the said description above given being the center of said <sup>cartway</sup> road.

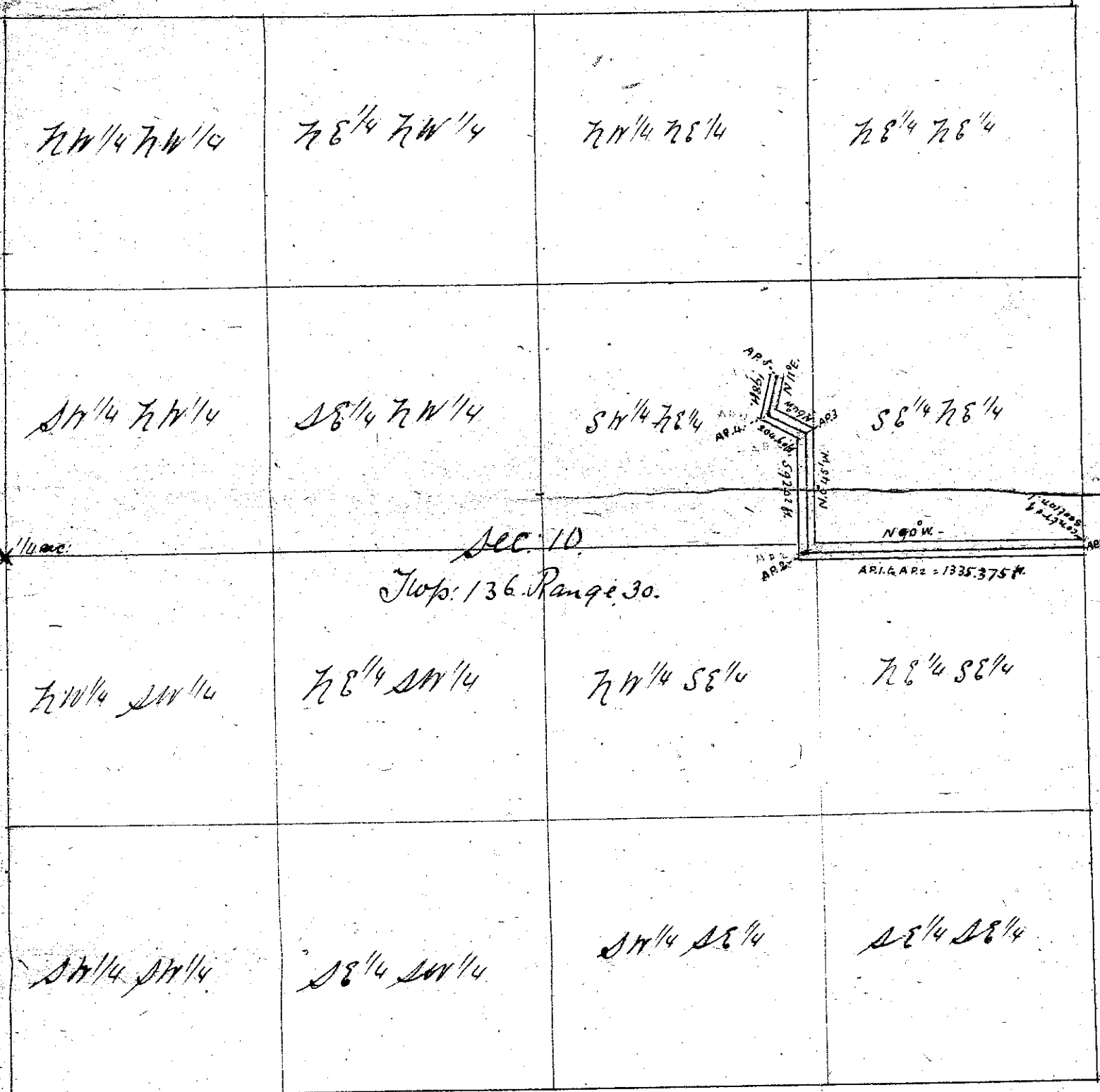
Given under our hands this 22<sup>nd</sup> day of May 1911.

John Hylen  
John Hylen  
John Hylen } Supervisors

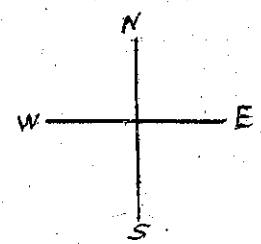
To the Board of Supervisors of the Town of \_\_\_\_\_ County of \_\_\_\_\_  
and State of Minnesota:

# Plat

Hylen's Cartway on sec 10. Twp. 136. Range 30.  
Field Notes on Reverse Side of Plat.



Scale = 8" to 1 mile  
Red line = centre line of cartway  
V<sup>m</sup> = 9°



Notes on Stylen's Cartway as Per Plat or Reverse Side.

I, the undersigned, W. H. Luffman, surveyor, hereby certify that I surveyed and Platted the Cartway in sec. 10 Twp. 136 Range 30 - of which the Plat shows on Reverse side is a correct Plat of same and I hereby certify that the distance, courses, and Bearing post: etc as given below are correct in every particular

- W. H. Luffman.

Regist. in Minn.

May 4, A. D. 1911

Notes. A.P. 1. is south of center point of section line between sec: 10 & 11 T. 136 R. 30 and distant therefrom on section line one rod south.

W.C. to A.P. 1. oak 8" S 26° W ch. 0.25 - 2" iron pipe 4 ft. long N 61 1/2° W ch. 0.25: A.P. 2 is distant from A.P. 1 on course N 0° W. 1335.375 ft

W.C. to A.P. 2 oak stump S 60 1/2° E ch. 1.69: Sandstone Rock S 5 1/2° W ch. 0.96 - A.P. 3 is distant from A.P. 2 - 592.03 ft. on course therefrom N 0 4.5° W.

W.C. to A.P. 3. white pine stump 30" N 81° W. 30 ft. - white pine stump 20" N 3° E ch. 2.49 - A.P. 4 is distant from A.P. 3. 207.60 ft. on course therefrom N 64° W.

W.C. to A.P. 4. Sandstone Rock S 4° E ch. 1.10: Sandstone rock N 43° E ch. 1.64 - A.P. 5 is distant from A.P. 4 - 198 ft. 4 on course therefrom N 11° E.

W.C. to A.P. 5 - Boulder. N 34° E ch. 0.19: SW corner of stone foundation of Building N 84° E ch. 0.51.

179°

State of Minnesota, County of Cass Town of Maple SS.

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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 such petition, to-wit: On the 22<sup>nd</sup> day of May 1911, at the residence of John Hylan at the hour of 8.30 A.M.

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 highway 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 highway, and heard all persons interested, and any and all reasons for or against the laying out and establishment of the same, and being of opinion that such laying out and establishment 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 establish said cartway road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so laid out and established is as follows, to-wit: Beginning

The centre line of cartway to begin at a point on the section line between sections 10 and 11 Twp: 136 Range 30 at a distance of one rod south of a point which is midway between the north and south section corner posts of said section line - thence to run west, at a distance of one rod from, south of and parallel to a line running from the last said point on said section line - west to the 1/4 section post between sections 9 and 10. Twp: 136 R. 30. for a distance of 1351.875 ft. from the starting point of cartway - From a point, on the said centre line of cartway, distant from said starting point of cartway a distance of 1335.375 ft (being one rod east from its western terminus) the course of the centre line of cartway to run in a northerly direction parallel to the section line between sections 10 and 11 Twp: 136 R. 30. to a point where said centre line crosses to the north bank of Mayo Brook - Thence in a general northwesterly direction to the residence of John Hylan in sec: 10. Twp: 136. R. 30 and terminating thereof. - The cartway to be of the width of two rods - that is one rod wide on either side of said described centre line of cartway. - The said route of cartway, to be in accordance with the plat herewith annexed and forming part of this order.

State of Minnesota, County of Cass Town of Maple SS.

Whereas, A <sup>cartway</sup> road was laid out and established on the 22<sup>nd</sup> day of May, 1911, by us, the Supervisors of the said Town of Maple on the petition of Ten (10) 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~~ cartway 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

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 establishment of said <sup>cartway</sup> road, to-wit:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>John Hylen</u>	<u>N 8 1/4 E 8 1/4</u>	<u>10</u>	<u>136</u>	<u>30</u>	<u>equal to Damages</u>
<u>John Hylen</u>	<u>N 11 1/4 E 8 1/4</u>	<u>10</u>	<u>136</u>	<u>30</u>	
<u>John Hylen</u>	<u>N 14 1/4 E 8 1/4</u>	<u>10</u>	<u>136</u>	<u>30</u>	