

SUPERVISORS' ROAD ORDER

Filed this 20 day of March A. D. 1921

E. W. Benson
Town Clerk.

The within Road Order, together with the Award of Damages, was recorded by me the 1st day of August, 1921, 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. Benson
Town Clerk.

Office of County Auditor,

County of _____ Minn.

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

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.

TAKE NOTICE—General Laws 1895, Chapter 29, as amended General Laws 1893, Chapter 169, allow "eight legal voters who are freeholders and residents 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 1890, by

WALTER S. BOOTH,

In the office of the Librarian of Congress at Washington

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OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION.

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<i>Julia H. Adnat</i>	<i>N. W. of N. W.</i>	<i>27</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>S. W. of N. W.</i>	<i>27</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>N. W. of S. W.</i>	<i>27</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>S. W. of S. W.</i>	<i>27</i>	<i>140</i>	<i>25</i>
<i>Unknown</i>	<i>N. E. of N. E.</i>	<i>28</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>S. E. of N. E.</i>	<i>28</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>N. E. of S. E.</i>	<i>28</i>	<i>140</i>	<i>25</i>
<i>.....</i>	<i>S. E. of S. E.</i>	<i>28</i>	<i>140</i>	<i>25</i>
<i>A. L. Bowen & Floyd Randall</i>	<i>N. E. of S. E.</i>	<i>34</i>	<i>140</i>	<i>25</i>
<i>John & Jacobs & Walsh</i>	<i>S. E. of S. E.</i>	<i>33</i>	<i>140</i>	<i>25</i>
<i>all the rest of the land along said road. Unknown</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>E. W. Benson</i>	<i>On the 2nd day of May 1921</i>	<i>None served.</i>	
<i>Joseph H. Hoove</i>	<i>1 at the clerk office on Sec 2</i>		
<i>B. F. Lester</i>	<i>1 at the 1/4 post on the west side of Sec. 11</i>		
<i>Corbin Youngs</i>	<i>1 at the 1/4 post on the east side of Sec. 12.</i>		
<i>W. L. Masten</i>			
<i>W. W. Waskowski</i>			
<i>A. L. Bowen</i>			
<i>F. W. McLaughlin</i>			
<i>M. F. Benson</i>			
<i>Ralph Kelly</i>			
<i>Everett Kelly</i>			
<i>Pat Kelly</i>			

State of Minnesota, County of Cass Town of Smoky Hollow SS:

Whereas, Upon the petition of Incluse (12) 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 _____; 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 new road is set forth and described in said petition as follows, viz: Beginning at the northwest corner of Section (27) Twenty Seven Township One hundred forty (140) Range Twenty five (25). Thence south along the Section line between Section Twenty Seven (27) and Twenty Eight (28) and between Section Thirty Three (33) and Section Thirty four (34) to the ~~Township~~ Township Line. above describe new road to be laid out four (4) rods wide.

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 14 day of May A. D. 1921 at N.W. corner of Section Twenty Seven (27) at 8 o'clock A.M.

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 proposed road

the same, and being of the 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 allow said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so petitioned

is as follows, to-wit: Beginning at the n.w. corner of Sec (27) Twenty seven Town (140) one hundred forty Range (25) Twenty five Thence south along the Section line between Sec Twenty seven (27) and Twenty eight (28) and between Sec Thirty three (33) and Sec Thirty four (34) to the Town Line. Above described road to be 4 rods wide

It is Therefore Ordered And Determined, That a road be, and the same is hereby allowed 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 14th day of May A. D. 1921
J. H. Casner
Leonard Carlson
M. W. Harrell } Supervisors.

To the Board of Supervisors of the Town of Smoky Hollow County of Ladd 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 direction, to-wit: Beginning at N 2 1/2 Sec 2 of Section 27 Township 14 Range 2 thence running as follows, with a variation of 3 degrees and 0 minutes: South Base Sec 27 and 28 1300 28 54 1/2

STATION	BEARING	DISTANCE	REMARKS
p.	Bl. Sec 27	1 Mile	
	B. Sec 28	1300	

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

Dated at Smoky Hollow this 10 day of August A. D. 1911
Walter H. Watson Surveyor.

6	0	4	3	2	1
2	8	2	10	11	12
11	12	13	14	15	16
17	18	19	20	21	22
23	24	25	26	27	28
29	30	31	32	33	34
35	36	37	38	39	40
41	42	43	44	45	46
47	48	49	50	51	52
53	54	55	56	57	58
59	60	61	62	63	64
65	66	67	68	69	70
71	72	73	74	75	76
77	78	79	80	81	82
83	84	85	86	87	88
89	90	91	92	93	94
95	96	97	98	99	100

State of Minnesota, County of Cass Town of Smoky Hollow SS:

Whereas, A road was laid out _____ on the 14th day of May A. D. 1921, by us, the Supervisors of the said Town of Smoky Hollow on the petition of Twelve 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 (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 _____ of _____ 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
<i>Benefits equib to damages on all lands</i>					

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
<i>Benefits equib to damages on all lands</i>					

Given under our hands, this 14th day of May A. D. 1921
H. Carson
Renard Carlson
M. W. Rusk } Supervisors.