

FINAL ROAD ORDER OF TOWN BOARD

Filed this 31 day of July
A. D. 1926

Louis W. Frank
Town Clerk

The within Road Order, together with the Award of Damages, was recorded by me the 31 day of July 1926, in the Road Record Book of the Township, and then sent by me to the County Auditor, to be filed and preserved by him.

Louis W. Frank
Town Clerk

Office of County Auditor,
County of Cass Minn.

Filed this 3rd day of Aug.
1926, at 9 o'clock A.M., in this office.

A. A. Davis
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.

572800

OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION

| OWNERS OF LANDS | DESCRIPTION OF LANDS | SECTION | TOWN | RANGE |
|---------------------|----------------------|----------|------------|-----------|
| <u>M. G. Lohman</u> | <u>Lot 5 and 7</u> | <u>5</u> | <u>140</u> | <u>31</u> |
| <u>W. B. Ives</u> | <u>" 6 "</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>C. Arnold</u> | <u>" 5 "</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>J. Allen</u> | <u>" 4 "</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>O. Sundstrom</u> | <u>" 1 "</u> | <u>"</u> | <u>"</u> | <u>"</u> |

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 |
|--------------------------|---|-------------------------------------|------------|
| <u>C. A. Arnold</u> | <u>April 10th</u> | <u>Town Hall</u> | |
| <u>O. Sundstrom</u> | <u>" "</u> | <u>cross roads by Wm Smith</u> | |
| <u>Joe Knott</u> | <u>" "</u> | <u>Sinnerburg bridge</u> | |
| <u>Matt Knott</u> | | | |
| <u>G. W. Carlson</u> | | | |
| <u>A. E. Wood</u> | | | |
| <u>F. Field Eldredge</u> | | | |
| <u>O. O. Broneth</u> | | | |
| <u>Wm Smith</u> | | | |
| <u>F. J. Frederich</u> | | | |

State of Minnesota, County of Cass Town of Hiram 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 three (3) miles of the road proposed in said petition to be.....; 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 N. W. corner of the N. E. quarter of sec. 8 - T. 140 - R. 31 running north along quarter line as near as practicable on road that has been brushed out for 1/2 mile thence N. W. to Hiram and Shingober road

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 31 day of July 1926, at Town Hall

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

It is Therefore Ordered and Determined, That a road be, and the same is hereby granted 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..... 2 rods wide the said description above given being the center of said road.

Given under our hands this 31 day of July 1926

Albert J. Thomas
Albert Deering
Ludwig Erickson } 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 _____ 19____

 Surveyor

| | | | | | |
|----|----|----|----|----|----|
| 6 | 5 | 4 | 3 | 2 | 1 |
| 7 | 8 | 9 | 10 | 11 | 12 |
| 18 | 17 | 16 | 15 | 14 | 13 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 30 | 29 | 28 | 27 | 26 | 25 |
| 31 | 32 | 33 | 34 | 35 | 36 |

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

Whereas, A road was laid out granted on the 31 day of July 1926, by us, the Supervisors of the said Town of Heron on 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 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>W. C. Lothman</u> | <u>Lot 6 and 7</u> | <u>5</u> | <u>140</u> | <u>31</u> | <u>none</u> |
| <u>W. B. Ives</u> | <u>" 6 " 7</u> | <u>"</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>G. Arnold</u> | <u>" 5</u> | <u>"</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>J. Allen</u> | <u>" 4</u> | <u>"</u> | <u>"</u> | <u>"</u> | <u>"</u> |
| <u>O. Sundstrom</u> | <u>" 1</u> | <u>"</u> | <u>"</u> | <u>"</u> | <u>"</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 |
|-----------------|----------------------|---------|------|-------|
|-----------------|----------------------|---------|------|-------|

Given under our hands this 31 day of July 1926

Albert [Signature]
Fredrick Erickson } Supervisors.

August 3, 1926.

Louis W. Frank,
Clerk Hiram Twp.,
Akeley, Minn. R # 3.

Dear Sir:-

This is to acknowledge receipt of Final Road
Order of Town Board covering Township Road in Section 5,
Twp. 140, Rge. 31.

Yours very truly,

BLO

County Auditor.