



Matthew Simons  
Road.

Error in Com. Report

The State of Iowa

Black Hawk County

I Matthew Synnors being duly  
Sworn say that I posted or caused  
to be posted four notices of which

the within is a copy as follows one on the Court house  
door, and three on the fence along Sect 10 & 30 being  
along the line of said proposed road near one  
half mile apart.

Matthew Synnors

Sworn subscribed before me  
this 29<sup>th</sup> of May A.D. 1865

Glennery Clerk

NR 12

There will be a petition presented  
to the Board of Supervisors of Blackhawk  
County of Iowa at their next session  
for a road commencing at the southwest  
section corner between section  
nineteen and thirty running south  
on said line to the southwest section  
corner between thirty and thirty one  
in Township No. 24 N. and Range  
thirteen in Blackhawk County Iowa

Filed May 29 1884  
Specimen Club

amuch

213

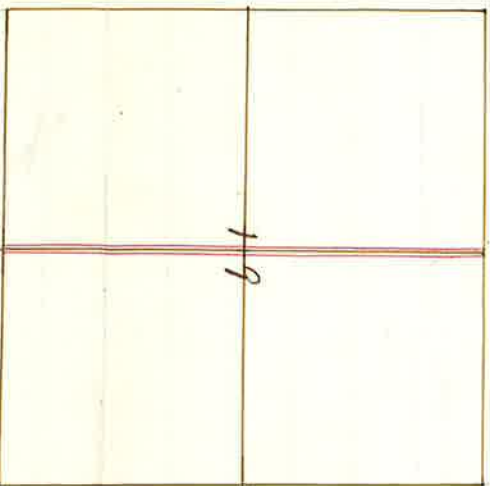
①

Clerk Dist Court

please Credit Mr  
Matthew Symons the Clerk. for of  
One dollar as paid to me within  
Sixty days after the Order Establishing  
the Symons Road

Ed Gray Ex. Ex. 502

90 13



The above is a plan of a road petitioned for  
by Simmons and other surrounding north  
ward south through the center of Section.  
No. 19 S. 90 N. 103 West.

In case given of some improvement  
in the section of said section. The section  
line road do not fully meet the wants  
of those residing on said section. The  
board during practical I would  
recommend the establishment of the  
road as a public high way 50 feet in  
width

Nov. 23 1863

Levi W. Miller  
Commissioner

OFFICE OF  
**RALPH W. M. TRAVIS**  
ASSISTANT COUNTY ATTORNEY  
212-216 MARSH-PLACE BLDG.  
PHONE 1900  
WATERLOO, IOWA

December 12, 1936

Mr. John P. Biller,  
Member of the Black Hawk County  
Board of Supervisors  
Waterloo, Iowa

Dear Sir:

In re: Road Case No. 213  
Simons Road  
Mt. Vernon Township

On May 29th, 1865, the Board of Supervisors of Black Hawk County adopted a Resolution establishing a road running on the quarter section line through Section 30, Township 90, Range 13 West, and appointed a commissioner to view the same. The first commissioner's report was erroneous, and the Board appointed a second commissioner, who filed his report with the Board on September 2nd, 1867. In this report he recommended that the road be established in accordance with the petition, making no statement in his report with reference to the width of the road. The original petition is not with the other papers pertaining to the establishment of this road, and it is not known what it may have contained as to width.

If no width was specified in the original petition requesting the road, then the width of said road would be fixed as provided by Section 820 of the Revised Code of 1860, which reads as follows:

"County and state roads hereafter established must be sixty-six feet in width, unless otherwise specially directed, but the court may for good reasons fix a different width not less than thirty-three feet."

Under all of the facts available in this matter, it is the opinion of this office that this road is sixty-six feet wide.

Respectfully submitted,

RWT:FJS

  
RALPH W. M. TRAVIS,  
Assistant County Attorney.

Wt. Vernon Township  
Blackhawk Co Iowa Aug 28<sup>th</sup> 1867

To J. L. Wells  
of the Board of Supervisors,  
Blackhawk Co Iowa

Dear Sir,

The undersigned commissioner  
appointed to view and locate a road  
in Afton township designated  
as the Synonds road respecting  
which he has examined the  
road and deemed practicable and

necessary  
said road commencing at the  
original quarter post on the 1st line  
of the 3rd Twp. 9th Range 13th N.  
34th Meridian, thence south to

the original quarter post on the 1st line  
of the 3rd Twp. 9th Range 13th N.  
(thence south to the original quarter post on the 1st line of the 3rd Twp. 9th Range 13th N.)

Thence south to the original quarter post on the 1st line of the 3rd Twp. 9th Range 13th N.

1. In your monument record and distance from the point where the road is herein required to be located.
2. You may without fail be told and in this face a Road from the hearing and distance from the point where the road is herein required to be located.
3. The point as is herein required to be located.
4. All letters sent to the office.
5. Where the road is herein required to be located.
6. Marks in each of which the road is herein required to be located.
7. After the detection of all the road is herein required to be located.
8. Before the road is herein required to be located.
9. These are the only must be employed, and this

Yours faithfully,  
J. L. Wells



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only must be

Waterloo, this

only Clerk.

## Office of the County Clerk,

EAGLEHORN, IOWA.

Dated, August 19 1867.

To Jefferson J. Smith

You are hereby notified that you have been appointed a Commissioner to view, and if required to locate, a \_\_\_\_\_ County Road, petitioned for by Matthews and others. Said \_\_\_\_\_ Road petitioned for, is to commence at the 1/4 section corner between Sects 19 & 20 near go. Range 13 west Thence South on said line to 1/4 quarter corner between Sections 20 & 21 in said Township Range \_\_\_\_\_

Very truly  
yours,  
J. H. Smith

You will, therefore, appear at the Office of the County Clerk at \_\_\_\_\_ in said County, on the 28 day of August at 9.1867 at 11 A.M., and qualify according to Law, and proceed immediately to the discharge of your duty and make your report thereon according to Law and the following Instructions, on or before the next term of this Court:

1. In your survey of this Road you will particularly describe the point of commencement, with reference to some monument record, which will generally be found to consist of corners in the public and private surveys; the exact course and distance from some one of which, you must give in your field notes.
2. You must also measure to, and in your field notes return the distance to some section or quarter section corner, from the point where you intersect each and every line of sections in the public surveys.
3. The point at which you terminate your survey must be ascertained and returned by reference to the same evidence as is herein required for the commencing point.
4. All letters and figures inscribed upon wood must be cut with a "marking iron," similar to that used in the government survey of lands.
5. Where bearing trees are taken, (and it is strongly enjoined that, if within ten chains of an angle, they should without fail be taken,) a smooth face fronting the angle of the Road, should be made as near the ground as practicable, and in this face should be cut the initial letters of the points of beginning and ending of the Road. For example— a Road from Dubuque to Cascade: D. & C. R. When bearing trees cannot be had at angles, it is recommended that the bearing and distance to a boulder, cliff, or corner of an enclosure be taken, and where this is impracticable, a large mound of earth should be raised at the point of the angle.
6. Marks in timber will consist of a smooth blaze with a notch in the center, except those trees which the line cuts, each of which must have three notches, both upon the side which the line strikes and that upon which it leaves the tree.
7. After completing your survey of this Road you must carefully protract the same upon paper, with a view to the detection of all errors, either in your chaining or course.
8. Before commencing your survey you must compare and adjust your chain to a standard kept for that purpose, in this office.
9. These Instructions in no way relieve you from each and every duty prescribed by the Code of Iowa, pages 91 and 92.
10. Your compass must be adjusted to run upon the true meridian; that is, the true magnetic variation only must be employed, and this must invariably be stated, and all changes, as a part of the field notes of this survey.

Given under my hand, and the Seal of said County, at my Office in Waterloo, this

19th day of August 1867

J. H. Smith  
County Clerk.

By \_\_\_\_\_

Deputy.

**The State of Iowa, } ss.  
BLACKHAWK COUNTY.**

*Stephen J. Garrison*

do solemnly swear, that I will, to the best of my ability, perform the duties of Commissioner on the within road, according to law, and the foregoing instruction.

Subscribed and sworn to before me  
this 28 day of *Sept* A. D. 1867.

*Jefferson Garrison*

*John S. Barker*  
*Notary Public*

No 213

**Commission.**

*M. Simons* Road.  
*W. Vernon* Township,

Filed, *Sept 2<sup>d</sup>* 1867  
*G. E. Cherk* Clerk.  
By *J. C. W.* Deputy.

Know All Men by these Presents, That we, Mathew Spencer  
 of Black Hawk County, & Augustine  
 of        County, and         
 of        County, and         
 freeholders of said Black Hawk County, are held and jointly bound unto the  
 State of Iowa, in the sum of fifty  
 Dollars, for the payment of which we find ourselves, our executors and administrators,  
 jointly and severally.

Whereas, An application has been made to the Board of Supervisors of  
Black Hawk County, for the establishment of a <sup>Gravel</sup> State road, as  
 follows: See Petition

Now if the said Supervisors

shall pay all expenses which may accrue in the location of said road, in case the same  
 shall not be established a public highway, then this bond to be void, otherwise to remain  
 in full force and effect.

Given under our hands, the 10th day of June A. D. 1865.

Mathew Spencer  
Augustine