

# ROAD CASE

No. 256

*PETITION FILED*

March 25, 1929

*BOND FILED*

March 25 1929

W. O. Sampson

*APPOINTED COMMISSIONER*

March 27 1929

## COMMISSIONER REPORTED

Open benefit to public  
April 25, 1929

April 25, 1929

*NOTICE SERVED*

May 10 & 13, 1929

## OBJECTIONS FILED

2019 19

## CLAIMS FILED

19

## APPRAISERS APPOINTED

.....19.....

### APPRAISERS REPORTED

19

**DAMAGES ALLOWED, - \$**.....

*COSTS ALLOWED, - - - \$*.....

19

ROAD ~~ESTABLISHED~~

ROAD ~~ESTABLISHED~~

July 1, 1929

**TOWNSHIP CLERK NOTIFIED**

July 2, 1929

JULY 2, 1929.

Mr. E. B. Mullin, Township Clerk,  
Voorhies, Iowa.

Dear Sir:-

This is to notify you that at a meeting of the Board of Supervisors of Black Hawk County held on the 1st day of July, 1929, a motion was duly made and passed vacating the following described highway.

"Commencing at Primary Road No. 59 and running thence west between Section 10 and 15, Twp. 37 N. Range 14 W of the 5th P.M., a distance of one mile. Also commencing at Primary Road No. 59 and running thence East between Sections 11 and 14, Twp. 37, Range 14 W of the 5th P.M., a distance of one mile".

Yours truly,

County Auditor.

FWD/KMB.

No. 256

Humphreys Road  
Lincoln N.H.



28

# ROAD PETITION

TO THE BOARD OF SUPERVISORS OF

BLACK HAWK

COUNTY, IOWA:

The undersigned ask that a Highway

feet wide, commencing at

Primary Road

No. 59

and running thence West (W) between Sections 10 and 15, T87N, R14W of the

5th P. M., a distance of one (1) mile. Also commencing at Primary

Road No. 59 and running thence East (E) between Sections 11 and 14,

T87N, R14W of the 5th P. M., a distance of one (1) mile

~~to be vacated~~

be vacated.

NAMES

NAMES

Healderson  
Ed Standken

W. R. Mahon  
Budford & Bowden  
J. M. Bowden

J. A. G. Mahon  
Allen & Mahon

Robert & Mahon  
Muelh Mahon & Co.



ROAD BOND

STATE OF IOWA, Black Hawk COUNTY, ss.

KNOW ALL MEN BY THESE PRESENTS:

That we, J.M. Brown, Geo. Sanderson of the County of Black Hawk and W.O. Carter

State of Iowa, are held and firmly bound unto the County of Black Hawk, in the sum of One thousand and no DOLLARS for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, and every one of them, firmly by these presents.

THE CONDITION of the above obligation is such, that whereas

has this day made application by petition to the Board of Supervisors of said County, to appoint a Commissioner to view and locate a road to be called

Now, if the said J.M. Brown shall pay all costs that may be adjudged against him by the Board of Supervisors in accordance with the statute in such case made and provided, then this obligation to be void, otherwise to be and remain in full force and effect.

WITNESS our hands, this 15<sup>th</sup> day of March, A. D. 1924

STATE OF IOWA, Black Hawk COUNTY, ss.

I do solemnly swear that I am a resident and freeholder of the State of Iowa, and have property in said State beyond the amount of my debts in the sum of One thousand and no Dollars and have property in this State exempt from execution equal to the sum of One thousand and no Dollars.

W.O. Carter

I do solemnly swear that I am a resident and freeholder of the State of Iowa, and have property in said State beyond the amount of my debts in the sum of One thousand and no Dollars and have property in this State exempt from execution equal to the sum of One thousand and no Dollars.

Subscribed and sworn to by W.O. Carter & Geo. Sanderson before me, this 15<sup>th</sup> day of March, A. D. 1924.

Notary Public

The above bond and sureties approved this 15 day of March, A. D. 1924,  
By Lincoln Deputy Auditor

No. 256

ROAD PETITION AND BOND

ROAD

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Auditor.

By \_\_\_\_\_ Deputy.

FILED

MAR 25 1924

COUNTY AUDITOR



AUDITOR'S OFFICE, Black Hawk County, Iowa.

To W. B. Tanreuther

You are hereby notified, that you have been appointed a Commissioner to view, and if required, to  
vacate a County Road, petitioned for by C. E. Faulkner  
and others, and described as follows:

Commencing at Primary Road No. 59

and running thence West (W) between Sections 10 and 15, Township 87 North,  
Range 14 West of the 5th P. M., a distance of one (1) mile. Also  
commencing at Primary Road No. 59 and running thence East (E) between  
Sections 11 and 14, Township 87 North, Range 14 West of the 5th P. M. a  
distance of one (1) mile.

and terminating at

You will therefore appear at the office of some Justice of the Peace, Notary Public, or other proper officer and  
qualify according to law, and on the 3rd day of April A. D. 1929

you will proceed to make an examination of the route above described. If, in your judgment, the above road is  
needed, or one in the vicinity of the route described, answering the same purpose, you may call to your assistance  
the necessary aid, and each being duly sworn, cause said line to be accurately surveyed and plainly marked out.

You will connect your starting point with the nearest section corner or quarter post. When, however, there is a corner of a  
forty established in a permanent manner, more convenient, you may connect with it. In crossing a section line, note that fact, and  
state the distance from the nearest section corner or quarter post. The plat of the survey to accompany the field notes should be  
on the scale of forty chains to the inch, with the section crossed by the survey laid off upon the like scale, and correctly numbered  
as per United States survey. Also, note all natural or artificial monuments or conspicuous objects, and the junction of streams. Also,  
report the number of bridges required, if any, and the probable cost thereof, on the proposed highway, as required by section 1483,  
code of 1897. A strict compliance with these requirements is necessary.

You will report your proceedings, together with a correct plat of the proposed vacation  
to this office on or before the 26th day of April A. D. 1929.

WITNESS my hand and official seal at Waterloo, Iowa,

this 27th day of March A. D. 1929.  
B. W. Connor  
Auditor.

STATE OF IOWA, Black Hawk COUNTY, ss.

I, W. O. Tarreuther do solemnly swear that I will faithfully and to the best of my ability perform the duties of Commissioner on the above described road.

Subscribed and sworn to before me by W. O. Tarreuther  
the 30<sup>th</sup> day of March A. D. 1929.

J. W. Eiler  
County Auditor

REPORT OF COMMISSIONER

TO THE COUNTY AUDITOR OF Black Hawk County:

The undersigned, appointed by you a Commissioner to examine into and report upon the expediency of  
vacating

a road described in the foregoing commission, respectfully reports:

I have examined two miles of road described in above petition and located in lot before where there was one barn on west side between sections nos 10 & 11 and one closed off with across road at either end. Cultures all out. Plough have been removed from one end of road.  
No one living on one end of road. Between sections 11 & 14 with telephone line set of buildings in south east corner of section 11. Road made in northwesterly 1/4 of section. And find that both miles are of no benefit to the public.

Also, further reports that there will be \_\_\_\_\_ bridges needed on said proposed highway and that the probable cost thereof will be \_\_\_\_\_ Dollars.

(Please state the amount of fees, and if paid.)

12 days, \$ \_\_\_\_\_

23 miles \$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

TOTAL, \$ \_\_\_\_\_

The fees are as above stated, and are \_\_\_\_\_



(Please state the amount of fees, and if paid.)

12 days, \$

23 miles \$

\$

\$

TOTAL, \$

The fees are as above stated, and are

X M. D. Tamm

Admitted before me the 25<sup>th</sup> April 1929.  
5<sup>th</sup> Barrister at Law

### PLAT OF THE PROPOSED ROAD

(SEE FIELD NOTES ON NEXT PAGE)

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



LEGAL NOTICE

STATE OF IOWA                    }  
BLACK HAWK COUNTY            } SS

C.W.Bedford, F.M.Bowen, Charles E.Faulkner,  
James A.Yuska, Adolph Dangler, Cornelius R.Mahoney  
and wife, H.M.Baine, Midge Manson Place and Albert  
Holupnick, and to all whom it may concern:-

You and each of you are hereby notified  
that the commissioner appointed to vacate a road  
commencing at the Primary Road No.59 and running  
thence West (W) between Sections 10 and 15, Town-  
ship 87, N.Range 14 West of the 5th P.M., a distance  
of one (1) mile; also commencing at Primary Road No.59  
and running thence East (E) between Sections 11 and 14,  
Township 87, N.Range 14 W.of the 5th P.M., a distance of  
one (1) mile, has reported in favor of the vacation thereof,  
and all objections thereto, or claims for damages, must be filed  
in the auditor's office on or before noon of the 1st  
day of July A.D.1929, or such road will be established,  
vacated, or altered without reference thereto.

Dated at Waterloo, Iowa, this  
2nd day of May, 1929.

*A.W.Baker*  
\_\_\_\_\_  
County Auditor.

*Correct*

LEGAL NOTICE

STATE OF IOWA  
BLACK HAWK COUNTY } ss

C.W. Bedford, F.M. Bowen, Charles E. Faulkner,  
James A. Yaska, Adolph Dingler, Cornelius R. Mahoney  
and wife, H.M. Balne, Midge Manosh<sup>527</sup> Place and Albert  
Holupnick, and to all whom it may concern:--

You and each of you are hereby notified  
that the commissioner appointed to vacate a road  
commencing at the Primary Road No. 59 and running  
thence West (W) between Sections 10 and 15, Township  
87, N. Range 14 West of the 5th P.M., a distance of one  
mile; also commencing at Primary Road No. 59 and running  
thence East (E) between Sections 11 and 14 Township 87,  
N Range 14 W of the 5th P.M., a distance of one (1) mile,  
has reported in favor of the vacation thereof, and all  
objections thereto, or claims for damages, must be filed  
in the auditor's office on or before noon of the 1st day  
of July A.D. 1929, or such road will be established, vacated  
or altered without reference thereto.

PUBLIC HEARING

A public hearing regarding the above will be held  
at 3:00 o'clock P.M. at the office of the County Auditor  
on July 1st, 1929.

*Att. Gen.*

County Auditor.

Publish once each week for four (4) consecutive weeks  
May 7-14-21-28  
Please mail two copies of proof of publication.





STATE OF IOWA, BLACK HAWK COUNTY, ss:-

I hereby certify and return that the within notice came into my hands for service on the 2nd day of May, 1929, and that on the 10th day of May, 1929, I served the same upon the within named F. M. Bowen, and Charles E. Faulkner, by offering to read said notice to each of them which reading each of them waived and by delivering to each of them, a true copy thereof in Hudson, Black Hawk Twp., Black Hawk County, Iowa.

I also certify and return that on the 10th day of May, 1929, I served the same upon the within named James A. Yuska, Cornelius R. Mahoney, Mrs. Cornelius R. Mahoney, his wife and Albert Holupnick, by offering to read notice to each of them which reading each of them waived and by delivering to each of them, a true copy thereof in Lincoln Twp., Black Hawk County, Iowa.

I also certify and return that on the 13th day of May, 1929, I served the same upon the within named Widge Manson Place, by offering to read said notice to her which reading she waived and by delivering to her, a true copy thereof in Waterloo, East Waterloo Twp., Black Hawk County, Iowa.

H. T. WAGNER, SHERIFF, BLACK HAWK COUNTY, IOWA.

State of Iowa }  
Black Hawk County } ss  
FILED

BY

*W. J. D. L. L. L.*

Deputy.

Serious 2 31-  
Copies 130  
Miles 5.20  
Total \$ 7.45-

of the 2nd E. M.'s distance of one (1) mile has recorded

(E) between sections 11 and 14 Township 24 N Range 14 W

measuring at primary road No. 28 and running thence East

West of the 2nd E. M.'s distance of one mile; also con-

(W) between sections 10 and 12 Township 24 N Range 14

West of the primary road No. 28 and running thence West

Commissioner subpoenaed to vacate a road commencing

and each of you are hereby notified that

and to sit upon it may consent:-

and wife, H. M. Grine, Widge Manson Place and Albert

James A. Yuska, Volodya Hinkler, Cornelius R. Mahoney,

O. W. Bedford, E. M. Hower, Charles E. Faulkner,

BLACK HAWK COUNTY

STATE OF IOWA

RETURN NOTICE

FILED

MAY 14 '29

J. W. Escher  
COUNTY AUDITOR







State of Iowa { ss  
Black Hawk co }

We Thomas P McManus and  
Isaac Smith do Solemnly Swear that we will to the  
best of our ability discharge the duties enjoined  
upon us by law as chairman and Marker in  
the Location of the Road Above described

Subscribed and sworn to <sup>Isaac Smith</sup> T P McManus  
By Thomas P McManus and  
Isaac Smith before me this 25<sup>th</sup>  
day of March AD 1867

G W Humphreys  
Justice of the peace



Township Eighty Seven Range Fourteen

6 5 4 3 2 1

7 8 9 10 11 12

Humphreys Road

18 17 16 15 14 13

19 20 21 22 23 24

30 29 28 27 26 25

31 32 33 34 35 36

Huckle Road

Smith Road

Eagle Township



State of Iowa }  
Black Hawk County } 55  
to the Honorable Board of Supervisors of said County

The undersigned having been appointed a Commissioner to view and if thought necessary locate a certain road in said County petitioned for by H. C. Humphreys and others and known as the Humphreys road would report as follows, that having been duly sworn he found upon examination that it was not expedient and necessary for the accommodation of the public that the road should be located as petitioned for to the east line of Grundy County to commence at the North west corner of Sec 18 Town 87 Range 14 " but in line thereof would recommend and report in favor of a road located as follows Commencing on the Buckner Road at the North west corner of Section 26 within Township Eighty seven Range fourteen as shown by maps of Government survey at said Section corner, thence due east on Section lines as laid down on accompanying to the North east corner of Section 18 within Township Eighty seven Range 14 to said Section corner being on West line of Eagle Township which point to be known as Road thence you Commissioner proceeded on the day set therefor to wit the 24 day of February A.D. 1868 to lay out and locate said Road but in doing some of the difficulty experienced from the depth of snow in locating said Road, he first passed consulting the location of said Road until the 25th day of March 1868 and on the said 28th day of March with the assistance of Joel Smith and a J. P. McManus as chairman who were duly sworn to lay out and locate said Road and to



also in which the same by the proper Mark's  
Instruments & States in the Maine jurisdiction  
by Law and in accordance with the said  
Notes and State of Survey of the road when  
are here arranged and which are made part  
of this report  
Your Commission is of the opinion  
that the road will be of great consequence  
and utility to the public and would hereby  
recommend its establishment  
and of which is respectfully submitted

Samuel Wilson Commissioner

256  
Humphreys Road  
Report of Commissioner  
or

Filed May 7 1867

E. A. Eberhart  
Clerk

By J. C. Bates Depy

Dup

STATE OF IOWA, }  
Black Hawk County, } SS

I, Jackson Mc Coy  
Publisher of the WATERLOO EVENING COURIER  
a daily newspaper printed in the English lang-

uage and published in Waterloo, Black Hawk County, Iowa, do solemnly swear that the  
annexed copy of legal advertisement

notice was published in the English language only regularly once  
a week for four consecutive weeks  
commencing on the 7<sup>th</sup> day of May 1929  
in the issues of May 7, 14, 21, and 28, 1929

\_\_\_\_\_ of said newspaper, and  
that the annexed rate of advertising is the regular legal rate of  
said newspaper, and that the following is a correct bill for pub-  
lishing said notice.

Printer's Bill \$ 13<sup>62</sup>

Jackson Mc Coy

Subscribed and sworn to before me this 21<sup>st</sup> day

of May A. D., 19 29  
Ralph Klotzbach  
Notary Public

Received of \_\_\_\_\_

the sum of \_\_\_\_\_ Dollars  
in full for publication af the above notice.

NOTICE—State of Iowa, Black Hawk  
County, ss.  
C. W. Bedford, F. M. Bowen, Charles  
E. Faulkner, James A. Yuska, Adolph  
Dingler, Cornelius R. Mahoney and wife,  
H. M. Baine, Midge Manson Place and  
Albert Holupnick, and to all whom it  
may concern:  
You and each of you are hereby no-  
tified that the commissioner appointed to  
vacate a road commencing at the Pri-  
mary road No. 59 and running thence  
west (w) between sections 10 and 15,  
township 87, N., range 14 west of the  
Fifth P. M., a distance of \_\_\_\_\_  
also commencing at Primary road No. 59  
and running thence east (e) between  
sections 11 and 14, township 87, N.,  
range 14, west of the Fifth P. M., a  
distance of one (1) mile, has reported in  
favor of the vacation thereof, and all  
objections thereto, or claims for dam-  
ages, must be filed in the auditor's  
office on or before noon of the 1st day  
of July, A. D. 1929, or such road will  
be established, vacated or altered with-  
out reference thereto.  
PUBLIC HEARING.  
A public hearing regarding the above  
will be held at 3:00 o'clock p. m. at the  
office of the county auditor, on July  
1st, 1929.  
F. W. ESHER,  
County Auditor.



Know All Men by these Presents, That we, George W Humphrey  
of Black Hawk County, and Frederick Smith  
of Black Hawk County, and J. Staley Warr  
of Black Hawk County, and State of Iowa  
freeholders of said Black Hawk County, are held and jointly bound unto the  
State of Iowa, in the sum of one Hundred Dollars  
 Dollars, for the payment of which we bind 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 State road, as  
 follows: Commencing at the point where the line  
 between sections seven (7) and eighteen (18) of township  
 thirty seven (37) Range 14 strikes the east line of Grundy  
 County and running thence due east on said line between sec-  
 tions and ~~eighteen~~ till it strikes the west line of Eagle  
 Township to ~~Black Hawk Co~~ said west line of Eagle  
 Township to by the townships of said  
 State of the said George W Humphrey

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.

In Witness Whereof, We have hereunto set our hands this 7th  
 day of January A. D. 1867.

George W Humphrey  
Frederick Smith



To the Board of Supervisors of  
Beak Creek County State of Iowa

In the matter of locating a  
County road to commence at the  
north west corner of Sec. 18 in Town-  
ship N<sup>o</sup> 8 Range 14 Thirteenth East  
on the section line to Eagle Township  
being the north East corner of Sec. 13  
Town 8 Range 14 which point to be  
the terminus of said road. The un-  
derigned petitioner says that  
the said road will run a crop  
land owned by him if having been  
damaged and reported by the com-  
missioner. Said land being the  
south west quarter of Sec. 8 Town  
8 Range 14 on which the un-  
derigned has a cottonwood hedge  
and he says that the said road  
will damage him if established  
as run on the south side of said  
land in the form of two runs  
across cotton which he says may  
be avoided so he prays to him  
before said road be established  
and he asks that said Board  
of Supervisors will appoint apprais-  
ers to appraise said damage  
and they may be allowed to



The undersigned has ordered  
 to be paid by the office  
 for service rendered  
 before me this  
 25th day of May  
 1867

Wm. Hicks Junr  
 Clerk

Recd May 31 1867  
 Wm. Hicks Junr

Claim in  
 the  
 Township Road

Wm. Hicks Junr



THE STATE OF IOWA, }  
BLACKHAWK COUNTY, } ss.

To *Mr Spencer, Mr Wrought & Amos*  
*Buttelle*

GENTLEMEN: You are hereby notified that you have been appointed by the Board of Supervisors of said County, Appraisers to assess the damages sustained by *Mr Weeks Jr* in consequence of the location of a County Road petitioned for by *Geo W Humphreys* and others in *Amesline* Township, as located by *Edmund Bidard* Commissioner.

You will therefore meet at the office of *Geo W Humphreys* *Justice of the Peace* at *9* o'clock, A. M., on the *15* day of *July* 18*67* and qualify according to law, and proceed immediately to the discharge of your duty, and make your report herein on or before the *1st* Monday in *September* 18*67*.

Witness my hand and the seal of the Board of Supervisors, this *25th* day of *June* A. D. 18*67*  
*Geo Shephard* Clerk  
By *J. Butler* Deputy.

STATE OF IOWA,  
BLACKHAWK COUNTY,

We, *Man of peace Wm Wrought & Amos Buttelle* do each of us solemnly swear, that having been appointed appraisers to assess the damages sustained by *Mr Weeks Jr* in consequence of the location of a road petitioned for by *Geo W Humphreys* and others, we will faithfully and impartially discharge the duties of appraisers according to the best of our knowledge and ability.

Appraisers: {  
*William Wrought*  
*Amos Buttelle*

Subscribed and sworn to before me, this *15th* day of *July* 18*67*  
*Geo W Humphreys* Justice of the Peace

SEE "ROAD LAWS AND FORMS," SEC. 823, PAGE 7.  
SEAL OF JUDGE,  
BLACKHAWK COUNTY, } ss.

To the Hon. Board of Supervisors of said County:

We, the appraisers appointed to assess the damages sustained by *Mr Weeks Jr* in consequence of the location of a road petitioned for by *Geo Humphreys* and others, as located by *Samuel Bidard* Commissioner; beg leave to report that we find that the said *Wm Weeks Jr* has sustained damages to the amount of

*Twenty Six 66* Dollars.  
Signed this *15th* day of *July* 18*67*

Appraisers: {  
*Wm Wrought*  
*Amos Buttelle*



## Road Notice

There will be a Petition presented to the Board of Supervisors of Black Hawk County on the 8<sup>th</sup> day of January A D 1867 asking for the appointment of a Commissioner to view and report upon the expediency of laying out a County Road commencing at the point where the line between Sections Seven & Eighteen Townships Eighty Seven Range fourteen strikes the east line of Grundy County and running thence due east on said line between Sections Seven and Eighteen till it strikes the west line of Eagle Township Black Hawk County the said west line of Eagle Township to be the terminus of said Road

Black Hawk Co Iowa

December 7<sup>th</sup> 1866

Signed

Geo W Humphreys

Applicant

Ways and means

Geo W Humphreys

J C Yates

Dept Clerk of Dist Court



State of Tenn  
Black Hawk Co }

I George W Humphreys  
do solemnly swear that I did on 7<sup>th</sup> day  
of December AD 1866 post a notice of which  
the attached is a true copy at the following  
places to wit on the 6<sup>th</sup> day have been in  
the town of Waterloo Black Hawk Co given on the  
School House door in Wisconsin, in one Lincoln  
township Black Hawk Co on the Smith Road  
near where the proposed Road crosses said Smith  
Road and on the fence at the Quaker Station  
on the Road known as the Quaker Road both  
places in the vicinity of said proposed  
Road and in Lincoln Wisconsin

Geo Humphreys

Subscribed and sworn to by George W Humphreys  
before me this 8<sup>th</sup> day of Jan AD 1867

~~Geo Humphreys~~

Deputy

Deft Clerk of the Court



531  
Lincoln Township, State  
of Iowa Apr 17<sup>th</sup> 1868  
Recd of George W Humph  
reys, Twenty Dollars in  
full for damages sustained  
by the laying out and  
Establishment of the Road  
known as the Humphreys  
Road Said Road com  
mencing at the South  
West Corner of Section Eight  
Township 8<sup>th</sup> Range 14 West  
when that point strikes  
the Hucker Road and running  
due East to the North  
South East Corner of Section  
Twenty Township 8<sup>th</sup> Range  
14 West S. M. being on the  
East line of Lincoln Township  
Black Hawk Co Iowa

Wm Hicks

No 256

Humphrey Road

Recd for damages

Filed June 1878  
J. E. Burkhardt Clerk  
By J. C. Jones Deputy



