

ROAD CASE

No. *606*

PETITION FILED

Sept 27, 19*21*

BOND FILED

9-27, 19*21*

Consent Petition
APPOINTED COMMISSIONER

COMMISSIONER REPORTED
19

NOTICE SERVED
19

OBJECTIONS FILED
19

CLAIMS FILED
19

APPRAISERS APPOINTED
19

APPRAISERS REPORTED
19

DAMAGES ALLOWED, - \$

COSTS ALLOWED, - - \$

ROAD ESTABLISHED
Feb. 7, 19*22*

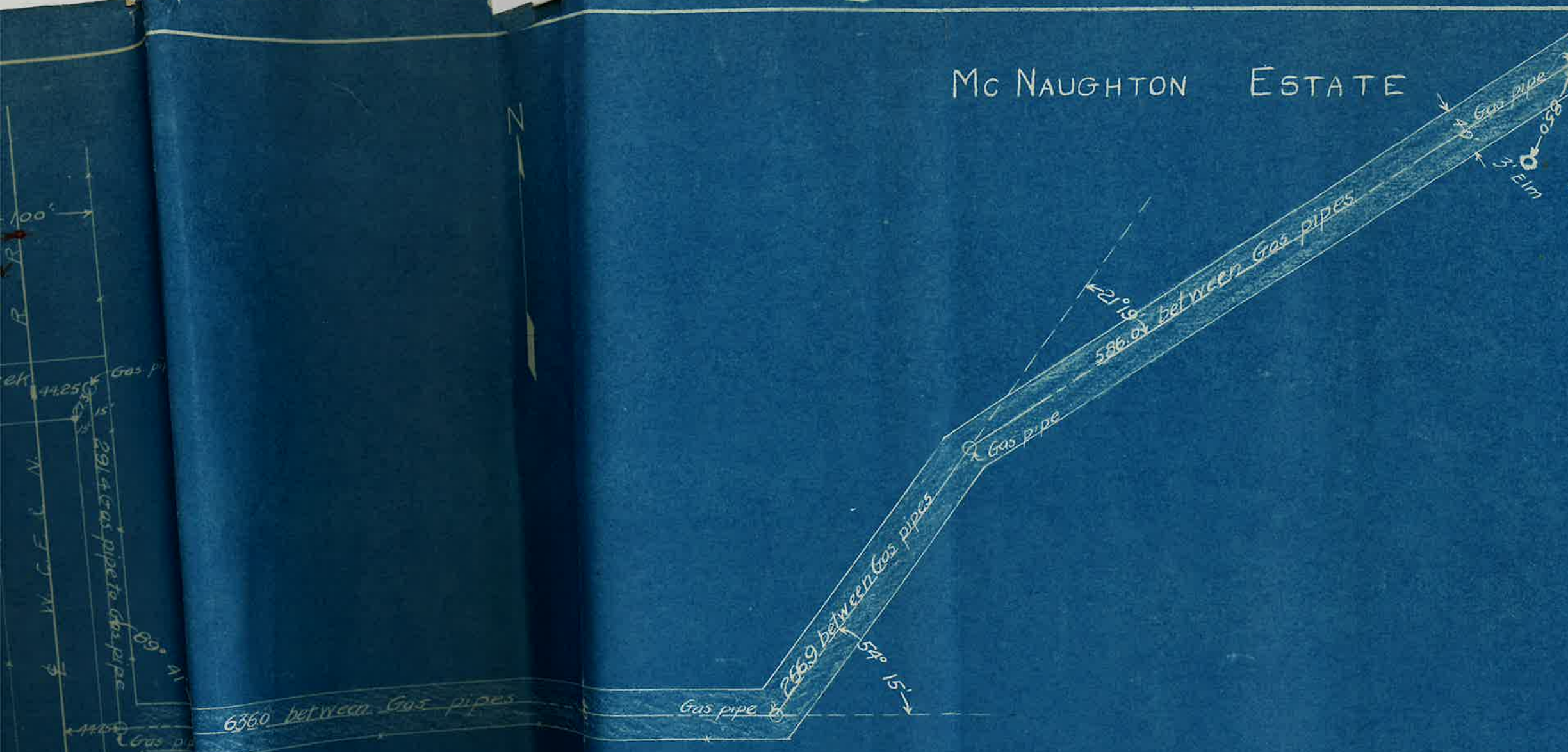
TOWNSHIP CLERK NOTIFIED
Feb. 28, 19*22*

Mc NAUGHTON ESTATE

PETER W. KNIPP

North West cor. of N-E $\frac{1}{4}$ of
N-E $\frac{1}{4}$ Sec. 3, T87N, R12W.

PLAT OF
HIGHWAY No. 606.
TWP. 87 N, R 12 W.
SCALE 100' = 1"
OFFICE OF COUNTY ENG
BLACK HAWK CO.
DEC. 3, 1921.



FEBRUARY 28, 1922.

Mr. John Golinvaux, Twp. Clerk,
Waterloo, Iowa.

Dear Sir:-

I am herewith sending you blue print and field notes prepared by the County Engineer's office relating to a 40 ft. highway as shown on the blue print in Sec. 3, Twp. 87, Range 12, West of the 5th P. M., established by order of the Board of Supervisors Feb. 7, 1922, and vacating the old road.

Yours truly,

County Auditor.

This image shows a single page from a notebook or ledger. The paper is cream-colored and features horizontal ruling lines spaced evenly down its length. A vertical margin line runs down the right side of the page, creating a narrow column. There are no markings, text, or illustrations on the page.

To the Board of Supervisors of

BLACK HAWK

County.

The undersigned respectfully petition that a Highway 40 feet wide

commencing at or near the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) Section 3, Township 87, Range 12, West of the Fifth P.M., Black Hawk County, Iowa, and being 12 or 15 rods South of said corner, and running thence East about 20 rods, thence in a North-easterly direction about 60 rods along the line fence to the termination of the old road, and terminating at or near the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Twp. 87, R. 12.

and running thence

Your petitioners further ask that the present County road being South of the above road and East of the interurban line, be vacated.

and terminating at

be located

And we hereby represent that we are the owners in fee simple of all the lands affected by said proposed highway, and hereby severally grant and give to the public the right of way over and upon our respective lands as above described, and waiving notice, relinquish all claims for damages by reason of such location.

Dated Waterloo, Iowa, Sept. 26, 1921.

Catherine M. McNaughton
Catherine M. McNaughton and
J. A. M. Naughton

Guardians of Janet and Vernon C. McNaughton, Minor Heirs of Charles H. McNaughton; above parties being the owners of all of the real estate above set forth.

North East
Cor of NW $\frac{1}{4}$
Sec 3 T87N R12W
Miller Creek
Crossing

W C F R N

ROAD BOND

STATE OF IOWA, Black Hawk COUNTY, ss.
KNOW ALL MEN BY THESE PRESENTS:

That we, Catharine McNaughton and J. A. McNaughton, as guardians
and J. A. McNaughton, as surety, of the County of Black Hawk and
in the sum of Black Hawk DOLLARS,

State of Iowa, are held and firmly bound unto the County of Black Hawk, in the sum of Black Hawk DOLLARS, our heirs, executors, administrators, and

One Thousand 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

Catharine McNaughton and J. A. McNaughton

have had this day made application by petition to the Board of Supervisors to establish a consent road of said County, to appoint a Commissioner to view and to establish a consent road a road to be called

Catharine McNaughton and J. A. McNaughton Now, if the said Catharine McNaughton and J. A. McNaughton 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 26th day of September, A. D. 19 21.

Catharine McNaughton
J. A. McNaughton

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 Two Thousand Dollars,

and have property in this State exempt from execution equal to the sum of

June 15, 1921.

Mr. P. W. Knipp,

Waterloo, Iowa.

Dear Sir:-

I am instructed by the Board of Supervisors of Black Hawk County to inform you that certain objections having been filed regarding the establishment of a road to known as Hilts Road for which you are one of the petitioners and also the principal, and A. H. Schares and Martin Bernardy, sureties on the bond given in that case; also that damages have claimed if such road is established, and a claim for such damages filed, that it will be necessary for you to file an additional bond in the amount of One Thousand Five Hundred (\$1500.00) Dollars before the Board can take further action in the matter.

If you desire to go further in this matter kindly file bond as above stated as soon as possible.

Yours truly,

SOUTH

IN THE MATTER OF THE ESTABLISHMENT OF A ROAD IN SEC. 3,
TWP. 8~~2~~, R. 12, BLACK HAWK COUNTY, IOWA.

To the Board of Supervisors of Black Hawk County, Iowa :

The undersigned hereby object to the establishment and location of a road at or near the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) Section 3, Twp. 87, Range 12, Black Hawk County, Iowa, running thence East 80 rods more or less, and terminating at or near the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section No. 3, Twp. 87, Range 12.

As grounds and reasons for said objection they respectfully show:

That there is a public highway and road that was established about the year 1860 which covers the same territory as the proposed road, and while this road is not in direct line, yet the distance between the two given points as proposed to be established is not in excess of twenty rods.

That the proposed road will be of no benefit to any one except one family, and will be of great damage to the undersigned;

That the old road is suitable for travel and in reasonably good condition, and the undersigns house and buildings were built upon their farm with reference to this old road, and in close proximity thereto.

That the new road will separate the farm belonging to the undersigned and cause the undersigned great inconvenience and damage.

These objectors further state that the signers of the Petition, excepting Peter Knipp, have no direct interest in the establishment of the road for the reason

SOUTH

that the said proposed road, as well as the old road, end and terminate at the Peter Knipp farm, and gives no one an outlet or benefit excepting such benefit that the said Peter Knipp may obtain by reason of the shorter distance he would be obliged to travel.

The undersigned further state and claim that if said road is established that they will be damaged in the sum of \$5000.00, and claim is hereby made for said sum.

Dated at Waterloo, Iowa, this 31st. day of May, 1921.

Catherine McNaughton
J. G. M. Naughton
GUARDIANS.

Catherine McNaughton

SOUTH

APPOINTMENT OF APPRAISERS

AUDITOR'S OFFICE, Black River COUNTY, IOWA.
 TO H. M. Aspley, John Youngsblut, W. H. Deering
Hills Road

The matter of the County Road called the
 Road as coming up for hearing on this day and it appearing that the following persons have filed within
 the time fixed by law claims for damages, viz:

Now, therefore, it is ordered by the Auditor that H. M. Aspley,
John Youngsblut and W. H. Deering
 be, and are hereby appointed appraisers to view the ground where such damages are claimed, and they
 will meet at the office of the County Auditor, a Notary Public or a Justice of the Peace in and for said
 County, on the 15th day of August, A. D. 1921, at 10:00
 o'clock A. M., and qualify as required by law, and after having made said examination, report as
 soon thereafter as possible, and before the September (5), 1921, session, to this
 Board, the amount of damages which will be sustained by each claimant by reason of the establishment
 of said road.

NORTH

WEST

EAST

SOUTH

Report of Appraisers of Damages Caused by Road.

STATE OF IOWA, Blanchard COUNTY, ss:
I, N. M. Ackley, I, John Younggoblet,
and I, W. H. Deeming, Appraisers appointed to appraise the damages
done to the claimants by reason of the establishment of a County Road called the Hills

Road, being first duly sworn, do solemnly swear

that we will faithfully and impartially discharge the duties required of us as such appraisers.

N. M. Ackley
John Younggoblet
W. H. Deeming

Sworn to and subscribed before me, in my presence, by N. M. Ackley,
John Younggoblet and W. H. Deeming,
Appraisers, this 13th day of August, A. D. 1911.

J. W. Esler, C. C. Ames

TO THE HONORABLE BOARD OF SUPERVISORS OF Blanchard COUNTY, IOWA:

The undersigned having been duly appointed to appraise the damages caused by the establishment
of a road called the Hills Road, beg leave

to report that at the time fixed they did appraise such damages and find the same as follows, viz:

Damages to <u>Catherine MacKrayton</u>	\$
Damages to <u>Charles MacKrayton</u>	\$
Damages to <u>Charles MacKrayton</u>	\$
Damages to <u>Childs of Catherine</u>	\$ <u>1000.00</u>
Damages to <u>MacKrayton</u>	\$
Damages to	\$
Damages to	\$
Fees, \$ <u>N. M. Ackley</u>	
Fees, \$ <u>John Younggoblet</u>	
Fees, \$ <u>W. H. Deeming</u>	

They further report that they met at the time and place appointed and took an oath to faithfully and
impartially discharge their duties as such appraisers hereto attached.

Dated this 13th day of August, 1911.

a road known as _____ road
commencing at or near the NE corner of the NW 1/4 of Section Three
Township 87, Range 12, west 5th P. M., in Black Hawk County, Iowa,
running thence East eighty (80) rods more or less

Road No. _____
REPORT of APPRAIS
APPOINTED TO
APPRAISE DAMAGES SUSTAINED
LOCATION OF HIGHWAY

191
Auditor.

06372-500-1-8-13

Iowa Official Form 1907, No. 4, Road Auditor

Road Notice

MATT FARROTT & SONS CO., WATERLOO, IOWA

To Katherine McNaughton and Minor Heirs of Chas. McNaughton,
and Joseph H. McNaughton,

and all whom it may concern:

The Commissioner appointed to view, and, if required, to locate
a road known as

commencing at or near the NE corner of the NW 1/4 of Section Three
Township 37, Range 12, west 5th P. M., in Black Hawk County, Iowa,
running thence East eighty (80) rods more or less

and terminating at or near the NE corner of the NW 1/4 of the NE 1/4 of
Sec. No. Three (3)-37-12, has filed his report and the Board of Super-
visors of Black Hawk County, Iowa, have ordered such road established
has reported in favor of the

thereto or claims for damages, must be filed in the Auditor's office on or before noon of the 5th
day of June A. D. 1921, or such road will be establishe
without reference thereto.

Witness my hand this 28th day of April 1921

Auditor of Black Hawk County, Iowa.

J. W. Farrott

We, the undersigned, hereby accept due and legal service of the above notice, and waive copy and
reading of same. Witness our hands.

5th & Main

ROAD NO. _____

No. _____

Returned and filed in my office _____

FEES	
100	100
25	25
75	75

45316-500-2-7-10

COMMISSION TO LOCATE ROAD NO. _____

Iowa Official Form. 1915, No. 336 Code Section 1486, 1489

AUDITOR'S OFFICE, Black Hawk County, Iowa.

To J. W. Lehman

You are hereby notified, that you have been appointed a Commissioner to view, and if required, to

locate _____ a County Road, petitioned for by P. W. Knipp

and others, and described as follows:

A highway 40 feet wide

Commencing at or near the NE corner of the NW 1/4 of Sec. 3-87-12

and running thence East eighty rods more or less

and terminating at or near the NE corner _____ of the NW 1/4 of
the NE 1/4 of Sec. 3-87-12

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 28th day of February A. D. 1921
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 1493,
code of 1897. A strict compliance with these requirements is necessary.

You will report your proceedings, together with a correct plat of the proposed Road _____

to this office on or before the 28th day of March A. D. 1921

WITNESS my hand and official seal at Waterloo, Iowa,

this 23rd day of February A. D. 1921

J. W. Eschert
Auditor.

STATE OF IOWA, Black Hawk COUNTY, ss.

I, J. W. Lehman

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 J. W. Lehman

the 2nd day of March

A. D. 1921

W. M. Blough
Notary Public

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 locating and opening

a road described in the foregoing commission, respectfully reports:

Having examined the condition as to the road in question, I find that there in now a road around the south side of the Chas. McNaughton house, which the proposed is to substitute, and which is now a reasonably good road and, with moderate amount of labor can be made a good road, and the distance of this road is only about eighty rods more than the road petitioned for.

I would also state that, the road in question accomodates one family only, and they have a good road to the north, to Gilbertville, where they send their children to school, also use this road to drive to Waterloo.

I will further state that, this proposed road would badly cut the Chas. McNaughton farm and would depreciate the farm to considerable extent.

I therefore deem it inexpedient to open this proposed road, and advise the action of the board.

Expense, transportation \$ 1.00

\$

\$

TOTAL

\$ 2.00

will further state that, this proposition
cut the Chas. McNaughton farm and
to considerable extent.

I therefore

Also, further reports

the probable cost thereof will be

road,
petition.
-bridges near

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

days, \$ 2.00

25 /

25 /

TOTAL,

who fees are as above stated, and are-

PLAT OF THE PROPOSED ROAD

(SEE FIELD NOTES ON NEXT PAGE)

ROAD PETITION

---COUNTY, IOWA: 718

TO THE BOARD OF SUPERVISORS OF Black Hawk COUNTY,
40 feet wide, commencing at or near the NE
The undersigned ask that a Highway # 3-87-12
corner of the NW 1/4 of Sec # 3-87-12
corner of the NW 1/4 of Sec # 3-87-12

corner of the Hotel
East Eighty and more or less
and running thence

FILED
DEC - 2 '20
J. C. House
COUNTY AUDITOR

and terminating at or near the N E Corner of the NE 1/4 of the NE 1/4
of Sec No 3 - 87 - 12
Established

[illegible]