

NORTH 1/16TH CORNER OF NORTHWEST 1/4 SECTION 04, TOWNSHIP 18 SOUTH, RANGE 11 EAST

- 1) COMMISSIONER'S ROAD JOURNAL BOOK "A", PAGE 137
ON JANUARY 30, 1935 A PETITION SIGNED BY F. M. LOWDER AND OTHERS FOR THE VACATION OF A ROAD IN TOWNSHIP 17-11 WAS PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS. THE ROAD WAS VIEWED ON FEBRUARY 21, 1935, AND THE FINAL ORDER WAS ISSUED ON FEBRUARY 21, 1935 THAT VACATED THE FOLLOWING ROAD:
 - 1) BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 33-17-11; THENCE WEST FOR A DISTANCE OF APPROXIMATELY THREE-FOURTHS OF A MILE, AND TERMINATING AT A POINT APPROXIMATELY ONE-FOURTH OF A MILE EAST OF THE SOUTHWEST CORNER OF SAID SECTION 33
 - 2) SAID ROAD SHOULD BE CLOSED. THE ROAD IS IMPASSIBLE FOR ANY FORM OF VEHICLE TRAFFIC.
 - 3) IT IS NOT MAINTAINED BY THE TOWNSHIP BOARD AND IN THE VIEWERS REPORT HAS CEASED TO BE A PUBLIC UTILITY.
 - 4) IF THERE HAD BEEN SUFFICIENT DEMAND FOR ITS USE IN THE PAST, NO DOUBT SOME EVIDENCE WOULD BE IN EXISTENCE OF MAINTENANCE OR WORK OR IMPROVEMENT OF SOME NATURE ON THE ROAD. SUCH WAS NOT THE CASE AND ITS UTILITY DOES NOT JUSTIFY, IN OUR OPINION, AND EXPENDITURE THEREON, THEREFORE IT SHOULD CEASE TO BE A PUBLIC HIGHWAY

- 2) O. D. HENRY, COUNTY ENGINEER FROM 1929 TO 1944, IN A ROAD SURVEY RECORDED IN ROAD RECORD BOOK 1 ON PAGE 24 FOR ROAD NUMBER 768, PETITIONER BY F. M. LOWDER AND OTHERS TO VACATE A ROAD IN TOWNSHIP 17-11 THAT WAS VIEWED ON FEBRUARY 21, 1935 AND WAS VACATED ON MARCH 6, 1935 AS RECORDED ON PAGE 137 OF BOOK "A" OF THE COMMISSIONERS JOURNAL AS NOTED BY TED NEWCOMER, COUNTY CLERK. THE VIEWERS COMMENTED THAT THE ROAD PETITIONED IS IMPASSIBLE TO ANY FORM OF VEHICLE TRAFFIC, IT IS NOT MAINTAINED BY THE TOWNSHIP BOARD, AND IN THE VIEWERS REPORT HAS CEASED TO BE A PUBLIC UTILITY. IF THERE HAD BEEN SUFFICIENT DEMAND FOR ITS USE IN THE PAST, NO DOUBT SOME EVIDENCE WOULD BE IN EXISTENCE OF MAINTENANCE OR WORK OR IMPROVEMENTS OF SOME NATURE ON THE ROAD. SUCH WAS NOT THE CASE AND ITS UTILITY DOES NOT JUSTIFY, IN OUR OPINION, AND EXPENDITURE THEREON; THEREFORE IT SHOULD CEASE TO BE A PUBLIC HIGHWAY.
THE FOLLOWING ROAD WAS VACATED:
 - 1) BEGINNING AT THE SOUTHEAST QUARTER (SE1/4) OF SECTION 33-17-11; THENCE WEST FOR A DISTANCE OF APPROXIMATELY THREE-FOURTHS OF A MILE, AND TERMINATING AT A POINT APPROXIMATELY ONE-FOURTH OF A MILE EAST OF THE SOUTHWEST CORNER OF THE SW1/4 OF SAID SECTION 33.
 - 2) THE SURVEY DRAWING SHOWS THAT THIS VACATED ROAD BEGAN AT THE SOUTHEAST CORNER OF SECTION 33-17-11 AND EXTENDED WEST ON THE TOWNSHIP LINE FOR 3/4 OF A MILE.

NORTH SIXTEENTH CORNER NORTHWEST QUARTER 04-18-11