

New Brighton Road (B Rd #26)

from Crowley Road (B Rd #15)

to Tarpenter Ave (B Rd #4)

C. C. R. O.

F-37

FINAL ORDER ON COUNTY ROAD

Filed the 13th day of July, A.D. 1925

Geo. J. Ries,
County Auditor

By:

J. P. Kartheiser
Deputy

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

WHEREAS, A petition signed by twenty-four freeholders of said County, praying for the establishment & opening of a certain highway in said County, running North & South through the center of section 16, town 29, range 23. The same to be 86 feet in width, 43 feet on either side of the center line hereinafter described, and not within the limits of any incorporated city, as hereinafter described, was presented to this Board at its session on the 4th day of May, 1925 and this Board having determined by the judgment of a majority of its members that said petition is reasonable on its face, and having by its order made at said session, appointed Monday the 15th day of June, 1925, at 10:00 o'clock A.M., at CH & C.H. Building, St. Paul, in said County, as the time and place for a hearing upon said petition, and having by said order appointed a committee of its members to examine said proposed establishment & opening of said road and designated Tuesday, the 9th day of June, 1925, at 3:00 o'clock P.M., at Larpenteur Ave. & intersection of proposed road in said County, at the time and place for said committee to meet on the route of said proposed road, for the examination of the same, and having caused notices of said hearing and said meeting of said committee embodying a copy of said petition, to be posted in the three most public places of each town through which said proposed establishment & opening of said road runs, or affected thereby, at least thirty days before the day of said hearing upon said petition, and being satisfied that said notices were so posted and proof of said posting duly made, and the said committee having met at the time and place designated in said order and said notices, and examined the same and made its report in writing to this Board, and recommended that said petition be granted, and said Board having met at the time and place designated in said order and said notices, to-wit: at C.H. & C.H. Bldg., St. Paul, Minn. in said County, on Monday, the 15th day of June, 1925, at 10:00 o'clock A.M., and at -- adjourned meetings of said County Board including July 13th, 1925, and duly heard all that anyone had to say in favor of, or against, the granting of said petition and considered said petition and the report of said committee thereon, and a majority of said Board having agreed that said petition should be granted.

IT IS HEREBY ORDERED, That the prayer of said petition be and the same is hereby granted, and said highway is hereby established & opened so as to run according to said committee's report, by courses and distances as follows, to-wit: Beginning at the quarter section corner on the north side of section 16, town. 29, range 23, and running thence south on the quarter section line through the center of said section 16 to the quarter section corner on the south side of said section 16, town 29, range 23 and to be connected with the other roads as follows: Grosley Road, known as County Road "B" on the North, and terminating at Larpenteur Ave. known as County Road "A" on the South.

It IS FURTHER ORDERED, That the County Auditor notify the Town Supervisors of each town through which said road is established & opened of the fact of said establishment & opening and that they shall cause to be opened so much of said highway as lies in their respective towns.

AND WHEREAS, At the said hearing upon said petition and said report of said committee, certain persons over whose lands said road as established & opening will pass did remonstrate against granting the prayer of said petition and did set forth in writing that they would

be damaged in a sum therein mentioned by the establishment and opening of such road, and made oath and subscribed to the same, and said Board has determined from said report and the evidence before them. the amount of the damages sustained by said County to warrant the paying of the damages assessed by this Board, the said Board proceeded to assess said damages at what is deemed just and right to each land owner, taking into account the advantages and benefits of said establishment and opening of said highway as well as the disadvantages and damages.

It is Ordered, That said damages and benefits be and they are hereby assessed to each person by said County, as follows, to-wit:

Name of Owners	Description of Land	Sec	Town	Rge	Benefits	Damages
Sibylla Hardy	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23	\$632.00	\$ 632.00
Henry Peschken	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23	755.40	755.40
Frank O. Wilsbacher	E 495 feet of SW $\frac{1}{4}$	16	29	23	1905.00	1905.00
Sibylla Hardy	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	632.00	632.00
Theodore Anderson	N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	366.00	366.00
Sibella H. Mertes	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	366.00	366.00
Julia W. and Minnie E. Holt	W 358.54 feet of SE $\frac{1}{4}$	16	29	23	1905.00	1905.00

In Witness Whereof, The Chairman of this Board has hereunto set his hand and affixed our seal at St. Paul in said County, this 13th day of July, a.D., 1925.

The County Board of Ramsey County, Minn.

Attest:

Geo. J. Ries
County Auditor

By: Arthur E. Nelson
Chairman

PETITION FOR A NEW HIGHWAY

7/13/35

BOARD OF COUNTY COMMISSIONERS

Whereas a petition signed by 24 freeholders of said County praying for the establishment and opening of a certain highway in said county running North and South through the center of Section sixteen (16) Township twenty-nine (29) Range twenty three (23). The same to be 56 feet in width, 43 ft. on either side of the center line hereinafter described, and not within the limits of any incorporated city as hereinafter described, was presented to the Board at its session on May 4, 1925 and the Board having determined by a majority of its members that said petition is reasonable on its face, and having by its order made at said session appointed June 15, 1925 a committee met and examined the proposed road in said petition and made a report in writing to this Board and recommended that said petition be granted and the Board on July 13, 1925 heard all that anyone had to say in favor of or against the granting of said petition and considered said petition and the report of the committee thereon, and a majority of said Board having agreed that said petition should be granted.

It is hereby ordered that the prayers of said petitioners be and the same is hereby granted, and said highway is hereby established and opened so as to run according to said committee's report, by course and distances as follows:

Beginning at quarter section corner on the North side of Section sixteen (16) Township twenty nine (29) Range twenty three (23) and running thence South ~~entire~~ $1/4$ section line through the center of said Section sixteen (16) to the $1/4$ section corner on the South side of said Section sixteen (16) Township twenty-nine (29) Range twenty three (23) and to be connected with other roads as follows:

Crosley Road, known as County Road "B" on the North and terminating at Larpentour Ave., known as County Road "A" on the South.

It is further ordered that the Auditor notify Town Supervisors of each town through which said road is established and opened of the fact of said establishment and opening in their respective towns and whereas the Board heard persons remonstrate against granting this petition on account assessed damages, but the Board proceeded to assess said damages at what it deemed just and right.

On motion made and carried said final order was adopted.

For abandonment of these proceedings refer to meeting May 17, 1926.
Page #432.

PETITION FOR ESTABLISHING COUNTY ROAD

Through the center of Sec. 16, T. 29, R. 23.

Filed the 23rd day of April A.D., 1925

Geo. J. Ries
County Auditor

By: J. P. Kartheiser, Deputy

PETITION FOR ESTABLISHING COUNTY ROAD

TO THE COUNTY BOARD OF THE COUNTY OF Ramsey MINNESOTA:

The undersigned freeholders of the County of Ramsey hereby petition your honorable Board for the establishing of and opening of a highway, running north and south through the center of Sec. 16, T. 29, R. 23; The same to be 86 feet in width, 43 feet on either side of the center line hereinafter described, and not within the limits of any incorporated city, said center line being described as follows: Beginning at the quarter section corner of the north side of section 16, Town 29, R. 23, and running thence south on the quarter section line through the center of said section 16, to the quarter section corner on the south side of said section 16, T. 29, R. 23, and to be connected with other roads as follows: Grosley Road, known as County Road "B" on the north and terminating at Larpentour Ave., known as County Road "A" on the South.

The names of the owners of the lands, as far as known, through which the same may pass, are:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
Sibylla Hardy	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23
Henry Peschken	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23
Frank O. Wilzbacher	E 495 ft of SW $\frac{1}{4}$	16	29	23
Sibylla Hardy	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Theodore Anderson	N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Sibella H. Mertes	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Julia W. and Minnie E. Holt	W. 358.54 feet of SE $\frac{1}{4}$	16	29	23

And your petitioners pray that you will proceed to establish and open said road, and cause the same to be established and opened according to law.

Dated at St. Paul, Minn., this 1st day of November, 1924.

Names of Petitioners

Theodore Anderson
Henry Peschke
B. Fisher
Alfred Loeffel
W. Hermes
Ernest Wergt
Lerdin & Maurin
A. R. Robertson
Charles Kunstock
Henry Kunstock
W. W. Clark

Wm. F. Lindig
Sever Solstad
Theodora M. E. Solstad
Mathilda E. Anderson
Chas. Machse
Carl E. Ekman
E. A. Holmquist
H. J. Olson
Theo. G. Schultz
Martha Gantzer
J. E. Swanson
Nick Reisminger

Otto G. Zillsell
A. R. Giesmann
John Hill
Ole Aleson
Wm. J. Schacht
R. J. Sloan
Chas. Larson
Henry Croft
Gust Laftus
F. H. Gibbs
John Hoffman

86 feet wide

Petition for road dated this 1st day of November, 1924 covering the following premises described as follows:

Running north and south through center of Section 16, township 29, range 23, The same to be 86 feet in width, 43 feet on either side of the center line hereinafter described, and not within the limits of any incorporated city said center line being described as follows:

Beginning at the quarter section corner on the north side of section 16, township 29, range 23, and running thence south on the quarter section line through the center of said section 16 to the quarter section corner on the south side, section 16, township 29, range 23, and to be connected with other roads as follows:

Crosley Road, known as County Road B on the north and terminating at Larpenteur Ave., known as County Road "A" on the south.

Names of Petitioners	Names of Petitioners	Names of Petitioners
Theodore Anderson	Siver Solstad	Nick Reininger
Henry Peschken	Theodore M.E. Solstad	Ferdon & Maurian
R. Fischer	Matilda E. Anderson	Otto G. Sibell
Alfred Ledffel	Chas. Woehle	A. R. Giesmann
P. W. Hermes	Carl E. Ekman	John Hill
Ernest Wright	E. A. Holmquist	Ole Oleson
A. R. Robertson	H. J. Olson	Wm. J. Schacht
Henry Hunstock	Theo. C. Schultz	R. J. Sloan
Charles Hunstock	Martha Gantger	Chas. Larsen
W. W. Clark	J. E. Swanson	Henry Croft
W. F. Lindig	J. E. Swanson	John Hoffman
Gust Loftus	J. H. Gibbon	

Personal service was made on all persons interested according to law.

Final Road Order dated and adopted on the 13th day of July, 1925, and filed for record with the County Auditor on the 13th day of July, 1925 of road covering the above described premises and affecting the following property as follows:

Owners of Lands	Description of Land	Sec.	Town	Range	Benefits	Damages
Sibylla Hardy	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23	\$632.00	\$ 632.00
Henry Peschken	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ & E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23	755.40	755.40
Frank O. Wilsbacher	E 495 ft of SW $\frac{1}{4}$	16	29	23	1905.00	1905.00
Sibylla Hardy	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	632.00	632.00
Theodore Anderson	W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	388.80	388.80
Sibella H. Mertes	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23	366.00	366.00
Julia McMannis						
E. Holt	W. 358 ft of SE $\frac{1}{4}$	16	29	23	1905.00	1905.00

Benefits and Damages are Identical

Attest:

The County Board of
Ramsey County, Minn.
Geo. J. Ries, County Auditor By: Arthur E. Nelson, Chairman

NOTE OF APPEAL: This appeal can not be located in files in the office of Clerk of District Courts.

Project File #32

NOTICE OF HEARING UPON PETITION FOR COUNTY ROAD

For opening of road thru center of section 16, town 29, range 23.

Filed the 4th day of May, 1925.

Geo. J. Ries,

County Auditor

By: J. P. Kartheiser, Deputy

AFFIDAVIT OF POSTING

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

Wm. F. Lindig, being

first duly sworn, upon his oath says that he is 54 years of age, and is now and for more than 54 years last past has been a resident of the Town of Rose & City of St. Paul in said County of Ramsey and State of Minnesota; that he posted three copies of the within notice and copy of petition in three of the most public places in each of the townships through which the said road proposes to be located, viz:

One copy thereof upon at Town Hall Hamline & Co. Road B.

One copy thereof upon at County Road A and Cleveland Ave.

and

One copy thereof upon at County Road A and Eustis Street

and

One copy at either end of proposed road, and the center thereof, in the township of Rose in the county of Ramsey

State of Minnesota, on the 7th day of May, 1925 and

one copy thereof upon Bulletin Board at the Court House.

State of Minnesota, County of Ramsey, on the 7th day of May, 1925

Wm. F. Lindig

Subscribed and sworn to before me, this 14th day of May, 1925

J. P. Kartheiser,

Notary Public

Project File #32

Notice is Hereby Given, That a Petition, of which the following is a copy, has been filed with the Board of County Commissioners of Ramsey County, which petition has been determined by said Board in the judgment of a majority of its members to reasonable on its face.

PETITIONS FOR COUNTY ROAD

TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF Ramsey MINNESOTA:

The undersigned freeholders of the County of Ramsey hereby petition your Honorable Board for the establishment & opening of a highway running North and South thru the center of section 16, T. 29, R. 23. be the same to be 86 ft in width, 43 ft. on either side of the center line hereinafter described and not within the limits of any incorporated city, said centre line being described as follows: Beginning at the $\frac{1}{4}$ section corner of the north side of section 16, T. 29, R. 23 and running thence south on the $\frac{1}{4}$ section line thru the center of said section 16, to the $\frac{1}{4}$ section corner of the south side of said section 16. t. 29, r. 23.

and to be connected with other roads as follows:

Crosley Road known as County Road "B" on the north.

and terminating at Larpenteur Ave. known as Co. Rd. "A" on the south.

The names of the owners of the lands as far as known, through which the same may pass, are:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SEC.	TOWN	RANGE
Sibylla Hardy	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23
Henry Peschken	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of & E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$	16	29	23
Frank O. Wilzbacher	E 495 ft. of SW $\frac{1}{4}$	16	29	23
Sibylla Hardy	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Theodore Anderson	N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Sibella H. Mertes	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$	16	29	23
Julia W. & Minnie E. Holt	W 358.54 ft of SE $\frac{1}{4}$	16	29	23

And your petitioners pray that you will proceed to establish & open said road and cause the same to be established and opened according to law.

Dated at St. Paul, Minn. this 1st day of November, 1925.

Names of Petitioners

Theodore Anderson	Siver Solstad	Otto C. Zibell
Henry Peschken	Theodora M.E. Solstad	A. R. Giesmann
R. Fischer	Matilda E. Anderson	John Hill
Alfred Loeffel	Chas. Woehrl	Ole Asleson
P. N. Hermes	Carl E. Ekman	Wm. J. Schacht
Ernest Weight	E. A. Holmquist	R. J. Sloan
A. R. Robertson	H. J. Olson	Chas. Larson
Charles Hunstock	Theo. C. Schultz	Henry Croft
Henry Hunstock	Martha Gantzer	Gust Loftus
W.W. Clark	J. E. Swanson	F. H. Gibbs
Wm. F. Lindig	Nick Reimringer	John Hoffman
	Feiden & Maurian	

Notice is also hereby given that said Board of County Commissioners has ordered, by its resolution dated the 4th day of May, 1925, that a hearing be had upon said petition at C. H. & C.H. Bldg., St. Paul

in said County, on Monday the 15th day of June 1925, at 10:00 o'clock A.M., at which time and place said Board will hear all that may be said in favor of and against the granting of said petition; and by said order has appointed Commissioners Carr, Churchill, Groos, Keller Leinen, Lind, and Nelson members of said Board - a committee to examine said proposed establishment and opening of said road, and that said committee will meet on said route of said road at Larpenteur Ave. and intersection of proposed road in said County on Tuesday the 9th day of June 1925 at 3:00 o'clock P.M. for the purpose of examination of said proposed establishment & opening of said road, and will report its findings and recommendations to said Board at the time of said hearing upon said petition as hereinbefore specified.

THE BOARD OF COUNTY COMMISSIONERS,
of Ramsey County, Minnesota,

By Arthur E. Nelson,
Chairman

(pub. May 6th-13th & 20th)

20 copies.

Project File #32

May 7, 1925.

State of Minnesota)
County of Ramsey) ss

J. P. Kartheiser, Deputy County Auditor,
being first duly sworn deposes and says that on the 7th day of
May, 1925, he deposited in the Postoffice at St. Paul, Minn.,
envelopes addressed to the following persons and containing a
notice of a hearing on the establishment of a road through the
center of Section 16, Town 29, Range 23, as petitioned for.

Nick Hardy	Como Station Route 5	St. Paul, Minn.
John Hardy	"	"
Jacob & Stella Mertes	"	"
Theodore Anderson	"	"
Frank O. Wilzbacher	"	"
Henry Peschken	"	"
Julia W. Holt	c/o D. G. Bell 230 Security Bldg. Mpls., Minn.	

J. P. Kartheiser

Subscribed and sworn to
before me this 7th day of
May, 1925.

Silas E. Forman,
Notary Public.

REPORT OF COMMITTEE ON COUNTY ROAD

FOR road through the center of section 16, township 29, range 23
Filed the 15th day of June, A.D., 1925.

Geo. J. Ries,
County Auditor

By: J. P. Kartheiser, Deputy.

To the Board of County Commissioners

Of the County of Ramsey Minnesota:

The undersigned Committee appointed by you to examine the proposed establishment and opening of a highway, as stated in the petition referred to in your order of appointment made on the 4th day of May, 1925, would respectfully report that we met at the time and place designated in your said order, and proceeded to examine the highway proposed to be established and opened, viz:

Beginning The quarter section corner on the north side of section 16, township 29, range 23, and running thence south on the quarter section line through the center of said section 16 to the quarter section corner on the south side of said section 16, township 29, range 23.

and to be connected with other roads as follows: Cresley Road, known as County Road "B" on the North and terminating at Larpenteur Ave. known as County Road "A" on the South

And do hereby by the opinion of a majority of said Committee recommend that the prayer of the said petitioners be granted.

Given under our hands, this 9th day of June, 1925.

Leo F. Croel
H. P. Keller
M. J. Carr
John Lind

Arthur E. Nelson
John Leinen
H. P. Churchill

Committee

Project File #32

FILE #2036

June 20th, 1925

Board of County Commissioners,
Building.

DEPARTMENT OF FINANCE

Gentlemen: -

The following report of benefits and damages arising in the matter of opening a road eighty-six feet in width through the center of Section 16, Township 29, Range 23 is submitted after careful study of the existing roads, the utility of the proposed road and the relation of same to the property to be served.

In viewing the premises I found that all the property affected, varying from ten to eighty acre tracts, with the exception of one twenty acre tract known as the North $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, standing of record in the name of T. Anderson, now enjoy direct access to and from county roads abutting same and for the present employment of the property, which is truck gardening and farming, the present existing roads are ample and sufficient.

Section 16 is in the trend of suburban acre lot development and the present existing roads are insufficient to obtain the best platted results on account of depth of some of the tracts, which would result in a waste or an excess area in rear.

The new road will make it possible to so plat the property to insure the most advantageous development through subdivision of road frontage and will immediately make it available for suburban acre lots, which is a higher market than the same now enjoys for truck farming.

All of the property, as now owned and controlled, is so related to the center line of the proposed road that each tract releases equally in square feet area of land for road purposes as they receive lineal feet abutting and so leaves each piece of property with a sufficient depth so as to preclude any possible claim of remnant or severance damage.

After carefully considering the value of the land with and without the road I am of the opinion that in each instance, without exception, the benefits exceed the damages but for the purpose of this report I am merely off-setting the damage with a benefit equivalent to the damage, which is customary in cases where the costs are not assessed, as follows:

Supposed Owner	Description of Land	Benefits	Damages	Bal. to Owner	Bal. to City
Sibylla Hardy	E 43 ft of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ & the W 43 ft of NE $\frac{1}{4}$, of the NE $\frac{1}{4}$, all in Sec. 16, Town 29, Range 23 (except N 33 ft. for Co. Rd.)		\$1264.00	0.00	0.00
Sibylla Hardy	NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (except N 33 ft and E 43 ft. for Co.Rds.) and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ (except N 33 ft and W 43 ft. for Co. Rds) all in section 16, Town 29, Range 23.	\$1264.00			

Supposed Owner	Description of Land	Benefits	Damages	Bal. to Owner	Bal. to City
Henry Peschken	E 43 ft. of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16, Town. 29, Range 23 (except the S 33 ft thereof for Co. Rd.)		\$ 755.40	0.00	0.00
Henry Peschken	E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ (except the S 33 ft and E 43 ft. for Co. Rds.) also the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, all in Sec. 16, Town. 29, Range 23.	\$ 755.40			
Frank O. Wilzbacher	E 43 ft of the SW $\frac{1}{4}$ of sec. 16, town. 29, range 23 (except the N 33 ft and S 33 ft for Co. Rds.)		1905.00	0.00	0.00
Frank O. Wilzbacher	E 495 ft. of the SW $\frac{1}{4}$ of Sec. 16, Town 29, Range 23 (except the N. 33ft, the S. 33 ft. & the E 43 ft. for Co. Rds.)		1905.00		
Theodore Anderson	W 43 ft of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 16, Town. 29, Range 23		388.80		
Theodore Anderson	N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 16, Town. 29, Range 23 (except the W 43 ft thereof) Note: Benefited in a greater degree than other property	388.80		0.00	0.00
Sibella H. Mertes	W 43 ft of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 16, Town. 29, Range 23 (except the S 33 ft for Co. Rd.)		366.00		
Sibella H. Mertes	SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 16, Town. 29, Range 29, (except the S 33 ft and the W 43 ft for Co. Rds.)	366.00		0.00	0.00
Julia W. & Minnie E. Holt	W 43 ft of the SE $\frac{1}{4}$ of Sec. 16, T. 29, R. 23 (except N 33 ft and S 33 ft for Co. Rds.)		1905.00	0.00	0.00
Julia W. & Minnie E. Holt	W 358.54 ft of SE $\frac{1}{4}$ of Sec. 16, T. 29, R. 23 (exo. N 33ft, S. 33 ft. & W 43 ft for Co. Rds.)		1905.00		

Respectfully Submitted

Leonard C. Seamer, Chief of Bureau of Assessments, Proj. F

FILE #2036

RAMSEY COUNTY

OFFICE OF THE COUNTY ENGINEER

June 29th, 1925

Board of County Commissioners,
Saint Paul, Minnesota

Gentlemen:-

Relative to benefits and damages accruing through the opening of a road eighty-six feet in width north and south on the quarter line Section sixteen (16) Township twenty nine (29) Range twenty three (23).

An accordance with your request under date of June 15th, a careful study of this proposed road, relative to existing roads, the relation of the proposed road to the property to be served and the general utility of same has been made by me. I beg to submit the following report:

Section sixteen (16) is located one quarter mile from the North City Limits and is in that section of suburban areas where small acreage tracts are being developed. Considerable acreage in this section is now being developed in small tracts and a considerable part of the remaining area of the section is being offered in small acreage areas. Existing roads are not adequate to accommodate these sub-divisions and without additional roads, there could not be a satisfactory entrance to or an economical development to the property.

I am of the opinion that from the standpoint of general utility value this road will add considerable value to the present road system in this part of the County. This proposed route will make a direct connection from Larpentour Avenue to the New Brighton Road and very materially reduce the traffic congestion on Cleveland and Snelling Avenues.

In my opinion, every property owner, abutting on this proposed highway, without exception, will be benefited to a greater extent than damaged through the construction of same.

For the purpose of this report, I am offsetting the damage with a benefit equivalent to the damage.

In 1859, a road was dedicated to the public over a portion of the location required. The acreage required from property affected is in addition to the original dedication, the original dedication not being taken into consideration.

For your information, I am hereto attaching a print showing the location of the original dedication, the proposed new location and the amount of property required from the several tracts which will be affected.

A fair valuation of the property affected as to benefits and damages is tabulated on the accompanying report.

Yours truly,

Paul H. Coates

County Engineer

By E. G. Briggs
Construction Engineer

EGB-d

enclo

FILE #2036

Supposed Owner	Desc. of Property	Ac.	Benefits	Damages	Bal. to Owner	Bal. to City
Sibylla Hardy	E.43 ft. of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the W.43 ft. of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, all in Sec.16, Town. 29, Range 23 (except N.33 ft. for County Road and 66 ft. right-of-way dedicated for road in 1859)	2.12		\$1590.00	\$0.00	\$0.00
Sibylla Hardy	The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (except N. 33 ft. and E.43 ft. for County roads) and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ (except N.33ft. and W.43 ft. for County roads) all in Sec. 16, Town. 29, Range 23		\$1590.00		0.00	0.00
Henry Peschken	The E.43 ft. of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec.16, Town.29, Range 23 (except the S.33 ft. thereof for County road) and portion of 66 ft. R/W dedicated for road in 1859)	1.15		\$62.50		
Henry Peschken	The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ (except the S.33 ft. and E. 43 ft. for county roads) also the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ all in Sec.16, Twp.29.R.23.		\$62.50		0.00	0.00
Frank O. Wilsbacher	The E.43 ft. of the SW $\frac{1}{4}$ of Sec.16, Twp. 29, Range 23 (Except the N.33 ft. and S. 33 ft. for county roads) and a 33 ft. strip dedicated for road in 1859)	0.59		\$90.00		
Frank O. Wilsbacher	The E.495 ft. of the SW $\frac{1}{4}$ of Sec.16, Twp.29, Range 23 (Except the N.33 ft. the S. 33 ft. and the E.43 ft. for county roads)		\$90.00		0.00	0.00
Theo. Anderson	The W.43 ft. of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec.16, Twp. 29, Range 23 (Except a portion of 66 ft. strip dedicated for road in 1859)	0.51		\$62.50	0.00	0.00
Theo. Anderson	The E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec.16 Twp.29 Range 23 (Except the W.43 ft. thereof) Note: benefited in a greater degree than other property.		\$62.50			
Sibella H. Mertes	The W.43 ft. of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 16, Twp.29, Range 23 (Except the S.33 ft. for County road and a portion of 66 ft. strip dedicated for road in 1859)			\$37.50	0.00	0.00
Sibella H. Mertes	The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16, Township 29, Range 23 (except the South 33 ft. and the West 43 feet for county roads)		\$37.50		0.00	0.00

-continued on next page-

Project File #32

-continued-

Supposed Owner	Desc. of Property	Ac.	Benefits Damages	Bal. to Owner	Bal. to City
Julia W. & Minnie E. Holt	The W. 43 ft. of the SE $\frac{1}{4}$ of Sec. 16, Twp. 29, Range 23, (Except the North 33 ft. and South 33 ft. for county roads and a 33 ft strip dedicated for road in 1859)	0.59		\$590.00	
Julia W. & Minnie E. Holt	The West 358.54 ft. of the SE $\frac{1}{4}$ of Sec. 16, Twp. 29, Range 23 (Except the North 33 ft., the South 33 ft. and the West 43 ft. for county roads)			\$590.00	

Respectfully submitted,

Paul N. Coates
County Engineer.

By

E.G. Briggs,
Construction Engineer

FILE #2056

August 18th, 1925

Mr. Harry H. Peterson,
County Attorney,
St. Paul, Minn.

Dear Sir:-

At a meeting of the County Board held August 17th, a notice was presented by Kneffner & Marks, attorneys in the matter of the appeal of Frank O. Wilsbacher, Nicholas Hardy and Sybilla Mertes from the final order and determination of the County Board, establishing and opening a certain highway in Ramsey County, running North and South through the center of Section sixteen (16) Township twenty nine (29) Range twenty-three (23) being 85 feet in width.

In order that the interests of Ramsey County may be preserved in this matter, a motion was made and adopted that said notice be referred to you to take such action as you deem necessary.

Will you kindly give the matter your prompt attention and greatly oblige?

Yours truly,

Geo. J. Rice, County Auditor.

Per

Deputy.

Project File #32

166267

ROSE TOWNSHIP
NEW BRIGHTON ROAD or Co.Rd.#16

FILE #2036

DISTRICT COURT*RAMSEY COUNTY

In Re-Appeal of Frank O. Wilsbacher et.al. from Order of County Board establishing Highway.

NOTICE OF APPEAL

Filed Aug.12 1925

Geo. J. Ries
County Auditor

J.P. Kartheiser
Deputy

STATE OF MINNESOTA)
COUNTY OF RAMSEY) SS

DISTRICT COURT
SECOND JUDICIAL DISTRICT

In the Matter of the Appeal of Frank O. Wilsbacher, Nicholas Hardy, Sybilla Mertes, from the final order and determination of the County Board of Ramsey County, Minnesota establishing and opening a certain highway in Ramsey County Minnesota, running north and south through the center of Sec. sixteen (16) Township twenty nine (29) Range twenty three (23) being 86 ft. in width.

NOTICE IS HEREBY GIVEN;

That Frank O. Wilsbacher, Nicholas Hardy and Sybilla Mertes, being aggrieved by the final order and determination, dated and filed on July 13th, 1925 made by the County Board of Ramsey County, Minnesota, establishing and opening a certain highway in said County, running north and south through the center of Section sixteen (16) Township twenty nine (29) Range twenty-three (23) being 86 ft. in width, 43 ft. on either side of the center line, and being further aggrieved by the award of damages made by said County Board in its said final determination and order, do hereby appeal to the above Court from the said final order and determination establishing said road, and from said order and determination fixing the damages, and from the whole thereof.

Such appeal is taken for the reason that there is no public necessity for the opening and establishing of said road; that said road has been improperly opened and established and that the order establishing and opening the same is not in accordance with the law;

That such appeal is further taken upon the ground that inadequate compensation has been fixed and determined for the opening and establishing of the said road to the said owners and appellants herein, and that such appeal is taken for the purpose of entirely reversing the said determination and order of said County Board and the whole thereof.

Dated August 10th, 1925

Kneffner & Marks
Attorneys for Appellants

Project File #32

FILE #2036

Albert J. Mueller
Attorney and Counsellor at Law

April 16th, 1926

Auditor of Ramsey County,
Court House,
St. Paul, Minn.

Attention: Mr. Kartheiser.

Dear Mr. Kartheiser:

In the Matter of Final Order
of County Board, establishing
high-way through Section 16,
Township 29, Range 23.

Hearing in the above matter was continued to next
Monday, the 19th, but in view of the fact that I will be
in Chicago on that day engaged in the trial of a case,
will you kindly ask the Honorable Chairman of your board to
continue the matter to its next meeting, and so advise me,
for which I thank you very kindly in advance.

I am,

Very truly yours,
Albert Mueller

AJM:ME

Project File #32

FILE #2036

March 1st, 1926

Mr. Theodore Anderson,

Mr Henry Peschken,

Rose Township, Rose Town, Minn.

Dear Sirs:-

At a meeting of the County Board held March 1st, the establishment of a highway through Section sixteen (16) Township twenty nine (29) Range twenty three (23) was considered in connection with an appeal filed by certain property owners from the final order in establishing said highway by the County Board.

An independent appraisal has been made of all the property in question, irrespective of the appraisal made at the time the final order was adopted. From this latest report, damages are apportioned as well as the benefits, showing the damages, however, to be in excess of the benefits.

The Board was of the opinion that if this road was established, it should be with the consent and payment thereof by the property owners interested and in order that further consideration may be given same a motion was adopted that the matter be laid over until the meeting of March 15th at 10:00 o'clock A.M. and that the Auditor be directed to extend an invitation to the parties interested, who desire said highway, to be present at said time.

Will you, therefore, kindly appear before the County Board at their session on said date, which is to be held in the Council Chamber on the third floor and oblige?

Yours truly,

Geo. J. Ries, County Auditor.

Per

Deputy.

FILE #2036

RAMSEY COUNTY
OFFICE OF COUNTY ATTORNEY

February 17, 1926

Board of County Commissioners,
Court House,
St. Paul, Minnesota.

Gentlemen:

Some time ago the County Board determined to construct a road running North and South through the center of Section sixteen (16) Township twenty nine (29) Range twenty three (23)

The matter was referred to a committee composed of E.A. Young, County Assessor and Leonard Seamer of the City Finance Department, who reported that in their opinion the benefits and damages offset each other.

The owners of the property, Frank O. Wilbacher, Nicholas Harde and Syllus Merts have appealed to the District Court of this county in preparing the case for trial we submitted the matter to a committee of the St. Paul Real Estate Board, consisting of John L. Barnes and John J. Kenna, and I am attaching hereto a copy of their report in which they say the land is worth \$750 to \$1000 an acre and that the benefit is \$250 an acre.

After talking to the attorneys for the appellants I am of the opinion that the matter could be settled for less than the amounts stated by the Real Estate Board.

What is your pleasure in the matter?

RAM:EP

Yours very truly,
R.A. MacDonald

Project File #32

FILE #2036

June 17th, 1925

Mr. P.N. Coates,
County Surveyor,

Mr. L.G. Seamer,
Chief Bureau of Assessments.

Gentlemen:-

At a meeting of the County Board held June 15th. hearing was had re the opening of a highway through the center of Section 16, Town 29, Range 23 to a width of 56 feet.

Committee report presented was to the effect that petition be granted and road established. It is necessary before proceeding the Benefits and Damages be assessed.

In order that the Board may be in a position to do this properly a motion was adopted that this matter be referred to the County Surveyor and the Chief of the Bureau of Assessments for the purpose of working out the procedure necessary and the amounts of Benefits and Damages to be awarded and present the same at the next meeting of the Board.

Will you kindly take up at your earliest convenience and oblige,

Yours truly,
Geo. J. Ries,
County Auditor.

By

Deputy.

Project File #32

Saint Paul, Minnesota

January 13, 1926

Mr. Roy McDonald,
Asst. County Attorney,
Court House,
Saint Paul, Minnesota.

Dear Sir:

We submit to you the following value of land being taken for the opening of an eighty six feet roadway through the center of Section sixteen (16) Township twenty nine (29) Range twenty three (23)

Wilsbacher piece	1.25 acres	\$1,000.00 per acre -	\$1250.00
Wilsbacher piece	1.25 acres	750.00 per acre -	937.50
Holt piece	1.25 acres	1,000.00 per acre -	1250.00
Holt piece	1.25 acres	750.00 per acre -	937.50
Peechen piece	1.25 acres	750.00 per acre -	937.50
Merts piece	.625 acres	750.00 per acre -	468.75
Andersen piece	.625 acres	750.00 per acre -	468.75
Hardy piece	2.50 acres	750.00 per acre -	1875.00
Total	10.00 acres	Total	\$5125.00

Note: The Peechen house and out buildings and orchard will have to be moved which will of course be entitled to original damages according to the house mover's bill.

With careful inspection of this land, we believe that these various owners will be benefited by the opening of this road with an amount of \$250.00 per acre computed on the amount taken.

Respectfully submitted,

(Signed) John L. Barnes

John J. Kennan

FILE #2036

April 20th, 1926

Mr. Albert J. Mueller,
722 Merchants Nat'l Bank Bldg.,
St. Paul, Minnesota.

Dear Sir:-

As requested by you under date of April 16th, consideration to the matter of establishing a highway through Section sixteen (16) Township twenty nine (29) Range twenty three (23) in Rose Township, was laid over by the County Board to Monday, May 3rd at 10:00 o'clock A.M.,

At this time you may appear before the County Board in connection with said case.

Yours truly,

Geo. J. Ries, County Auditor

Project File #32