

Old road, west of West Yellowstone

No. 628

**PETITIONER:**

T.S. Povah et al

Petition filed June 29 1959

Viewers appointed July 12 1959

Report filed July 13 1959

Date of hearing Aug. 12 1959

Report approved Aug. 12 1959

Order of survey ..... 191

Surveyed ..... 191

Field Book No. .... Page .....

Recorded in Roadbook 3-9-1960

Declared County Road Abandoned Aug. 12, 1959

Approved: ..... Chairman

See Book 33 Commissioners' Proceedings,

pages 544, 556, 558 & 584

..... County Clerk

157308



PETITION TO ABANDON ROAD

To the Honorable Board of  
County Commissioners,  
Gallatin County, Montana

Gentlemen:

We, the undersigned freeholders of Gallatin County, Montana, taxable therein for road purposes, do hereby petition your honorable body to abandon as a public highway, the following described County Road:

That portion of the old County road from West Yellowstone westerly toward the Idaho State line and being more particularly described as follows: Beginning at a point near the South Fork of the Madison River, said point being approximately 90 feet north of the southeast corner of Section 23, T. 13S., R. 4E., thence N. 74° 14' W. 422 ft; thence No. 68° 39' W. 3085 feet; thence N. 28° 25' W. 1404 feet; thence S. 88° 42' W. 1155 feet; thence N 49° 33' W. 212 feet, more or less to a point on the west line of said Sec. 23; thence N. 1° 19' W. 1181 feet; thence S. 88° 06' W. thru the north half of Sec. 22, approximately 1325'. Total distance to be closed - 1.64 miles.

NAMES OF PETITIONERS

DESCRIPTION OF LAND OWNED BY PETITIONERS

- * <u>Monte Britman</u>	<u>DIAMOND P. RANCH - SEE SALES</u>
x <u>Robert M. Brown</u>	<u>Private Residence West Yellowstone</u>
- * <u>Guadalupe Spinkower</u>	<u>" " " "</u>
- * <u>E. H. Spinkower</u>	<u>" " " "</u>
- * <u>Mrs. L. A. Garner</u>	<u>" " " "</u>
x <u>J. B. Carter</u>	<u>" " " "</u>
- * <u>Adolph Peterson</u>	<u>West Yellowstone</u>
- * <u>Florence Peterson</u>	<u>West Yellowstone</u>
- * <u>Gladye Bartison</u>	<u>Yellowstone</u>
- * <u>Harwan B. Bartison</u>	<u>" " " "</u>
- * <u>Olin Fuller</u>	<u>West Yellowstone</u>



GALLATIN COUNTY  
MONTANA

ALLEN T. HARGROVE - COMMISSIONER  
C. W. CRAMER - COMMISSIONER  
GEORGE L. STUCKY - COMMISSIONER  
EARL WALTON - CLERK AND RECORDER  
AL. T. MATHESON - TREASURER  
MRS. GRACE ROSNESS - AUDITOR  
C. W. SORENSON - ASSESSOR

W. W. LESSLEY - DISTRICT JUDGE  
MRS. EVELYN THOMPSON - CLERK OF COURT  
HAROLD L. ALLEN - ATTORNEY  
D. J. SKERRITT - SHERIFF  
MRS. MARTHA HAYNES - SUP'T OF SCHOOLS  
GEORGE W. MCKEAN, - PUBLIC ADMINISTRATOR  
CARL W. HAMMER, M.D., M.P.H. - HEALTH OFFICER

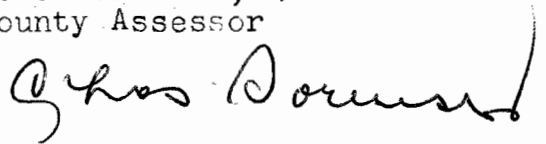
BOZEMAN, MONTANA

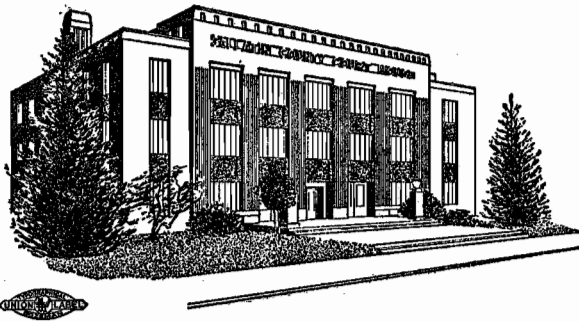
June 29th, 1959

Gentlemen:

I, hereby certify that all of the undersigned freeholders of Gallatin County, Montana, with the exception of Robert M. Grove and S.B. Crabtree are taxable for road purposes.

C.W. Sorenson,  
County Assessor





State of Montana  
**COUNTY OF GALLATIN**

◆  
Bozeman

NOTICE TO PETITIONERS AND ADJOINING LAND OWNERS

This is to notify you that the Board of County Commissioners has accepted the report of the Board of Viewers, Mr. W. C. Papke, Private Surveyor, and Commissioner Paul Reese, on Road Petition No. 628. This petition is for the abandonment of the following described County Road:

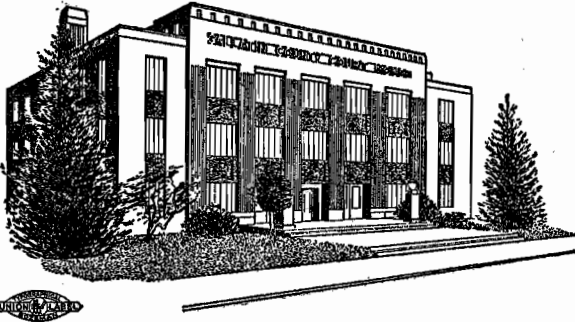
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A hearing on the above matter has been set by the Board of County Commissioners for Wednesday, August 12, 1959 at 11 o'clock A. M. in the Commissioners' Office in Bozeman, Montana, at which time the Commissioners will make final determination of the merits of said matter, and at which time all persons interested may make objection or offer suggestions relative to the proposals in the Road Petition No. 628.

Dated this 3rd day of August, A. D., 1959, at Bozeman, Montana.

BOARD OF COUNTY COMMISSIONERS  
OF GALLATIN COUNTY

*Harry Droge*  
Harry Droge, Chairman



State of Montana  
**COUNTY OF GALLATIN**

◆  
**Bozeman**

July 13, 1959

VIEWERS REPORT

W. C. Papke, a registered land surveyor in the State of Montana, being qualified to act as a member of a board of viewers, and Paul Reese, County Commissioners of Gallatin County, State of Montana, having been appointed as a board of viewers for Road Petition No. 628, viewed said road on the 13th days of July, 1959 and wish to Report:

We examined said petition No. 628 and find it to have sufficient qualified signatures. We found that State Highway No. 191 has been built in its stead, and that there is absolutely no need or use for the road described in Petition No. 628. We also found that the road has a bridge which is not safe for traffic. We wish to suggest that Gallatin County relinquish all rights and responsibilities to this bridge. Also there are no families living adjacent to this road."

Therefore in view of the foregoing facts we recommend that this road as described in said petition be vacated and closed.

W C Papke

Mont. Reg. No. 296S

Paul Reese

County Commissioner of  
Gallatin County.

Aug. 14, 1958

Mr. T. S. Povah,  
West Yellowstone, Mont.

Dear Sir:

We are enclosing a Petition to abandon a part of the old West Yellowstone to Idaho road.

Mr. L. T. Christian, Civil Engineer and Land Surveyor, was in and checked as to the status of this road. Most people considered it abandoned, when the new highway was built a good many years ago, but the law says that it remains a County Road until proper proceedings are held. Enclosed with the petition is a small plat, showing the portion to be abandoned.

If you or some one else around there can get ten or more, resident taxpayers to sign this petition, the Commissioners will hold a hearing, and if there are no objections the road will be declared abandoned and the land on each side of the center will revert to the adjoining landowners. There should be at least 14 signers. Return petition to the County Commissioners, Box 750, Bozeman.

Yours very truly,

Road Dept. Office.

NOTICE TO REMOVE ENCROACHMENTS

9-9-64

TO: Mr. Martin E. Portmann  
West Yellowstone, Montana

You are hereby directed to forthwith remove the hereinafter described encroachments situate on the following described public highway in Gallatin County, Montana, to-wit:

Description of Highway

That certain public highway, being 60 feet in width and 30 feet on either side of the following described center-line: Commencing at the northeast corner of the southwest quarter of the northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Twenty-two (22), Township Thirteen (13) South, Range Four (4) East, M.P.M., in Gallatin County, Montana, thence due west along the north boundary line of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ), a distance of 1327.35 feet; thence continuing due west along the north boundary line of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of said Section Twenty-two (22), a distance of 1110.88 feet to the northwest corner of said Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ).

Description of Encroachment

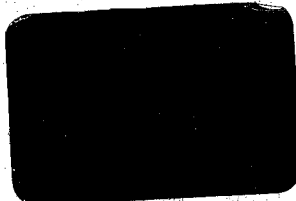
The following described encroachments erected within the right of way of the above-described public highway and are particularly described and situate as follows:

- A. In the northwest corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Twenty-two (22), Township Thirteen (13) South, Range Four (4) East, M.P.M.;

A corral fence.

- B. The following described encroachment situate in the Northeast corner of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-two (22), Township Thirteen (13) South, Range Four (4) East, M.P.M., as follows:

- (1) An outside privy rest room
- (2) A granary.
- (3) The north half of a barn
- (4) A fence joining the north half of said barn.
- (5) The north quarter of a shed, referred to as a tack room, located directly east of said barn.
- (6) A pile of fence posts.
- (7) A hitching rack





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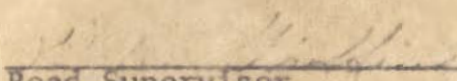
- (1) An outside privy rest room
- (2) A granary.
- (3) The north half of a barn
- (4) A shed adjoining the north half of said barn.
- (5) The north quarter of a shed, referred to as a tack room, located directly east of said barn.
- (6) A pile of fence posts.
- (7) A hitching rack.



- (8) The north boundary fence line of said Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) extending in a general easterly-westerly direction, all within the right of way of the above-described public highway.

You are further notified that if the encroachments are not removed or commenced to be removed forthwith and the removal is not diligently prosecuted, you as the owner and the person who controls the encroachments will forfeit \$10.00 for each day the same continues unremoved and that those encroachments which obstruct or prevent the use of the highway for vehicles if not removed forthwith, will be removed by the undersigned as the Road Supervisor.

Dated this 24 day of September, 1964.

  
\_\_\_\_\_  
Road Supervisor



LAKE SHORE Rd. (COUNTY) DEAD END

TO IDAHO

T. 13S, R. 4E.

T.S. POVAH

ESTHER DONALDSON ESTATE

M.E. PORTMANN (E. BAKER)

ALVIN E. KEPHART

School

U.S. Hwy. 191-20  
M.E. PORTMANN (E. BAKER)

22

T.S. POVAH

Wm. C. CRABTREE

U.S. FOREST SERVICE

MURIEL L. PLUMBER

U.S. FOREST SERVICE

U.S. FOREST SERVICE

PORTION OF COUNTY ROAD TO BE ABANDONED  
- - - - -  
# - - - - - RELOCATED OR RECOVERED SEC. CORNERS

TO WEST YELLOWSTONE

# 1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to addressee

Show address where delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Donna Spink*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-4-59

C55-16-71548-4 GPO

# 1-INSTRUCTIONS TO DELIVERING EMPLOYEE

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Show address where delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Wanda Casper*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*H. J. Casper*

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-4-59

C55-16-71548-4 GPO

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*B. H. & Eleanor H. Raval*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Arnold Ball*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*Or Hallam*

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8/4/59

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Bettie Eagle*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Clara Johnson*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-4-59

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Mrs. L. G. Garner*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*Es. Hansori*

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-4-59

C55-16-71548-4 GPO

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

*Lawrence Reiter*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*Gary Buckland*

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-5-59

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Adelphat Florence Peterson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

[Signature]

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8/5/59

CSS-16-71548-4 GPO

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Nora Stuart

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

CSS-16-71548-4 GPO

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Mrs. Urwon Bartleson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-5-59

CSS-16-71548-4 GPO

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Fuller's Garage

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

[Signature]

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-5-59

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Mrs B M Christensen

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Frank C. Adamson

DATE DELIVERED

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[Signature]

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DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

8-7-59

CSS-16-71548-4 GPO