

Road Petition 697

Abandon

MARTIN Road No 88

Feb 19, 1980

Comm Pages 46

Comm Book 40

PETITION TO ABANDON PORTION OF COUNTY ROAD

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

We the undersigned Freeholders of Gallatin County, Montana taxable herein for road purposes, do hereby petition your Honorable Body to abandon the following county road and being more particularly described as follows:

Starting point is 1200' more or less from the Southwest corner of Section 10, Township 2 North, Range 5 East; thence North 40°30' E 882 feet; thence North 67°53' E 1740 feet; thence North 87°45' E to a point 51.67 feet West of the East 1/4 corner of Section 10, Township 2 North, Range 5 East. The portion of road to be abandon is part of Martin Road, Number 88.

In exchange for abandonment of the above road the land owners do hereby agree to provide to the public an easement 60' wide for road purposes and being more particularly described as follows:

Point of beginning is on the Rocky Mountain Road a point North 00° 08'30" E 1348.94 feet from the Southwest 1/4 corner of Section 10, Township 2 North, Range 5 East; thence South 89°16'18" E as shown on COS 632 between Tract 1 and 35, 2 and 36, 3 and 37, 4 and 38, 5 and 39, 6 and 40, 7 and 41, 8 and 42 to the Southeast Corner of Tract 8; thence North a sixty foot easement with 30 feet on each side of boundary between Tract 8 and 9 for 1359.07 feet to a point where easement would intersect with the Martin road 51.67 feet from the East 1/4 corner of Section 10, Township 2 North, Range 5 E.

Total distance for road abandonment 5222 feet more or less.

Plat of COS 632 attached shows county road in red to be abandon and 60' wide easement in blue to be provided to the public for road purposes.

Names of Petitioners

Description of land
 Owned by Petitioners

<i>Carole Oddy</i>	<i>Shade Tree Acres Tracts 2 & 3 SPTISPE</i>
<i>Ray Siff</i>	<i>SPRINGHILL RANCH, CERT. OF SURVEY #632</i>
<i>Harriet S. Gaudin</i>	<i>Gallatin National Forest</i>
<i>Joseph Rittenbach</i>	<i>Tr. 5 of COS 366</i>
<i>Wendell Smith</i>	<i>LOTS 22, 23, 24 Block 31 Capitol Hill Addition</i>
<i>Margaret M. Potter</i>	<i>Lot 4 Block 92, Spomer's 2nd Addition</i>
<i>Samuel L. Hight</i>	<i>Tracts 504 W, 512 W, 513 NE of Belgrade</i>
	<i>Lot 6, Block 10 Thompson's 4th</i>

(OVER)

Add

✓ JERRI FETHER

Lot 7, Blk Middle Creek
meadows sub #12

✓ Jaye Strickland

Lot 3, 4, 5 Blk 38
Capitol Hill Addition

Murray Dale Thompson

COS # 51915 New

✓ Margaret Brown

Dist. #43 Emerson Sub-division

✓ Grace M. Hagl

Fall Western Sub-division, 7044
Lot 3 & 4

✓ Roy J. Nash

Ken Hal Condo Unit 2 Sch Dist 704T

✓ Alex H. Sager

NE 1/4, NW 1/4, Sec 36, 1 N, 5 E

and do, with agreement in writing to be provided to the parties for road

right of COS 833 attached above corner road in lot to be abandoned

total distance for road abandonment 2353 feet more or less:

range 2 E.

11.87 feet from the East 1/4 corner of section 10' township 3 north' to a point where easement would intersect with the Martin road on each side of boundary between tract 8 and 9 for 1320.01 feet corner of tract 8; thence north a sixty foot easement with 30 feet 4 and 38' 2 and 38' 6 and 40' 1 and 41' 3 and 41' 3 and 42 to the southwest shown on COS 833 between tract 1 and 32' 2 and 38' 3 and 37' 10' township 3 north' range 2 east thence corner 88.10, 18. 3 88. 00, 88.30, 8 1348.84 feet from the southwest 1/4 corner of section 10' township 3 north' to on the rocky mountain road a point north

thereafter and being more particularly described as follows:

hereby agree to provide to the parties an easement 60, wide for road

in exchange for abandonment of the above road the land owners do

to be abandoned is part of Martin road, number 88' section 10' township 3 north' range 2 east. The portion of road 81.42 E to a point 21.21 feet west of the East 1/4 corner of 40.30, E 883 feet; thence north 81.23, E 1340 feet; thence north of section 10' township 3 north' range 2 east; thence north starting point to 1300, more or less from the southwest corner

described as follows:

road to abandon the following corner road and being more particularly

described herein for road purposes, do hereby petition your honorable

we the undersigned members of citizens council, Montana

gentlemen:

CITIZENS COUNCIL, MONTANA

COUNCIL COMMISSIONERS

to the honorable board of

PETITION TO ABANDON PORTION OF CORNER ROAD

WERRI JETHER

Lot 7 Blk Middle Creek
meadows sub #2

Joyce Strahn

Lots 3, 4, 5 Blk. 30
Capital Hill Addition

Murray Dale Thompson

COS # 519-15 New

Margaret Brown

Dist. #43 Emerson Sub-Division

Grace M. Hagl

Fact #1
Fall Eastern Sub-Division, 704

Ray J. Nash

Ken Hal Condo, Unit 2, Sch Dist 704T

Lee H. Sagar

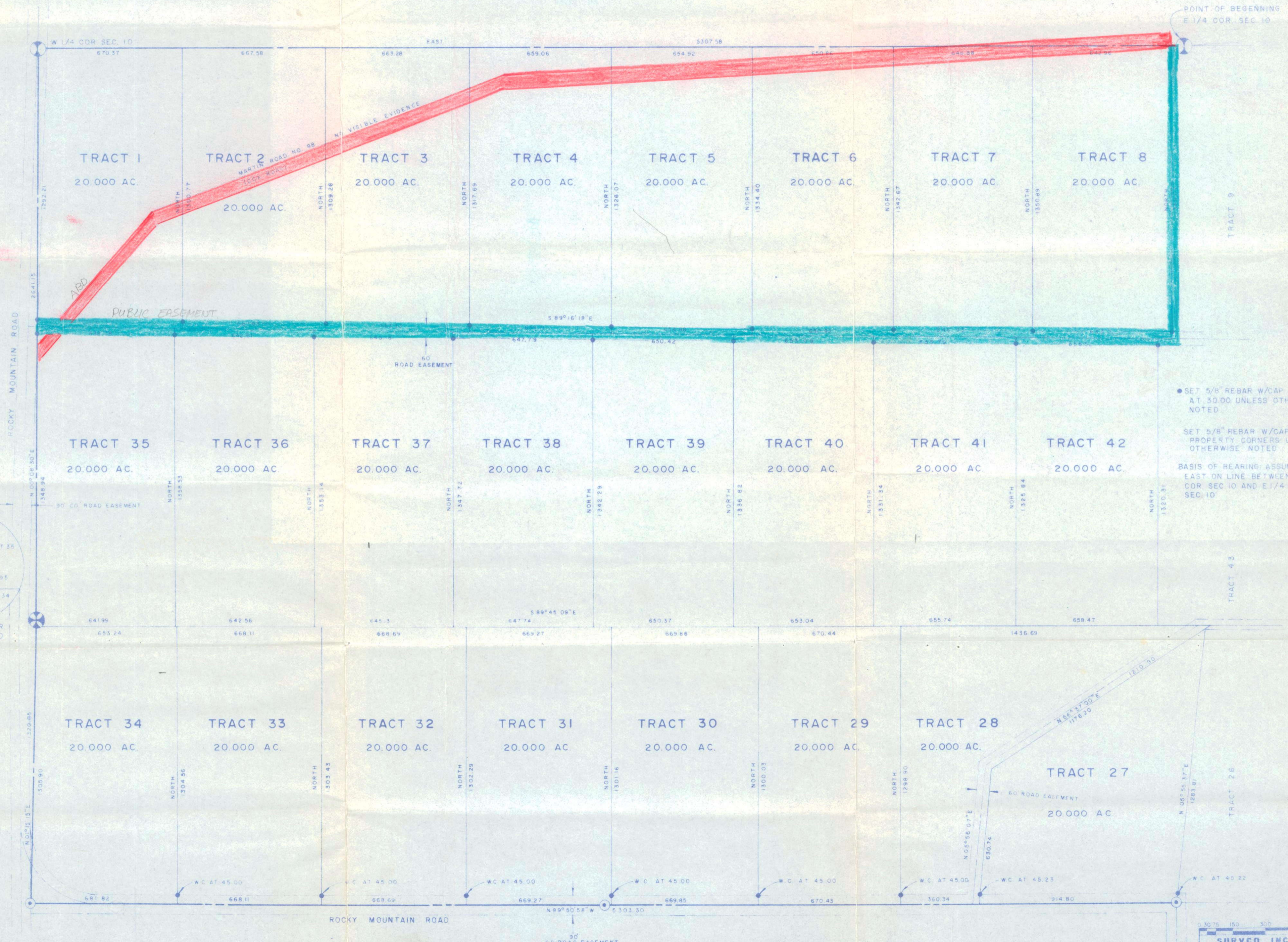
NE 1/4, NW 1/4, Sec 36, 1 N, 5 E

CERTIFICATE OF SURVEY NO. 632

A TRACT OF LAND BEING THE SW 1/4 AND SE 1/4 OF SEC. 10, THE SW 1/4 AND SE 1/4 OF SEC. 11 AND A PORTION OF THE NE 1/4 AND NW 1/4 OF SEC. 14 AND A PORTION OF THE NE 1/4 AND NW 1/4 OF SEC. 15, T.2N., R.5E., M.P.M.

GALLATIN COUNTY, MONTANA

FOR SPRINGHILL FARM LTD.
TO CREATE 45 TRACTS OF LAND



POINT OF BEGINNING
E 1/4 COR. SEC. 10

W 1/4 COR. SEC. 10
670.37

TRACT 1
20,000 AC.

TRACT 2
20,000 AC.

TRACT 3
20,000 AC.

TRACT 4
20,000 AC.

TRACT 5
20,000 AC.

TRACT 6
20,000 AC.

TRACT 7
20,000 AC.

TRACT 8
20,000 AC.

TRACT 9

TRACT 35
20,000 AC.

TRACT 36
20,000 AC.

TRACT 37
20,000 AC.

TRACT 38
20,000 AC.

TRACT 39
20,000 AC.

TRACT 40
20,000 AC.

TRACT 41
20,000 AC.

TRACT 42
20,000 AC.

TRACT 43

TRACT 34
20,000 AC.

TRACT 33
20,000 AC.

TRACT 32
20,000 AC.

TRACT 31
20,000 AC.

TRACT 30
20,000 AC.

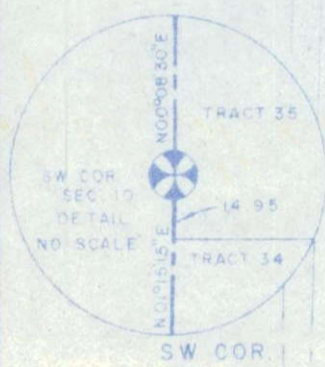
TRACT 29
20,000 AC.

TRACT 28
20,000 AC.

TRACT 27
20,000 AC.

TRACT 26

- SET 5/8" REBAR W/CAP AS W.C. AT 30.00 UNLESS OTHERWISE NOTED
- SET 5/8" REBAR W/CAP AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED
- BASIS OF BEARING ASSUMED EAST ON LINE BETWEEN W 1/4 COR. SEC. 10 AND E 1/4 COR. SEC. 10



SCALE
1" = 300'

0 30 75 150 300 450 FEET

SURVCO, INC.
103 COMMERCIAL DRIVE
BOZEMAN, MONTANA

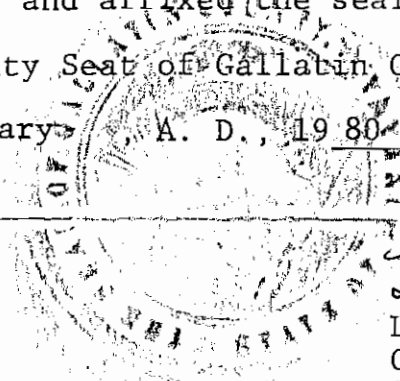
CERTIFICATE OF THE COUNTY CLERK & RECORDER
RELATING TO
QUALIFICATIONS OF THE SIGNERS
Land Description:

In Certificate of Survey No. 632- copy attached

State of Montana
County of Gallatin ss.

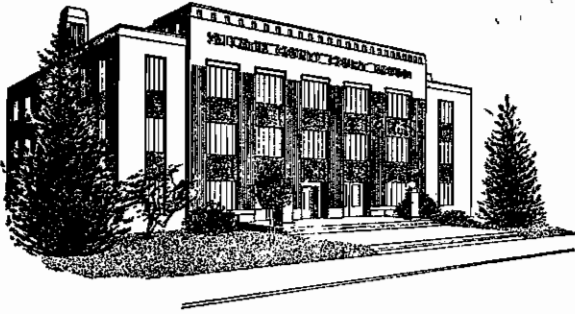
I, Lucille A. Bridges, do hereby certify that I am the duly elected, qualified and acting County Clerk and Recorder for Gallatin County, State of Montana; that I have examined the petition to which this certificate is attached; and it is signed by ten (10) freeholders within the County of Gallatin, State of Montana.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office at Bozeman, the County Seat of Gallatin County, Montana, this 31 day of January, A. D., 19 80.



Lucille A. Bridges

LUCILLE A. BRIDGES
Clerk & Recorder for Gallatin
County, State of Montana



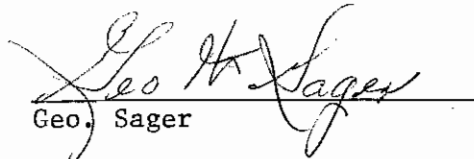
State of Montana
COUNTY OF GALLATIN
◆
Bozeman

VIEWERS REPORT

On Jan. 30, 1980 County Commissioner George Sager and myself drove to Section 10, T2N,R5E. to view that portion of Martin Road No. 88 requested for abandonment. That part of Martin Road has never been constructed and with the fact that a new road easement has been offered that will connect the beginning and ending point of this abandoned section, it is my recommendation that the abandonment be granted as being in the best interest of Gallatin County and it's residents.

Sincerely,


Gallatin County Engineer


Geo. Sager



State of Montana
COUNTY OF GALLATIN

◆
Bozeman
February 1, 1980

NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

This is to notify you that the Board of County Commissioners have accepted the report of the Board of Viewers, Mr. Bob Babb, County Surveyor and Commissioner Mr. George Sager on road petition # 697. This petition is for the abandonment of the following county road:

Starting point is 1200' more or less from the Southwest corner of Section 10, Township 2 North, Range 5 East; thence North 40°30' E 882 feet; thence North 67°53' E 1740 feet; thence North 87°45' E to a point 51.67 feet West of the East 1/4 corner of Section 10, Township 2 North, Range 5 East. The portion of road to be abandon is part of Martin Road, Number 88.

In exchange for abandonment of the above road the land owners do hereby agree to provide to the public an easement 60' wide for road purposes and being more particularly described as follows:

Point of beginning is on the Rocky Mountain Road a point North 00°08'30" E 1348.94 feet from the Southwest 1/4 corner of Section 10, Township 2 North, Range 5 East; thence South 89° 16'18" E as shown on COS 632 between Tract 1 and 35, 2 and 36, 3 and 37, 4 and 38, 5 and 39, 6 and 40, 7 and 41, 8 and 42 to the Southeast Corner of Tract 8; thence North a sixty foot easement with 30 feet on each side of boundary between Tract 8 and 9 for 1359.07 feet to a point where easement would intersect with the Martin road 51.67 feet from the East 1/4 corner of Section 10, Township 2 North, Range 5 East.

A hearing on the above has been set by the Board of County Commissioners for Tuesday the 19th day of February, A.D., 1980 at 11:00 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 objections or offer suggestions relative to the proposals in the road petition.

Unless a landowner or tax payer wants to protest this petition you are not required to attend.

Dated this 1st day of February, A.D., 1980 at Bozeman, Montana.

Sincerely,

Gale Thompson
Road Office Supervisor

ET:pn
Granted by Unanimous Vote Feb. 19, 1980 Geo. W. Sager

February 1, 1980

Mr. Henry E. Neils
215 Barry No. 108
Wysata, Minn 55391

Dear Mr. Neils;

Attached is notification of road petition hearing concerning Martin Road # 88. Also attached is copy of Certificate of Survey # 632.

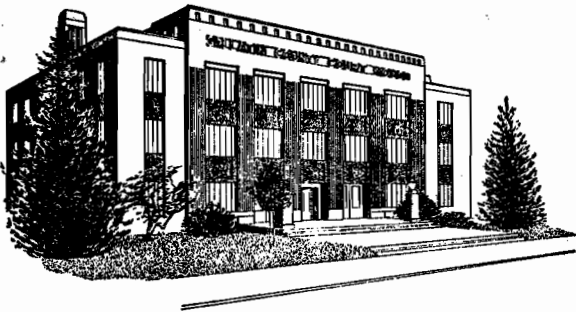
This road was never built and the land has been used for farming and pasture. Since you own the N 1/2 and adjoin this road you have to be notified by certified mail. The notification should explain what is taking place.

Sincerely,

Road Office Supervisor

GT:pn

C
O
P
Y



State of Montana
COUNTY OF GALLATIN

Bozeman
February 19, 1980

NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

This is to notify you that the Board of County Commissioners held a hearing on Road Petition # 697, for the abandonment of the following county roadway.

Starting point is 1200' more or less from the Southwest corner of Section 10, Township 2 North, Range 5 East; thence North 40°30' E 882 feet; thence North 67°53' E 1740 feet; thence North 87°45' E to a point 51.67 feet West of the East 1/4 corner of Section 10, Township 2 North, Range 5 East. The portion of road to be abandon is part of Martin Road, Number 88.

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There being no objections it was unanimously carried by the Board of County Commissioners that the road be closed.

Sincerely,

Gale Thompson
Road Office Supervisor

71737

INDEXED
PLATTED

OFFICE OF COUNTY RECORDER,
STATE OF MONTANA
COUNTY OF GALLATIN.

ss.

THIS INSTRUMENT WAS FILED FOR RECORD IN THIS OFFICE ON TH
27 DAY OF FEBRUARY, A.D., 19 80
AT 1:15 P M., AND WAS DULY RECORDED IN BOOK 55
OF MISCELLANEOUS RECORDS, PAGE 782

Fee \$ ----
FILE

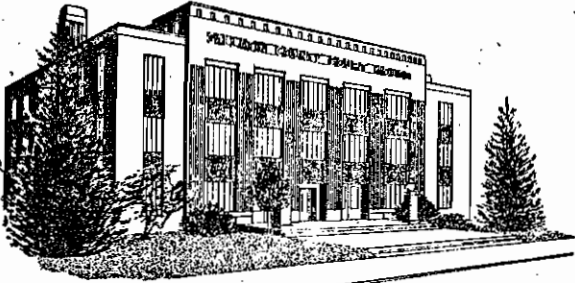
Lucille C. Bridges RECORDER. BY Carol M. Taylor DEPUT

LANDOWNERS
petition No. 88 - Certified mail

Henry E. Neils
215 Barry No. 108
Waysata, Minn 55391

Springhill Farms LTD
P.O. Box 1745
Beverly Hills, Ca 90213

Margaret M. Potter
114 Helen Drive
Belgrade, Mt 59714



State of Montana
COUNTY OF GALLATIN

◆
Bozeman

February 19, 1980

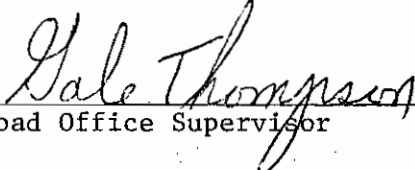
Mrs. Margaret M. Potter
114 Helena Drive
Belgrade, Montana 59714

Dear Mrs. Potter;

Attached is letter notifying you that Martin Road, Number 88 has been abandon with the stipulation that the landowners provide to the public an easement 60' wide for road purposes.

Would you please follow up on this easement.

Sincerely,


Road Office Supervisor

GT:pn

PS Form 3811, Apr. 1977
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered. _____¢
 Show to whom, date, and address of delivery. _____¢
 RESTRICTED DELIVERY
 Show to whom and date delivered. _____¢
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Margaret M. Potter
114 Helen Dr.
Belgrade, MT 59714

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | | *695426* |
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. *Margaret M. Potter*
 DATE OF DELIVERY | POSTMARK
2-5-80 | *FEB 6 1981*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS
 | *TE*

☆GPO: 1977-0-249-595

PS Form 3811, Apr. 1977
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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 RESTRICTED DELIVERY
 Show to whom and date delivered. _____¢
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Henry E. Neils
215 Berry #108
Wayzata, Minn.

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | | *695424* |
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. *Kathleen Frazer*
 DATE OF DELIVERY | POSTMARK
2-6-80 | *FEB 6 1981*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS
 | *TE*

☆GPO: 1977-0-249-595

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 RESTRICTED DELIVERY
 Show to whom and date delivered. _____¢
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$ _____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Springhill Farms Ltd.
P.O. Box 1745
Beverly Hills Ca 90213

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | | *695425* |
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. *[Signature]*
 DATE OF DELIVERY | POSTMARK
 | *FEB 6 1980*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS
 | *TE*

☆GPO: 1977-0-249-595

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered.....¢
 Show to whom, date, and address of delivery.....¢
 RESTRICTED DELIVERY Show to whom and date delivered.....¢
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$____ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Margaret M. Potter
114 Helena Dr
Belgrade, Mt. 59714

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *695429* | |

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
[Signature]

4. DATE OF DELIVERY *7-25-80* POSTMARK
59714

5. ADDRESS (Complete only if requested)
1980

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS
MT

☆GPO: 1977-0-249-595

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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2. ARTICLE ADDRESSED TO:
Henry E. Neils
215 Barry No. 108
Wagonton, Miss. 39180

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | *695427* | |

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
[Signature]

4. DATE OF DELIVERY *7-25-80* POSTMARK
39180

5. ADDRESS (Complete only if requested)
1980

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0

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