

Road Petition #709

To abandon a portion of
Bozeman St. and Tracey St. in
Gallatin Gateway.

Note: County atty has
petition.

Oct 1984 - Petition received

Dec 84 - Viewers report

- Jan 8, 1985 - Petition
denied

Denied

Comm Book 41 Page 233

State of Montana

County of Gallatin

Bozeman

January 14, 1985



NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

This is to notify you that the Board of County Commissioners held a hearing on Road Petition # 709 on January 8, 1985 at 1:30 p.m..

Petition # 709 was denied because of the following reason. All landowners living on portion of street to be abandon in a plated townsite have to sign the petition. Since one landowner refused to sign, the petition was declared illegal.

Sincerely,

Gale Thompson
Road Office Supervisor

GT:pn

TUESDAY
FORM 14107-TRIUMPH PRINTING

THE 8th

DAY OF JANUARY 1985
OFFICE OF COUNTY COMMISSIONERS
BOZEMAN, MONTANA

Wilbur Visser stated that he had the affidavit of publication of the public hearing regarding the abandonment of a street in Gallatin Gateway. This was presented to the Commission as Road Petition #709. Mr. Visser stated that certified letters had been sent to the adjoining property owners. The Commission has received a viewers report as follows:

Dear Commissioners:

We, the duly appointed viewing board, viewed the portion of Bozeman Street between block 4 and block 8, and a portion of Tracy Street between block 3 and block 4 in the town of Gallatin Gateway, Montana on December 6, 1984.

We find that the portions of these two streets lie to the west of Lynde Street and are bordered on the west end by the Gallatin River. These streets serve no lots and are in a non-buildable area. We hereby recommend that the portions of these two streets be abandoned, as per road petition no. 709.

/s/ Wilbur Viser
/s/ Earl Best

Claire Faller stated that she owned one lot. She states that her parents had bought the lot in 1939 and had come to the County Commissioners to see if they could purchase the roadway because it ends in the river. Her parents were told that they could not purchase the lot because county property could not be sold. Mrs. Faller states that her father had built sheds on the property with the approval of the county commissioners at that time. Mrs. Faller states that they have moved her sister's trailer home onto the property.

Tom Anacker stated that it was his understanding that Gallatin Gateway is an unincorporated town or townsite. The requirements for filing a petition to abandon a street or an alley in an unincorporated town or townsite, all of the owners of lots on the street or alley must sign the petition. The statute requires that all of the land owners with property on the street to be discontinued petition. By doing so, they signify their consent. When a road is abandoned, the property underneath the road goes to the adjoining property owners, divided down the center of the road.

George DeHaan stated that the trailer house was moved onto the property after the petition was served.

Jane Jelinski made a motion to deny the petition, in view of the fact that it was improperly submitted with regard to the signatures, seconded by Ramon White, none voting nay. The motion carried.

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Wilbur Visser stated that he had the affidavit of publication of the public hearing regarding the abandonment of an alley in Rainbow Subdivision. This was presented to the Commission as Road Petition #710. Mr. Visser states that the certified letters have been sent to the adjoining property owners. The Commission has received a viewers report as follows:

Dear Commissioners:

We, the duly appointed viewing board, viewed the alley in Rainbow Subdivision, Section 14, Township 2 South, Range 4 East between lots 60, 10, 59, 11, 58, 12, 57, 13, 56, 14, 55 and 15.

We find that this portion of the alley serves no purpose at this time and can see no use to the public in the future. We hereby recommend that this portion of the alley be abandoned per road petition no. 710.

/s/ Wilbur Visser
/s/ Earl Best

Tom Anacker stated that the requirements for filing a petition to abandon a county road, which is what this is, there must be a majority of the freeholders or any ten freeholders of a road district petitioning the board in writing to abandon any county road.

Margaret Devous stated that the alley runs right in between her property. She owns property on either side of it.

Jane Jelinski made a motion to grant the abandonment of the alley in Rainbow Subdivision, seconded by Ramon White, none voting nay. The motion carried.

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Mary Kay Peck, Subdivision Review Officer, spoke regarding a request by Delbert Hostetter for a one year extension of preliminary approval for the Hostetter Minor Subdivision. The Commission voted last January to grant preliminary approval for the minor subdivision. Extension of the approval is allowable under the Gallatin County Subdivision Regulations. Mr. Hostetter has been working to meet the conditions. However, he was not able to have the road installed before the fall freeze. It does appear that Mr. Hostetter is making a sincere effort to meet the approval conditions.

Jane Jelinski made a motion to grant a one year extension of preliminary approval for the Hostetter Minor Subdivision, seconded by Ramon White, none voting nay. The motion carried.

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The Commission will be conducting a closed hearing at 4:00 P.M. this afternoon to conduct an investigation into the incident that occurred at the Rest Home on December 14, 1984 involving Rest Home Administrator William Cainan and Office Manager Mary Frey,

GALLATIN COUNTY ROAD DEPT.
P.O. BOX 1905
BOZEMAN, MONTANA 59715

CERTIFIED
P13 5155124
MAIL



REASON FOR RETURN
UNCLAIMED
ADDRESSEE UNKNOWN
MOVED, LIST NO ADDRESS
FORWARDING TIME EXPIRED
POSTAGE DUE
DO NOT RETURN TO SENDER

Alice Barnes DePaan
Box 16 Gallatin Field
Belgrade, Montana 59714

JAN 29

PS Form 3811, July 1983

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.

2. Restricted Delivery.

3. Article Addressed to:

*Alice Barnes Behan.
Box 16 Gallatin Field
Belgrade MT 59714*

| | |
|---|----------------|
| 4. Type of Service: | Article Number |
| <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail | 5155124 |

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
X

6. Signature - Agent
X

7. Date of Delivery

8. Addressee's Address (*ONLY if requested and fee paid*)

DOMESTIC RETURN RECEIPT



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1. Show to whom, date and address of delivery.
2. Restricted Delivery.

3. Article Addressed to:

*William T. Barnes
Gallatin Gateway, MT
59730*

4. Type of Service:

- Registered Insured
 Certified COD
 Express Mail

Article Number

55155153

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X *Wm Barnes*

6. Signature - Agent

X *01-24-85*

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

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Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.
2. Restricted Delivery.

3. Article Addressed to:

*Donald P. + Rose Barnes
GALLATIN GATEWAY, MT
59730*

4. Type of Service:

- Registered Insured
 Certified COD
 Express Mail

Article Number

5155152

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X *Rose Barnes*

6. Signature - Agent

X

7. Date of Delivery

01-15-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.
2. Restricted Delivery.

3. Article Addressed to:

*Michael P. + Mary C. Fallon
P.O. Box 244
Gallatin Gateway, MT 59730*

4. Type of Service:

- Registered Insured
 Certified COD
 Express Mail

Article Number

5155151

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

Clare Fallon

6. Signature - Agent

Bill Jala Goye Walk

7. Date of Delivery

01-15-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT