

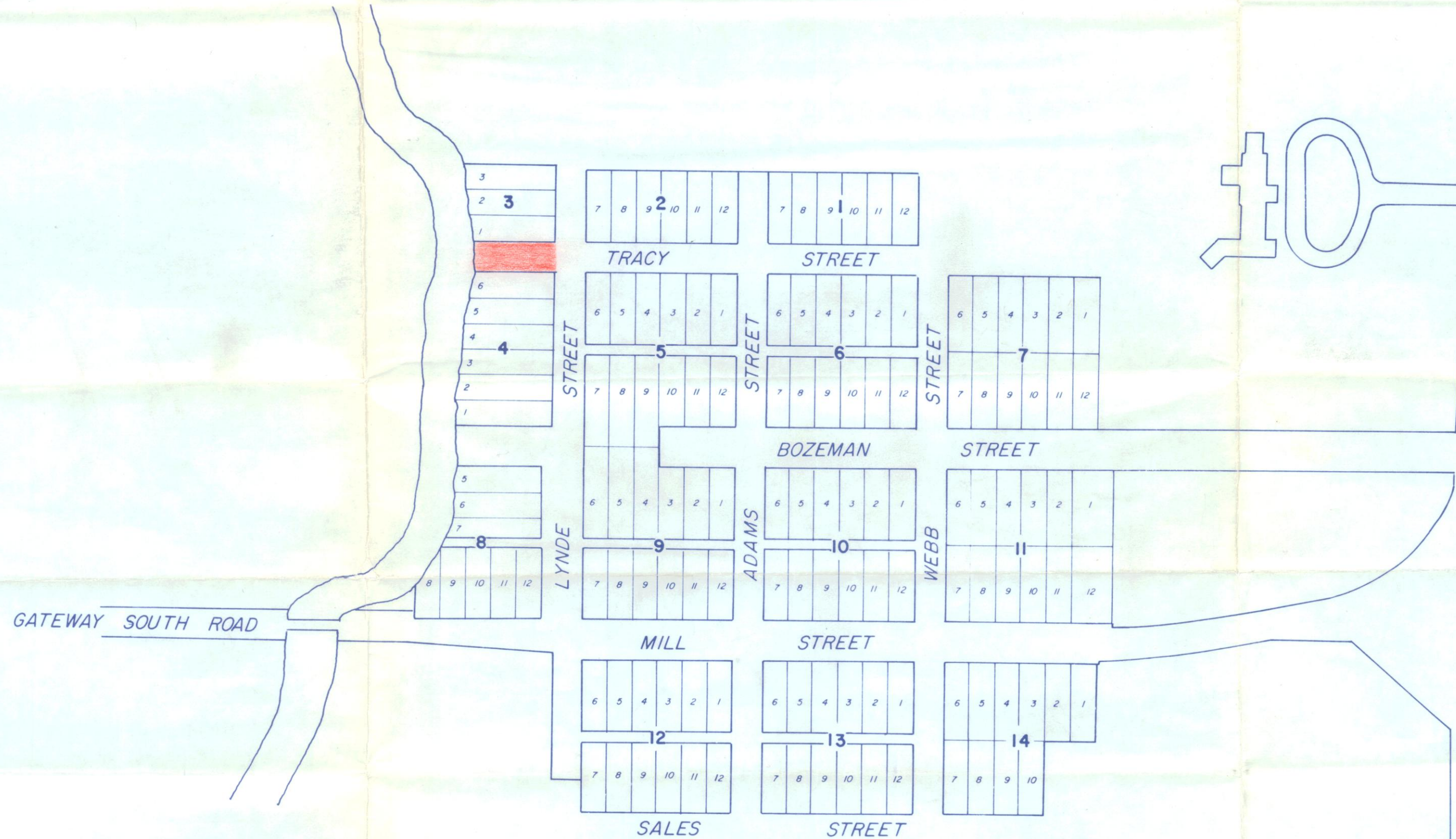
Road Petition 718

Abandon Portion
OF Tracy Street
IN Gallatin Gateway

Petition granted
April 28, 1987

Comm Minutes Page = 41

Book 618





GALLATIN GATEWAY
 (UNINCORPORATED)
 T3S R4E SEC.11

191

GALLATIN ROAD

PETITION TO ABANDON-PORTION
OF STREET IN GALLATIN GATEWAY

To the Honorable Board of
County Commissioners
Gallatin County, Montana

RECEIVED
Date 3-20-87
Clerk & Recorder
Gallatin County, Mont.

Members:

We the undersigned Freeholders of Gallatin County, Montana, taxable therein for road purposes do hereby petition your Honorable Body to abandon the following portion of Tracy Street in Gallatin Gateway and being more particularly described as follows and shown in red on the attached plat.

Portion of Tracy Street to be abandon is between Block 3 and 4 in townsite of Gallatin Gateway.

Total distance 163 feet.

| <u>NAME OF PETITIONERS</u> | <u>DESCRIPTION OF LAND OWNED BY PETITIONERS</u> |
|--|--|
| <u>Oliver Deblaar</u> | <u>Block 4 - Lots 4-5-6</u> |
| <u>R Weatherly</u> | <u>Block 2 Lots 7 to 12 inc -</u> |
| <u>Donald P. Barnes</u> ^{P.O.A} <u>Rose Barnes</u> | <u>Block 3 - Lots 12-3 Block 4 - ^{lots} 4-5-6</u> |
| <u>Whitley A. King</u> | <u>Block 10 - Lot 6</u> |
| <u>Elmer Elmer Wortman</u> | <u>Block 8-9-10 - Lot 8</u> |
| <u>Rose E. Barnes</u> | <u>Block 6 - Lot 5-4</u> |
| <u>James Low Lemon</u> | <u>Block 4 - Lots 4-5-6</u> |
| <u>John F. Nelson</u> | <u>Block 5 Lots $\frac{1}{2}$ 1+2</u> |
| <u>William F Barnes</u> | <u>Block 4 - lot 4-5-6</u> |
| <u>Earl H Barnes</u> | <u>Block 4 - Lots 4-5-6</u> |
| | |
| | |
| | |
| | |
| | |

2097
State of Montana

County of Gallatin

Bozeman



NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners are holding a hearing on Road Petition No. 718 on the 28th day of April, 1987 at 1:30 p.m.. This petition is to abandon a portion of Tracy Street in Gallatin Gateway and being more particularly described as follows:

163 feet of Tracy Street between Block 3 and Block 4 in the townsite of Gallatin Gateway.

Reasons for abandonment of this street areas follows:

1. Street has never been constructed and at the present time the road area dead ends at the West Gallatin River.
2. The street would serve no apparent purpose if constructed due to the terrain in the area and lack of usable building sites abutting the street.

petition 718

High Country Independent Press

Keith A. Klingenberg, Publisher

Affidavit

STATE OF MONTANA
SS:
COUNTY OF GALLATIN

Berna-Dean Klingenberg, residing at Belgrade, Montana, County of Gallatin, State of Montana, being duly sworn, says she is the Principal Clerk of *The High Country Independent Press*, a newspaper published weekly at Belgrade, Montana, State of Montana, and the annexed notice was published in the said *High Country*

Independent Press each week for *one*... consecutive week(s), commencing on the *22nd* day of *Apr.*, 19*87*.....

Berna-Dean Klingenberg

Principal Clerk

Sworn to before me this *27th* day of *April*, 19*87*.....

Keith A. Klingenberg
KEITH A. KLINGENBERG
NOTARY PUBLIC
Residing at Belgrade, Montana
My Commission Expires May 3, 1988

Notary Public, Gallatin County, Montana

Notice To Paper
This is to notify the public that the Board of County Commissioners are holding a hearing on Road Petition No. 718 on the 28th day of April, 1987 at 1:30 p.m. This petition is to abandon a portion of Tracy Street in Gallatin Gateway and being more particularly described as follows:
163 feet of Tracy Street between Block 3 and Block 4 in the townsite of Gallatin Gateway.
Reasons for abandonment of this street are as follows:
1. Street has never been constructed and at the present time the road area dead ends at the West Gallatin River.
2. The street would serve no apparent purpose if constructed due to the terrain in the area and lack of usable building sites abutting the street.
Publish April 22, 1987

State of Montana

County of Gallatin

Bozeman



April 10, 1987
Board of County Commissioners
Gallatin County
Bozeman, MT 59715

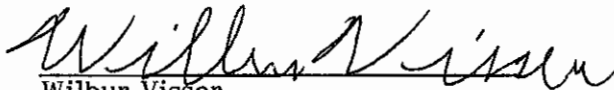
Dear Board:

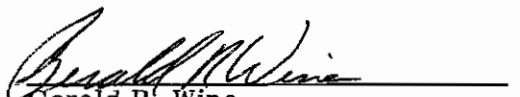
On April 8, 1987, the undersigned, being duly appointed as viewing committee viewed that portion of Tracy Street between Block 3 and Block 4 in the Townsite of Gallatin Gateway that has been petitioned to be abandon.

The viewing committee recommends that the petition be granted for the following reason:

The Street has never been constructed and at the present time the road area, which dead ends at the West Gallatin River, would serve no apparent purpose if the road was constructed due to the terrain in the area and lack of usable building sites abutting the street.

Sincerely,


Wilbur Visser
County Commissioner


Gerald R. Wine
Clerk & Recorder-County Surveyor

State of Montana

County of Gallatin

Bozeman



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 on Road Petition Number 718 to abandon a portion of Tracy Street in Gallatin Gateway, and being more particularly described as follows:

163 feet of Tracy Street between Block 3 and Block 4 in the townsite of Gallatin Gateway.

A hearing on the above matter has been set by the Board of County Commissioners for Tuesday the 28th day of April, 1986 at 1:30 p.m. in the community room of the county courthouse 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.

Reasons to abandon a portion of Tracy Street are given in the attached viewers report.

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

Sincerely,

Gale Thompson
Road Office Supervisor

GT:pn

TUESDAY

THE 28TH

DAY OF APRIL 1987

OFFICE OF COUNTY COMMISSIONERS
BOZEMAN, MONTANA

FILM 153 PAGE 524

claims paid for manufactured homes. Any amendments the county makes to the ordinance must satisfy the standards that the federal government has adopted. The new rules contain some minor additions to the flood-proofing standards for commercial and industrial structures. The main impact of the changes affect mobile homes and mobile home parks. The suggested amendments no longer permit replacing manufactured homes in the floodway zone, and replacement manufactured homes in the floodway fringe must be elevated two feet above the 100 year flood elevation and be properly anchored. A procedure for amending the regulations has also been suggested. Motion by Jane Jelinski to adopt the amendments to the Floodplain Regulations as proposed in the staff report. Seconded by Ramon S. White. None voting nay. Motion carried. Motion by Jane Jelinski that these amendments will go into effect immediately. Seconded by Ramon S. White. None voting nay. Motion carried.

Wilbur Visser stated having the affidavit of publication and receipt of certified letters for the proposed abandonment of a portion of Tracy Street in Gallatin Gateway. Ramon S. White read the viewers report. The viewing committee recommends that the petition be granted for the following reasons: The street has never been constructed and at the present time the road area which deadends at the West Gallatin River would serve no apparent purpose if the road was constructed, due to the terrain in the area and lack of useful building sites abutting the street. Motion by Ramon S. White to grant the abandonment of a portion of Tracy Street in Gallatin Gateway. Seconded by Jane Jelinski. None voting nay. Motion carried.

Wilbur Visser stated having the affidavit of publication and receipt of certified letters for the proposed abandonment of a portion of Springhill Road and Opening of a Second Portion. Jane Jelinski read the viewers report. The viewing committee viewed and considered that portion of Springhill Road, being petitioned county road No. 86, the 30 foot strip being North of the South section line of Section 34, Township 2 North, Range 5 East to be abandoned. The viewing committee also viewed and considered that portion of Springhill Road being a road by use lying adjacent to the South 30 foot strip of petitioned county road No. 86 in Section 3, Township 1 North, Range 5 East, being 40 feet in width, to be opened. The portion of Springhill Road to be abandoned is being used as an access road to residents lying North and adjacent to petitioned county road No. 86. It dead ends and would be of no benefit to anyone but the residents of the area. The portion of Springhill Road to be opened has been a road by use and is paved. The viewing committee recommends that not only that portion of Springhill Road shown as a road by use be opened but also that portion of Springhill Road by use as it now is layed out and constructed along an existing fence line in a curve to the right in Section 3, Township 1 North, Range 5 East. Said curved portion to be surveyed by an independent surveyor before acceptance into that portion of the road to be opened. The viewing committee sees an immediate benefit to the County and hereby recommends that the petition to close a portion and open another portion as a county road with the above recommendation be accepted. Wilbur Visser stated at the time of viewing the road, they missed a curve on the east end that needs to be surveyed out and a right-of-way be put on the road the same as on the west end curve. Gale Thompson, Road Office, suggested postponing a decision until after the area is surveyed. Dave Warwood questioned the encroachments. Gale Thompson answered all existing encroachments would be honored. Ed Seifert favored a postponement until a proper survey has been done. Motion by Ramon S. White to postpone the hearing for eight weeks. Seconded by Jane Jelinski. None voting nay. Motion carried.

Jane Jelinski read the resolution giving the Gallatin Airport Authority the authority to appoint airport guards or police with full powers to enforce the rules, regulations, ordinances and resolutions adopted by the Airport Authority and to fix penalties for violations of the rules, regulations, ordinances and resolutions. Motion by Jane Jelinski to adopt Resolution #657 as read. Seconded by Ramon S. White. None voting nay. Motion carried.

Ramon S. White read the resolution creating a fire season, that period to be from March 1, 1987, through October 31, 1987, during which no person may ignite or set any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or other open fire within county protection area on any forest, range or croplands of Gallatin County, without having obtained an official written permit to ignite or set such fire. This resolution to be acted upon each year. Motion by Jane Jelinski to adopt Resolution #658 as read. Seconded by Ramon S. White. None voting nay. Motion carried.

Wilbur Visser stated having a letter to reappoint George Reich to a 3 year term on the Willow Creek Rural Fire District Board. Motion by Jane Jelinski to reappoint George Reich to a 3 year term on the Willow Creek Rural Fire District Board. Wilbur Visser stated having a letter to appoint Henry VanderVos to the Bridger Canyon Rural Fire Board for a 3 year term. Motion by Ramon S. White to appoint Henry VanderVos to a 3 year term on the Bridger Canyon Rural Fire Board. Seconded by Jane Jelinski. None voting nay. Motion carried. Wilbur Visser stated having a letter to appoint Lyle Woosley to a 3 year term and Richard Wadell to a 2 year term on the Sedan Rural Fire District Board. Motion by Jane Jelinski to appoint Lyle Woosley to a 3 year term on the Sedan Rural Fire District Board. Seconded by Ramon S. White. None voting nay. Motion carried. Motion by Ramon S. White to appoint Richard Wadell to a 2 year term on the Sedan Rural Fire District Board. Seconded by Jane Jelinski. None voting nay. Motion carried.

There being no further business the meeting adjourned at

Corrected to be a full true and correct copy of a
document containing 524 pages. Dated at Bozeman,
MT, this 28th day of April, 1987.
Shelley M. Cheney
Clerk and Recorder for Gallatin County, State of
Montana
By: _____

INDEXED
PLATTED

304732

State of Mont., County of Gallatin. ss Filed for record MAY 1, 1995
at 2:34 P M., and recorded in Book 153 of MISCELLANEOUS page 524
Shelley M. Cheney Recorder. By Carie Brancamp Deputy

FEE: \$0

RT: Road Petition #718

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Gallatin, Montana, this 1st day of May, 1995.

State of Montana

County of Gallatin

Bozeman



April 30, 1987

NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

This is to notify you that the Board of County Commissioners held a hearing on Road Petition Number 718 to abandon a portion of Tracy Street in Gallatin Gateway on Tuesday the 28th Day of April, 1986 and the abandonment was granted.

Sincerely,

Gale Thompson

Road Office Supervisor

GT:pn

*Certified mail
4-16-87
Alice DeHaan
Box 16
Gallatin field
Belgrade, Mont*

P 005 774 577

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1984-446-014

PS Form 3800, Feb. 1982

| | | |
|---|------------------------------|-------------|
| Sent to | <i>Alice DeHaan</i> | |
| Street and No. | <i>Box 16 Gallatin Field</i> | |
| P.O., State and ZIP Code | <i>Belgrade, MT 59714</i> | |
| Postage | \$ | <i>22</i> |
| Certified Fee | | <i>75</i> |
| Special Delivery Fee | | |
| Restricted Delivery Fee | | |
| Return Receipt Showing to whom and Date Delivered | | <i>70</i> |
| Return receipt showing to whom, Date, and Address of Delivery | | |
| TOTAL Postage and Fees | \$ | <i>1.67</i> |
| Postmark or Date | | |

P 005 774 591

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1984-446-014

PS Form 3800, Feb. 1982

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|---|--------------------------------|---------------|
| Sent to | <i>Alice DeHaan</i> | |
| Street and No. | <i>Box 16 Gallatin Field</i> | |
| P.O., State and ZIP Code | <i>Belgrade, Montana 59714</i> | |
| Postage | \$ | <i>.22</i> |
| Certified Fee | | <i>.75</i> |
| Special Delivery Fee | | |
| Restricted Delivery Fee | | |
| Return Receipt Showing to whom and Date Delivered | | <i>\$1.67</i> |
| Return receipt showing to whom, Date, and Address of Delivery | | |
| TOTAL Postage and Fees | \$ | |
| Postmark or Date | | |

PS Form 3811, July 1983 447-845

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:
*Alice DeHaan
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 | <i>P005774591</i> |

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

5. Signature - Addressee
X Alice DeHaan

6. Signature - Agent
X

7. Date of Delivery
APR 20 1987

8. Addressee's Address (ONLY if requested and fee paid)
*BELGRADE, MT
USPO*

PS Form 3811, July 1983 447-845

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.

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2. Restricted Delivery.

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*Alice DeHaan
Box 16
Belgrade, Montana 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 | <i>P005774591</i> |

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

5. Signature - Addressee
X Alice DeHaan

6. Signature - Agent
X

7. Date of Delivery
MAY 1 1987

8. Addressee's Address (ONLY if requested and fee paid)
*BELGRADE, MT
USPO*