

Road Petition 730

To Abandon a
portion of Foster
Creek Road.

Petition Denied
12/20/88

Comm Book 42 Page 159

PETITION TO ABANDON PORTION
OF COUNTY ROAD

To the Honorable Board of
County Commissioners
Gallatin County, Montana

Dear Members:

We the undersigned freeholders of Gallatin County Montana taxable herein for road purposes, do hereby petition the Board of County Commissioners, pursuant to Section 7-14-2601, MCA to abandon a portion^{of} county road and being more particularity described as follows:

Beginning at the intersection with Bear Creek Road in section 21, Township 2 North, Range 5 East; thence South 71 degrees 34 minutes West 150 feet; thence South 40 degrees 04 minutes West 365 feet; thence South 15 degrees 9 minutes West 303.5 feet; thence South 54 degrees 48 minutes West 307 feet; thence South 18 degrees 32 minutes West 354.5 feet; thence South 50 degrees 6 minutes West 220.2 feet; thence South 29 degrees 29 minutes West 146.7 feet; thence South 45 degrees 01 minutes East 342.5 feet; thence South 15 degrees 12 minutes West 342.9 feet; thence South 23 degrees 47 minutes West 415.2 feet; thence South 36 degrees 59 minutes West 594.1 feet; thence South 43 degrees 10 minutes West 374.3 feet; thence South 32 degrees 54 minutes West 410 feet; thence South 50 degrees 32 minutes West 134 feet; thence South 58 degrees 0 minutes West 787 feet; thence South 49 degrees 43 minutes West 1125 feet; thence South 43 degrees 35 minutes West 1486 feet; thence South 18 degrees 8 minutes East 427.5 feet; thence South 72 degrees 47 minutes West 673.5 feet; thence South 60 degrees 02 minutes West 1165 feet; thence South 70 degrees 03 minutes West 875.5 feet; thence South 61 degrees 02 minutes West 713 feet; thence South 51 degrees 52 minutes West 417 feet; thence South 38 degrees 50 minutes West 217 feet; thence South 53 degrees 25 minutes West 231.5 feet; thence South 28 degrees 20 minutes West 288 feet; thence South 22 degrees 10 minutes West 280.5 feet; thence South 10 degrees 28 minutes West 198 feet; thence South 40 degrees 28 minutes West 283 feet; thence South 13 degrees 33 minutes West 710 feet; thence South 00 degrees 19 minutes East 585 feet; thence South 10 degrees 38 minutes East 568 feet; thence South 24 degrees 48 minutes East 385 feet; thence South 16 degrees 05 minutes East 157 feet.

- (1) Mileage to be abandon is 3 miles more or less.
- (2) Road to be abandoned is shown in red on the attached drawings.
- (3) All land owners with land along county road to be abandoned have signed the petition.
- (4) The road is a dirt road only maintain by the county once a year or upon request.
- (5) To remove from the county road system.

20

21

29

32

REYNOLDS CREEK ROAD

BEAR CREEK ROAD
(UNIMPROVED COUNTY ROAD)

FOSTER CREEK ROAD
(UNIMPROVED COUNTY ROAD)

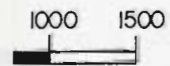
FOSTER CREEK ROAD

COUNTY ROAD BEYOND THIS POINT

4902

INDEX

4800	4901	4900
4803	4902	4903
4804	4905	4904



3000

3244

12644

3938

12133

5657

12000

5008

57

4557

3132

2577

State of Montana

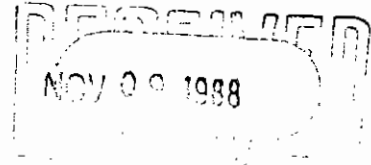
County of Gallatin

Bozeman



November 9, 1988

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715



Dear Commissioners:

Pursuant to Section 7-4-2208 MCA, I am requesting your consent to be absent from the State of Montana for a period exceeding five days. My son will be receiving an operation to correct a heart murmur in Salt Lake City on November 16th. He will be admitted on November 15th and will be required to stay in the hospital for five to ten days after the operation. My wife and I will be taking him down to Salt Lake on the 13th or 14th of November.

In my absence I understand that some county roads that have been petitioned to be abandoned may need viewing committee reports. I request that Sam Gianfrancisco act as a member of the viewing committee in my absence.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald A. Wine".

Gerald A. Wine
Clerk and Recorder

OK
11/12

State of Montana

County of Gallatin

Bozeman

November 18, 1988



Board of County Commissioners
Gallatin County
Bozeman, MT 59715

Dear Members of the Commission:

An investigation has been made as to the desirability of abandonment of portions of Foster Creek Road as requested by Petition #730.

1. The road is an unimproved dirt road.
2. Is presently not much more than a trail.
3. Does not appear to meet a public need.
4. Abandonment would create a perpetual cost savings to Gallatin County.

Sincerely,

A handwritten signature in cursive script that reads "Ramon S. White".

Ramon S. White,
County Commissioner

A handwritten signature in cursive script that reads "Sam Gianfrancesco".

Sam Gianfrancesco,
Road Superintendent

State of Montana

County of Gallatin

Bozeman



November 22, 1988

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 730 to abandon a portion of Foster Creek Road. The portion to be abandoned is shown on attached maps.

A hearing on Road Petition Number 730 has been set by the Board of County Commissioners for Tuesday the 20th day of December 1988, at 1:30 P.M., in the Community Room in 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.

Unless a landowner or taxpayer wants to protest this petition, you are not required to attend. Attached is a copy of the Viewers Report.

Sincerely,

Gale Thompson

Road Office Manager

GT/mh

State of Montana

County of Gallatin

Bozeman



November 22, 1988

NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners are holding a hearing on Road Petition Number 730 on the 20th day of December 1988, at 1:30 P.M. This petition is to abandon a portion of Foster Creek Road in Sections 21, 29 and 31, in Township 2 North, Range 5 East.

Reasons for abandoning this portion of Foster Creek Road are as follows:

- (1) This road is an unimproved dirt road.
- (2) Abandonment would create a perpetual cost savings to Gallatin County.
- (3) Is presently not much more than a trail.
- (4) Does not appear to meet a public need.

Affidavit of Publication

STATE OF MONTANA, }
County of Gallatin. } ss.

Vivie Portnell being duly sworn,
deposes and says: That she is Principal Clerk
of the Bozeman Daily Chronicle, a newspaper of general circulation,
printed and published in Bozeman, Gallatin County, Montana; and that the
notice hereunto annexed (Notice to Paper - Hearing on Road
Petition No. 730)

has been correctly published in the regular and entire issue of every number of said paper
for 1 consecutive insertion, the first of which publication was made on the 8th
day of December 1988, and the last on the 8th day of December 1988.

Subscribed and sworn to before me this 9th day of December 1988.

Rachel Bennett
Notary Public for the State of Montana, residing at
Bozeman, Montana
NOTARY PUBLIC for the state of Montana
Residing at Bozeman, Montana
My Commission expires July 6, 1990

Legal Notice

NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners are holding a hearing on Road Petition Number 730 on the 20th day of December, 1988, at 1:30 P.M.

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Reasons for abandoning this portion of Foster Creek Road are as follows:

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- (2) Abandonment would create a perpetual cost savings to Gallatin County.
- (3) It is presently not much more than a trail.
- (4) Does not appear to meet a public need.

FOSTER CREEK ROAD

Harold L. Schultz
1611 Foster Creek Road
Belgrade, MT 59714

Cyrus Bowman Chase
27 Valley Drive
Bozeman, MT 59715

Lola M. McCrea
c/o Circle Four Ranch
1706 Terrace Ave.
Bozeman, MT 59715

Burton K. & Dorothy M. Reno
18073 Rocky Mountain Road
Belgrade, Mt 59714

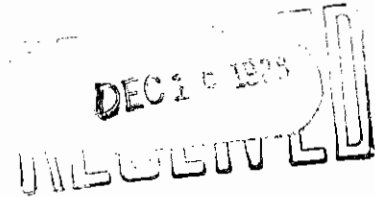
Rector Ranch Inc.
3033 Rector Road
Belgrade, MT 59714

Martha V. Schultz
10477 Bear Creek Road
Belgrade, MT 59714

Susan Jones
P.O. Box 967
Belgrade, MT 59714

December 16, 1988

Mr. Ramon S. White
County Commissioner
Board of County Commissioners
Gallatin County
Bozeman, MT 59715



Dear County Commissioner White:

The following reasons to oppose the abandonment of portions of Foster Creek Road as petitioned #730:

1. Upper Foster Creek Road is in better condition to travel than the gravel road.
2. Foster Creek Road is the closest access to Flathead Pass from Belgrade.
3. It is the closest access between Bear Creek Road and upper Foster Creek Road.

NOTE THIS FOR PUBLIC
MEETING TOMORROW

~ 211

October 28, 1988

Board of County Commissioners
Gallatin County
Montana

RE: Closure of Foster Creek Road

Dear Member:

The following taxpayers or landowners hereby protest the closing of Foster Creek Road.

<u>Name</u>	<u>Landowner</u>	<u>Taxpayer</u>
Donald Saisbury	✓	✓
Kathryn Saisbury	✓	✓
Thomas D. Saisbury	✓	✓
David I. Stradley	✓	✓
Roger I. Stradley	✓	✓
Dan Thersin % Kay Thersin	✓	✓
Louise Kennedy	✓	✓
Benjamin		✓
Eugene Kennedy	✓	✓
Norman Welch	✓	✓
Mrs. Vigil E. Ward	✓	✓
Jean Eileen Overstreet	✓	✓
Harold Schultz	✓	✓

October 28, 1988

Board of County Commissioners
Gallatin County
Montana

RE: Closure of Foster Creek Road

Dear Member:

The following taxpayers or landowners hereby protest the closing of Foster Creek Road.

<u>Name</u>	<u>Landowner</u>	<u>Taxpayer</u>
Gary Gerhardt	✓	✓
Maucha Schultz	✓	✓
Mike Freese	✓	✓
Edye Macrow	✓	✓
John Thompson	✓	✓
Stan Nelson	✓	✓
Audrey Freese	✓	✓
Pat Champagne	✓	✓
Paul R. Goss	✓	✓
Terrell Freese	✓	✓

October 28, 1988

Board of County Commissioners
Gallatin County
Montana

RE: Closure of Foster Creek Road

Dear Member: "

The following taxpayers or landowners hereby protest the closing of Foster Creek Road.

<u>Name:</u>	<u>Landowner</u>	<u>Taxpayer</u>
<i>Linda A. Craver</i>	✓	✓
<i>James M. Craver</i>	✓	✓

P 787 078 628

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Burton K. Reno
Street and No.	18073 Rocky Mtn. Rd.
P.O. State and ZIP Code	Belgrade, MT 59714
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 627

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Lola M. MCCrea
Street and No.	C/O Circle Four Ranch
P.O. State and ZIP Code	1706 Terrace Ave. Bozeman, MT 59715
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 626

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Cyrus Bowman Chase
Street and No.	Z/Valley Drive
P.O. State and ZIP Code	Bozeman, MT 59715
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 623

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Harold L. Schultz
Street and No.	1611 Foster Cr. Rd.
P.O. State and ZIP Code	Belgrade, MT 59714
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 629

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Rector Ranch Inc.
Street and No.	3033 Rector Road
P.O. State and ZIP Code	Belgrade, MT 59714
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 630

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Martha V. Schultz
Street and No.	10477 Bear Cr. Rd.
P.O. State and ZIP Code	Belgrade, MT 59714
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

P 787 078 631

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

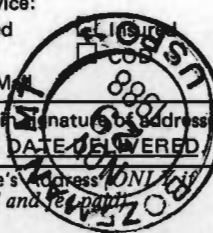
(See Reverse)

Sent to	Susan Jones
Street and No.	P.O. Box 967
P.O. State and ZIP Code	Belgrade, MT 59714
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	

PS Form 3800, June 1985

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

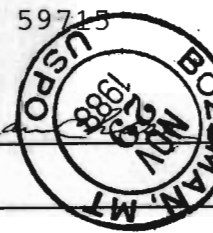
1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Lola M. McCrea c/o Circle Four Ranch 1706 Terrace Ave. Bozeman, MT 59715	4. Article Number P 787 078 627 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature - Addressee X <i>Catherine Dye</i>	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature - Agent X	
7. Date of Delivery <i>11-29</i>	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.


1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Cyrus Bowman Chase 27 Valley Drive Bozeman, MT 59715	4. Article Number P 787 078 626 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature - Addressee X <i>Cyrus Bowman</i>	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature - Agent X	
7. Date of Delivery <i>11-29</i>	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Rector Ranch Inc. 3033 Rector Road Belgrade, MT 59714	4. Article Number P 787 078 629 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature - Addressee X <i>Madeleine Dingle</i>	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature - Agent X	
7. Date of Delivery <i>11/29/88</i>	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

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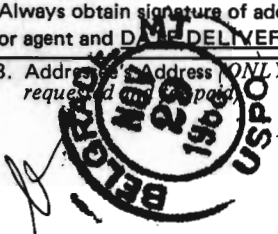
1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Susan Jones P.O. Box 967 Belgrade, MT 59714	4. Article Number P 787 078 631 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u>
5. Signature - Addressee X <i>Susan M Jones</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 12-1-88	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.


1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Harold L. Schultz 1611 Foster Cr. Rd. Belgrade, MT 59714	4. Article Number P 787 078 623 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u>
5. Signature - Addressee X <i>Edith Schultz</i>	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature - Agent X	
7. Date of Delivery	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

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1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
↑(Extra charge)↑ ↑(Extra charge)↑

3. Article Addressed to: Martha V. Schultz 10477 Bear Cr. Rd. Belgrade, MT 59714	4. Article Number P 787 078 630 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and <u>DATE DELIVERED.</u>
5. Signature - Addressee X <i>Martha Schultz</i>	8. Addressee's Address (ONLY if requested and fee paid) 
6. Signature - Agent X	
7. Date of Delivery	

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 **DOMESTIC RETURN RECEIPT**

GALLATIN CO. ROAD OFFICE
P. O. BOX 1905
BOZEMAN, MT 59715

Fold at line over top of envelope to the right
of the return address

CERTIFIED

P 787 078 628

MAIL



Claim Check
No. **943998**

Held

Date

12/5
1ST Notice

2ND Notice

Return

Discontinued from
PS Form 3849-A,
Oct. 1985

Burton K. & Dorothy M. Reno
18073 Rocky Mountain Road
Belgrade, MT 59714

REN 73 R1304081 FWD TIME EXPD
RENO
PO BOX 95
TETON VILLAGE WY 83015
RETURN TO SENDER

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery ^{†(Extra charge)†}

3. Article Addressed to:
 Burton & Dorothy Reno
 18073 Rocky Mtn. Rd.
 Belgrade, MT 59714

4. Article Number
 P 787 078 628

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

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)
 BELGRADE, MT
 DEC 31 1988
 USPO

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 DOMESTIC RETURN RECEIPT