

Road Petition 737

To abandon a
portion of Spanish
Creek Road.

Granted 4/3/90

Comm Book 42 Page 285

PETITION TO ABANDON A PORTION
OF SPANISH CREEK 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 Spanish Creek Road and being more particularly described as follows:

Beginning at survey station 117 plus 25 on Spanish Creek Road in section 7, Township 4 South, Range 4 East; thence South 27 degrees 55 minutes West 1170' on Spanish Creek Road to the point of beginning for the abandonment.

Thence South 6 degrees 05 minutes West 420 feet;
Thence South 17 degrees 05 minutes West 300 feet;
Thence South 2 degrees 05 minutes West 135 feet.

1. Total distance to be abandoned is 855 feet.
2. Road to be abandoned is shown in red on the attached drawing.
3. The necessity for and the advantage of the petitioned action as described above is as follows:
 - a. Abandonment of this portion of Spanish Creek Road will financially save Gallatin County thousands of dollars, because the two bridges need replaced at this time.
 - b. By building these two bridges the Bridge Fund would be financially drain of funds that could be used elsewhere.
4. The landowners will still have access to Spanish Creek Road as the attached map will show.

PRINT Last Name	Signature	Date	Description of Land Owned by Petitioners
✓ WISSER	Deek Vison	2/7/90	
✓ Williams	Charles V.	2/7/90	
✓ Muttake	Vernon L. Muttake	2/9/90	IN SEC 32 155E 80.99A
✓ Vonkles	Fred Vonkles	2-9-90	Sec 26-25 R-4
✓ Boylan	Mike Boylan	2-9-90	lots 1 & 2 Caldwell addition
✓ Reich	George A. Reich	2/9/90	Sec 5 1/2 25 1N 1W
✓ COOPER	Jack Cooper	2/9/90	Sec SE 7 19 1N 1E
✓ Spence	J. R. Spence	2.9.90	" " "
✓ Wood	George Wood	2.13.90	Sec 26-25 6E
✓ Kurk	James Kurk	2-13-90	Sec 23-25 6E

TO 1195

SPANISH CREEK ROAD

68145
68155
68135
68125

18

17

19

20

66895

66850

WEST GALLATIN RIVER

GALLATIN ROAD U.S. 191

66220

SPANISH VIEW SUB.

**CERTIFICATE OF THE COUNTY CLERK AND RECORDER
RELATING TO
QUALIFICATIONS OF THE SIGNERS**

Statement of Purpose: Petition to abandon a portion of Spanish Creek Road.

Legal Description:

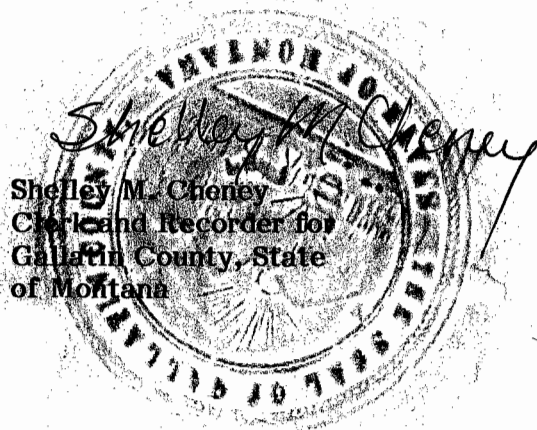
Beginning at survey station 117 plus 25 on Spanish Creek Road in section 7, Township 4 South, Range 4 East; thence South 27 degrees 55 minutes West 1170' on Spanish Creek Road to the point of beginning for the abandonment.
Thence South 6 degrees 05 minutes West 420 feet;
Thence South 17 degrees 05 minutes West 300 feet;
Thence South 2 degrees 05 minutes West 135 feet.

STATE OF MONTANA)
) ss
County of Gallatin)

I, Shelley M. Cheney, do hereby certify that I am the 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 that pursuant to Section 7-14-2601 M.C.A. 1989, the petition contains the signatures of 10 freeholders in Gallatin County, 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, State of Montana, this 14th day of February 19 90, A.D.

Shelley M. Cheney
Shelley M. Cheney
Clerk and Recorder for
Gallatin County, State
of Montana



State of Montana

County of Gallatin

Bozeman



March 12, 1990

Board of County Commissioners
Gallatin County
Bozeman, MT 59715

Dear Board:

On March 12, 1990, the undersigned, being duly appointed as viewing committee, viewed a portion of Spanish Creek Road located in Section 18, Township 4 South, Range 4 East, P.M.M., Gallatin County, Montana, which has been petitioned to be abandoned by road petition #737.

County Bridge Foreman Bob Jordan reported to the viewing committee that the two bridges on the proposed abandonment are unsafe for public use due to the abutments deterioration and stated that they would have to be replaced in the summer of 1990.

The viewing committee observed the following:

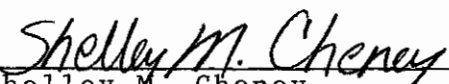
- 1) The width of the bridges do not meet county standards.
- 2) By abandoning this portion of road, no adjacent landowner would be denied access.
- 3) By abandoning this portion of road, the public still has access to public lands on Spanish Creek Road.
- 4) Abandonment of this portion of Spanish Creek Road will financially save Gallatin County thousands of dollars because the bridges need replaced to meet county standards and to be declared safe for the use of the public.

The Viewing committee recommends the portion of Spanish Creek Road be abandoned as petitioned by road petition #737.

Sincerely,



A.D. Pruitt
County Commissioner



Shelley M. Cheney
Clerk & Recorder/Surveyor

Notice to paper

This is to notify the public that the Board of County Commissioners is holding a public hearing on Road Petition Number 737 on the 3rd day of April, 1990 at 1:30 p.m. in the Community Room at the Courthouse in Bozeman, Montana. This petition is to abandon a portion of Spanish Creek Road located in Section 18, Township 4 South, Range 4 East, P.M.M., Gallatin County, Montana.

The Board of County Commissioners appointed a viewing committee, which observed the following:

- 1) The width of the bridges do not meet county standards.
- 2) By abandoning this portion of road, no adjacent landowner would be denied access.
- 3) By abandoning this portion of road, the public still has access to public lands on Spanish Creek Road.
- 4) Abandonment of this portion of Spanish Creek Road will financially save Gallatin County thousands of dollars because the bridges need to be replaced to meet county standards and to be declared safe for the use of the public.

The viewing committee recommends the portion of Spanish Creek Road to be abandoned as petitioned by Road Petition #737.

publish March 21st
March 28th

Notice to paper

This is to notify the public that the Board of County Commissioners is holding a public hearing on Road Petition Number 737 on the 3rd day of April, 1990 at 1:30 p.m. in the Community Room at the Courthouse in Bozeman, Montana. This petition is to abandon a portion of Spanish Creek Road located in Section 18, Township 4 South, Range 4 East, P.M.M., Gallatin County, Montana.

The Board of County Commissioners appointed a viewing committee, which observed the following:

- 1) The width of the bridges do not meet county standards.
- 2) By abandoning this portion of road, no adjacent landowner would be denied access.
- 3) By abandoning this portion of road, the public still has access to public lands on Spanish Creek Road.
- 4) Abandonment of this portion of Spanish Creek Road will financially save Gallatin County thousands of dollars because the bridges need to be replaced to meet county standards and to be declared safe for the use of the public.

The viewing committee recommends the portion of Spanish Creek Road to be abandoned as petitioned by Road Petition #737.

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 - Road Petition No.

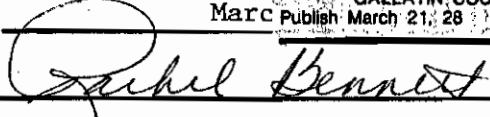
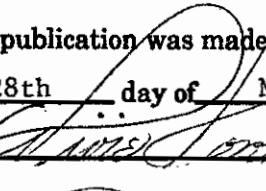
737

has been correctly published in the regular and entire issue of every number of said pa

for 2 consecutive weeks, the first of which publication was made

day of March 19 90, and the last on the 28th day of M

Subscribed and sworn to before me this 28th day of March



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 on 1/1/94

Legal Notice

NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners is holding a public hearing on Road Petition Number 737 on the 3rd day of April, 1990 at 3:00 p.m. in the Community Room at the Courthouse in Bozeman, Montana. This petition is to abandon a portion of Spanish Creek Road located in Section 16, Township 4 South, Range 4 East, P.M.M., Gallatin County, Montana.

The Board of County Commissioners appointed a viewing committee, which observed the following:

1) The width of the bridges do not meet county standards.

2) By abandoning this portion of road, no adjacent landowner would be denied access.

3) By abandoning this portion of road, the public still has access to public lands on Spanish Creek Road.

4) Abandonment of this portion of Spanish Creek Road will financially save Gallatin County thousands of dollars because the bridges need to be replaced to meet county standards and to be declared safe for the use of the public.

The viewing committee recommends the portion of Spanish Creek Road to be abandoned as petitioned by Road Petition #737.

ROAD OFFICE
GALLATIN COUNTY
Publish March 21, 1990

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 - Road Petition No.

737

has been correctly published in the regular and entire issue of every number of said paper
for 2 consecutive weeks, the first of which publication was made
day of March 19 90, and the last on the 28th day of March

Subscribed and sworn to before me this 28th day of March

Marc Bennett
ROAD OFFICE
GALLATIN COUNTY
Publish March 21, 28

Notary Public for the State of Montana, residing at
Bozeman, Montana

NOTARY PUBLIC
Residing at Bozeman
My Commission

Legal Notice

NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners is holding a public hearing on Road Petition Number 737 on the 3rd day of April, 1990 at 3:00 p.m. in the Community Room at the Courthouse in Bozeman, Montana. This petition is to abandon a portion of Spanish Creek Road located in Section 18, Township 4 South, Range 4 East, P.M.M., Gallatin County, Montana.

The Board of County Commissioners appointed a viewing committee, which observed the following:

- 1) The width of the bridges do not meet county standards.
- 2) By abandoning this portion of road, no adjacent landowner would be denied access.
- 3) By abandoning this portion of road, the public still has access to public lands on Spanish Creek Road.
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The viewing committee recommends the portion of Spanish Creek Road to be abandoned as petitioned by Road Petition #737.

ROAD OFFICE
GALLATIN COUNTY
Publish March 21, 28

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 737. This petition is to abandon a portion of Spanish Creek Road and being more particularly described as follows:

Beginning at survey station 117 plus 25 on Spanish Creek Road in section 7, Township 4 South, Range 4 East; thence South 27 degrees 55 minutes West 1170' on Spanish Creek Road to the point of beginning for the abandonment.

Thence South 6 degrees 05 minutes West 420 feet;
Thence South 17 degrees 05 minutes West 300 feet;
Thence South 2 degrees 05 minutes West 135 feet.

Total distance to be abandoned 855 feet more or less.

A hearing on the above matter has been set by the Board of County Commissioners for Tuesday the 3rd day of April, 1990 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 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.

Enclosed is a copy of the Board of Viewers report dated March 12, 1990.

Sincerely,


Office Manager

GT:jl

State of Montana

County of Gallatin

Bozeman



NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

This is to notify you that the Board of County Commissioners held a hearing on road petition number 737 on April 3, 1990, at the county courthouse. This petition is to abandon a portion of Spanish Creek Road and the petition was granted at this time.

Sincerely,

Gale Thompson

Road Office Manager

GT:ks

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	
Turner Enterprises Inc.	
Street and No.	
P.O. State and ZIP Code	
P.O. Box 190; Gallatin Gateway, MT 59730	
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	

P 546 273 651

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to	
Turner Enterprises, Inc.	
Street and No.	
P.O. State and ZIP Code	
P.O. Box 190, Gallatin Gateway, MT 59730	
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	

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent th card from being returned to you. The return receipt fee will provide you the name of the perso 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. Restricted Delivery

(Extra charge)

(Extra charge)

3. Article Addressed to: Turner Enterprises, Inc. P.O. Box 190 Gallatin Gateway, MT 59730	4. Article Number P 005 774 558
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" 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	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 3-21-90	

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. Restricted Delivery

(Extra charge)

(Extra charge)

3. Article Addressed to: Turner Enterprises, Inc P.O. Box 190 Gallatin Gateway, MT 59730	4. Article Number P 546 273 651
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" 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	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