

#743

ROAD PETITION 743

ABANDON ROAD
IN NE 1/4 SEC 25 T2N R1E

BOOK 42 Page 407

PETITION TO ABANDON COUNTY ROAD

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

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

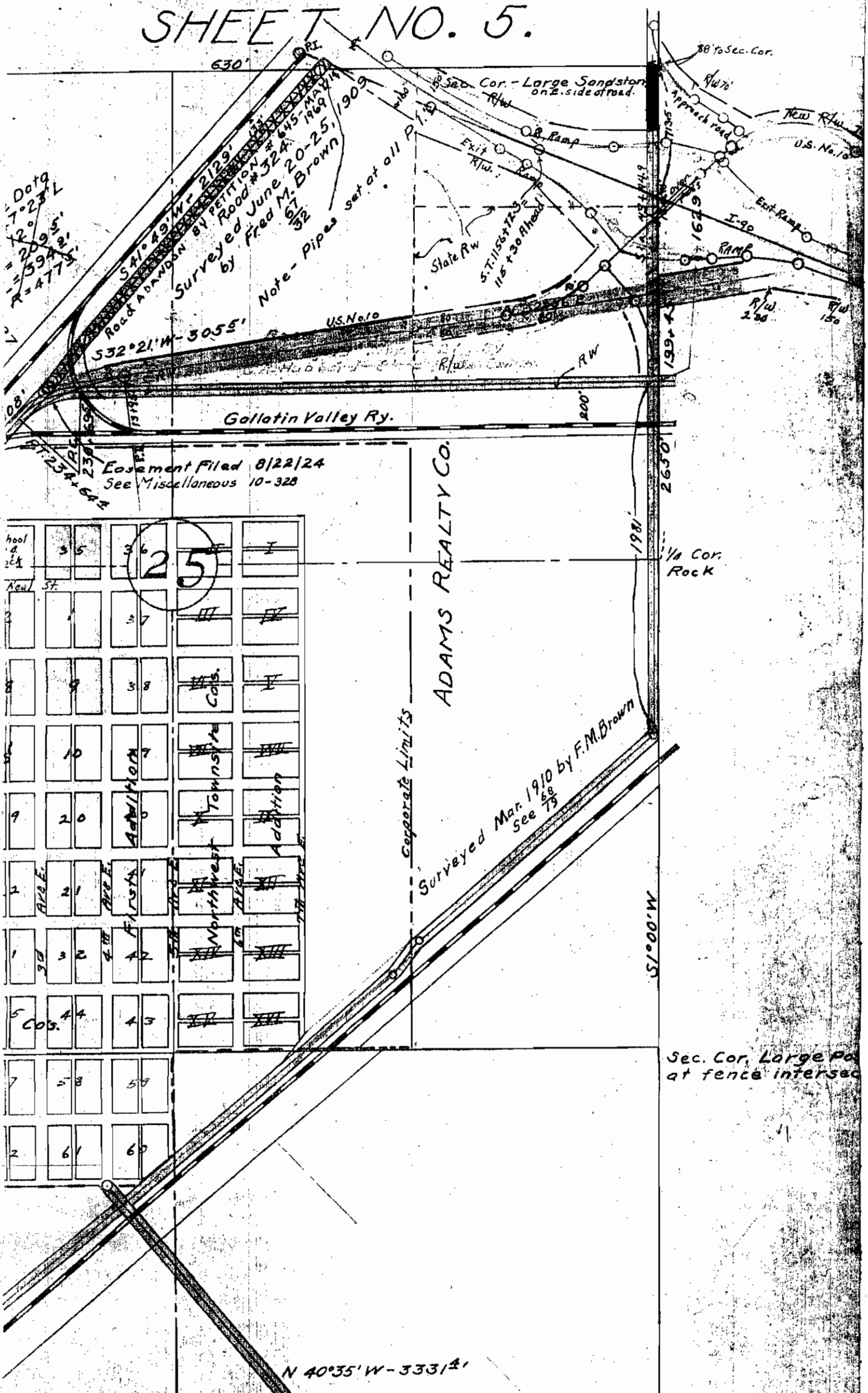
Portion to be abandon starts at Northeast
corner of Section 25, Township 2 North,
Range 1 East; thence South approximately
400 feet more or less to the point where it
was cut off by Interstate 90.

Total distance 400 feet more or less.

<u>NAME OF PETITIONERS</u>	<u>DISCRIPTION OF LAND OWNED BY PETITIONERS</u>
<u>Alice Conner</u>	Lots 9, 10, 11, 12 of Block Two & Lots 8-9-10 of Block one of the Woodward's Addition To Willow Creek, M
<u>John D. Martin</u>	LOTS 4, 5 & 6 less R.W. Block 4
<u>Hunter & Robertson</u>	Block 39, Lots 9, 10, 11, 12 OLD TOWN THREE FORKS
<u>Henry Fleck</u>	LOTS 11-22 Block 28 OLD TOWN THREE FORKS
<u>Barbara Beckler</u>	LOTS 1-2-3-4-5-6 Block 29 OLD TOWN THREE FORKS
<u>Lyla E. Schedel</u>	Block 25, NE of Co. RD 4 SE of RW 1W NE 1/4 SE 1/4 24 2N 1E
<u>Donald S. Stakkeberg</u>	Block 10, Lots 8, 9, 10 THREE FORKS
<u>Dandra Jean Townsend</u>	Block 36 41, Lots 5 AND 6 OLD MILWAUKEE LAND COMPANY Willow Creek, M
<u>Hershel Undahl</u>	Block 9 - Lots 13-14-15-16
<u>Maeberie Chinn</u>	Block 9 - Lots 17, 18 & 19 WILLOW CREEK
<u>Charlie W. Tomas</u>	Blocks 38, 49, 50 Lots 1-8, 13-18 OLD TOWN THREE FORKS
<u>Cheryl M. Lehr</u>	Block 29 - Lot 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 AND 22 - OLD TOWN THREE FORKS
<u>Clair A. Fleck</u>	N.W. TOWNSITE Lot 12-13-14. Block 6 THREE FORKS
<u>Donna A. Martin</u>	NE 1/4 NE 1/4 less S 550' & LESS TR 1A & RM 4 & LESS TR TO STATE 25 2N 1E

SHIP 2 NORTH, RANGE 1 EAST.

SHEET NO. 5.



Data
 1. 209.5°
 2. 394.8°
 R=4775'

S 41° 49' W - 2129'
 Road abandoned by
 Surveyed June 20-25, 1909
 by Fred M. Brown
 Note - Pipes set at all P.I.'s

S 32° 21' W - 3055'

Cor. - Large Sandstone on E. side of road.
 I-90
 Exit Ramp
 Ramp
 Approach road
 New R/W
 U.S. No. 10
 U.S. No. 10
 U.S. No. 10
 U.S. No. 10
 U.S. No. 10
 U.S. No. 10
 U.S. No. 10

Gallatin Valley Ry.

Easement Filed 8/22/24
 See Miscellaneous 10-328

ADAMS REALTY CO.

35	36	25	I
37	38	III	IV
9	10	ADDITION	ADDITION
20	21	ADDITION	ADDITION
2	3	ADDITION	ADDITION
4	5	ADDITION	ADDITION
6	7	ADDITION	ADDITION
8	9	ADDITION	ADDITION
10	11	ADDITION	ADDITION
12	13	ADDITION	ADDITION
14	15	ADDITION	ADDITION
16	17	ADDITION	ADDITION
18	19	ADDITION	ADDITION
20	21	ADDITION	ADDITION
22	23	ADDITION	ADDITION
24	25	ADDITION	ADDITION
26	27	ADDITION	ADDITION
28	29	ADDITION	ADDITION
30	31	ADDITION	ADDITION
32	33	ADDITION	ADDITION
34	35	ADDITION	ADDITION

Corporate Limits

Surveyed Mar. 1910 by F.M. Brown
 See 79

S 51° 00' W

Sec. Cor. Large pa
 at fence intersect

N 40° 35' W - 3331.4'

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

Statement of Purpose: A petition to abandon a portion of County Road.

Legal Description: The portion to be abandoned starts at the Northeast corner of Section 25, Township 2 North, Range 1 East; thence South approximately 400 feet more or less to the point where it was cut of by Interstate 90, all located in Gallatin County, Montana

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, it contains the signatures of 14 freeholders in Gallatin County.

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 15th day of May 19 91, A.D.

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

State of Montana

County of Gallatin

Bozeman



June 6, 1991

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

Dear Board,

On June 5, 1991, the undersigned, being duly appointed as viewing committee, viewed a portion of county road located at the Northeast corner of Section 25, Township 2 North, Range 1 East, thence South approximately 400 feet more or less to the point where it was cut off by Interstate 90, all within Gallatin County, Montana, which has been petitioned to be abandoned by road petition #743. This portion of county road is located at the interchange at Three Forks, Montana.

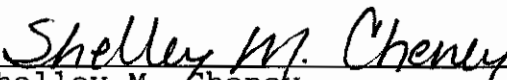
The viewing committee observed the following:

When looking at Old Town Road, which is on the north side of the interstate, and Talc Road, to the south of the interstate, the viewing committee could see where the two roads connected before Interstate 90 was built. At the time the interstate was built the portion of road in the interstate right of way was abandoned to create an interchange. Apparently, when that portion of the road was abandoned a 400' strip outside of the interstate right of way, but no longer used as a county road, was not abandoned.

The 400' strip is located on the north side of the interstate and is surrounded by private ownership. Old Town Road has been reconstructed by building a curve in an easterly direction to access onto the interstate and the 400' strip which runs in a north/south direction is a dead end at the interstate and no longer used as a portion of Old Town Road. If abandoned it will revert to the one landowner who owns the adjacent land.

Sincerely,


Deb Berglund
County Commissioner


Shelley M. Cheney
Clerk and Recorder/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, Deb Berglund, County Commissioner and Shelly M. Cheney, Clerk & Recorder/Surveyor, on Road Petition Number 743. This petition is to abandon a county road, being more particularly described as follows:

Portion to be abandoned starts at the Northeast corner of Section 25, Township 2 North, Range 1 East; thence South approximately 400 feet more or less to the point where it was cut off by Interstate 90.

Total distance 400 feet more or less.

A hearing on the above matter has been set by the Board of County Commissioners for Tuesday the 18th day of June, 1991, at the hour of 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 taxpayer wants to protest this petition you are not required to attend.

Dated this 11th day of June, 1991, at Bozeman, Montana.

Sincerely,

Gale Thompson
Gale Thompson
Office Manager

State of Montana

County of Gallatin

Bozeman



NOTICE TO PETITIONERS & ADJOINING LANDOWNERS

NOTICE IS HEREBY GIVEN that a Petition to abandon a certain roadway located in Gallatin County, Montana, was brought before the Board of County Commissioners of Gallatin County, in a public hearing on the 18th day of June, 1991, at the hour of 1:30 p.m. The matter was presented to the Board of County Commissioners by the Gallatin County Road Department, and the matter was discussed and opened for public comment. The roadway to be abandoned is more particularly described as follows:

Portion starting at the NE corner of Section 25, T2N, R1E; thence south approximately 400 feet more or less to the point where it was cut off by Interstate 90.

YOU ARE FURTHER NOTIFIED that as a result of said hearing, the Board of County Commissioners of Gallatin County did approve and grant said petition to abandon the afore-described roadway.

DATED this 26th day of June, 1991.

GALLATIN COUNTY ROAD DEPARTMENT

By: Anita M. Monroe
ANITA M. MONROE
Office Manager

CERTIFICATE OF MAILING

The undersigned certifies that a copy of the foregoing
NOTICE TO PETITIONERS & ADJOINING LANDOWNERS, was mailed postage
paid, first class mail to the following individuals, on the 27th
day of June, 1991.

DONNA MARTIN
P.O. Box 458
Three Forks, MT 59752

THELMAR DUNBAR MULTZ
P.O. Box 905
Three Forks, MT 59752

GALLATIN COUNTY ROAD DEPARTMENT

By:

Anita M. Monroe
ANITA M. MONROE
Office Manager

NOTICE TO PAPER

This is to notify the public that the Board of County Commissioners is holding a hearing on Road Petition Number 743 on the 18th day of June, 1991, at 1:30 p.m. This petition is to abandon a county road cut off by interstate 90 in Section 25, Township 2 North, Range 1 East, M.P.M., Gallatin County, Montana. Landowners are requesting the abandonment because the road is not usable and not maintained.

Affidavit of Publication

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

Vivie Portnell, being duly sworn,
deposes and says: That s/he 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 (Hearing Notice on Road Petition 743) ,

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 17th
day of June 19 91, and the last on the 17th day of June 19 91

Subscribed and sworn to before me this 17th day of June 19 91

Vivie Portnell
Rachel Bennett

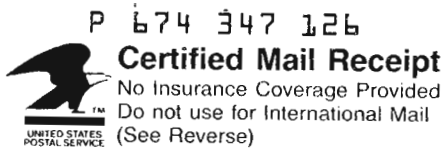
Notary Public for the State of Montana, residing at
Bozeman, Montana

NOTARY PUBLIC for the State of Montana
Residing at Bozeman, Montana
My Commission expires July 6, 1993

Legal Notice

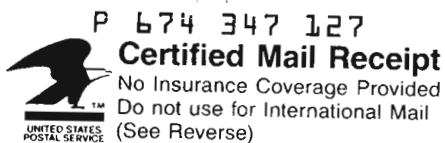
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Sent to DONNA MARTIN	
Street & No. P.O. BOX 458	
P.O., State & ZIP Code Three Forks, MT 59752	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990



Sent to THELMA DUNBAR MULTZ	
Street & No. P.O. BOX 905	
P.O., State & ZIP Code Three Forks, MT 59752	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

SENDER: <ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece next to the article number. 		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: THELMA DUNBAR MULTZ P.O. BOX 905 Three Forks, MT 59752	4a. Article Number P 674 347 127	
	4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
	7. Date of Delivery JUN 14 P.M.	
5. Signature (Addressee) 6. Signature (Agent) <i>Therese [Signature]</i>	8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, October 1990 *U.S. GPO: 1990-273-861 **DOMESTIC RETURN RECEIPT**

SENDER: <ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece next to the article number. 		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: DONNA MARTIN P.O. BOX 458 Three Forks, MT 59752	4a. Article Number P 674 347 126	
	4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
	7. Date of Delivery	
5. Signature (Addressee) 6. Signature (Agent) <i>Donna Martin</i> 6-12-91	8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, October 1990 *U.S. GPO: 1990-273-861 **DOMESTIC RETURN RECEIPT**