

ROAD PETITION 746

TO ABANDON AN
Alleyway in Rainbow Sub

Book 42 Page 449

PETITION TO ABANDON ROADWAY

12 sigs
L.O.

TO: HONORABLE BOARD OF COMMISSIONERS
Gallatin County, Montana
Gallatin County Courthouse
Bozeman, MT 59715

Dear Commissioners:

The undersigned freeholders of Gallatin County, Montana, taxable herein for road purposes, do hereby petition the Board of County Commissioners of Gallatin County, Montana, for the abandonment of a certain roadway located in Gallatin County, commonly referred to as (an un-named alleyway), and more particularly described as follows:

A certain alleyway located in Section 14, T2S, R4E, in the Rainbow Subdivision of Bozeman Hot Springs Tract, running a distance of approximate 120 ft., more or less, along Lots Numbered 64, 65, 66, 4, 5, and 6, in said subdivision, said alleyway running in a north/south direction.

The undersigned further state as follows:

1. That the portion of said roadway to be abandoned is a distance of approximately 120ft. (feet/miles);
2. That a map showing said roadway is attached hereto as Exhibit "A";
3. That the landowners along said roadway are all in agreement with this petition, and have signed the same;
4. That the reason for this requested abandonment is that said alleyway is not used as a public access, nor is it used by the adjoining property owners. Presently, said property is fenced off on three sides, and the adjoining property owners would prefer the capability of constructing one community fence.

5. Please see attached EXHIBIT "B" regarding property owners.

SIGNATURE	PRINTED NAME	DATE	DESCRIPTION OF LAND OWNED BY PETITIONER
<i>W.D. Roberts</i>	West Roberts	7/26/91	Lot 65 & 66
<i>Terri L. Roberts</i>	Terri L. Roberts	7/26/91	Lot 65 & 66
<i>Jean Julian</i>	Jean E. JULIAN	8/2/91	Lot 7, 8, 63, 64
<i>Homer Julian</i>	HOMER JULIAN	8/3/91	" " " "
<i>Guy Klaas</i>	GUY KLAAS	8-2-91	LOTS 45-6
<i>Ann Klaas</i>	Ann Klaas	8-2-91	Lots 45-6
<i>Tom Erickson</i>	TOM ERICKSON	8/2/91	Lot 3
<i>Sue Erickson</i>	SUE ERICKSON	8/2/91	Lot 3
<i>Scott Reimer</i>	SCOTT REIMER	8-3-91	Lot 72 + 73 - 124 - 125 - 126
<i>Becky Claus</i>	Becky Claus	8-3-91	120, 21, 22, 23
<i>Mary Wortman</i>	MARY WORTMAN	8-3-91	70-71-127-128
<i>Trixie Reimer</i>	TRIXIE REIMER	8-3-91	72-73-124-125-126

NOTE: Husband and wives should sign separately.

EXHIBIT "B"

Based upon a review of records in the Gallatin County Clerk and Recorder's office, the following is a listing of landowners in the area of the roadway, subject of this petition to abandon.

<u>LOT NO.</u>	<u>LANDOWNER</u>
1	Robert J. & Wanda M. Hargrove
2	" " "
3	Alan Lawrence & Diane C. Anderson
4	Guy Gerard & Ann Abbott Klaas
5	" " "
6	" " "
7	Homer & Jean Julian
8	" "
9	State of Montana
66	West A. & Terri L. Roberts
67	Rita Connolly
68	" "
69	" "

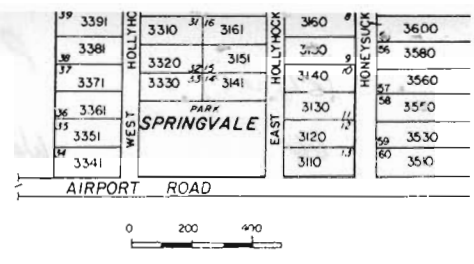
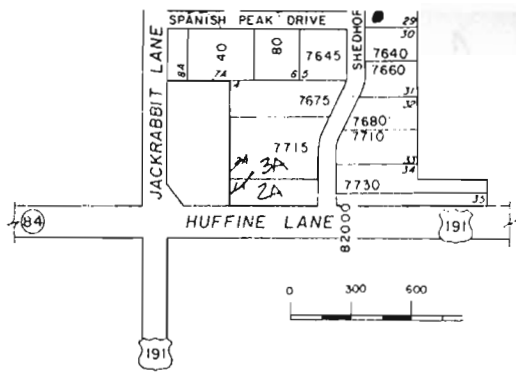
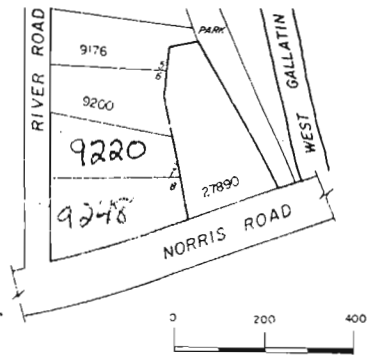
DATED this 21st day of August, 1991.

GALLATIN COUNTY ROAD DEPARTMENT

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

69, 68, 67 Rita Connolly
66 West A. + Terri L. Roberts
65 John M. Cok + Barbara N. Cok
64, 63 Homer J. Julian Jean E. Julian
62 W.E. Veckerman
61 I. T. Miller

1, 2 Robert J. Hargrove + Wanda M Hargrove
3 Allan Lawrence + Diane C Anderson
4, 5, 6 Guy Gerard Klaas ANN Abbott Klaas
7, 8 Homer Julian Jean Julian
9 State of Mont.

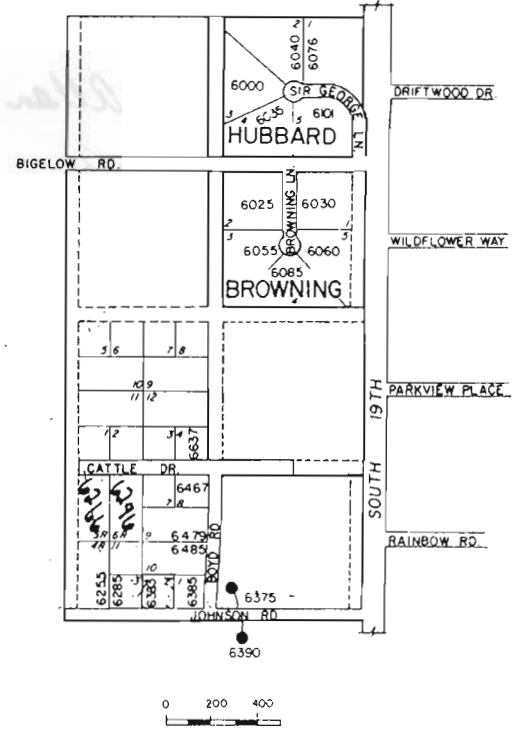


81555
81545

MINOR SUB. NO. 22
SE 1/4 SEC. 35
T2S, R5E

MINOR SUB. NO. 29
SE 1/4 SEC. 35
T2S, R5E

JAMES C. BOYD
(PART OF)
SE 1/4 SEC. 35
T2S, R5E



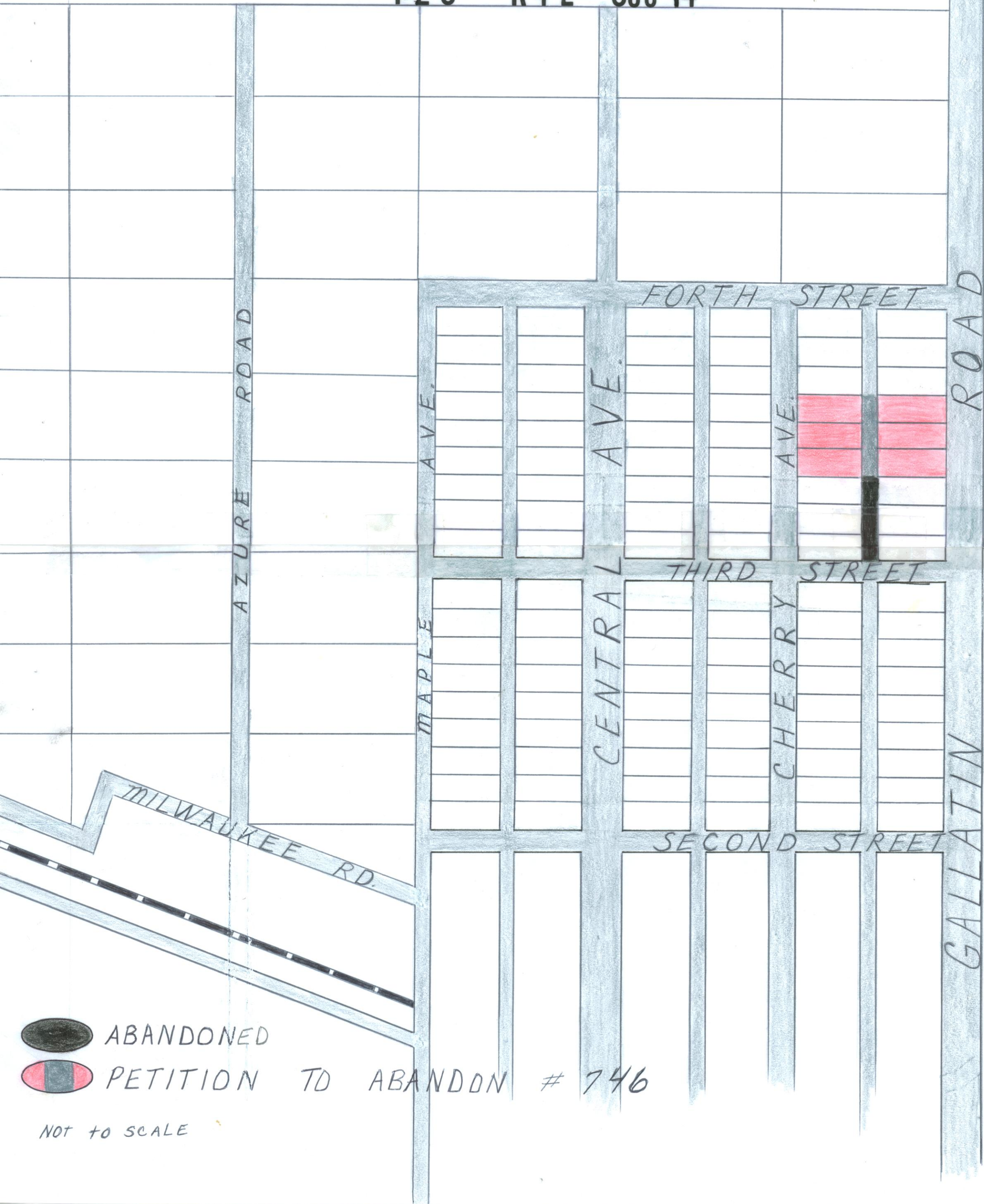
RAINBOW
(part of)

SEC. 14 T2S, R4E

"The material contained herein is based upon maps and data of the Gallatin County Surveyors Office. Because of continual changes in the data used in the preparation of this material, maps are considered to be correct and accurate as of the date shown. THE MATERIAL CONTAINED HEREIN SHOULD BE USED FOR REFERENCE ONLY."



RAINBOW SUBDIVISION
T 2 S R 4 E Sec 14



- ABANDONED
- PETITION TO ABANDON # 746

NOT TO SCALE

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

Statement of Purpose: Petition to abandon an un-named alleyway

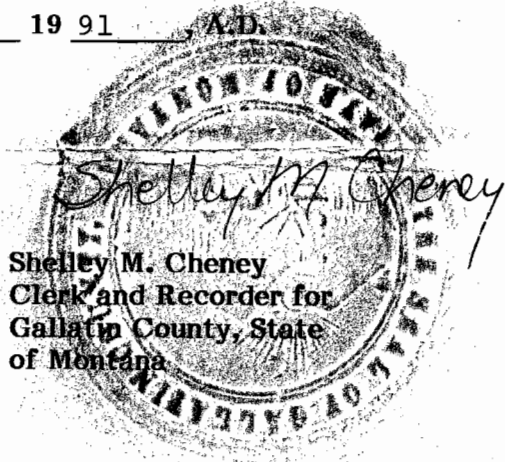
Legal Description: A certain alleyway located in Section 14, T2S, R4E, in Rainbow Subdivision of Bozeman Hot Springs Tract, running a distance of approximately 120 ft., mor or less, along Lots 64, 65, 66, 4, 5, 6, in said subdivision, said alleyway running in a north/south direction, Gallatin County, 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. 1991, it contains the signatures of 12 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 9th day of August 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



September 18, 1991
Board of County Commissioners
Gallatin County
Bozeman, MT 59715

Dear Board,


On September 18, 1991, the undersigned, being duly appointed as viewing committee viewed an alleyway located between Lots 1-6 and Lots 64-69 of Rainbow Subdivision of Bozeman Hot Springs in Section 14, T2S, R4E, Gallatin County, Montana.

We observed the following:

1. There are portions of buildings located on the alleyway at the present time.
2. A portion of the alleyway between Lots 7-9 and 61-63 was abandoned earlier. As a result, current traffic entering from Fourth Street onto the alley is forced to either back up out of the alley or to use a private driveway to exit the alley.
3. No property owners would become land-locked if this portion of alley would be abandoned.

Sincerely,


Deb Berglund
County Commissioner


Shelley M. Cheney
Clerk & Recorder/Surveyor

State of Montana

County of Gallatin

Bozeman



Road & Bridge Department
201 W. Tamarack
Bridger Station, Box 3025
Bozeman, MT 59772
Phone: (406) 585-1340

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a "Petition to Abandon Roadway" has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration. Petitioners are requesting that a certain roadway located in Gallatin County, be abandoned, said roadway being described as follows:

An alleyway located in Section 14, T2S, R4E, in the Rainbow Subdivision of Bozeman Hot Springs Tract, running a distance of approximately 120 ft., more or less, along Lots 64, 65, 66, 4, 5, and 6, in said subdivision, said alleyway running in a north/south direction.

NOTICE IS FURTHER GIVEN that said Petition has been scheduled for public hearing before the Board of County Commissioners of Gallatin County on the 8th day of October, 1991, at the hour of 1:30 p.m., and that public opinion may be heard at that time. All interested parties are encouraged to attend.

DATED this 27th day of September, 19 91.

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 OF PUBLIC HEARING, was mailed postage
paid, first class mail to the following individuals, on the 27th
day of September, 19 91.

West & Terri L. Roberts
660 Cherry Avenue
Bozeman, MT 59715

Guy & Ann Klaas
81515 Gallatin Road
Bozeman, MT 59715

Scott & Trixie Reinier
741 Cherry Ave.
Bozeman, MT 59715

Mary Wortman
701 Cherry Ave.
Bozeman, MT 59715

Rita Connolly
69 Cherry Avenue
Bozeman, MT 59715

BOARD OF COUNTY COMMISSIONERS
Gallatin County Courthouse
Bozeman, MT 59715

Jean E. & Homer Julian
81491 Gallatin Road
Bozeman, MT 59715

Tom & Sue Erickson
81517 Gallatin Road
Bozeman, MT 59715

Becky Claus
1230 Central Ave.
Bozeman, MT 59715

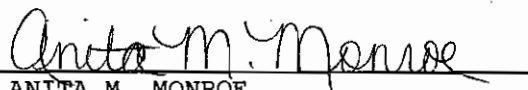
Robert J. & Wanda M. Hargrove
80350 Gallatin Road
Bozeman, MT 59715

Ronald Stevens, President
Public Land Access Assoc.
P.O. Box 3902
Bozeman, MT 59715

Shelley Cheney
Clerk & Recorder
Gallatin County Courthouse
Bozeman, MT 59715

GALLATIN COUNTY ROAD DEPARTMENT

By:



ANITA M. MONROE
Office Manager

State of Montana

County of Gallatin

Bozeman



Road & Bridge Department
201 West Tamarack
Bridger Station, Box 3025
Bozeman, MT 59772
Telephone: (406) 585-1340

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NOTICE IS FURTHER GIVEN that said Petition has been scheduled for public hearing before the Board of County Commissioners of Gallatin County on the 29th day of October, 1991, at the hour of 1:30 p.m., and that public opinion may be heard at that time. All interested parties are encouraged to attend.

DATED this 22nd day of October, 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 OF PUBLIC HEARING, was mailed postage paid, first class mail to the following individuals, on the 22nd day of October, 1991.

West & Terri L. Roberts
660 Cherry Avenue
Bozeman, MT 59715

Jean E. & Homer Julian
81491 Gallatin Road
Bozeman, MT 59715

Guy & Ann Klaas
81515 Gallatin Road
Bozeman, MT 59715

Tom & Sue Erickson
81517 Gallatin Road
Bozeman, MT 59715

BOARD OF COUNTY COMMISSIONERS
Gallatin County Courthouse
311 W. Main
Bozeman, MT 59715

Shelley Cheney
Clerk & Recorder
Gallatin County Courthouse
311 W. Main
Bozeman, MT 59715

GALLATIN COUNTY ROAD DEPARTMENT

BY:

Anita M. Monroe
ANITA M. MONROE
Office Manager

AMENDED EXHIBIT "B"

Based upon a review of records in the Gallatin County Clerk and Recorder's office, the following is a listing of landowners whose property adjoins the area of roadway, subject of this petition to abandon.

LOT NO.

LANDOWNER

3	Tom & Sue Erickson
4,5,6	Guy Gerard & Ann Abbot Klaas
65,66	West A. & Terri L. Roberts
7,63,64	Homer & Jean E. Julian

DATED this 22nd day of October, 1991.

GALLATIN COUNTY ROAD DEPARTMENT

BY:

Anita M. Monroe

Anita M. Monroe
Office Manager

State of Montana

County of Gallatin

Bozeman



Posted
10/29/91
BD

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 29th day of October, 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:

An alleyway located in Section 14, T2S, R4E, in the Rainbow Subdivision of Bozeman Hot Springs Tract, running a distance of approximately 120 ft., more or less, along Lots 64, 65, 66, 4, 5, and 6, in said subdivision, said alleyway running in a north/south direction.

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 31st day of October, 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 31st day of October, 1991.

West & Terri L. Roberts
660 Cherry Avenue
Bozeman, MT 59715

Rita Connolly
69 Cherry Avenue
Bozeman, MT 59715

Jean E. & Homer Julian
81491 Gallatin Road
Bozeman, MT 59715

Becky Claus
1230 Central Ave.
Bozeman, MT 59715

Guy & Ann Klaas
81515 Gallatin Road
Bozeman, MT 59715

Robert & Wanda Hargrove
80350 Gallatin Road
Bozeman, MT 59715

Tom & Sue Erickson
81517 Gallatin Road
Bozeman, MT 59715

Ronald Stevens, President
Public Land Access Assoc.
P.O. Box 3902
Bozeman, MT 59715

Scott & Trixie Reiner
741 Cherry Avenue
Bozeman, MT 59715

County Commissioners
Gallatin Cnty Courthouse
311 W. Main
Bozeman, MT 59715

Mary Wortman
701 Cherry Avenue
Bozeman, MT 59715

GALLATIN COUNTY ROAD DEPARTMENT

BY:


ANITA M. MONROE
Office Manager

High Country Independent Press

Glenn F. Sorlie, Publisher Devon Ann Sorlie, Editor

Affidavit

STATE OF MONTANA
 SS:
 COUNTY OF GALLATIN

Devon Ann Sorlie, 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 forconsecutive week(s), commencing on the 3 day of Oct, 1991

Devon Ann Sorlie

Sworn to before me this 3 day of Oct, 1991

Notary Public

Notary Public, State of Montana

Residing at: Gallatin

My Commission expires: 7-7-92

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a "Petition to Abandon Roadway" has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration. Petitioners are requesting that a certain roadway located in Gallatin County be abandoned, said roadway being described as follows:

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NOTICE IS FURTHER GIVEN that said Petition has been scheduled for public hearing before the Board of County Commissioners of Gallatin County on the 27th day of September, 1991, at the hour of 4:30 p.m. and that public opinion may be heard at that time. All interested parties are encouraged to attend.

Dated this 27th day of September, 1991.
 Publish Oct. 3, 1991

Notary Devon Ann Sorlie, Gallatin County, Montana

Affidavit

STATE OF MONTANA
 SS:
 COUNTY OF GALLATIN

Devon Ann Sorlie, 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/.....consecutive week(s), commencing on the ...24...day of ...Oct....., 19 91

Devon Ann Sorlie _____ Principal Clerk

Sworn to before me this ...24...day of ...Oct....., 1991.....

Devon Ann Sorlie _____ N
 Notary Public, State of Montana
 Residing at: Gallatin
 My Commission expires: 7-7-92

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a "Petition to Abandon Roadway" has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration. Petitioners are requesting that a certain roadway located in Gallatin County, be abandoned, said roadway described as follows:
 An alleyway located in Section 14, T2S, R4E, in the Rainbow Subdivision of Bozeman Hot Springs Tract, running a distance approximately 12- ft., more or less, along Lots 64, 65, 66, 4, 5, 6, in said subdivision, said alleyway running in a north/south direction.

NOTICE IS FURTHER GIVEN that said Petition has been scheduled for public hearing before the Board of County Commissioners of Gallatin County on the 29th day of October, 1991, at the hour of 1:30 p.m. and that public opinion may be heard at that time. All interested parties are encouraged to attend.

Dated this 22nd day of October, 1991.
 Publish 10/24