

ROAD PETITION 757

Cobb Hill Rd

approved 5-4-93

BOOK 42 PAGE 615

PETITION TO ABANDON COUNTY ROAD
(APPENDIX A)

TO: THE BOARD OF COUNTY COMMISSIONERS, GALLATIN COUNTY, MONTANA

COME NOW the undersigned freeholders of the road district of Gallatin County, Montana, and petition this board pursuant to Section 7-14-2601, MCA, to abandon a county road located in Gallatin County, Montana and represent as follows:

1. The road to be abandoned is particularly described as follows: Part of the South West
end of Cobb Hill, beginning at the original intersection of Cobb Hill Road and U.S. Hwy 191, proceeding in a northeasterly direction a distance of approximately 600 feet to its intersection with the newly constructed portion of Cobb Hill Road. (SEE:MAP)
(Attach additional page if required).

2. The road is commonly known as: Cobb Hill RD

3. The general route of the road is described as follows:

25 LF
A roadway running in a northeasterly direction off of U.S. Hwy 191, near milepost 81000.

4. The lands and owners immediately adjacent to the road are:

<u>LANDOWNER(S)</u>	<u>MAILING ADDRESS</u>
1. <u>Joseph B. Bruno</u>	<u>2 Cobb Hill Road</u>

PROPERTY DESCRIPTION

2. <u>Noah B Davis</u>	<u>87 Cobb Hill Rd</u>
------------------------	------------------------

PROPERTY DESCRIPTION

3. Joseph B. Bruno	
-------------------------------	--

PROPERTY DESCRIPTION

LANDOWNER(S)

MAILING ADDRESS

4.

_____	_____
_____	_____

PROPERTY DESCRIPTION

5.

_____	_____
_____	_____

PROPERTY DESCRIPTION

6.

_____	_____
_____	_____

PROPERTY DESCRIPTION

7.

_____	_____
_____	_____

PROPERTY DESCRIPTION

8.

_____	_____
_____	_____

PROPERTY DESCRIPTION

9.

_____	_____
_____	_____

PROPERTY DESCRIPTION

10.

_____	_____
_____	_____

PROPERTY DESCRIPTION

LANDOWNER(S)

MAILING ADDRESS

11. _____

PROPERTY DESCRIPTION

12. _____

PROPERTY DESCRIPTION

13. _____

PROPERTY DESCRIPTION

14. _____

PROPERTY DESCRIPTION

15. _____

PROPERTY DESCRIPTION

16. _____

PROPERTY DESCRIPTION

(Use additional pages if required)

The undersigned state that they are owners of real property in the Gallatin County road district which is taxable for the county general road tax. If more than 10 freeholders sign, use additional pages.

1. Noah Davis Signature 87 Cobb Hill Rd Address
Noah Davis Printed Name Bozeman MT City, State & Zip
1/17/93 Date

Description of Property

2. Dewey Wiseman Signature 340 Lower Rainbow Rd Address
DEWEY WISEMAN Printed Name BOZEMAN MT City, State & Zip
1/17-93 Date

Description of Property

3. Raymond Schultz Signature 81393 Gallatin Rd. Address
RAYMOND SCHULTZ Printed Name Bozeman, Mont, 59715 City, State & Zip
1-18-93 Date

Description of Property

5. Except for the following landowners the landowners identified in Section 3 consent to the abandonment: (If any of the adjacent landowners do not consent identify them in this paragraph)

NONE

6. If a landowner stated in Paragraph 3 cannot be found to determine the landowner's consent, identify the landowner and state the efforts made to locate the landowner:

NONE

7. To the best of our knowledge the following are landowners, who do not own land immediately adjacent to the road, but who could be affected by the abandonment of the road:

LANDOWNER(S)

MAILING ADDRESS

NONE

(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: That Part of Fcobb Hill is been closed off to Road change

My Property Boarder IT with 107 583-584

4. ✓ Reuben E. Trailer Signature
for DFC (DIVINE FREEDOM CHURCH)
Reuben E. Trailer Printed Name
1-17-93 Date
490 Cobb Hill Rd Address
Bozeman MT 59715 City, State & Zip

5. ✓ LeRoy E. Hopper Signature
LeRoy E. Hopper Printed Name
1-17-93 Date
1060 Cobb Hill Rd Address
Bozeman Montana 59715 City, State & Zip

6. ✓ Patricia A. Hopper Signature
Patricia A. Hopper Printed Name
1-17-93 Date
1060 Cobb Hill Rd. Address
Bozeman, MT 59715 City, State & Zip

7. ✓ Midora B. Cox Signature
MIDORA B. COX Printed Name
1-18-93 Date
81601 Ballietin Rd Address
Bozeman, MT 59715 City, State & Zip

Description of Property

8. Clyde R. Cox Signature 81601 Gallatin Road Address

Clyde R. Cox Printed Name Bozeman, Montana 59715 City, State & Zip

Jan 18, 1993 Date

Description of Property

9. Glenn Herdina Signature 603 Waffair Dr. Address

Glenn Herdina Printed Name Belgrade Mt. 59714 City, State & Zip

1-18-1993 Date

Description of Property

10. Lavern E. Shields Signature 4000 Rickman Rd Address

Lavern Skip Shields Printed Name Belgrade, MT 59714 City, State & Zip

1-18-93 Date

Description of Property

Joseph B. Bruno 2 Cobb Hill RD

Joseph B. Bruno Bozeman MT

2-25-93 59715

State of Montana

County of Gallatin

Bozeman



April 9, 1993

Board of County Commissioners
Gallatin County Courthouse
Bozeman, Montana

RE: Cobb Hill Road abandonment

Dear Board,

On April 9, 1993, the undersigned being duly appointed as viewing committee, viewed a portion of Cobb Hill Road located in Section 13, T2S, R4E, M.P.M., Gallatin County, Montana, which has been petitioned to be abandoned.

During the reconstruction of U.S. Highway 191, Cobb Hill Road was relocated to intersect with 191 at a 90 degree angle, making the intersection safer.

The remainder, which is no longer needed due to the reconstruction, is the portion to be abandoned. No land owner would become landlocked, nor any access to public lands would be denied if the petition were granted.

Sincerely,


Deb Berglund
County Commissioner


Shelley M. Cheney
Clerk and Recorder/Surveyor

State of Montana

County of Gallatin

Bozeman



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a petition to abandon a portion of roadway has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration.

Petitioners are requesting that part of the southwest end of Cobb Hill Road beginning at the original intersection of Cobb Hill Road and U.S. Highway 191 and proceeding in a northeasterly direction a distance of approximately 600 feet to its intersection with the newly constructed portion of Cobb Hill Road, located within Section 13, T2S, R4E, M.P.M., Gallatin County, Montana, be abandoned.

NOTICE IS FURTHER GIVEN that said petition has been scheduled for public hearing before the Board of County Commissioners on the 20th day of April, 1993, at 1:30 P.M., in the Community Room, 3rd floor, of the Gallatin County Courthouse, 311 W. Main, Bozeman, Montana, at which time public opinion may be heard. All interested parties are encouraged to attend.

Further information may be obtained from Gallatin County Commissioners A.D. Pruitt, Jane Jelinski, or Deb Berglund, 311 W. Main, Room 301, Bozeman, Montana, 59715, telephone 585-1400.

Dated this 13th day of April, 1993.

Shelley M. Cheney

Shelley M. Cheney
Clerk and Recorder
Gallatin County, Montana

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 - Petition to abandon a portion of roadway/ Cobb Hill Road) has been correctly published in the regular and entire issue of every number of said paper for consecutive insertion, the first of which publication was made on the 18th day of April 19, and the last on the 18th day of April 19 93

Vivie Portnell
Subscribed and sworn to before me this

19th day of April 19 93

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a petition to abandon a portion of roadway has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration.

Petitioners are requesting that part of the southwest end of Cobb Hill Road beginning at the original intersection of Cobb Hill Road and U.S. Highway 191 and proceeding in a northeasterly direction a distance of approximately 600 feet to its intersection with the newly constructed portion of Cobb Hill Road, located within Section 13, T2S, R4E, M.P.M., Gallatin County, Montana, be abandoned.

NOTICE IS FURTHER GIVEN that said petition has been scheduled for public hearing before the Board of County Commissioners on the 20th day of April, 1993, at 1:30 p.m., in the Community Room, 3rd floor, Gallatin County Courthouse, 311 W. Main, Bozeman, Montana, at which time public opinion may be heard. All interested parties are encouraged to attend.

Further information may be obtained from Gallatin County Commissioners A. D. Pruitt, Jane Jelinski, or Deb Berglund, 311 W. Main, Room 301, Bozeman, Montana 59715, 585-1400.

Dated this 13th day of April, 1993.

SHELLEY M. CHENEY
Clerk and Recorder
Gallatin County, Montana
Publish: April 18

DECISION CONCERNING PETITION TO ABANDON COUNTY ROAD

NAME OF COUNTY ROAD: A portion of Cobb Hill Road

THIS RESOLUTION was introduced by Jane Jelinski, Commissioner, moved by Jane Jelinski, Commissioner, and seconded by Deb Berglund, Commissioner. The resolution was passed unanimously and adopted.

WHEREAS, a Petition to Abandon County Road was filed with the Gallatin County Clerk and Recorder requesting that a portion of the southwest end of Cobb Hill Road be abandoned; and

WHEREAS, the Gallatin County Clerk and Recorder reported to the Gallatin County Commissioners that the petition contained sufficient signatures as required by Section 7-14-2601, MCA; and

WHEREAS, a committee consisting of one county commissioner, the county surveyor and road supervisor convened to investigate the feasibility and desirability of abandoning the road; and

WHEREAS, on April 20, 1993, the Gallatin County Commissioners conducted a public hearing, after notice, on the petition and the results of the investigation.

NOW, THEREFORE BE IT RESOLVED:

1. Based on the petition, results of the investigation and information presented at the public hearing the Gallatin County Commissioners conclude that the decision made herein is in the best interests of the county and feasible and desirable for the use and benefit of the public for the following reasons:

During the reconstruction of U.S. Highway 191, Cobb Hill Road was relocated to intersect with Highway 191 at a 90 degree angle, making the intersection safer. The remained, which is no longer needed due to the reconstruction, is the portion which is abandoned. No landowner would become landlocked and access to public lands will not be denied.

2. The following road, as requested in the Petition to Abandon County Road is abandoned:

Part of the southwest end of Cobb Hill Road beginning at the original intersection of Cobb Hill Road and U.S. Highway 191 and proceeding in a northeasterly direction a distance of approximately 600 feet to it's intersection with the newly constructed portion of Cobb Hill Road, located within Section 13, T2S, R4E, M.P.M., Gallatin County, Montana.

CERTIFIED TO BE A FULL, TRUE AND CORRECT COPY.
Dated at Bozeman, Montana, May 5 1993
Shelley M. Cheney Clerk and Recorder for
Gallatin County, State of Montana.
By: Haney K. Brown Deputy

3. Within ten (10) days from the date that this resolution is adopted the Clerk and Recorder shall send a copy of this resolution by certified mail to all owners of land abutting on the road. The owners shall be those listed on the last county assessment roll.

4. The Clerk and Recorder shall notify the county road supervisor by furnishing a certified copy of this resolution to the supervisor.

DATED this 4th day of May, 1993.

BOARD OF COUNTY COMMISSIONERS OF GALLATIN COUNTY

A.D. Pruitt
A.D. Pruitt, Chairman

Deb Berglund
Deb Berglund, Member

Jane Jelinski
Jane Jelinski, Member

ATTEST:

Shelley M. Cheney
SHELLEY CHENEY
Clerk and Recorder



263881

State of Mont., County of Gallatin. ss Filed for record MAY 5, 19 93
at 1:57 P M., and recorded in Book 131 of MISCELLANEOUS page 3778
Shelley M. Cheney Recorder. By Carie Brancan Deputy

FEE: 0

RT: Road Petition No. 757

P 787 055 196



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Joseph B. Brune	
Street & No.	
2 Cobb Hill Road	
P.O., State & ZIP Code	
Bozeman, MT 59715	
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

P 787 055 198



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Noah B. Davis	
Street & No.	
87 Cobb Hill Road	
P.O., State & ZIP Code	
Bozeman, MT 59715	
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:

- 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):

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

Joseph B. Brune
2 Cobb Hill Road
Bozeman, MT 59715

4a. Article Number

P 787 055 196

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

5-12-93

5. Signature (Addressee)

6. Signature (Agent)

Joseph B. Brune

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

SHELLEY M. CHENEY
CLERK & RECORDER, GALLATIN COUNTY
311 WEST MAIN, ROOM 204
BOZEMAN, MT 59715

THUR 5-11-93
MAY 18 1993
RETURNED TO SENDER
REASON CHECKED
Unclaimed
Insufficiently known
Insufficient Address
No such street number
No such office in state
Do not re-mail in this envelope

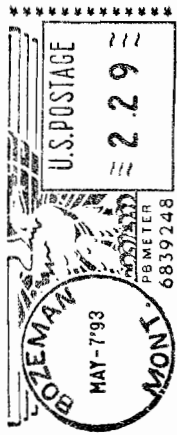
Fold at line over top of envelope to the right of the return address.

CERTIFIED

P 787 055 198

MAIL

Noah B. Davis
87 Cobb Hill Road
Bozeman, MT 59715



Thank you for using
Return Receipt Service.

Is your RETURN ADDRESS
completed on the reverse side?

SENDER:

- 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.

3. Article Addressed to:

Noah B. Davis
87 Cobb Hill Rd
Bozeman, MT 59715

4a. Article Number

P 787 055 198

4b. Service Type

- Registered
- Certified
- Express Mail
- Insured
- COD
- Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

PS Form 3811, October 1990

*U.S. GPO: 1990-273-881

DOMESTIC RETURN RECEIPT