

ROAD PETITION #766

LONE MOUNTAIN ROAD -  
BIG SKY SPUR

1 OF 2

BOOK 43 PAGE 163  
164

**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: that portion of Lone Mountain Road (Pet. No. 372) located in Tract 1 of Certificate of Survey No. 1816, located in the Southeast One-Quarter of Section 31, Township 6 South, Range 4 East, Principal Meridian Montana, Gallatin County, Montana.

(Attach additional page if required).

2. The road is commonly known as: Lone Mountain Road.

3. The general route of the road is described as follows: lying Southerly of MT Hwy No. 64 Right-of-Way, approximately 100' Southerly at the East side of Tract 1 of Certificate of Survey No. 1816 and merging into said MT Hwy No. 64 Right-of-Way at the West side of said Tract 1 of Certificate of Survey No. 1816.

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

<u>LANDOWNER(S)</u>	<u>MAILING ADDRESS</u>
1. <u>Virginia and Tome Leroy</u>	<u>General Delivery</u>
<u>Tract 1 of Certificate of Survey No. 1816</u>	<u>Big Sky, MT 59716</u>

PROPERTY DESCRIPTION

2. <u>Energy Quest, Ltd.</u>	<u>2880 S. Locust St., No. 701 N</u>
	<u>Denver, CO 80222</u>

PROPERTY DESCRIPTION

3. _____	_____
_____	_____

PROPERTY DESCRIPTION

cc: Shelly Cheney

*[Handwritten initials]*

**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)

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)

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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: \_\_\_\_\_

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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:

<u>LANDOWNER(S)</u>	<u>MAILING ADDRESS</u>
<u>Barbara R. Miner</u>	<u>130 Coconut Palm Rd.</u> <u>Boca Raton, FL 33432</u>
<u>Lawrence J. Kelley</u> <u>Birdie C. Kelley</u>	<u>46-241 Kalali St.</u> <u>Kaneohe, HI 96749</u>
<u>Holly Malloy Hansen</u>	<u>4305 Loma Vista</u> <u>Billings, MT 59106</u>

(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: this portion of Lone Mountain Road roughly parallels and merges into MT Hwy No. 64. Sam Gianfrancisco, Gallatin County Road Supt., has stated that his research indicates that this road was to have been vacated following the opening of MT Hwy No. 64, but that the vacation never occurred. The Montana Dept. of Transportation has ruled that the existing approach at the west end of this road is an illegal approach to MT Hwy No. 64, and that this approach is to be barricaded.

7.

LANDOWNER(S)

MAILING ADDRESS

TM Land Partners Ltd.

104 E. Main, Suite 408  
Bozeman, MT 59715

Westland Enterprises, Inc.

P.O. Box 939  
Bozeman, MT 59715

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.

GOVT LOT #3 SECTION 31, T6S, R4E,  
P.M.M. GALLATIN COUNTY

1. *Tom Virginia Uezot* GENERAL DELINEET  
 Signature Address  
TOM VIRGINIA UEZOT BIG SKY, MONTANA 59716  
 Printed Name City, State & Zip  
2-16-54  
 Date

2. \_\_\_\_\_  
 Signature Address  
 \_\_\_\_\_  
 Printed Name City, State & Zip  
 \_\_\_\_\_  
 Date

3. \_\_\_\_\_  
 Signature Address  
 \_\_\_\_\_  
 Printed Name City, State & Zip  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Description of Property

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. Virginia & Tom Leroy General Delivery  
 Signature Address  
Virginia + Tom Leroy Big Sky, MT 59716  
 Printed Name City, State & Zip  
2/16/94  
 Date

Government lot 3, Section 31, T65, R4F  
P.M.M. Gallatin County  
 Description of Property

2. [Signature] 2880 So Locust No.  
 Signature Address  
J.R. Bozman-Manager 761W Denver CO 80222  
 Printed Name City, State & Zip  
 Date

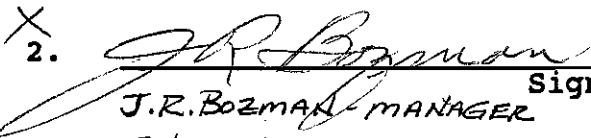
3. [Signature] PO. Box 6026  
 Signature Address  
Duane Springer 2806 Aspen Dr.  
 Printed Name Big Sky, MT 59716  
 City, State & Zip  
2-23-94  
 Date

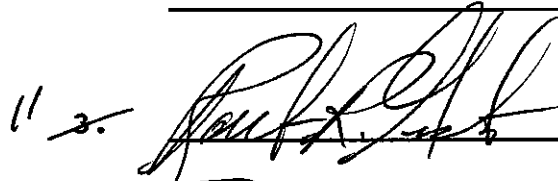
Description of Property



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1. \_\_\_\_\_  
Signature Address  
\_\_\_\_\_  
Printed Name City, State & Zip  
\_\_\_\_\_  
Date

X  
2.   
Signature Address  
J.R. BOZEMAN - MANAGER 2880 So. Locust No. 701N  
ENERGY QUEST, LTD. DENVER, CO 80222  
Printed Name City, State & Zip  
2/19/94  
Date

11 3.   
Signature Address  
ROBERT R. GUSTINE 35 BORDER LANE  
BOZEMAN, MT 59715  
Printed Name City, State & Zip  
2/23/94  
Date

\_\_\_\_\_  
Description of Property

4. Craig Reichstetter Signature P.O. Box 160311 Address  
Craig Reichstetter Printed Name Big Sky MT 59716 City, State & Zip  
2/16/94 Date Amended Lot 1 & 2 Block 3  
Westfork Meadows Subdivision

5. Cathy Reichstetter Signature Box 160132 Address  
Cathy Reichstetter Printed Name Big Sky MT 59716 City, State & Zip  
2/16/94 Date lot 23 BLK 6 Meadow Village

6. Dan Wade Signature GLACIER LODGE #114 Address  
DAN WADE Printed Name PO Box 160195 Address  
2/16/94 Date Big Sky MT 59716 City, State & Zip

7. Jon Ueland Signature two Moons 3245 Address  
Jon Ueland Printed Name P.O. Box 160152 City, State & Zip  
2-16-94 Date Big Sky, MT 59716

Description of Property

8. Lucia O. Donch Signature P.O. Box 160577 Address  
Lucia O. Donch Printed Name Big Sky MT 59716 City, State & Zip  
Feb. 15, 1994 Date

Hidden Village 119.

9. Betsy E. Jasper Signature 1895 Little Coyote Address  
Betsy Jasper Printed Name Big Sky MT 59716 City, State & Zip  
2-18-94 Date

10. Betsy D. Danza Signature P.O. Box 160301 Address  
BETSY D. DANZA Printed Name Big Sky MT City, State & Zip  
Feb. 23, 1994 Date

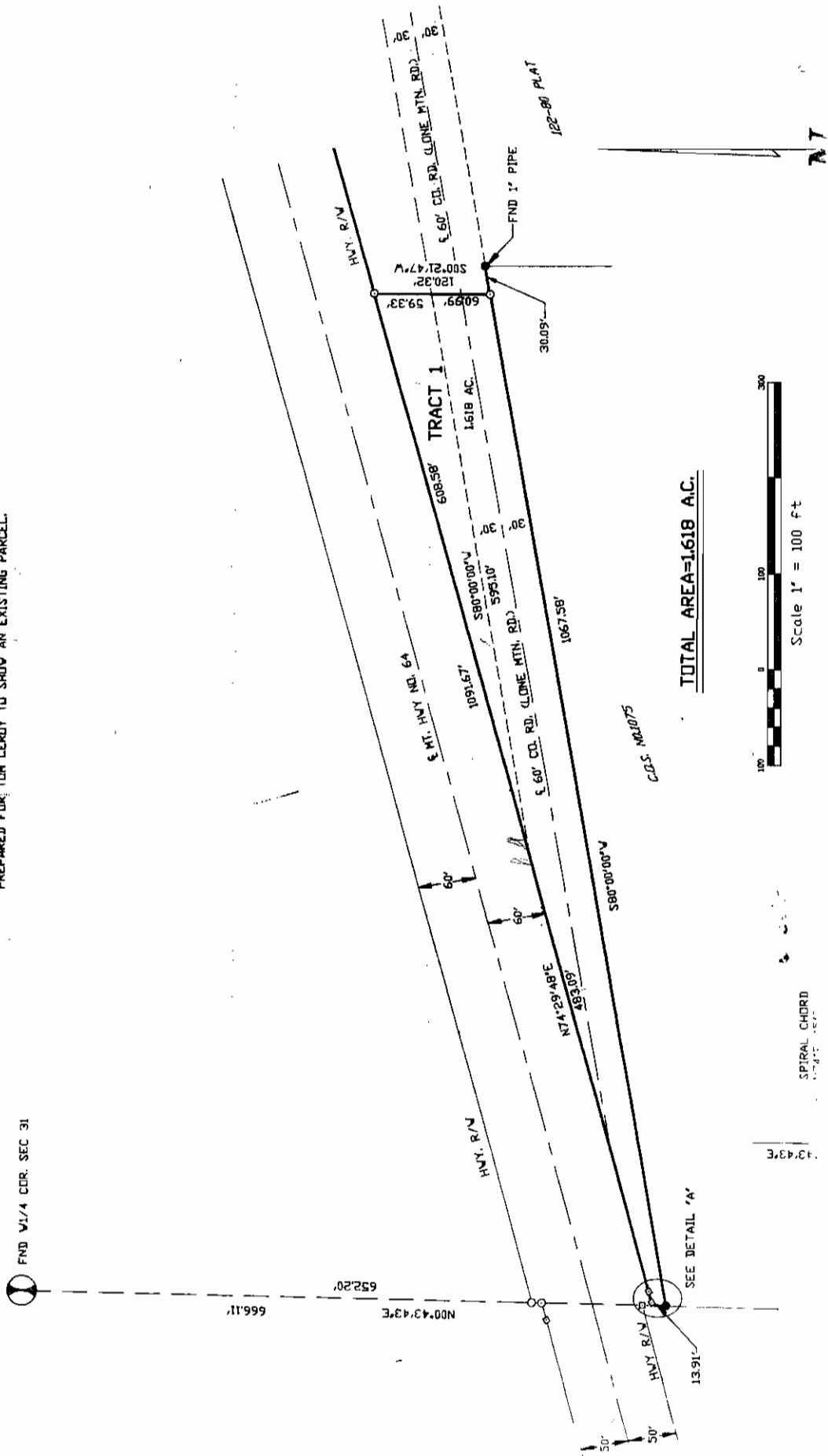
Silverbow 25 120 Cheyenne Rd

Description of Property

# CERTIFICATE OF SURVEY NO. 1816

THAT TRACT OF LAND DESCRIBED ON FILM 40, PAGE 1492,  
BEING A PORTION OF GOVERNMENT LOT 3, LOCATED IN THE  
SW1/4 OF SECTION 31, T6S, R4E, P.M.M.

**GALLATIN COUNTY, MONTANA**  
PREPARED FOR: TOM LEROY TO SHOW AN EXISTING PARCEL.



Received this copy 2-24-94

RECEIVED FEB 23 1994

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(APPENDIX A)**

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**MAILING ADDRESS**

1. <u>Virginia and Tome Leroy</u>	<u>General Delivery</u>
	<u>Big Sky, MT 59716</u>
<u>Tract 1 of Certificate of Survey No. 1816</u>	

**PROPERTY DESCRIPTION**

2. <u>Energy Quest, Ltd.</u>	<u>2880 S. Locust St., No. 701 N</u>
	<u>Denver, CO 80222</u>

**PROPERTY DESCRIPTION**

3. <del>XXXXXXXXXX</del>	

**PROPERTY DESCRIPTION**

**LANDOWNER(S)**

**MAILING ADDRESS**

4. WESTLAND ENTERPRISES

\_\_\_\_\_

**PROPERTY DESCRIPTION**

5. T M LAND PARTNERS LTD.

\_\_\_\_\_

**PROPERTY DESCRIPTION**

6. \_\_\_\_\_

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**PROPERTY DESCRIPTION**

7. \_\_\_\_\_

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**PROPERTY DESCRIPTION**

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**MAILING ADDRESS**

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(Use additional pages if required)

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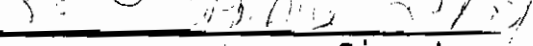
MAILING ADDRESS

104 E. Main, Suite 408  
Bozeman, MT 59715

P.O. Box 939  
Bozeman, MT 59715

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CONT LOT #3 SECTION 31, T32, R4E,  
P.M.E. GALLATIN COUNTY

1.		<u>GENERAL DELINECT</u>
	Signature	Address
	<u>TOM VIRGINIA USBOT</u>	<u>BIG SKY, MONTANA 59716</u>
	Printed Name	City, State & Zip
	<u>2-16-54</u>	
	Date	
_____		
_____		
Description of Property		
2.	_____	_____
	Signature	Address
	_____	_____
	Printed Name	City, State & Zip
	_____	
	Date	
_____		
_____		
Description of Property		
3.	_____	_____
	Signature	Address
	_____	_____
	Printed Name	City, State & Zip
	_____	
	Date	
_____		
_____		
Description of Property		

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995-2801

1. Virginia and Tom LeRoy  
Signature  
Virginia + Tom LeRoy  
Printed Name  
2/16/94  
Date

General Delivery  
Address  
Big Sky MT 59716  
City, State & Zip

Government lot 3 Section 31 T6S R4E  
Description of Property  
P.M.M. Gallatin County

2. [Signature]  
Signature  
J.R. Bozman - Manager  
Printed Name  
Date

2880 So Locust No.  
Address  
701W Denver CO 80222  
City, State & Zip

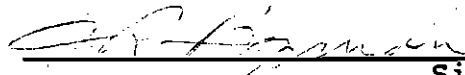
3. [Signature]  
Signature  
Duane Springer  
Printed Name  
2-23-94  
Date


Description of Property  
PO. Box 160204  
Address  
2806 Aspen Dr.  
Big Sky Mt 59716  
City, State & Zip

Description of Property

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1. \_\_\_\_\_  
Signature Address  
\_\_\_\_\_  
Printed Name City, State & Zip  
\_\_\_\_\_  
Date

X  
2.   
Signature Address  
J.R. BOZEMAN - MANAGER 2880 So. Locust No. 701N  
ENERGY QUEST, LTD. DENVER, CO 80222  
Printed Name City, State & Zip  
2/19/94  
Date

11  
2.   
Signature Address  
ROBERT R. GUSTINE 35 BORDER LANE  
BOZEMAN, MT 59715  
Printed Name City, State & Zip  
2/23/94  
Date

\_\_\_\_\_  
Description of Property

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2/16/94 Date Amended Lot 1 & 2 Block 3  
Westfork Meadows Subdivision

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2/16/94 Date City, State & Zip  
lot 23 blk 6 Meadow Village

6. Dan Wade Signature GLACIER LODGE #114 Description of Property  
 ✓ DAN WADE Printed Name PO Box 160195 Address  
2/16/94 Date Big Sky MT 59716 City, State & Zip

7. Jon Ueland Signature two Moons 3245 Description of Property  
 ✓ Jon Ueland Printed Name P.O. Box 160152 Address  
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Description of Property

8. Lucia O Donch Signature P.O. Box 160577 Address  
Lucia O Donch Printed Name Big Sky MT 59716 City, State & Zip  
Feb. 15, 1994 Date

Hidden Village 119.

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Betsy Jasper Printed Name Big Sky MT 59716 City, State & Zip  
2-18-94 Date

10. Betsy D. Danza Signature P.O. Box 160301 Address  
BETSY D. DANZA Printed Name Big Sky MT City, State & Zip  
Feb 23, 1994 Date

Silverbow 25 120 Cheyenne Rd

Description of Property

PLEASE ATTACH THIS TO A  
PROPERLY TYPED PETITION SO IT  
WILL BE CONSIDERED BY  
THE COMMISSIONERS.

Those who are ~~for~~ for the  
abandonment of Lone Mountain Road  
please sign below. Thank you.

	<u>Name</u>	<u>Address</u>
1.	Jeri Ueland	Box 160152 Big Sky
2.	Lynn Bush	Box 160404 Big Sky
3.	<del>Tom Cop</del>	Box 517 Big Sky
4.	<del>Raymond</del>	Box 517 Big Sky
5.	<del>Bill Bush</del>	35253 CR 17, ELIZABETH, CO. 80107
6.	Jean Hill	Chief Joseph Trail
7.	K.S. Kelander	" "
8.	K. Fin	22815 Frontage Rd
9.	Stewart	P.O. Box 7260 Bozeman
10.	JEFF King	P.O. Box. 2 willow CREEK. 1
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Those who are for the  
abandonment of Lone Mt Road  
Please sign below

Name                      Address

1. Virginia LeRoy                      Box #160517 Big Sky MT
2.                      Box 160517 Big Sky
3. Michael Schmet                      P.O. Box 160181 Big Sky MT
4.                      Douglas E. Green                      1014 O'Connell Drive Bozeman 59714
5. Kenneth Y. Kobelt                      Box 160383 Big Sky MT
6. Lou Ueland                      Box 160152 Big Sky MT
7. Henry Spardern                      Box 160423 " " "
8. Ken Golden                      Box 160335 Big Sky MT
9. Skand P. Hester                      Box 160547 "
10.                      Box 160407 Big Sky
11.                      Box 160175 Big Sky
12. Micki Peters                      54225 Gallatin Rd Gallatin Gateway
13. Carol LaCatta                      Box 160081 Big Sky MT
14. Herb L. Enn                      44630 Gallatin Rd Gallatin Gateway
15. Raymond L. Luth                      46950 Gallatin Rd #10 Gallatin Gateway
16.                      215 W. Yellowstone Rd Big Sky
17. Bill Cook                      3277 Spruce Dr. Big Sky
18. Judy Merrig                      Box 160206 Big Sky, MT. 59716
19.                      Box 160296 Big Sky MT 59716
20. Roy Binaman                      Box 160116 Big Sky mt 59716
21. Kasia Binaman                      Box 160116 Big Sky mt 59716
22. Beth Binaman                      Box 160003 Big Sky mt 59716
23. BOB DICK                      Box 160475 Big Sky mt 59716

24.                      64610 GALLATIN RD GAL. GATEWAY

25. Terry Thelwell                      P.O. Box 160000 Big Sky

26. Beth Tuttle                      Box 160377 Big Sky

27. Debra Rothschilder                      Box 160028 Big Sky

28. Loren M. Wood                      Box 160400 Big Sky

29. Eric Fendler                      3730 Amsterdam Rd Manhattan

30.                      Box 160461 Big Sky

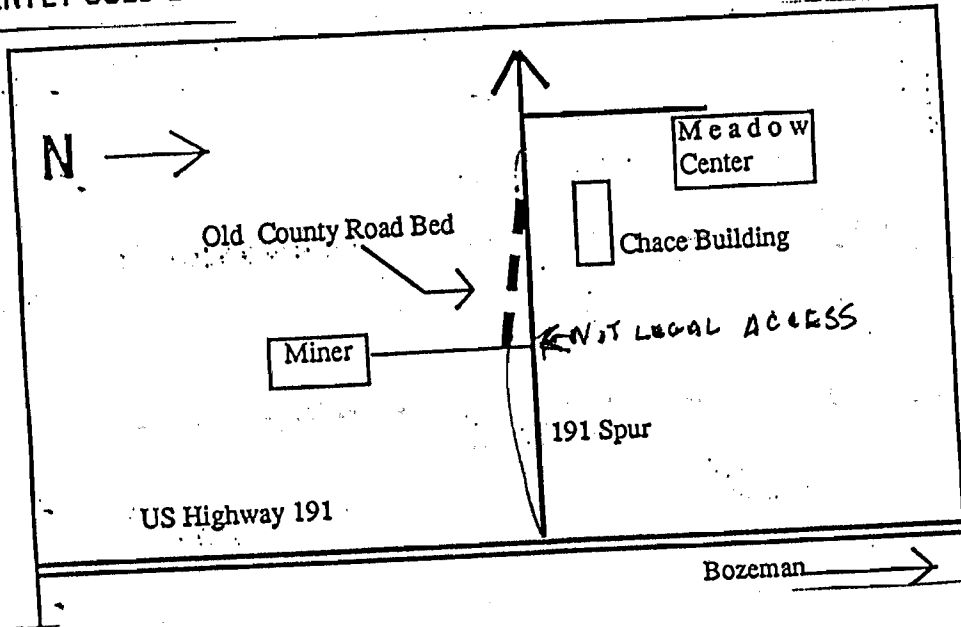
31.                      P.O. Box 307 G.G. mt. 59730

32.                      P.O. Box 160461 Big Sky



RE: PETITION TO ABANDON A PORTION OF LONE MOUNTAIN ROAD LOCATED IN GOVERNMENT LOT 3, SECTION 31, TOWNSHIP 6 SOUTH, RANGE 4 EAST, M.P. M., GALLATIN COUNTY. (ACROSS FROM EDELWEISS RESTAURANT AND SEWER PONDS)

WE THE UNDERSIGNED ARE AGAINST THE ABANDONMENT OF THIS SECTION AND ANY OTHER SECTION OF THE OLD LONE MOUNTAIN ROAD AS THEY ARE CURRENTLY USED EXTENSIVELY BY THE PUBLIC.



(24)  
Total  
Signatures  
(not dup)

NAME ADDRESS

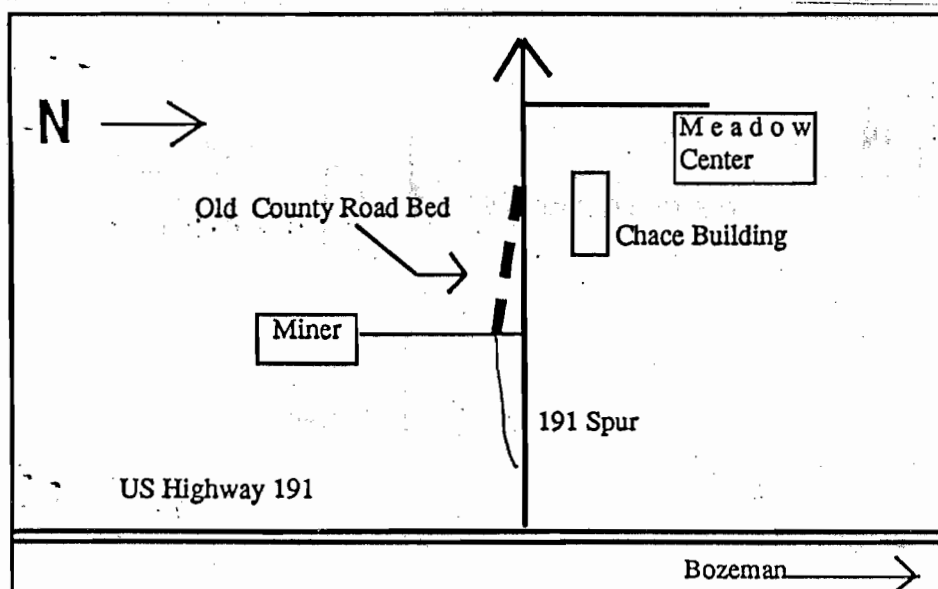
- Ge Brandt (1) Glacier condos #163 Big Sky MT
- Geo Brandt (2) Glacier condos #163 Big Sky MT 59716
- Sue Kass Duplaxte Box 160103 Big Sky, MT 59711
- Betty Kass Dup. Box 160126 Big Sky, MT 59711
- Sue Dehn (3) Box 160082 Big Sky MT 59716
- Art Zil (4) General Delivery Big Sky MT 59716
- Bob Schatz (5) Box 160565 Big Sky MT 59716
- Jenny Swick (6) Box 160-280 Big Sky, MT 59711
- Polly Hayslip Dup. Full time home Big Sky
- John Hornburg Dup. " " " "
- Melinda & Rustin Carey Carey Road Big Sky
- M. A. Smith (9) P.O. Box 16056 Big Sky MT 59716
- Malet M. Hamer Dup. Box 16033 Big Sky MT
- Wily Hense (10) Box 160331 Big Sky MT
- Loel & Bernadette Dup. Yellowstone Rd Big Sky, MT
- Henry Clark (11) 3105 crown rd " "
- Ed Clark (12) " " " "
- FE Metzger (13) 2985 Red Feather " "
- Paul R. Ditz Dup. Box 160541 95 4555 Big Sky MT
- Maicon Dup. (14) Box 160296 " "
- Don Atkins (15) Box 160296 BIG SKY MT
- Dorothy A. Reffing (16) Box 160097 Big Sky, Mt.

One of Petition presented at first meeting 1994

**BIG SKY, MONTANA JAN. 3RD, 1994**

RE: PETITION TO ABANDON A PORTION OF LONE MOUNTAIN ROAD LOCATED IN GOVERNMENT LOT 3, SECTION 31, TOWNSHIP 6 SOUTH, RANGE 4 EAST, M.P. M., GALLATIN COUNTY. (ACROSS FROM EDELWEISS RESTAURANT AND SEWER PONDS)

WE THE UNDERSIGNED ARE AGAINST THE ABANDONMENT OF THIS SECTION AND ANY OTHER SECTION OF THE OLD LONE MOUNTAIN ROAD AS THEY ARE CURRENTLY USED EXTENSIVELY BY THE PUBLIC.



NAME

ADDRESS

- |                        |  |                             |
|------------------------|--|-----------------------------|
| Donald M. Hamer (1)    | Dup Box 16033'   | Big Sky Mt                  |
| Shirley Hense (1)      | 2 Meadow Road<br>Box 16033'                                  | Big Sky, Mt                 |
| Jac & Beardsley (2)    | Dup Yellowtail Rd  | Big Sky, Mt.                |
| Alvin Clark (2)        | 3105 Crow King rd  | " " " " Not here authorized |
| Ed Clark (3)           | SHARON + RICHARD CLARKE<br>BEARDSLEY'S DAUGHTER + SON-IN-LAW | again by phone              |
| TF Metzger (4)         | 2885 R <sup>th</sup> Feather<br>TED METZGER                  | Crow King YRD               |
| Paula R. Dyer (5)      | Box 160549<br>995 4335                                       | Big Sky MT                  |
| Sharon Jelf (6)        | Box 160296   | " "                         |
| Don Adams (7)          | Box 160296   | BIG SKY MT                  |
| Dorothy A. Rebling (8) | Box 160097   | Big Sky, Mt.                |

**THE LAST BIG WESTERN LAND GRAB     FREE LAND**

GALLATIN COUNTY COURT HOUSE Tuesday, 311 W. MAIN April 12 , 1994  
1.30 P.M.

RE: PETITION TO **ABANDON A PORTION OF LONE MOUNTAIN ROAD**  
LOCATED IN GOVERNMENT LOT 3, SECTION 31, TOWNSHIP 6 SOUTH, RANGE 4  
EAST, M.P. M., GALLATIN COUNTY. **(ACROSS FROM EDELWEISS**  
**RESTAURANT AND SEWER PONDS)**

WE THE UNDERSIGNED ARE AGAINST THE ABANDONMENT OF THIS SECTION  
OF THE OLD LONE MOUNTAIN ROAD AS IT IS CURRENTLY USED EXTENSIVELY  
BY THE PUBLIC FOR RECREATIONAL PURPOSES AND AS ACCESS FROM ONE  
END OF THE MOUNTAIN TO THE OTHER AND IS A PART OF THE OVERALL TRAIL  
SYSTEM IN THE BIG SKY AND GALLATIN CANYON AREA.

BIKE RIDING BY NUMEROUS CHILDREN AND ADULTS

WALKING                                 ALL TERRAIN VEHICLES

DOG WALKING                            SNOW MOBILES

HORSE BACK RIDING                    DIRT BIKES

JOGGING

GOLF CARTS

HORSE DRAWN VEHICLES AND DOG SLEDS

CROSS COUNTRY SKIING AND SNOW SHOEING

THE HIGHWAY IS DANGEROUS TO USE FOR OUR  
RECREATIONAL PURPOSES AND NOT PLEASANT IN  
A RESORT AREA

THIS IS PART OF THE OVERALL TRAIL SYSTEM THAT THE POST COMMITTEE  
HAS BEEN TRYING TO PUT IN PLACE FOR THE PAST 3 YEARS.

THE STATE HAS SAID NO CARS CAN ENTER THE HIGHWAY FROM THIS ROAD  
-- BUT THAT DOESN'T MEAN THE GALLATIN COUNTY COMMISSIONERS HAVE  
TO ABANDON IT.

**THE COMMISSIONERS HAVE OTHER DEAD END ROADS  
IN GALLATIN COUNTY.**

**THIS ROAD SHOULD BE KEPT FOR THE ENJOYMENT AND  
SAFETY OF THE TAX PAYERS OF BIG SKY AND  
SURROUNDING AREA.**

**CALL AND WRITE YOUR COMMISSIONERS !  
PHONE 585-1400 CHRIS DUNN, JANE JALENSKI, DAVE PUITT**

**CALL AND WRITE YOUR COMMISSIONERS !  
PHONE 585-1400 CHRIS DUNN, JANE JALENSKI, DAVE PUITT**

*Jelly M Hansen* Old home mt road, Big Sky 995-2154 4/10/94  
*Russell Kelley* BIG SKY ROAD 995-4423 4/10/94  
*Curt Kelley* " " " " " "

NAME	ADDRESS	DATE
<i>Jace &amp; Fred Beaudry</i>	<i>Yellowtail Rd &amp; Carey Lane</i>	<i>Box 156 Big Sky 4/4/94</i>
<i>Don Hansen</i>	<i>Box 160331</i>	<i>Big Sky 4/4/94</i>
<i>Ralph W. Heber</i>	<i>Box 160549</i>	<i>Big Sky 4/4/94</i>
<i>Deborah</i>	<i>P.O. Box 160156</i>	<i>" " 4/4/94</i>
<i>Allan Kass</i>	<i>P.O. Box 160126</i>	<i>" " 4/4/94</i>
<i>Betty Kass</i>	<i>Box 160126</i>	<i>" " 4/4/94</i>
<i>Tom Hornburg</i>	<i>P.O. Box 160458</i>	<i>" " " "</i>
<i>Marlene Kennedy</i>	<i>Box 160165</i>	<i>" " 4/5/94</i>
<i>Darius Datz</i>	<i>Box 160082</i>	<i>Big Sky 4/5/94</i>
<i>Robert Hebert</i>	<i>Box 160069</i>	<i>Big Sky 4/6/94</i>
<i>Brian W. Adsworth</i>	<i>Box 160321</i>	<i>Big Sky 4/6/94</i>
<i>Chet Burr</i>	<i>Box 160726</i>	<i>" " " "</i>
<i>Maureen R. Hill</i>	<i>P.O. Box 160069</i>	<i>Big Sky 4/6/94</i>
	<i>P.O. Box 160277</i>	<i>Big Sky 4-6-94</i>

CALL AND WRITE YOUR COMMISSIONERS!

PHONE 585-1400. CHRIS DUNN, JANE JALENSKI, DAVE RUITT

NAME

ADDRESS

DATE

Jack & Fred Beaudry	Yellowish Rd & Carey Lane	Box 156 Big Sky	4/4/94
Don Hansen	Box 160331	Big Sky	4/4/94
Ralph W. Weber	Box 160549	Big Sky	4/4/94
Brenden	P.O. Box 160156	" "	4/4/94
Allan Kass	P.O. Box 160126	" "	4/4/94
Betty Kass	Box 160126 P.O. Box 160458	" "	4/4/94
Tom Hornburg	" "	" "	4/5/94
Marlene Kennedy	Box 160165	" "	4/5/94
Daniel DeJong	Box 160082	Big Sky	4/5/94
Daniel & Hart	Box 160453	Big Sky	4/6/94

Albin Appburn	Box 160101	Big Sky	4/7/94
Jean Kass	Box 160103	Big Sky	4/7/94
Super Joe	Box 160452	Big Sky mt	4/7/94

**THE LAST BIG WESTERN LAND GRAB      FREE LAND**

GALLATIN COUNTY COURT HOUSE Tuesday, 311 W. MAIN April 12, 1994  
1.30 P.M.

RE: PETITION TO **ABANDON A PORTION OF LONE MOUNTAIN ROAD**  
LOCATED IN GOVERNMENT LOT 3, SECTION 31, TOWNSHIP 6 SOUTH, RANGE 4  
EAST, M.P. M., GALLATIN COUNTY. (**ACROSS FROM EDELWEISS**  
**RESTAURANT AND SEWER PONDS**)

WE THE UNDERSIGNED ARE AGAINST THE ABANDONMENT OF THIS SECTION  
OF THE OLD LONE MOUNTAIN ROAD AS IT IS CURRENTLY USED EXTENSIVELY  
BY THE PUBLIC FOR RECREATIONAL PURPOSES AND AS ACCESS FROM ONE  
END OF THE MOUNTAIN TO THE OTHER AND IS A PART OF THE OVERALL TRAIL  
SYSTEM IN THE BIG SKY AND GALLATIN CANYON AREA.

BIKE RIDING BY NUMEROUS CHILDREN AND ADULTS

WALKING

ALL TERRAIN VEHICLES

DOG WALKING

SNOW MOBILES

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THE STATE HAS SAID NO CARS CAN ENTER THE HIGHWAY FROM THIS ROAD  
-- BUT THAT DOESN'T MEAN THE GALLATIN COUNTY COMMISSIONERS HAVE  
TO ABANDON IT. *The State Hwy. Dept states "an approach permit can  
be granted at a safe location if the County so  
desires."*  
**THE COMMISSIONERS HAVE OTHER DEAD END ROADS**  
**IN GALLATIN COUNTY.** *(See attached)*

**SAFETY OF THE TAX PAYERS OF BIG SKY AND SURROUNDING AREA.**

*Safe location is at barbed wire fence, that county installed*

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**CALL AND WRITE YOUR COMMISSIONERS !  
PHONE 585-1400 CHRIS DUNN, JANE JALENSKI, DAVE PUITT**

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Jess & Fred Beaudry	Yellowtail Rd & Carey Lane	Box 156 Big Sky 4/4/94
Don Hansen	Box 160331	Big Sky 4/4/94
Ralph W. Hejny	Box 160549	Big Sky 4/4/94
<del>Deborah</del>	P.O. Box 160156	" " 4/4/94
<del>Ellen Kass</del>	P.O. Box 160126	" " 4/4/94
Betty Kass	Box 160126	" " 4/4/94
<del>Raymond</del>	P.O. Box 160458	" " 4/4/94
<del>John Homberg</del>	" "	" " 4/5/94
Maureen Kennedy	Box 160165	" " 4/5/94
Daniel Datz	Box 160082	Big Sky 4/5/94
Robert Hebert	Box 160069	Big Sky 4/6/94
Brian W. Adsworth	Box 160321	Big Sky 4/6/94
<del>Edison</del>	Box 160726	" " 4/6/94
Chet Burr	P.O. Box 160069	Big Sky 4/6/94
Maureen R. Hill	P.O. Box 160277	Big Sky 4-6-94

*Re: abandonment of Lone Mt Road  
lenders need are against abandonment*

Cree Hanna	166 Glacier Mt	Big Sky 4/7/94
Elyse Bush	P.O. Box 160-645	Big Sky 4-7-94
Margie En	P.O. Box 160365	Big Sky 4-8-94

CALL AND WRITE YOUR COMMISSIONERS!

PHONE 585-1400, CHRIS DUNN, JANE JALENSKI, DAVE RUITT

NAME	ADDRESS	DATE
Case & Fred Beaudry	Yellowville Rd. & Carey Lane	Box 156 Big Sky 4/4/94
Don Hansen	Box 140331	Big Sky 4/4/94
Ralph W. Hehr	Box 160549	Big Sky 4/4/94
Debbie	P.O. Box 160156	" " 4/4/94
Allan Kass	P.O. Box 160026	" " 4/4/94
Betty Kass	Box 160126	" " 4/4/94
Ken Hart	P.O. Box 160458	" " 4/4/94
John Homberg	" "	" " 4/5/94
Marlene Kennedy	Box 160165	" " 4/5/94
Daniel Datz	Box 160082	Big Sky 4/5/94
Donald Hart	Box 160453	Big Sky 4/6/94
Albin Appburn	Box 16004	Big Sky 4/7/94
Jan Kass	Box 160103	Big Sky 4/7/94
Hubert	Box 160452	Big Sky MT 4/7/94
Annifer L. Monard	General delivery P.O. Box 160001	Big Sky MT 4/9/94
Francis W. Balice	P.O. Box 160177 2050 Curly Bear	Big Sky, MA
DR. FRANCIS BALICE		



THE COMMISSIONERS HAVE OTHER OTHER DEAD END  
ROADS.

THIS SHOULD BE KEPT FOR THE ENJOYMENT OF THE TAX  
PAYING PUBLICS USE .

CALL AND WRITE YOUR COMMISSIONERS !

NAME	ADDRESS	DATE
Robert Johnson	Box 160069 Big Sky	4/9/94
Shan Hill	Box 160069 Big Sky	4/9/94
Union Johnson	Box 160069 Big Sky	4/9/94
Marcy Nelson	Box 160069 Big Sky	4/9/94
Kim C. Hill	Box 160069 Big Sky	4/9/94
Leslie Staltz	Box 160477 Big Sky	4/10/94
Nancy Coche	Box 160344 Big Sky	4/11
Andrea K. Cady	Box 160069 Big Sky	4/11/94
John Havelson	Box 160069 Big Sky	4/11/94
James Grant	PO Box 160069 Big Sky	4/11/94
Jenny Proserlagcho	" " "	4/11/94
Thomas O. Mason	PO Box 160069	4-12-94
Kim Wesselt	54245 GAL RD GAL GROVE	4/12/94
GERARD VAN Mourik	#4 ASPEN COURT	4/12/94
Del Jensen	Hill condo 1263	4/12/94
Linda Kenoyer	Box 160069 Big Sky	4/12/94
Barbara Dabey	PO Box 160321 Big Sky	4/12/94
M. Jolen Wilson	Box 160069 Big Sky, MT.	4/12/94
Bob Hayes	PO. 160067 Big Sky MT	59716 4-12-94
Mufe Romero	13161 Cottonwood R Bigman, MT.	4/12/94
John Wiman	Box 160069 Big, Sky, mt.	4-12-94

THIS SHOULD BE KEPT FOR THE ENJOYMENT OF THE TAX  
PAYING PUBLICS USE .

CALL AND WRITE YOUR COMMISSIONERS !

NAME	ADDRESS	DATE
Jonathan C. Knaut	P.O. Box 160456 Big Sky, MT 59716	4-10-94
Marjorie Knaut	Box 160456 Big Sky, MT 59716	4-10-94

THIS SHOULD BE KEPT FOR THE ENJOYMENT OF THE TAX  
PAYING PUBLICS USE .

CALL AND WRITE YOUR COMMISSIONERS !

10

NAME	ADDRESS	DATE
Ruby Wilson	P.O. Box 160549 Big Sky	4-9-94
Paula P. Delzer	P.O. Box 160549 Big Sky	4-10-94
Peter W. Delzer	P.O. Box 160549 Big Sky	4-10-94
Tom W. Muff	P.O. Box 555 Belgrade	4-11-94
DAVID D. TRAYLOR	P.O. BOX 160252 Big Sky	4-11-94
Sharon Dreckler	P.O. Box 160364 Big Sky	4-11-94
Maggi Biggerstaff	P.O. Box 160217 Big Sky	4-11-94
Betsy Chase	P.O. Box 160128 Big Sky	4/11/94
Kurt Sigge	P.O. Box 160472 Big SKY	4/11/94
Katie Haley Grimm (Helen L.)	5645 Ramhorn H.M. Mt 59730	4/11/94

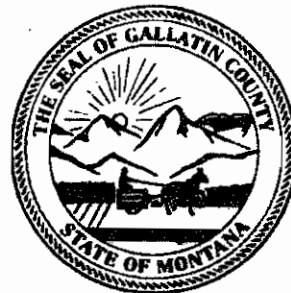
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PHONE 585-1400. CHRIS DUNN, JANE JALENSKI, DAVE PUITT**

NAME	ADDRESS	DATE
Paul & Fred Beaudry	Yellowwood Rd & Carey Lane	Box 156 Big Sky 4/4/94
Don Hansen	Box 160331	Big Sky 4/4/94
Ralph W. Heber	Box 160549	Big Sky 4/4/94
Brenden	P.O. Box 160156	" " 4/4/94
Allan Hess	P.O. Box 160126	" " 4/4/94
Betty Kass	Box 160126	" " 4/4/94
Tom Hornburg	P.O. Box 160458	" " 4/5/94
Martene Kennedy	Box 160165	" " 4/5/94
Daniel Datz	Box 160082	Big Sky 4/5/94
Mid A. Al	Box 160103	Big Sky 4/8/94
Nancy Jung	Box 160374	BIG SKY 4-8-94
Mary Ruter	5122 LOVE LANE	BOZEMAN 4-8-94

# Gallatin County, Montana



**Mike Salvagni**

**County Attorney**

615 South 16th Avenue - Room 202

Bozeman, Montana 59715

Telephone: (406) 585-1410

FAX: (406) 585-1429

August 22, 1994

County Commissioners  
County Courthouse  
Bozeman, Montana 59715

Re: Lone Mountain Road Abandonment

Dear Commissioners:

On August 16, 1994, Attorney David Penwell called me to discuss your abandonment of a portion of Lone Mountain Road at Big Sky at the request of Tom LeRoy. In Resolution No. 1994-29 you abandoned the road "subject to the condition that the Big Sky Owners Association and Tom and Virginia LeRoy enter into the Trail Easement Agreement attached as Exhibit "A".

Mr. Penwell advised me that he represents the owner of the property to the south of the abandoned portion of the road. I believe that Mr. Penwell said that his client was Mr. Bosna. Mr. Penwell asked me about my understanding of the disposition of the property when a county road is abandoned. I advised Mr. Penwell that the property reverts to the adjoining landowners from the center line of the abandoned road. Mr. Penwell pointed out that the trail easement is located on the south half of the abandoned portion of the road. This portion of the road would not revert to the ownership of Mr. LeRoy. Whether Tom and Virginia LeRoy had the authority to enter into the Trail Easement Agreement was not questioned at the hearing on the abandonment.

The validity of the Trail Easement Agreement is questionable in that if the LeRoys do not own the property to the south of the road they could not grant an easement on the southern part of the abandoned road. If the agreement is invalid, then the abandonment is null and void.

My initial thought was to bring this matter to your immediate attention. Mr. Penwell advised me that he and his client were attempting to negotiate a resolution with Mr. LeRoy. Mr. Penwell requested that I give him and his client the opportunity to resolve the matter. I agreed and stated that I would not do anything until I heard back from Mr. Penwell. From my conversation with Mr. Penwell it was my understanding that Mr. Penwell and his client would attempt to resolve to have the trail easement moved to Mr.

LeRoy's property.

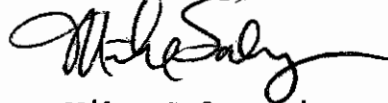
Therefore, I did not bring this matter to your attention when it became known to me. I decided to wait until I again heard from Mr. Penwell about a possible resolution between the parties. On Friday afternoon of August 19, 1994, Commissioner Jelinski called and advised me that Mr. Penwell contacted her about this matter.

I apologize for your not hearing about this matter from me. I believed that Mr. Penwell would contact me about a resolution before I would advise you about appropriate action. The Big Sky Owners Association is also involved because of the agreement.

It is my advice that you schedule this matter for your public meeting on September 6, 1994, for a hearing to reconsider the abandonment and Resolution No. 1994-29. I recommend that notice of this hearing be given in the same manner as notice was given for the abandonment. It is my further advice that if a valid agreement for the trail easement does not exist at the hearing that you revoke the abandonment.

If you have any questions, please let me know.

Sincerely,



Mike Salvagni  
County Attorney

cc: Shelley Cheney  
Sam Gianfrancisco  
David Penwell  
Tom and Virginia LeRoy, Big Sky, Montana  
Bill Murdock, Big Sky Owners Association, Big Sky, Montana

Mike advises that notice of hearing (9-6-94) be given same as hearing to consider abandonment.

Have not heard from CC's regarding notification of hearing. Mike's letter strictly advisory to CC's - do CC's want to do what Mike suggests?

# Map

## Dead End Roads

- T (1) Spanish Creek Rd - 4+5 miles (at trail head) (3 miles) Wat to trail head
- (2) Gateway Foothills Rd (1st road to left)
- (3) Wilson Creek - 2 miles
- (4) High Flat Rd - West of Gateway to John Camp (3 miles) (West of canyon) last closed off
- T (5) S. Cottonwood (recently built trail head) use DSO
- (6) Zachariah Rd. (by 5th Ave Saloon) 2 miles
- (7) S. 3rd (to Lemage Canyon) 2 miles (S of rock road)
- T (8) Bozeman Creek (to Myrtle Lake) (trail head)
- (9) Tayabeshockup (Valley of Flowers) 2 1/2 miles long
- (10) Fort Ellis (off Frontier Rd E Bozeman goes to S) Bear Canyon?
- (11) Mt Ellis Rd (Farther East) near Bear Canyon 1 1/2
- T (12) Bear Canyon (trail head)
- ▼ (13) Stubler Rd (to Bridge canyon up Jackson Creek Rd then left)
- (14) Maffat Canyon Rd (2 miles) 1 1/2 m
- (15) Lypes Canyon (Bridge) (Paid by people)
- T (16) Saddle Mountain (N of Bridges) to trail forest service trail head
- (17) Salatter 1 mile (over)

18 Springhill Community Rd - to Springhill Pavilion 5 miles

19 Corbly Gulch (back of trail head) 3 miles  
being put here

20 Meadow View Cemetery Rd

21 Lyndon Rd (N. of Manhattan) 2 mile

\* 22 No 1 Ranch Rd - S " " Park at end

23 Richmond Rd (up interstate) (Central Park & Belgrade)

\* 24 Portonel Rd. (Gateway) (Use to go thru but cut off and made dead end by country mail)

~~25~~

Keep going north mail

Blue tail Rd abandoned

Francis Rd "

\* 25 9 felt Rd 3 1/2 miles dead end 2 miles  
by meadows

can not turn around tree with heavy trailer

11/2/94  
4/7/94  
Kangaroo Mt 4/7/91

San Juan  
Box 160103  
160422  
160422



April 7

19 new names

16 On old petition Jan 3<sup>rd</sup> 1994

35  
2

miss names

37  
3

40  
8

Jan 3<sup>rd</sup> petition (1994 petition)

Jan 4<sup>th</sup>  
Hearing Jan 11<sup>th</sup>

48

Resolution Dated Feb 1<sup>st</sup>

Dr. Hanson  
Mrs. & Miss Kelly

2  
51

2  
53 + 10 = 63 + 8 = 72

letters

letters

Capt. Charles E. King 52.1

Capt James L. King 53.2

Sara + Neil Brand 55.3-4

Clyde + Marge De Shues 57.5-6

Peggy King

Dr. Hanson

Ranch

Ruby

Don

Dad Brand

Ruby DeLazer

8  
61  
10 ✓  
71

**RALPH & RUBY DELZER**  
 P.O. BOX 160549 \*\* BIG SKY, MT 59716  
 PHONE 406-995-4825

April 11, 1994

An Open Letter To:

Whoever May Be Concerned

and

The Board of Commissioners  
 Gallatin County  
 Bozeman, MT 59715

Re: Commissioners Meeting, April 12, 1994

Petition to abandon a portion of Lone Mountain Road located in Gov't Lot 3, S31 T6 R4, HPM  
 Gallatin County (across from the Chace Montana Building).

Dear Commissioners:

We are opposed to the abandonment of this road.

The date set for this meeting is disconcerting. Little advance notice was given to the concerned public. Our respective schedules were all set and would preclude our personal attendance. Most of the Big Sky residents had long planned their end-of-the-season activities, thus limiting the possibilities of attending this very important meeting. We cannot help but wonder if this was purposely planned, or if it just happened. Maybe it is still not too late for the Board of Commissioners to defer this agenda item to a later date (sometime after June 15th), thus allowing more interested parties to participate.

This road is used by my family and many of our Big Sky friends. We walk our dogs, we ride our horses, we ride our bikes, we hike and so on....and.....so on. It is a safe avenue for all of these activities. The highway is too dangerous.

It is difficult for us to understand why our commissioners would want to deprive the general public of their right to use this road. It has served the general public so well and now you want to give it over to a private entity for their personal commercial profit.

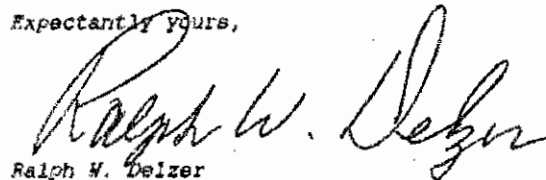
This road is precious to the people of Big Sky. It presently has a worthy purpose. We are trying to preserve areas that serve, not only Big Sky residents, but also the many vacationers who love Big Sky. This is the passageway to some very special places.

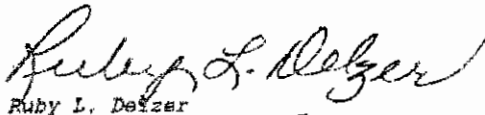
We want to make it very clear that we are in favor of commercial growth. However, we don't think that commercial growth should be done at the public's expense. This road now belongs to the public and it should remain that way.

We pray that the Gallatin County Commissioners, and all others who are in favor of the road abandonment, would seriously consider what is best for the general public.

Please do not abandon this road.

Expectantly yours,

  
 Ralph W. Delzer

  
 Ruby L. Delzer

P.S. A special note to establish our credibility: The Delzer's own five condos in the Montana Building. We are established residents of Big Sky. We are totally in love with the area. We think we have earned the right to oppose this public land give-a-way. It is our desire to help fend off any objectionable encroachments to this lovely area.

CC: The Big Sky Bugle  
 The Lone Peak Lookout  
 The Bozeman Chronicle

4/10/94

Dear Gallatin County Commissioners,

I am writing this letter to vote in opposition to abandoning the portion of Lone Mountain Road currently in consideration. My children and I use this road extensively at all times of the year for walking, bicycling, cross country skiing and even snowmobiling. I simply ask that this issue be considered carefully before a mistake is made that will adversely affect the area and its people. Hopefully a compromise can be achieved that is acceptable to all.

Dr. Jeff Hansen M.D.  
LONE MT ROAD  
(Neibaur of Barbara Meier)

Sincerely

Jeff Hansen

April 7

19 new names

~~16~~

~~XXXXXXXXXX~~

35  
2

37  
3

40  
18

48

Hearing Jan 11<sup>th</sup> &  
Jan 11<sup>th</sup>

Resolution dated Feb 1<sup>st</sup>

letters

Capt. Charles A. Henry

Capt. James L. Henry

Sara + Mil Brandt

Clyde + Marge De Shules

Peggy Ring

Total 100

To: Galatin County Commissioners

Re: Petition to Abandon a portion of Big Sky Rd (honor Mt. Rd.)

I am totally against the abandonment of this very important stretch of road providing recreational use. It gives our kids access to safer biking along the main road. It is actively used on horseback as access to trails. This is why we came to Big Sky. Inch by foot this area is being commercialized & the natural beauty & accessibility for recreational purposes removed. Please support & don't abandon!

4/10/94

Dot Brandt  
5B Quarter Horse Ranch

H-9-94

We Are Against  
The Abandonment of  
The old Lone Mt. Road,

We enjoy the use  
of this road for X-Country

Skating, hiking etc.

Charles A. Hinz

OLD MT RD.

Charles A. Hinz

James L. Hinz

Po Box 976

1090 Big Sky Rd

VIA FAX (406) 995-4028

April 8, 1994

Gallatin County Commissioners  
Jane Jalenski  
Dave Pruitt  
Chris Dunn  
County Court House  
311 W. Main St.  
Bozeman, MT 59716

RE: Petition to Abandon Old Lone Mt. Road

We were against this in Jan. 94 and we are still against it, as we and the people of Big Sky use this road extensively for recreational purposes, jogging, riding, walking, children ride bikes on it, etc.

The Montana Dpt of highway in a letter March 3, 1994 to BSOA stated:

\* An approach permit can be granted at a safe location if the county so desires.

The safe location is exactly where the county put up the vicious 4 strand, barbed wire gate (and where the public had always exited and crossed anyway). It is well within the state guide lines from that gate to the start of the curve. This is well over the state standards of 1,000 ft. visibility and 600 ft. straight of way.

Mr. Jason Giard of the Highway Dept. confirmed this and further stated that he had brought this to the attention of the commissioners and the county highway superintendent.

The road was deliberately plowed straight to the curve by a person who obviously had something to gain by the state and commissioners being led to believe people were driving out on an unsafe curve. That was never the case. (Plus two truckloads of snow were dumped on the actual used portion of the road to cover it up.)

As taxpayers and users of this road, we request you to install a barricade beyond the barbed wire (to the east) to block off the "unsafe" portion of the old road and allow access at the point where it has been used for so many years.

However, we would also have no objection to a dead end road.

Sincerely yours,

*Stu Brandt*

*Illinois # 163*

*406 - 995 - 2241*



Montana Department  
of Transportation

P.O. Box 3068  
Butte, Montana 59702-3068  
Telephone (406)494-3224

Montana Agricultural, Government

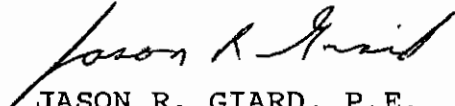
April 6, 1994

Joel Beardsley  
P.O. Box 160156  
Big Sky, Montana 59715

This letter is in response to our phone conversation on  
April 5, 1994.

I would like to clarify the issue of access to portions of  
the Old Lone Mountain Trail. The Department of Transpor-  
tation is not opposed to allowing access to vehicles or  
pedestrians. We do require that the access is in a safe  
location and the approach must be constructed to current  
standards. The Department would grant Gallatin County an  
Approach Permit at any safe location with adequate sight  
distance. *Monday April 11<sup>th</sup> State visited B.S. and said they would*  
*allow approach permit where barbed wire fence is - Location always*  
I have also attached a copy of a letter to Bill Murdock *Used!*  
that refers to access by Gallatin County.

If you have any further questions, please contact me.

  
JASON R. GIARD, P.E.  
DISTRICT ENGINEER - BUTTE

JRG:cm  
Attachment

cc: Bill Murdock  
Marvin Dye  
John Blacker  
Sam Gianfrancisco  
District File



RECEIVED FEB. 07. 1994 *Time Peak Dookout* -



Montana Department  
of Transportation

Marc Racicot, Governor,

*for your information.  
From Gallatin County  
Commissioners. J*

FOR 1110  
Bozeman, MT 59771-1110  
February 3, 1994

Gallatin County Commission  
David Pruitt -  
Jane Jelinski  
Kristin Dunn  
311 W. Main  
Bozeman, Mt 59715

RE: Approaches to P-64, Big Sky Spur Road

After several Big Sky residents spoke at the January 11th commission meeting attesting to their regular use of the county road being considered for abandonment, I researched my files and traveled to the site to determine if the approaches in use present a safety concern.

Records in this office show that a well designed approach was built as part of the original highway construction and serves to connect MT-64 to the East end of the county road in question. This is a safe access point and no action is planned at this site. However, at the West end of the county road, no approach was planned or built, and in fact, a gate had been installed across the county road to prevent access to MT-64.

When I visited the site on January 28, the county road had been plowed of snow along its entire length as well as through the ditch to the shoulder of the highway and vehicle tire tracks showed that this route had been used recently. My on site investigation confirmed that this location has limited site distance and serves as a potential conflict point for highway travelers and approach users. I am therefore requesting that Gallatin County take measures to prevent vehicles from accessing the highway at this point.

I have enclosed a copy of the highway construction plan of this area for your information and use. Thank you for your attention to this matter.

*Robert J. Bukvich*  
Robert J. Bukvich  
Mt. Department of Transportation

c: Area file

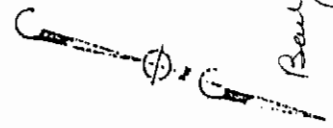
T. 6 S. R. 4  
SEC. 31

100

ALL 1/2 AC. SET BACK FROM R.O.W.  
WAS SET BY CONTRACTOR  
SERIES TO MEET  
FOR SETBACK OF  
SERVICES AT

FORMER  
GATE LOCATION

Barbed wire fence  
Painted Area



SEE REPLY SHEET  
FOR LINE RANGES  
& UNIT CLEARANCE

06

CONCRETE

Co. Rd.

R140

MT-64

70 US -191

60' ± STR. D. S. 74° 01' 15" W.

PROT. 5' 74° 33' 30" W.

60' ±

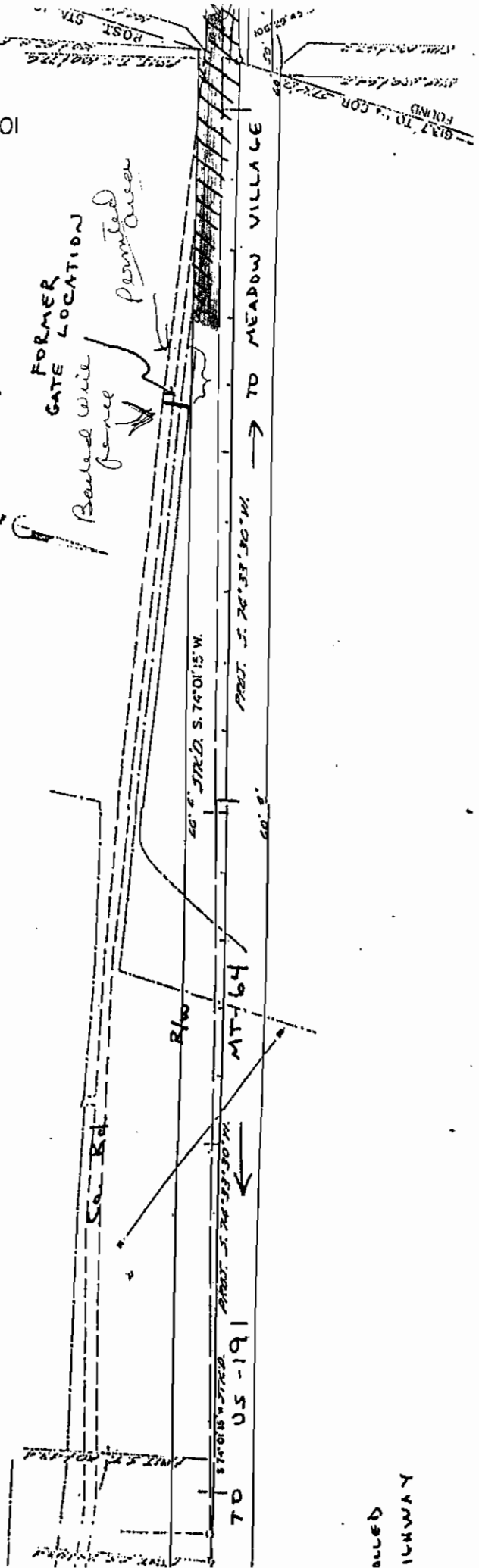
TO MEADOW VILLAGE

TO

ALLEY  
HIGHWAY

//// - CO. ROAD OBLITERATED AS  
PART OF HIGHWAY PROJECT

08



Jan 11<sup>th</sup> - 1994

Dean Jane Jelinski,

I am against the abandonment of the county road which runs parallel to 191 Spur Road between Highway 191 and Meadow Village at Big Sky.

Between the years of 1979 and 1985 I lived on the above mentioned road and know how important it is to workers, horseback riders, bikers, animals and other recreational activities.

I opposed its abandonment at that time and am even more opposed to it now because of the increase in traffic on 191 Spur Road.

Thank you for taking the time to consider my plea.

Sincerely,  
Peggy Ring

Clyde and Marge DeShields  
P. O. Box 238  
Big Sky, Montana 59716

Jan 7, 1994

Gallatin County Commissioners

Frank Trent

Jane Galenski

Kris Deane

Gallatin County Court House

311 W. Main

Bozeman, Mt. 59715

Dear Commissioners.

Re: abandonment of Old  
Big Sky County Rd - Lot 3 Sec. 31 -

We request that this section NOT  
be abandoned, as it is in public use  
and has been for many years.

Mrs. Thiner, with a private  
agreement with the Highway Dept.,  
has been maintaining this road for  
approximately 10 plus years.

This road is used by all  
Big Sky residents - landowners as  
well as visitors. It is the ONLY

January 2, 1994

To: Mr. Bill Murdock (BSOA), Post or Trail Committee, County Commissioners, Three Rivers Telephone, All owners that access their properties by way of Lone Mountain Road also known as the old county road

From: Thomas and Virginia LeRoy  
Big Sky, Montana 59716  
406-995-2801

By way of this signed document we will grant a 10 foot recreation and utility use easement the entire length of the south border (1067.58') of the the property known as THAT TRACT OF LAND DESCRIBED ON FILM 40, PAGE 1492, BEING A PORTION OF GOVERNMENT LOT 3, LOCATED IN THE SW/4 OF SECTION 31, T6S, R4E, P.M.M. and can be recorded in county records any time after the land is legally conveyed to us. It is understood however that this recreation and utility easement can also be used for vehicles to cross and or for repair and maintenance. The Trail Committee must maintain liability insurance protecting us from any injury that may happen on this easement. In the event this liability insurance is not maintained it will be considered and agreed that the recreation use agreement of this easement will become null and void, and neither party will have further obligation to each other.

It is further understood that Three Rivers Telephone company can keep their phone line where it is now installed and it will be undisturbed by us or anyone whether it lies partially or fully in this easement. By way of this document we permit the future installation and repair if need be by Three Rivers Telephone. Three rivers Telephone Company will always have easement rights through the above property.

If the petition to abandon 1067.58' of the west end of the Lone Mountain Road is approved by the County Commissioners we will by way of a 20' access easement through the east end of the above property provide additional access to Highway 64 and connect to the remaining portion of Lone Mountain Road. We further agree that we will maintain that entrance for all users to County and State standards and requirements.

  
Thomas LeRoy

Date

1-5-94

  
Virginia LeRoy

Date

1-5-94

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF Montana )

County of Ballatin ) ss

On this day personally appeared before me Thomas LeRoy and Virginia LeRoy

to me known to be (or in California personally known to me or proved to me on the basis of satisfactory evidence to be) the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that They signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this

BY Ephanna D. Pluth  
Notary Public in and for the state of: Montana

Residing at Big Sky  
My commission expires 6-1-96



BIG SKY OWNERS  
ASSOCIATION

December 28, 1993

Gallatin County Commission  
Gallatin County Courthouse  
311 West Main, Room 301  
Bozeman, Montana 59715

Re: County Road Abandonment, Located in Government Lot 3, Section 31,  
T6S, R4E, M.P.M., Gallatin County

Dear Commissioners:

The Big Sky Owners' Association has been working on a parks, open space and trails plan for the past three years in conjunction with the local planning effort. A committee working on the project for the association has identified recreation trails and easement acquisition as a top priority. Specifically, it has identified a trail network that would run continuously from the mountain area to the meadow, and from there to the canyon as a crucial part of this overall trail system.

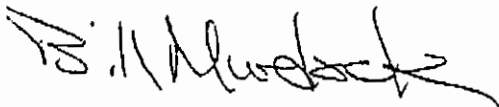
This portion of county right of way proposed for abandonment could be used as a link in the trail easement for the meadow to canyon segment. Although no specific route has yet been selected, the BSOA requests that this portion of county road right of way not be abandoned at this time, as it has been, and may continue to be used for recreational purposes so vital to our planning efforts.

The portion of property between the county right of way and the state highway may not have development potential under the setback requirements proposed by the county-appointed planning committee. It is a primary goal of that group to preserve open spaces and views as seen from the Big Sky spur road. To accomplish this, they propose setbacks for buildings along this corridor of up to 100 feet from the edge of right of way from the spur. Abandoning the county R.O.W. does not help them in this instance.

If the committee is successful in its negotiations with owners of properties in this corridor, it is possible that an alternative route for an easement in this segment could be worked out. But until that happens, this road right of way remains the best option for successfully linking the Meadow Village to the Canyon for recreational access.

Thank you for your consideration.

Sincerely,



BILL MURDOCK  
Executive Administrator

EM:lt

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

**Statement of Purpose:** Petition to abandon a portion of Lone Mountain Road.

**Legal Description:** That portion of Lone Mountain Road (Pet. No. 372) located in Tract 1 of Certificate of Survey No.1816, located in the Southeast One-Quarter of Section 31, Township 6 South, Range 4 East, PMM, Gallatin County, Montana.

STATE OF MONTANA )  
County of Gallatin ) ss

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. 1993, it contains the signatures of 10 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**  
3rd day of March 19 94, 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 25, 1994

Board of County Commissioners  
Gallatin County Courthouse  
Bozeman, Montana

RE: Lone Mountain Road

Dear Board,

On March 25, 1994, the undersigned being duly appointed as viewing committee, viewed a portion of Lone Mountain Road located in Government Lot 3, Section 31, Township 6 South, Range 4 East, M.P.M., Gallatin County, Montana, which has been petitioned to be abandoned.

The viewing committee observed the following:

1. A chain barricade has been placed at the west end access point of Lone Mountain Road. This barricade was put in place to comply with a letter of request from Robert J. Bukvich, State Department of Transportation, addressed to the Commission and dated February 10, 1994.
2. The west end access area has limited site distance and the County does not have enough area to build a safe 90 degree access point on the west end of the county road.
3. No land owner would become landlocked, nor anyone denied access to public lands if this petition to abandon were granted.
4. Access to Certificate of Survey 1075 would be gotten from the same access that the property to the east uses, that being off of Lone Mountain Road from the Big Sky Spur Road to the east. The State Department of Transportation, in their letter dated February 10, 1994, has stated that this is a safe access point.

Sincerely,

Kris Dunn  
Kris Dunn  
County Commissioner

Shelley M. Cheney  
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 a portion of Lone Mountain Road located in Tract 1 of Certificate of Survey No. 1816 and within the Southeast Quarter of Section 31, Township 6 South, Range 4 East, P.M.P., Gallatin County, Montana, be abandoned as stated in Road Petition #766.

NOTICE IS FURTHER GIVEN that said petition has been scheduled for public hearing before the Board of County Commissioners on the 12th day of April, 1994, 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 Kris Dunn, 311 W. Main, Room 301, Bozeman, Montana, 59715, telephone 585-1400.

Dated this 31st day of March, 1994.

*Shelley M. Cheney*

Shelley M. Cheney  
Clerk and Recorder  
Gallatin County, Montana

State of Montana

# County of Gallatin

Bozeman



**AFFIDAVIT OF MAILING**

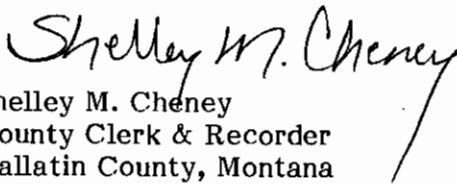
STATE OF MONTANA )  
                                  ) ss  
County of Gallatin  )

**SHELLEY M. CHENEY, BEING FIRST DULY SWORN ON OATH, deposes and says:**

That she is the duly elected, qualified and acting County Clerk and Recorder of Gallatin County, Montana.

I certify that a true and correct copy of the attached notice of hearing was mailed to all landowners and petitioners named in road petition Number   766  

Dated this   31ST   day of   MARCH  , 19  94  

  
Shelley M. Cheney  
County Clerk & Recorder  
Gallatin County, Montana

# Controversial Access slated to be closed

by Kevin Kelleher

The Montana Department of Transportation has requested that Gallatin County take measures to prevent vehicles from accessing highway 64 from a road earlier slated for abandonment, but later denied closure after public hearings.

The state of Montana has determined through its own investigation of the controversial road and current access points that no legal access to the west ever existed. The state found after examining old maps and files about the road that there had been a gate at the west end of what is now the LeRoy property and that this gate can be replaced.

According to the state the gate was placed across the assumed access point to prevent access to state highway 64. It is not known when or who removed the gate.

In a letter addressed to the Gallatin County Commission, Robert Bukvich writes, "record in this office show that a well designed approach was built as part of the highway construction and serves to connect MT-64 to the east end of the county road in question." Bukvich continues, "This is a safe access point and no action is planned at this site. However, at the west end of the county road, no approach was planned or built, and in fact, a gate had been installed across the county road to prevent access to MT-64.

Bukvich says that the west

approach is too dangerous to be considered for any vehicle use. In his letter he explains, "My on site investigation confirmed that this location has limited site distance and serves as a potential conflict point for highway travelers and approach users." Bukvich claims the approach is a safety concern and should be closed.

The issue of the road access points became the focal point in the issue of possibly abandoning the road for property owner Tom and Gigi LeRoy. They had requested the abandonment in order to site their new building back further from the state highway. Some local citizens did not wish to see the road abandoned and LeRoy summarily began construction on his second location choice, closer to the road.

LeRoy commented on Bukvich's letter saying, "It's unfortunate that we finally learn this now, but my first alternative wasn't acceptable, so I had to build where I could."

As the county road use now stands, access will be allowed on the east end of the county road. Bukvich also said that he didn't see any real problem with the access road to the Miner property at this time. He said, "The Miner access doesn't present a safety concern at this time.

It is likely the wet approach of the old county road will be closed permanently in the near future.

*for Public Meeting Tuesday, April 12th*

RECEIVED APR 08 1994

*Jane*

April 6, 1994

Mr. Dave Pruitt  
Gallatin County Commissioners  
311 W. Main St.  
Bozeman, MT 59715

Dear Mr. Pruitt:

I urge you to deny the abandonment of the old Big Sky spur road.

I lived along the Big Sky road for over 15 years and used this gravel road to walk, bike and jog for many years as an "off the highway" access to Meadow Village. I continue to bike and walk along this "trail" once the snow melts to reach the 191 highway from Meadow Village and the Ousel Falls road which we use as a "trail."

Although portions of the "old" road are not fully connected, the segments that remain make a wonderful safe trail from Meadow Village to 191. Our hope is that in time, owners along the spur road would give legal easements, coupled with the "old" road, we would achieve one continuous, fully usable trail to 191, possibly all the way to Ophir School and beyond for bike riding children and adults.

As it appears now, for individual personal gain, the community stands to suffer a loss of a planned trail. The Big Sky community is virtually surrounded now by 20 acre parcels with no provisions for easements or trails. It will be most difficult to reach National Forests without car travel to access points.

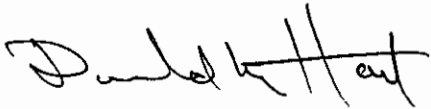
I urge you, our Gallatin County Commissioners, to help us sustain a hope for the future. We need more accessible trail systems, not less. Give us members of the community who really care a chance to enhance the area with walking, hiking, riding and biking trails. We're not asking for more land, just don't give away what we now have to individual commercial interests at the expense of the citizens of today and tomorrow.

The thought that the trail system could be an easement if the road were abandoned is just not acceptable. Why should we citizens have to accept an easement over private land with possible restrictions when its ours to begin with?

*799  
K*

There is absolutely no rational reason for a portion of a potentially great trail system to be vacated. Would there be a Pacific Coast Trail from Canada to Mexico or an Appalachian Trail from Maine to Georgia if our legislators privatized and abandoned these lands?

Sincerely,

A handwritten signature in cursive script that reads "Donald M. Hart". The signature is written in dark ink and is positioned above the typed name.

Donald M. Hart (20 year resident of Big Sky)  
P.O. Box 160453  
Big Sky, MT 59716  
406-995-4433

RESOLUTION NO. 1994- 29

DECISION CONCERNING PETITION TO ABANDON COUNTY ROAD

A PORTION OF LONE MOUNTAIN ROAD AT BIG SKY

WHEREAS, a Petition to Abandon County Road was filed requesting to abandon the following road:

That portion of Lone Mountain Road beginning at a point approximately 100 feet south of Montana Highway #64 and on the east side of Government Lot 3; Thence in a southwesterly direction for approximately 1067 feet to a point where Lone Mountain Road merges into Montana Highway #64 on the west side of Government Lot 3; all within Section 31 Township 6 South, Range 4 East, P.M.M., Gallatin County, Montana.

WHEREAS, on March 15, 1994, 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, the Gallatin County Commissioners appointed a committee consisting of one county commissioner, the county surveyor and road supervisor to investigate the feasibility and desirability of abandoning the road; and

WHEREAS, on April 12, 1994, the Gallatin County Commissioners conducted a public hearing, after notice, on the petition and the results of the investigation. Consideration of the petition was continued until the County Attorney could give an opinion in response to questions that were raised at the hearing; and

WHEREAS, the County Attorney gave his Opinion NO. 94-21 on May 19, 1994, in which he concluded that the County Commissioners may require that a private easement for access may be a condition for abandoning a county road; and

WHEREAS, on May 31, 1994, the County Commissioners continued with the public hearing and heard testimony that the Big Sky Owners Association and Tom and Virginia LeRoy were prepared to enter into a Trail Easement Agreement across the road petitioned to be abandoned; and

WHEREAS, a copy of the Trail Easement Agreement was presented to the County Commissioners and is attached to this Resolution as Exhibit "A"; and

WHEREAS, the County Commissioners voted unanimously to grant the petition and abandon the portion of Lone Mountain Road requested in the petition on the condition that Tom and Virginia LeRoy and the Big Sky Owners Association enter into the Trail Easement Agreement.

NOW, THEREFORE BE IT RESOLVED:

1. Based on the petition, results of the investigation and information presented at the public hearing held on April 12 and May 31, 1994, the Gallatin County Commissioners conclude that the decision made herein is in the best interests of the county.

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

That portion of Lone Mountain Road beginning at a point approximately 100 feet south of Montana Highway #64 and on the east side of Government Lot 3; Thence in a southwesterly direction for approximately 1067 feet to a point where Lone Mountain Road merges into Montana Highway #64 on the west side of Government Lot 3; all within Section 31 Township 6 South, Range 4 East, P.M.M., Gallatin County, Montana.

3. The abandonment of the road is subject to the condition that the Big Sky Owners Association and Tom and Virginia LeRoy enter into the Trail Easement Agreement attached as Exhibit "A".

4. 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.

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

DATED this 14th day of June, 1994.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY

Absent

A.D. Pruitt, Chairman

Jane Jelanski  
Jane Jelanski, Member

Kris Dunn  
Kris Dunn, Member

ATTEST:

Shelley M. Cheney

By Lina M. Altemis, deputy  
Clerk and Recorder



TRAIL EASEMENT AGREEMENT

AGREEMENT made this \_\_\_\_\_ day of May, 1994, between TOM and VIRGINIA LEROY of Big Sky, Montana, (hereinafter referred to as "Grantors" and THE BIG SKY OWNERS ASSOCIATION, of Big Sky, Montana, (hereinafter referred to as the "Grantee").

The Grantor, in consideration of the agreements hereinafter stated, does hereby grant, bargain, convey and transfer unto Grantee, for the sole purpose of providing recreational trails thereon, until this Easement is terminated as hereinafter provided, the following described tract of land, to wit:

Approximately 1,100 feet of a trail located in Government Lot 3, Section 31, T6S, R4E, Gallatin County, a portion of the old Lone Mountain Road said twenty (20) feet in width; all of which is indicated on the attached Exhibit "A".

Excepting and reserving unto the Grantor, its successors, licensees and assigns, the right to the use of such part of the surface as may be necessary or convenient for the purpose of exploring (by geological, geo-physical, or other methods) and drilling for, producing, mining, extracting, taking, storing and transporting all minerals of every nature whatsoever, upon or under the above described land; together with the right to the use of such sub-surfaces strata as may be necessary or convenient for the purpose of underground storage or injection of oil, gas or other hydrocarbons, water or other substances therein, whether produced from the land or elsewhere, and also together with the right to use, in common with the Grantee, its successors or assigns, of such

water as may be found in, upon, or produced from said premises as may be necessary or convenient for its operations, and subject to all leases or agreements now outstanding for use of said premises or any portion thereof for agriculture, mining or other purposes, as reflected by public records and records of lessor. Subject also to all existing easements, servitudes, and rights of way for ditches, levies, roads, highways, telegraph, telephone, electric power lines, pipelines, and any other purposes, to any roads heretofore laid out or established.

CONSIDERATION: The Grantor will not charge any fee or receive any compensation for this Easement.

1. The Grantee will not cut any timber, except as is necessary to maintain said trails, and will use the premises solely for recreational trails.

2. The Grantee may construct fences and other improvements on the lands only if approved in advance and in writing by the Grantor and only if it complies with the laws of the State of Montana, and any local ordinance, regulations, or covenants of the Big Sky Owners Association.

3. The Grantee may assign this Easement or any interest therein, or any part thereof to a successor interest, provided that interest is a trail management organization.

4. The Easement may be moved from time to time at the mutual agreement of both parties, or if Gallatin County establishes easements on adjoining or adjacent properties or within road rights of way for trail use that would replace this Easement.

5. The Grantor will pay all taxes levied or assessed upon the premises except those chargeable to the improvements or other property of the Grantee.

6. Subject to the provisions of Paragraph 20, the term of this Easement shall be ninety-nine (99) years. The parties anticipate that the parties shall desire to extend and renew this Easement for a similar term and under similar conditions at the conclusion of this term. At least six (6) months prior to the expiration of the term, the parties shall meet, at the instance of the Grantee, and determine whether this Easement shall be extended, and what modifications, if any, shall be made in the terms and conditions of the Easement.

7. If the Grantee shall fail to perform any covenant hereof, the Grantor may cancel this Easement upon thirty (30) days' notice, and the Grantee shall not remove any fences or other improvements.

8. The Grantee may surrender this Easement or any part thereof on any annual anniversary of the date hereof on thirty (30) days' previous notice in writing to the Grantor.

9. Upon termination of this Easement, in whole or in part, the Grantee may within thirty (30) days remove fences and other improvements, except as provided in Section 7 hereof.

10. The Grantee agrees to assume all risk of and in indemnify and hold harmless, and at its expense, defend the Grantor from and against any and all claims, loss, cost, legal actions, liability or expense on account of personal injury to or death of any persons, except those claims caused by any negligence of Grantor.

11. Grantee shall maintain a policy or policies of comprehensive general liability issued in a form and by an insurance company acceptable to Grantor with minimum limits of \$250,000 - \$500,000 personal injury and/or death for each occurrence and \$500,000 property damage for each occurrence. Such approval shall not be unreasonably withheld. Within thirty (30) days, Grantee shall deliver to Grantor a certificate of insurance from the insurer(s) of said Grantee certifying that coverage is not less than the above-named amounts is in force. The certificate of insurance shall be submitted for approval as to the insurance company writing the same, the amount and the form. Grantor reserves the right to require a certified copy of the policy, or to examine the policy itself.

12. Service of any notice hereunder shall be deemed adequate if such notice is deposited in a United States Post Office addressed to the Lessee at Big Sky, Montana 59716.

13. The Grantor, by its agents, shall have the right to enter upon said premises for the purpose of inspecting the Grantees operations thereon.

14. The Agreement Incorporates the entire agreement of the parties. No prior representation, stipulation, agreement or understanding will be valid or enforceable unless incorporated herein. Any modification of the Easement must be in writing and signed by both parties.

20. The initial duration of this easement is for a period of one (1) year. The Grantee will submit this easement to its membership for ratification and acceptance within one (1) year. In the event the easement is ratified, the duration of the easement will extend for ninety nine (99) years. Otherwise, the Grantee will convey its interest in the easement to the Grantor.

IN WITNESS WHEREOF, the parties have executed this instrument this day and year first above written.

BIG SKY OWNERS ASSOCIATION

TOM and VIRGINIA LEROY

By: \_\_\_\_\_  
KEN WILLIAMS, Chairman

By: \_\_\_\_\_  
TOM LEROY

By: \_\_\_\_\_  
VIRGINIA LEROY

STATE OF MONTANA )  
 :ss.  
County of Gallatin )

On this \_\_\_\_ day of May 1994, before me a Notary Public for the State of Montana, personally appeared KEN WILLIAMS, known to me to be the CHAIRMAN, of BIG SKY OWNERS ASSOCIATION, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

( S E A L )

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF MONTANA )  
 :ss.  
County of Gallatin )

On this \_\_\_\_ day of May, 1994, before me a Notary Public for the State of Montana, personally appeared TOM LEROY, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

( S E A L )

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF MONTANA     )  
                              : ss.  
County of Gallatin    )

FILM 145 PAGE 1051

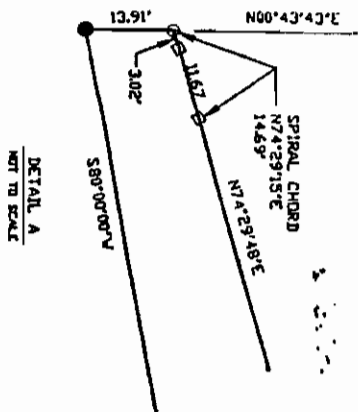
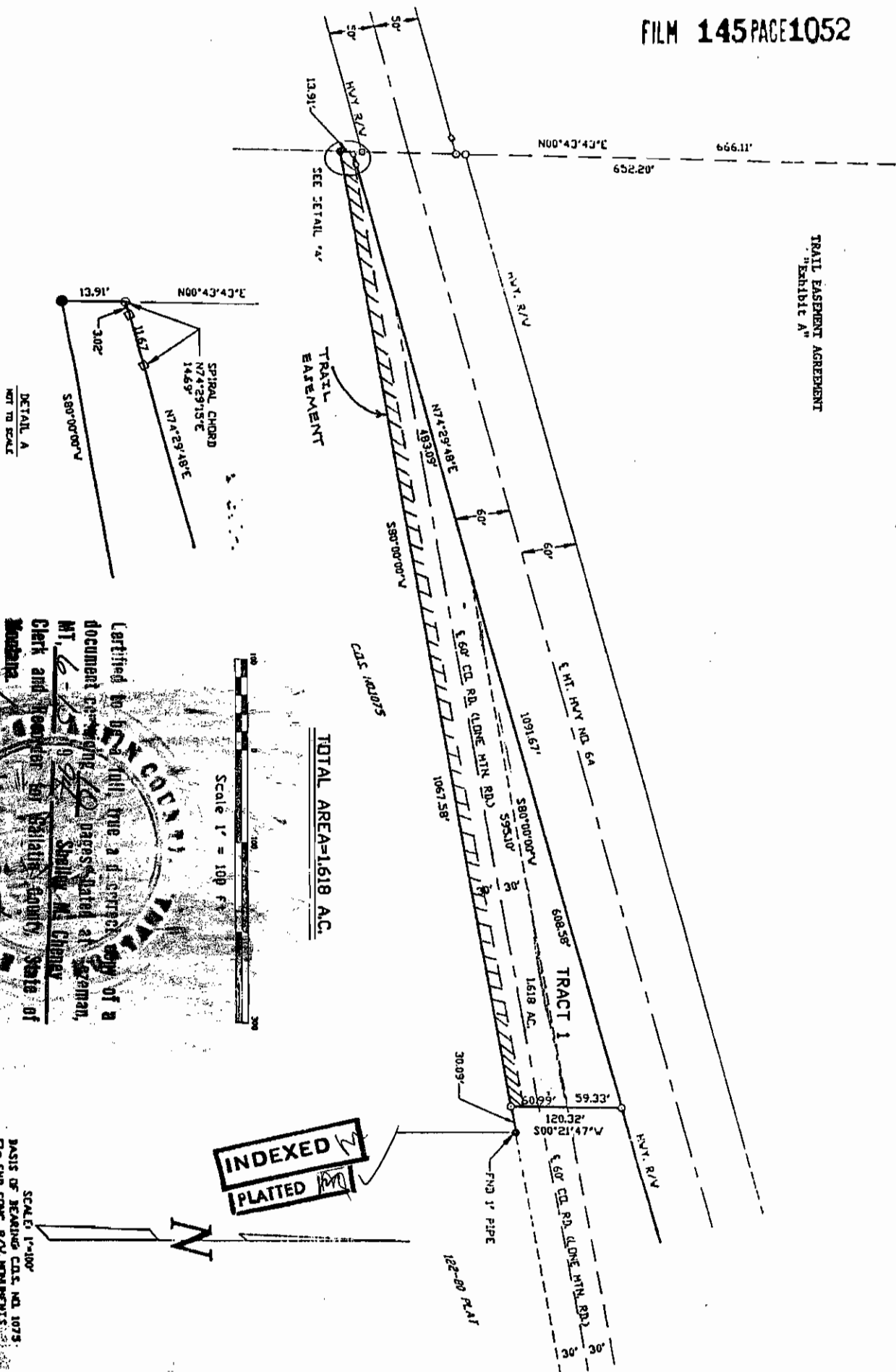
On this \_\_\_\_ day of May, 1994, before me a Notary Public for the State of Montana, personally appeared VIRGINIA LEROY, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

( S E A L )

\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

TRAIL EASEMENT AGREEMENT  
"EXHIBIT A"



TOTAL AREA=1,618 AC.



INDEXED  
PLATED

CERTIFIED TO BE A TRUE AND CORRECT COPY OF A document containing the pages stated at the end of this document.

By: *Shirley M. Cheney*  
 Clerk and Treasurer of Gallatin County, State of Montana

SCALE: 1"=100'  
 BASIS OF BEARING: C.S. NO. 1075  
 O = SET 5/8" X 3/4" BEARING W/ALUM. CAP  
 @ = FIND 5/8" BEARING

288386

OFFICE OF COUNTY RECORDER )  
 COUNTY OF GALLATIN )  
 STATE OF MONTANA )

THIS INSTRUMENT WAS FILED FOR RECORD IN THIS OFFICE ON  
 THE 15th DAY OF June, A.D. 1994  
 AT 4:30 P.M., AND WAS DULY RECORDED IN BOOK 145  
 OF MISCELLANEOUS RECORDS, PAGE 1043

Fee \$ -0-

RECORDER. BY *Barbara Jensen* DEPUTY

RT: Gallatin County



**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:

Westland Enterprises, Inc.  
P.O. Box 939  
Bozeman, MT 59715



4a. Article Number

P 787 054 710

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  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)

PS Form 3811, October 1990

☆ U.S. GPO: 1990-273-861

**DOMESTIC RETURN RECEIPT**

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- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Postmaster  
Big Sky, MT 59716

4a. Article Number

P 787 054 717

4b. Service Type

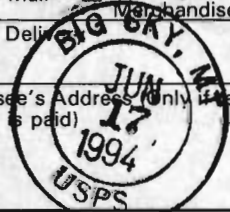
- Registered  Insured  
 Certified  COD  
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7. Date of Delivery

5. Signature (Addressee)

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- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

TM Land Partners Ltd.  
104 E. Main, Suite 408  
Bozeman, MT 59715

4a. Article Number

P 787 054 711

4b. Service Type

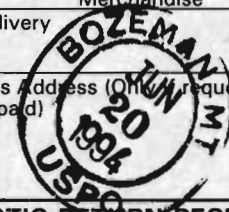
- Registered  Insured  
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 Express Mail  Return Receipt for Merchandise

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

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Virginia & Tom Leroy  
General Delivery  
Big Sky, Mt 59716

4a. Article Number

P 787 054 716

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

*06/21/90*

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

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

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Energy Quest, Ltd  
2880 S. Locust St., No. 701 N  
Denver, CO 80222

4a. Article Number

P 787 054 715

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

**WALLS STATION POST OFFICE**  
JUN 23 1990  
USPS

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

**DOMESTIC RETURN RECEIPT****SENDER:**

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

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Lawrence J. & Birdie Kelley  
46-241 Kalali St.  
Kaneohe, HI 96749

4a. Article Number

P 787 054 713

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

**POST OFFICE**  
JUN 28 1990  
P M  
59716

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

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- 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.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Barbara R. Miner  
130 Coconut Palm Rd.  
Boca Raton, FL 33432

4a. Article Number

P 787 054 714

4b. Service Type

- Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

7. Date of Delivery

6-30-94

5. Signature (Addressee)

6. Signature (Agent)

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**

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- 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.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Holly Malloy Hansen  
4305 Loma Vista  
Billings, MT 59106

4a. Article Number

P 787 054 712

4b. Service Type

- Registered       Insured  
 Certified       COD  
 Express Mail       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)

PS Form 3811, October 1990

★U.S. GPO: 1990-273-861

**DOMESTIC RETURN RECEIPT**