

ROAD PETITION No. 768
Reeves Road East

Granted Jan. 10, 1995

BOOK 43 PAGE 260

Road Pet #768

CHECKLIST OF PROCEDURES FOR ROAD PETITIONS

Original signed petition must be submitted to the Clerk and Recorder along with a map showing the area of the road under consideration. Get name and phone number of someone to contact for questions

NAME _____ PHONE _____

- 1) Determine if there are sufficient qualified signatures.
- 2) Complete "Report of Qualified Signatures".
- 3) If there are adequate signatures, type regular mail envelopes for:
 - _____ A) All landowners named in the petition.
 - _____ B) All signers of the petition.
 - _____ C) All individuals named in the petition who could be affected by the petition.
 - _____ D) The postmaster for the area.
 - _____ E) The Public Lands Access Association.
- 4) Type and prepare certified mail envelopes for:
 - _____ A) All owners of land abutting the road.
 - _____ B) All individuals named in petition who could be affected by the abandonment.
 - _____ C) Postmaster for the area.
 - _____ D) Public Lands Access Association.
- 5) Schedule petition on Commissioner's agenda. DATE 10-18-94
- 6) Commissioners receive petition and assign viewing committee.
- 7) Viewing committee completes road report.
- 8) Schedule public hearing on Commissioner's agenda and prepare "Notice of Public Hearing"
- 9) Publish "Notice of Public Hearing" one time.
- 10) Send a copy of the viewing committee report and public hearing notice:
 - _____ A) by regular mail to persons that envelopes were prepared for in 3).
 - _____ B) the County Road Superintendent
 - _____ C) the County Attorney along with a copy of the petition
 - _____ D) the Commissioners along with a copy of the petition
- 11) Prepare affidavit of mailing for petition file.
- 12) Commissioners hold public hearing to grant or deny petition.
- 13) County Attorney drafts resolution for Commissioners to consider at the next public hearing.
- 14) Commissioners pass resolution.
- 15) A copy of the resolution must be sent, within 10 days of passage, by CERTIFIED MAIL to all persons envelopes were typed for in 4).
- 16) Type affidavit of mailing for the petition file.
- 17) If petition is granted, a certified copy of the resolution must be recorded.
- 18) If the petition is granted, a copy of the resolution is sent to the Assessor's office.

RECEIVED
Date 10-5-94
Clerk & Recorder
Gallatin County, Mont.

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: portion of Reeves Rd East which lies west of Campbell Road.

(Attach additional page if required).

2. The road is commonly known as: (not built)

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

West from Campbell Rd to N 19th overpass

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

LANDOWNER(S)

MAILING ADDRESS

1. Susan Nelson 1500 Reeves Road E
Bozeman, MT 59715

PROPERTY DESCRIPTION

2. Beatrice Taylor 6400 Bestwick Rd
Bozeman, MT 59715

PROPERTY DESCRIPTION

3. Peter + Kathryn Bada PO Box 1024
Bozeman MT 59715

PROPERTY DESCRIPTION

(no additional adjacent landowners)

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)

all consent

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:

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:

Tunnel under N 19th St overpass was not constructed so no purpose exists for this portion of road.

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. Steve Houser Signature 6110 E. Baseline Rd Address
Steve Houser Printed Name Bozeman MT 59715 City, State & Zip
10/3/94 Date

OK

Description of Property

2. Jeremiah P. Cashman Signature 252 Estes Lane Address
Jeremiah P. Cashman Printed Name Bozeman Mt. 59715 City, State & Zip
10-3-94 Date

OK

Description of Property

3. Susan T. Nelson Signature 1500 Reeves Rd. Address
Susan T. Nelson Printed Name Bozeman MT 59715 City, State & Zip
10-3-94 Date

OK

Description of Property

OK Mary Lou Houser 6110 E. Baseline Rd
Mary Lou Houser Bozeman, Mt.
10-5-94 5 59715

4. Lori Luthje Signature 4682 CHAMPANEL WAY Address
LORI LUTHJE Printed Name BOZEMAN, MT 59715 City, State & Zip
OK 10/3/94 Date

5. [Signature] Signature 9432 Meadow Lark Drive Address
OK C.C. (W) WESTLAKE Printed Name BOZEMAN, MT 59715 City, State & Zip
3 Oct 94 Date 4350 BRIDGER CANYON RD

6. Sally S LeHkind Signature 4840 FOWLER LANE Address
OK SALLY S LEHKind Printed Name BOZEMAN, MT 59715 City, State & Zip
9/3/94 Date

7. Janis C Barrett Signature 4343 Sauerbough Rd Address
OK JANIS C. BARRETT Printed Name BOZEMAN, MT 59715 City, State & Zip
9-3-94 Date

OK Deborah McAtee 6 2785 Rusty Nail Rd
Deborah McAtee Bozeman, MT 59715
10-5-94

See KEVIN

8. [Signature]
Signature
Kevin P. McAtee
Printed Name
10-3-94
Date

#2785 Rusty Nail Road
Address
Bozeman MT 59715
City, State & Zip
104 E. MAIN Suite 408

OK

9. [Signature]
Signature
S. Justino S. Heisel
Printed Name
Oct 3, 1994
Date

Description of Property
4463 Springhill Rd
Address
Bozeman MT 59715
City, State & Zip

NO

10. [Signature]
Signature
Joan A. LeProwse
Printed Name
Oct 3, 1994
Date

Description of Property
6909 E. Baseline Rd
Address
Bozeman Mt 59715
City, State & Zip

OK

IX. [Signature]
OK JAMES G. TAYLOR
Oct 4 1994

Description of Property

6400 BOSTWICK RD
BOZEMAN MT, 59715
+
1115 N 7th

State of Montana

County of Gallatin

Bozeman



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

Statement of Purpose: Petition to abandon a portion of the proposed extension of Reeves Road East.

Legal Description: That portion of the proposed extension of Reeves Road East that lies between Campbell Road on the East, and North 19th Avenue on the West. Being located in the SW1/4 of Section 25, and the SE1/4 of Section 26, T 1 S, R 5 E.

STATE OF MONTANA)
)ss
County of Gallatin)

I, Shelley M. Cheney, do hereby certify that I am the qualified and acting County Clerk and Recorder for Gallatin County, State of Montana; that I have examined the petition to which this certificate is attached, and that pursuant to Section 7-14-2601 M.C.A. 1993, it contains the signatures of 10 qualified 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 6th day of October 1994, A.D.

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

State of Montana

County of Gallatin

Bozeman



December 9, 1994

Board of County Commissioners
Gallatin County Courthouse
Bozeman, Montana

RE: Reeves Road East

Dear Board,

On December 9, 1994, the undersigned being duly appointed as viewing committee, viewed a portion of Reeves Road East located in the Southwest quarter of Section 25, and the Southeast quarter of Section 26, T1S, R5E, M.P.M., Gallatin County, Montana, which has been petitioned to be abandoned in Road Petition #768.

The viewing committee observed the following:

Heading in a westerly direction at the intersection of Reeves Road East and Campbell Road, if built, the road would terminate at the North 19th off ramp into an approximate 20 foot berm.

Walker Property Subdivision plat shows this portion of road as a road easement being 60 feet wide and approximately 287 feet long, and was intended for a proposed tunnel which was denied by the State.

No land owner would become landlocked, nor anyone denied access to public lands if this petition to abandon were granted.

Sincerely,

Kris Dunn
Kris Dunn
County Commissioner

Shelley M. Cheney
Shelley M. Cheney
Clerk and Recorder/Surveyor

State of Montana

County of Gallatin

Bozeman



TO: Kris Dunn and Sam Gianfrancisco
FROM: Shelley *SMA*
DATE: December 9, 1994
SUBJECT: Reeves Road East road review

Please take a moment to review the attached report as drafted. FEEL FREE to make any changes, corrections, or additions you may have.

Please return the report back to me with comments as soon as possible so the original report can be signed, and a public hearing date can be scheduled, notices prepared, etc.

Thanks for your help!

12/14/94
good,
Kris

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 Reeves Road East which lies between Campbell Road on the east and North 19th Avenue on the west, and located in the SW 1/4 of Section 25 and the SE 1/4 of Section 26, T1S, R5E, M.P.M., Gallatin County, Montana, be abandoned as stated in Road Petition #768.

NOTICE IS FURTHER GIVEN that said petition has been scheduled for public hearing before the Board of County Commissioners on the 27th day of December, 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 20th day of December, 1994.

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

Please publish: December 23, 1994

Please bill: Clerk & Recorder

FILE	FILE TYPE	OPTION	TEL NO.	PAGE
033	MEMORY TX	ACCT CLERK/REC ELECT	CHRONICLE	01

.....
 REMAINING CALL CAPACITY 299

State of Montana

County of Gallatin

Bozeman



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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 board's decision on road petition number 768 was mailed by certified mail to all owners of land abutting on the road, street, or alley abandoned or discontinued.

Dated this 17TH day of January , 1995 .

Shelley M. Cheney

SHELLEY M. CHENEY
CLERK AND RECORDER
GALLATIN COUNTY, MONTANA

RESOLUTION NO. 1995- 2

DECISION CONCERNING PETITION TO ABANDON COUNTY ROAD

NAME OF COUNTY ROAD: A PORTION OF REEVES ROAD

WHEREAS, a Petition to Abandon County Road was filed on October 5, 1994, requesting that the following portion of Reeves Road be abandoned:

That portion of the proposed extension of Reeves Road East that lies between Campbell Road on the East that lies between Campbell Road on the East, and North 19th Avenue on the West being located in the SW1/4 of Section 25 and the SE1/4 of Section 26, T1S, R5E.

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, the 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 December 27, 1994, and January 3, 1995, the 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 reason that the portion of the road to be abandoned was created as a 60 foot wide road easement on a plat and was intended for a proposed tunnel which was denied by the State of Montana. If the road were constructed it would terminate at the North 19th off ramp into an approximate 20 foot berm.

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

That portion of the proposed extension of Reeves Road East that lies between Campbell Road on the East that lies between Campbell Road on the East, and North 19th Avenue on the West being located in the SW1/4 of Section 25 and the SE1/4 of Section 26, T1S, R5E.

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 10th day of January, 1995.

BOARD OF COUNTY COMMISSIONERS OF GALLATIN COUNTY

Kris Dunn
Kris Dunn, Chairman

Jane Jelinski
Jane Jelinski, Member

Phil Olson
Phil Olson, Member

ATTEST:

Shelley M. Cheney
SHELLEY CHENEY
Clerk and Recorder

Certified to be a full, true and correct copy of a document containing 2 pages, Dated at Bozeman, MT, 1-27-95. Shelley M. Cheney, Clerk and Recorder for Gallatin County, State of Montana.
Linda M. Altomus
Deputy

INDEXED
PLATTED C

300544

State of Mont., County of Gallatin. ss Filed for record JANUARY 27, 1995
at 8:30 A. M., and recorded in Book 151 of MISCELLANEOUS, page 293
Shelley M. Cheney Recorder. By Melody A. [Signature] Deputy

RT: ROAD PETITION #768

FEE: -0-

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):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Susan Nelson
1500 Reeves Road East
Bozeman, MT 59715

P787054776 Rd Pet

5. Signature (Addressee)

6. Signature (Agent)

Susan Nelson

4a. Article Number

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

1-18-95

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

PS Form 3811, October 1990

*U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

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

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Beatrice Taylor
6400 Bostwick Road
Bozeman, MT 59715

P787-054-775 Rd Pet

5. Signature (Addressee)

6. Signature (Agent)

Beatrice Taylor

4a. Article Number

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

1-18-95

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

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:

Peter & Kathryn Bade
P.O. Box 1624
Bozeman, MT
59771-1624

P787054774 Rd Pet

5. Signature (Addressee)

6. Signature (Agent)

Peter & Kathryn Bade

4a. Article Number

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

1-31-95

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