

ROAD PETITION NO. 771

ELLIS STREET

WITHDRAWN FROM
CONSIDERATION 8/11/95

See Petition # 773

~~Book~~ _____ ~~PAGE~~ _____

ELLIS ST.

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 PAGE DABNEY PHONE 763-4757
DAB DABNEY 585-9808

- 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 5/9/95
- 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 4/7/95
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: That portion of Ellis Street that lies in the
SE 1/4 of Section 8, T2S, R6E and is more particularly
shown on attachment "A".

(Attach additional page if required).

2. The road is commonly known as: Ellis Road

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

See Attachment "A"

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

LANDOWNER(S)

MAILING ADDRESS

1. Robert C. & Marcia A. Pearson 110 Sunset Blvd., Bozeman, MT 597
Marcia A. Pearson
See description shown on Exhibit "A"

PROPERTY DESCRIPTION

2. Farmhouse Partners - Bozeman Ltd. Ptnshp. P.O. Box 1746
Bozeman, MT 59711-1746

PROPERTY DESCRIPTION

3.

PROPERTY DESCRIPTION

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)

N/A

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:

N/A

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

<hr/> <hr/> <hr/> <p>N/A</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: To reconcile records with MDOT project number FAP-I-IG-90-6U923) 304-35-44 and existing improvements (Klondike Professional Center 12/1983)

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. Tona Doney 11258 Cottonwood Rd
Signature Address
TONA DONEY Bozeman, MT 59715
Printed Name City, State & Zip
1/30/95
Date

Residence and Farm

Description of Property

2. Martin Westland 9645 S. 19TH
Signature Address
MARTIN WESTLAND BOZEMAN MONT.
Printed Name City, State & Zip
1/30/95
Date

Residence and store

Description of Property

3. Jackie Johnston / Dan Swanson 8601 Ricky Dr.
Signature Address
JACKIE JOHNSTON / DAN SWANSON Bozeman MT 59715
Printed Name City, State & Zip
1/30/95
Date

Residence

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. *Dave Corcoran* Signature 3400 WATERBURY TRAIL Address
✓ DAVE CORCORAN Printed Name BOZEMAN MT 59715 City, State & Zip
5/3/95 Date

Description of Property

2. *Phillip Rotherham* Signature 7894 Bridger Canyon Rd Address
✓ Phillip Rotherham Printed Name Bozeman, Mt 59715 City, State & Zip
5/3/95 Date

Description of Property

3. *Larry Lomax* Signature 8406 LITTLE GULLY RUN Address
✓ LARRY LOMAX Printed Name BOZEMAN MT 59715 City, State & Zip
5/3/95 Date

Description of Property

4. *[Signature]* Signature 320 Little Bear Spur Address
PAUL HARVEY Printed Name GALLATIN GATEWAY, MT 59730 City, State & Zip
JAN. 30, 1995 Date

RESIDENCE & SMALL ACREAGE

5. *[Signature]* Signature 408 B. W. Central Address
Brenda L. Hurless Printed Name Bellevue, MT. 59714 City, State & Zip
1-30-1995 Date

Residence

6. *[Signature]* Signature 9601 FOREST CR. DR. Address
PHILLIP G. SMITH Printed Name BOZEMAN MT 59715 City, State & Zip
1-30-95 Date

PERSONAL RESIDENCE

7. *[Signature]* Signature 970 Blackwood Rd. Address
Michele Lehrkind Printed Name Bozeman MT 59715 City, State & Zip
1/30/95 Date

Residence

Description of Property

4. Jeffrey L. Hoover Signature 15765 Rocky Mtn Rd Address
JEFFREY L. HOOPER Printed Name Belgrade MT 59714 City, State & Zip
5.3.95 Date

5. _____ Description of Property
_____ Address
_____ Printed Name _____ City, State & Zip
_____ Date

6. _____ Description of Property
_____ Address
_____ Printed Name _____ City, State & Zip
_____ Date

7. _____ Description of Property
_____ Address
_____ Printed Name _____ City, State & Zip
_____ Date

_____ Description of Property

8.

John Miller
Signature
JOHN MILLER
Printed Name
1/29/95
Date

2909 SALES ROAD
Address
BELGRADE, MT 59714
City, State & Zip

9.

Louise A. Satterlee
Signature
Louise A. Satterlee
Printed Name
1/30/95
Date
Residence

Description of Property
220 Williams Rd E
Address
Gallatin Gtwy, MT 59730
City, State & Zip
7 E mason #3
Bozeman, mt. 59715

10.

Thomas N. Milkson
Signature
Thomas N. Milkson
Printed Name
1-30-95
Date

Description of Property
911 Alpine Way
Address
Bozeman MT 59715
City, State & Zip

Description of Property

EXHIBIT A

ABANDONMENT OF A PORTION OF ELLIS STREET

TRACT A OF CERTIFICATE OF SURVEY NO. 1161 LOCATED
IN THE SOUTHEAST ONE-QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 6 EAST, R.1.M.M.,
GALLATIN COUNTY, MONTANA

OWNER: ROBERT C. AND MARCIA A. PEARSON
PREPARED: APRIL 1995

TOTAL LOTTED AREA = 7.569 ACRES

CENTERLINE DESCRIPTION

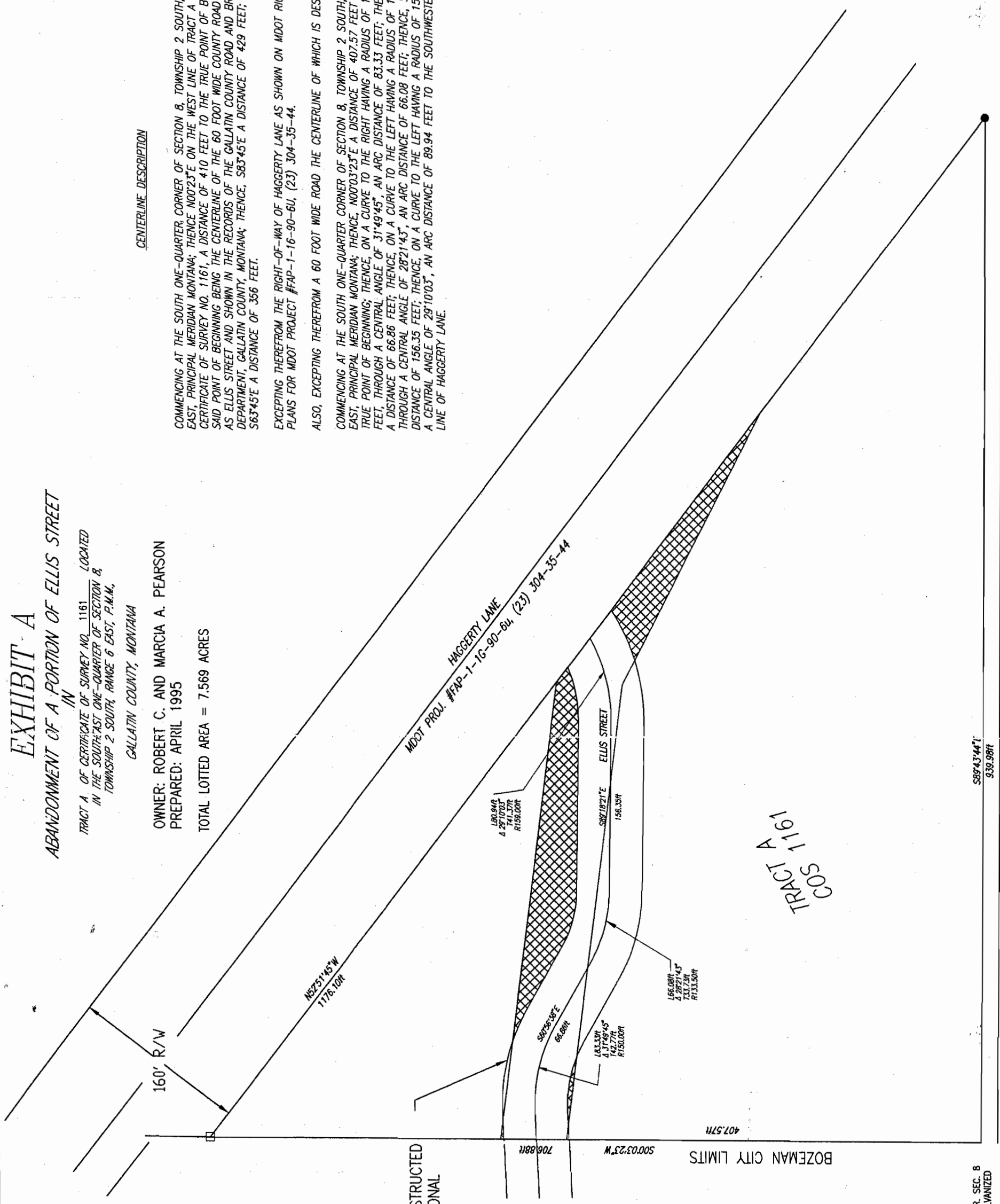
COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 6 EAST, PRINCIPAL MERIDIAN MONTANA; THENCE $N00^{\circ}23'E$ ON THE WEST LINE OF TRACT A OF CERTIFICATE OF SURVEY NO. 1161, A DISTANCE OF 410 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING THE CENTERLINE OF THE 60 FOOT WIDE COUNTY ROAD EASEMENT KNOWN AS ELLIS STREET AND SHOWN IN THE RECORDS OF THE GALLATIN COUNTY ROAD AND BRIDGE DEPARTMENT, GALLATIN COUNTY, MONTANA; THENCE, $S83^{\circ}45'E$ A DISTANCE OF 429 FEET; THENCE, $S63^{\circ}45'E$ A DISTANCE OF 356 FEET.

EXCEPTING THEREFROM THE RIGHT-OF-WAY OF HAGGERTY LANE AS SHOWN ON MDOT RIGHT-OF-WAY PLANS FOR MDOT PROJECT #FAP-1-16-90-6U, (23) 304-35-44.

ALSO, EXCEPTING THEREFROM A 60 FOOT WIDE ROAD THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 6 EAST, PRINCIPAL MERIDIAN MONTANA; THENCE, $N00^{\circ}03'23"E$ A DISTANCE OF 407.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET, THROUGH A CENTRAL ANGLE OF $31^{\circ}49'45"$, AN ARC DISTANCE OF 83.33 FEET; THENCE, $S60^{\circ}56'38"E$ A DISTANCE OF 66.86 FEET; THENCE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 133.50 FEET, THROUGH A CENTRAL ANGLE OF $28^{\circ}21'43"$, AN ARC DISTANCE OF 66.08 FEET; THENCE, $S89^{\circ}18'21"E$ A DISTANCE OF 156.35 FEET; THENCE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 159.00 FEET, THROUGH A CENTRAL ANGLE OF $29^{\circ}10'03"$, AN ARC DISTANCE OF 89.94 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HAGGERTY LANE.

ELLIS ROAD AS CONSTRUCTED
(KLONDIKE PROFESSIONAL
CENTER, PHASE I)



- NOTES:
- BASIS OF BEARING: COS NO. 1161
 - FOUND REBAR W/ YPC UNLESS OTHERWISE NOTED
 - 4"x4" CONCRETE R/W MONUMENT FOUND
 - ▨ AREA TO BE ABANDONED

S. 1/4 COR. SEC. 8
FND 1" GALVANIZED
PIPE

S894344'
939.99ft

ELLIS ROAD ABANDONMENT MAP
KLONDIKE DEVELOPMENT
BOZEMAN MT



KERIN & ASSOCIATES
CONSULTING ENGINEERS/PLANNERS
219 E. MENDENHALL BOZEMAN, MONTANA 59715
106 E. CALIFINDER LIVINGSTON, MONTANA 59047



DRAWN BY: JAK
SCALE: NO SCALE
DATE: 01/23/95

EXHIBIT
"A"



KERIN & ASSOCIATES

219 East Mendenhall Street
Bozeman, Montana 58715

consulting engineers/planners/surveyors

Phone 406/588-8407
Fax 406/588-3745

RICHARD T. KERIN, P.E.
principal

August 8, 1995

RECEIVED
Date 8-11-95
Clerk & Recorder
Gallatin County, Mont.

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

Re: Road Petition No. 771

Dear Shelley,

We are, by this writing, requesting that Road Petition # 771, the abandonment of a portion of Ellis Road, be withdrawn from consideration by the County Commissioners at this time. We will, in the near future, be re-submitting the petition, hopefully eliminating some of the confusing elements present in the earlier petition. To date we have revised the Exhibit A attachment for the petition and are in the process of obtaining the landowner's signatures.

Thank you for your assistance in this petition process.

Sincerely,

Paul Cook, PLS
Senior Surveyor

PC:db

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:

Robert & Marcia Pearson
110 Sunset Blvd
Bozeman, MT 59715

Road Pet. #

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

4a. Article Number

P 787 054 743

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

10/07/95

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



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:

Postmaster
Federal Building
Bozeman, MT 59715

Road Pet. #773

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

4a. Article Number

P 787 054 744

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

10-10-95

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:

Public Lands Access Assoc.
c/o Monty Cooper
611 W. Main
Bozeman, MT 59715

Road Petition #773

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, October 1990

☆U.S. GPO: 1990-273-861

4a. Article Number

P 787 054 745

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

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



DOMESTIC RETURN RECEIPT