

Road Petition # 814

Abandon Northern & Southern parts of the  
Cul-de-sac of Pollywog Lane Lying in  
Minor #307 Section 13, T1S, R4E

Granted Sept. 30, 2003

RECEIVED  
Date 04-08-03  
Clerk & Recorder  
Gallatin County, Mont.

**C&H ENGINEERING AND SURVEYING, INC.**

205 Edelweiss Drive, Bozeman, MT 59718  
☐ Phone (406) 587-1115 ☐ Fax (406) 587-9768  
email: info@chengineers.com

**LETTER OF TRANSMITTAL**

DATE: April 8, 2003

TO: Gallatin County Clerk and Recorder

ATTN: Shelley Vance

FROM: Mark A. Chandler, P.E., P.L.S.

RE: Partial Road Abandonment, Pollywog Lane,  
(02559)

QTY.	DESCRIPTION
1	Completed Petition for Road Abandonment
3	Prints showing portions to be abandoned

PURPOSE:

As You Requested  
 For Your Information/Records  
 For Review & Approval  
 For Design Revisions  
 For Your Signature/return  
 Other: (See Remarks)

U.S. Mail       Federal Express       Hand Delivered

REMARKS: To be processed according to road abandonment procedures.

Thanks, Mark

Copies to: \_\_\_\_\_

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: The Sides of the cul-de-sac on the dedicated road of the minor subdivision shown on Plat No 307 Minor Subdivision - TRACT B-1 of Cert of Survey No 507-A Located in the NW 1/4 of Section 13, T15S, R4E. of P.M.M. Gallatin  
\*  
(Attach additional page if required).

2. The road is commonly known as: Pollywog Lane.

3. The general route of the road is described as follows: The East/West Road of the Belgrade Meadows Commercial Park Subdivision ~~TRACT B-1~~ OF CURRENTLY KNOWN AS MINOR SUBDIVISION No. 307.

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

<u>LANDOWNER(S)</u>	<u>MAILING ADDRESS</u>
1. <u>M. Paul &amp; Sharon Christensen</u>	<u>PO Box 1338</u> <u>Ennis MT 59729</u>
<u>Lot No 5 of Minor Subdivision NO. 307</u> <u>Gallatin Co MT 59715</u>	
<u>PROPERTY DESCRIPTION</u>	
<u>BOZEMAN SAND AND GRAVEL</u> <u>KENNETH HASH, PRESIDENT</u>	<u>PO Box 1327</u> <u>Bozeman, MT 59721</u>
<u>Lot 5 Minor Sub 307</u>	
<u>PROPERTY DESCRIPTION</u>	
3. _____	_____
_____	_____
<u>PROPERTY DESCRIPTION</u>	

2066282C  
2083609C

CONTRACT  
PURCHASER 2.

\* THE PORTIONS TO BE VACATED ARE MORE PARTICULARLY DESCRIBED AS THOSE PARTS OF THE CUL DE SAC AT THE END OF POLLYWOG LANE, LYING OUTSIDE OF THE 60' RIGHT OF WAY FOR POLLYWOG LANE EXTENDED EASTERLY. SEE ATTACHED MAPS. LOCATED WITHIN THE BOUNDARIES OF LOTS 5A AND 5G OF THE PROPOSED BELGRADE MEADOWS COMMERCIAL PARK SUB.

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)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: The road (Pollyweg Lane) is being extended to accommodate the Major subdivision of Lot 5 - Said extension will have a cul-de-sac at the East end AND A SECOND ACCESS TO THE SOUTH (ALFALFA ROAD). THE CURRENT CUL DE SAC WILL NO LONGER BE REQUIRED. THE CUL DE SAC SHOWN ON MINOR SUBDIVISION No. 307 WAS PERMANENT WHERE IT SHOULD HAVE BEEN SHOWN AS A TEMPORARY CUL DE SAC.

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. M. Paul Christensen Signature PO Box 1338 Address  
M. Paul Christensen Printed Name Ennis MT 59729 City, State & Zip  
4/8/3 Date

Lot 5 Minor 307

Description of Property

2. Sharon Christensen Signature PO Box 1338 Address  
Sharon K Christensen Printed Name Ennis MT 59729 City, State & Zip  
4/8/3 Date

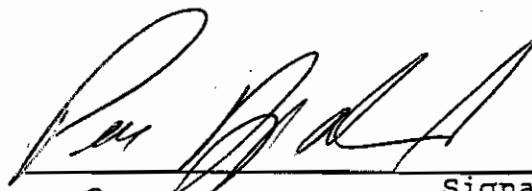
Lot 5 Minor 307

Description of Property

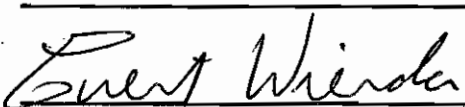
3. Mark A. Chandler Signature 205 Edelweiss Dr. Address  
MARK A. CHANDLER Printed Name Bozeman MT, 59718 City, State & Zip  
4/01/2003 Date

TRACT 3, COS No. 10, LOCATED IN SW 1/4 SEC. 28, T25, R6E

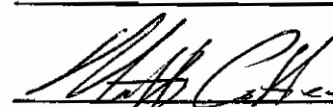
Description of Property

4. ✓  Signature  
PER HJALMARSSON Printed Name  
4/1/03 Date  
8895 STYDES CANY. ROAD Address  
BOZEMAN, MT 59715 City, State & Zip

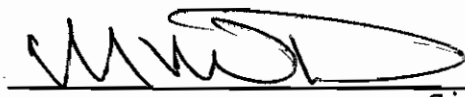
LOT 11, STYDES CANYON SUBDIVISION

5. ✓  Signature  
Evert Wierda Printed Name  
4-1-03 Date  
13707 Camp Creek Rd Address  
Manhattan, MT 59741 City, State & Zip

PARTS OF SEC. 15 & 16, T. 25, R 3E

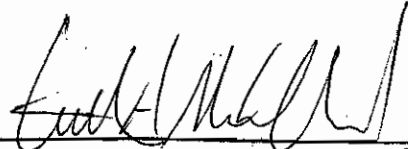
6. ✓  Signature  
Matt Cotterman Printed Name  
4/1/03 Date  
5054 Foster Lane Address  
Belgrade, MT 59714 City, State & Zip

Lot 2, Buffalo Creek Subdivision  
COS 1013A


7. ✓  Signature  
Michael W. Delaney Printed Name  
April 7, 04 Date  
101 E. MAIN ST Address  
BOZEMAN MT 59715 City, State & Zip

COS FILM 16, P. 1582, NE 1/4 Sec. 7, T 35, R 6E


Description of Property

8. ✓  Signature BASELINE + WALKER RD Address  
William Muhlensfers Printed Name Bozeman MT 59715 City, State & Zip  
4/7/03 Date

SADDLE PEAK RANCH SUBDIVISION

9. ↓  Signature 101 E. Main Address  
Ileana Indreland Printed Name Bozeman, MT 59715 City, State & Zip  
4-7-03 Date

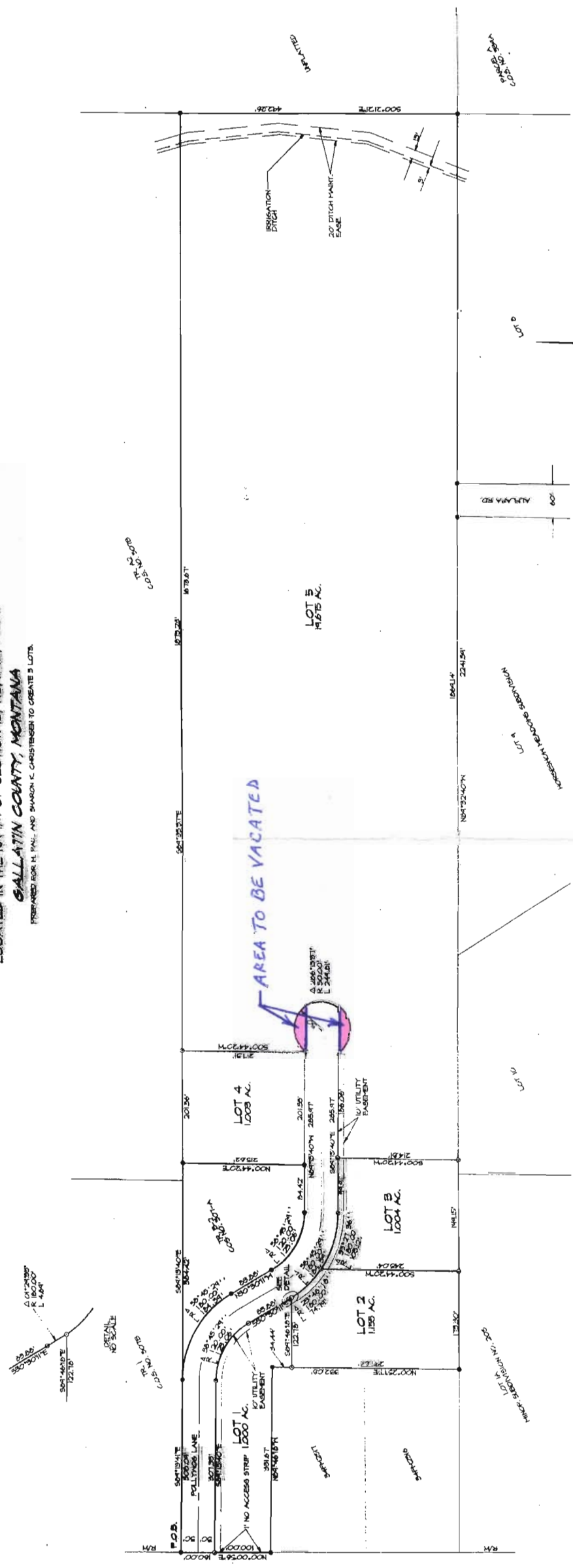
COS FILM 16, PAGE 1582, NE 1/4 Sec. 7, T 35, R 6E

10. ↓  <sup>Trustee</sup> Signature 2601 STATE RIDGE Address  
ANTHEA GEORGE Printed Name Bozeman MT 59715 City, State & Zip  
4-7-03 Date

TRACT 26, COS 1337, EAGLE ROCK RESERVE

Description of Property

**FLAT OF  
 MINOR SUBDIVISION NO. 307**  
 TRACT B-1 OF CERTIFICATE OF SURVEY NO. 807-A  
 LOCATED IN THE NW 1/4 OF SECTION 18, T18N, R46E, P11M,  
 GALLATIN COUNTY, MONTANA  
 PREPARED FOR M. PAUL AND SHARON K. CHRISTENSEN TO CREATE 5 LOTS.



**LOTTED AREA = 25,897 AC**  
**ROAD AREA = 1,526 AC**  
**TOTAL AREA = 23,365 AC**



**CERTIFICATE OF DEDICATION**  
 We, the undersigned property owners, do hereby certify that we have ceased to be served, subdivided and platted into lots, blocks, roads and alleys, and other divisions and dedications, as shown by the plat hereto included, the following described tract of land, to-wit: Tract B-1 of Certificate of Survey No. 807-A, located in the Northeast one-quarter Section 18, Township 18 North, Range 46 East, Principal Meridian Montana, Gallatin County, Montana.  
 Said tract being 25,365 acres, along with and subject to all existing easements.  
 The above described tract of land is to be known and designated as Minor Subdivision No. 307, Gallatin County, Montana, and the lands included in all roads, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the use of the public forever. The roadways dedicated to the public are accepted for public use, but the County accepts no responsibility for maintaining the same. The owners agree that the County has no obligation to maintain the roads hereby dedicated to public use.  
 The undersigned hereby grants unto each and every person, firm, or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to use the same for the purpose of providing such service, together with the joint use of an easement for the installation, maintenance, repair and across each area designated on this plat as utility easement to have and to hold forever.  
 Dated this 27th day of April, 2002.

**CERTIFICATE OF MAVER**  
 I, the undersigned owner of this Minor Subdivision, do hereby waive the right to protest the creation of Rural Improvement Districts.  
 In doing so, I do not have any right to comment on, protest, and/or appeal any assessment formula which may be proposed, if we believe it to be inequitable.  
 This waiver shall be binding upon the heirs, assigns and purchasers of both lots within this subdivision.  
 Dated this 27th day of April, 2002.

**CERTIFICATE OF MORTGAGEE**  
 We, the undersigned (mortgagee(s)), do hereby join in and consent to the described plat, releasing our respective liens, claims or encumbrances as to any portion of said lands not being platted into streets, avenues, parks or other public uses and dedicated to the use of the public forever.  
 Dated this 27th day of April, 2002.

**CERTIFICATE OF COUNTY TREASURER**  
 I, Anna Kuznetsov, Treasurer of Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be divided are paid.  
 Dated this 27th day of April, 2002.

**CERTIFICATE OF SURVEYOR**  
 I, the undersigned, ROBERT K. GASTINE, Professional Land Surveyor, do hereby certify that between 2002 and 2002, I surveyed Minor Subdivision No. 307, Gallatin County, Montana, and as described and platted same as shown on the accompanying plat and in accordance with the Montana Professional Land Surveyor and Statute and the Montana Registration Act, M.C.A. and the Gallatin County Subdivision Regulations.  
 Dated this 27th day of April, 2002.

**CERTIFICATE OF COUNTY COMMISSIONERS**  
 I, the Chairman of the Board of County Commissioners, Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and has received the approval of the Board, approve it, and hereby accept the dedication to public use.  
 Dated this 27th day of May, 2002.



SCALE: 1"=100'  
 BASIS OF BEARING: G.D.S. NO. 307-A  
 \* BY SURVEYOR'S NOTES  
 \* BY RECORDING OFFICE NOTES  
 \* BY SET 5/8/2004-VESPER N. Z. ALMA CAP  
 NOTE: LOTS ADJOINING IRREGULAR LOTS MAY HAVE WATER RIGHTS AS DESCRIBED OR CAUSE TO BE REDUCED WATER WITHOUT DEEDED WATER RIGHTS.

2069504  
 DEPT. OF REVENUE  
 REGISTERED PLAT

CLERK AND RECORDER 2069504  
 I, Shelley Vance, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office this 27th day of April, 2002, at 2:02 P.M., and recorded in Book 18 of Plats, on Page 503-504, of the records of the County Clerk and Recorder, Gallatin County, Montana.  
 Dated this 27th day of April, 2002.



# OF P.M.M., GALLATIN COUNTY, MONTANA

STANCE OR AZIMUTH  
 DISTANCE OR AZIMUTH  
 3" REBAR WITH ALUMINUM  
 : NOTED

ANCH REBAR WITH 1 1/4 INCH  
 P. MARKED (C&H ENGR #9518ES)

THS FROM NORTH: MINOR SUB. NO. 307

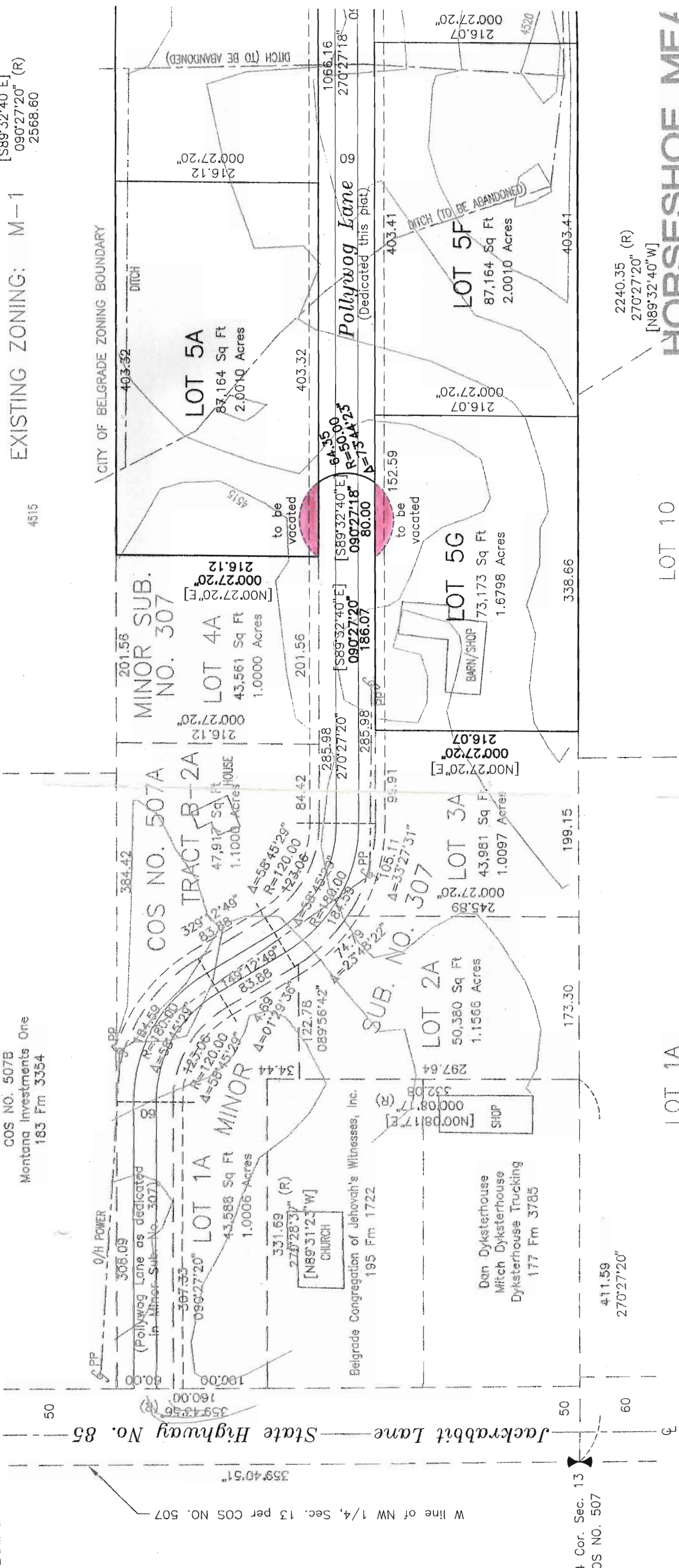
BEARING COMPUTED FROM AZIMUTH SHOWN

EXISTING ZONING: B-2

TRACT A1

COS NO. 507B  
 Montana Investments One  
 183 Fm 3354

EXISTING ZONING: M-1  
 [S89°32'40"E]  
 090°27'20" (R)  
 2568.60



4 Cor. Sec. 13  
 COS NO. 507

50  
 60  
 9

LOT 1A  
 MINOR SUB. NO. 205  
 Norval G. Fendricht  
 Joan M. Fendricht  
 174 Fm 1791

LOT 10  
 Gilbert Carter  
 Frances L. Carter  
 2073956

HORSESHOE MEA

Horseshoe  
 Duc

W line of NW 1/4, Sec. 13 per COS NO. 507  
 359°40'51"  
 359.4356 (R)  
 160.00  
 190.00

Belgrade Congregation of Jehovah's Witnesses, Inc.  
 195 Fm 1722  
 CHURCH  
 [N89°31'23"W]  
 270°28'37" (R)  
 331.69  
 4=07°29'36"  
 122.78  
 089°56'42"  
 4=58°45'29"  
 74.79  
 23°48'22"  
 105.11  
 4=33°27'31"  
 99.91

SUB. NO. 307  
 LOT 2A  
 50,380 Sq Ft  
 1.1566 Acres  
 297.64  
 [N00°08'17"E]  
 502.08  
 502.08 (R)  
 SHOP  
 Dan Dyksterhouse  
 Mitch Dyksterhouse  
 Dyksterhouse Trucking  
 177 Fm 3785  
 173.30  
 199.15

LOT 3A  
 43,981 Sq Ft  
 1.0097 Acres  
 245.89  
 000°27'20"  
 [N00°27'20"E]  
 216.07  
 BARN/SHOP  
 73,173 Sq Ft  
 1.6798 Acres  
 LOT 5G  
 73,173 Sq Ft  
 1.6798 Acres  
 216.07  
 285.98  
 270°27'20"  
 [S89°32'40"E]  
 090°27'20"  
 186.07  
 80.00  
 [S89°32'40"E]  
 090°27'18"  
 80.00  
 to be vacated  
 152.59  
 to be vacated

LOT 4A  
 43,561 Sq Ft  
 1.0000 Acres  
 216.12  
 000°27'20"  
 [N00°27'20"E]  
 216.12  
 201.56  
 201.56  
 403.32  
 403.32  
 LOT 4A  
 87,164 Sq Ft  
 2.0010 Acres  
 216.12  
 000°27'20"  
 [S89°32'40"E]  
 216.07  
 270°27'18"  
 1066.16  
 4515  
 CITY OF BELGRADE ZONING BOUNDARY  
 DITCH  
 403.32  
 DITCH (TO BE ABANDONED)  
 DITCH (TO BE ABANDONED)  
 LOT 5A  
 87,164 Sq Ft  
 2.0010 Acres  
 216.07  
 216.07  
 403.41  
 403.41  
 LOT 5F  
 87,164 Sq Ft  
 2.0010 Acres  
 216.07  
 000°27'20"  
 4520

TRACT B-2A  
 COS NO. 507A  
 47,917 Sq Ft HOUSE  
 1.1000 Acres  
 84.42  
 285.98  
 270°27'20"  
 4=58°45'29"  
 R=120.00  
 123.06  
 4=58°45'29"  
 R=190.00  
 187.59  
 4=33°27'31"  
 99.91  
 105.11  
 4=33°27'31"  
 99.91  
 105.11  
 4=33°27'31"  
 99.91  
 105.11  
 4=33°27'31"  
 99.91

MINOR SUB.  
 NO. 307  
 LOT 4A  
 43,561 Sq Ft  
 1.0000 Acres  
 216.12  
 000°27'20"  
 [N00°27'20"E]  
 216.12  
 201.56  
 201.56  
 403.32  
 403.32  
 LOT 5A  
 87,164 Sq Ft  
 2.0010 Acres  
 216.12  
 000°27'20"  
 [S89°32'40"E]  
 216.07  
 270°27'18"  
 1066.16  
 4515  
 CITY OF BELGRADE ZONING BOUNDARY  
 DITCH  
 403.32  
 DITCH (TO BE ABANDONED)  
 DITCH (TO BE ABANDONED)  
 LOT 5A  
 87,164 Sq Ft  
 2.0010 Acres  
 216.07  
 216.07  
 403.41  
 403.41  
 LOT 5F  
 87,164 Sq Ft  
 2.0010 Acres  
 216.07  
 000°27'20"  
 4520

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. Stamp the date received on the petition. Get name and phone number of contact person for questions.

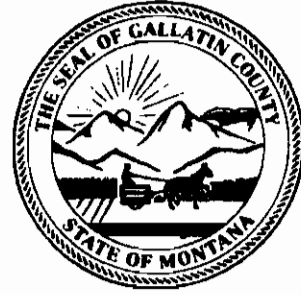
NAME C+H Engineering (Mark Chandler) PHONE 587-1115

- 1) Determine if there are sufficient qualified signatures.
- 2) Check list of adjacent landowners for completeness.
- 3) Complete "Report of Qualified Signatures".
- 4) Schedule petition on Commissioner's agenda. DATE: 5-13-03
- 5) Make copies of petition and report. Forward to:
  - County Attorney (attach note of date on Commissioner's agenda)
  - County Road Superintendent (attach note of date on Commissioner's agenda)
  - County Commission (3 copies)
  
- 6) Commissioners receive petition and assign viewing committee.
- 7) Assign Road Petition Number. 814
  
- 8) a) Type regular mail envelopes for:
  - All landowners named on the petition
  - All signers on the petition
  - All individuals named in the petition who could be affected
  - The postmaster of the area
  - The Public Lands Access Associationb) Type and prepare certified mail envelopes for:
  - All owners of land abutting the road
  - All individuals named in the petition who could be affected
  - The postmaster of the area
  - The Public Lands Access Association
  
- 9) Viewing committee completes road report.
- 10) Schedule public hearing on Commissioner's agenda and prepare notice. DATE 7-1-03
- 11) Publish public hearing notice one time. DATE 6-19-03
  
- 12) Send a copy of the viewing committee report and public hearing notice to the following:
  - Persons listed in #8a
  - County Road Superintendent
  - County Attorney
  - County Commissioners (3 copies)
  
- 13) Prepare affidavit of mailing for petition file (regarding the viewers report).
- 14) Commissioners hold public hearing to grant or deny petition.
- 15) County Attorney drafts resolution for Commissioners to consider at next public hearing.
- 16) Commissioners pass resolution
- 17) Within 10 days of passage of resolution send copies of resolution to all persons listed in #8b (BY CERTIFIED MAIL)
- 18) Type affidavit of mailing for petition file (regarding the boards decision).
- 19) If the petition is granted, a certified copy of the resolution must be recorded.

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 cul-de-sac on Pollywog Lane.

Legal Description: The northern and southern parts of the cu-de-sac of Pollywog Lane lying outside of the 60' right-of-way as dedicated on the plat of Minor Subdivision No. 307 located in the NW $\frac{1}{4}$  of Section 13, T1S, R4E, PMM Gallatin County, Montana.

STATE OF MONTANA )

)ss

COUNTY OF GALLATIN)

I, Shelley Vance, 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. 2001, it contains the signatures of at least 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 5<sup>th</sup> day of May 2003, A.D.

*Shelley Vance*

Shelley Vance  
Clerk and Recorder  
Gallatin County, Montana

State of Montana

*County of Gallatin*

Bozeman



May 30, 2003

Board of County Commissioners  
Gallatin County Courthouse  
Bozeman, MT 59715

RE: abandonment of the northern and southern parts of the cul-de-sac of Pollywog Lane lying outside of the 60' right-of-way dedicated on the plat of Minor Subdivision No. 307 located in the NW1/4 of Section 13, T1S, R4E, P.M.M. Gallatin County, Montana. The cul-de-sac is located within Lot 5 of Minor Subdivision No. 307

Dear Board,

The undersigned viewed the area described in Road Petition No. 814 on May 30, 2003.

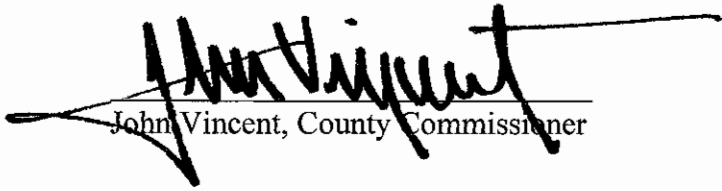
According to 7-14-2603 M.C.A., the Board of County Commissioners shall cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the petition. The investigation shall be sufficient to properly determine the merits or demerits of the petition.

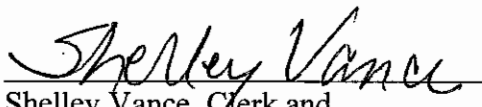
Pollywog Lane was established and dedicated to the public when the minor subdivision plat was filed in the Gallatin County Clerk and Recorder's Office on May 17, 2002.

A major subdivision is now being proposed on Lot 5. Belgrade City/County Planner Jason Karp has reported that Belgrade Meadows Commercial Park received preliminary plat approval from the County Commission on February 25, 2003. According to the petition, Pollywog Lane will be extended to accommodate the major subdivision and the current cul-de-sac will no longer be needed.

No one would be land-locked or denied access to public lands if the abandonment were granted. The viewing committee believes that it is feasible and desirable to grant the petition provided final plat approval is granted for Belgrade Meadows Commercial Park.

Respectfully submitted,

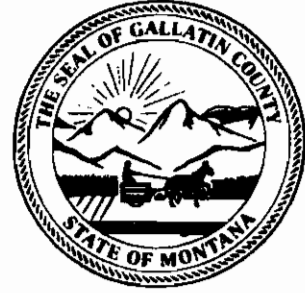
  
John Vincent, County Commissioner

  
Shelley Vance, Clerk and  
Recorder/Surveyor

State of Montana

*County of Gallatin*

Bozeman



**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on July 1, 2003, at 9:00 A.M., in the Bozeman City Commission Meeting Room, 411 E. Main, Bozeman, Montana. Public opinion shall be heard regarding a petition to abandon a portion of Pollywog Lane located adjacent to Lot 5 of Minor Subdivision No. 307, in the NW¼ Section 13, Township 1 South, Range 4 East. All interested parties are encouraged to attend.

Further information may be obtained from Gallatin County Commissioners John Vincent, Bill Murdock, or Jennifer Smith Mitchell, at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 4<sup>th</sup> day of June 2003.

*Shelley Vance*

Shelley Vance  
Clerk and Recorder  
Gallatin County, Montana

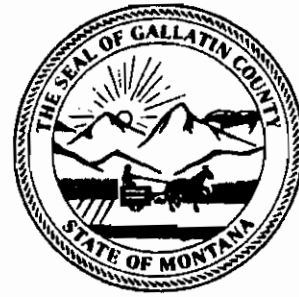
Please publish: June 19, 2003

Please Bill: Clerk & Recorder

State of Montana

County of Gallatin

Bozeman



# LEGAL NOTICE

(USE ONLY FOR LEGAL ADVERTISEMENTS TO BE PUBLISHED IN THE HIGH COUNTRY INDEPENDENT PRESS)

**FAX TO 406-388-6072**

THIS FAX CONTAINS 1 PAGES (PLUS THIS PAGE)

DATE: June 11, 03 TIME: 2:30

SENDER'S FAX NUMBER: 582-3068

SENDER'S PHONE NUMBER: 582-3050

SENDER'S DEPARTMENT: Clerk & Recorder

DESCRIPTION OF AD: Notice of Hearing to Abandon a portion of Pollywog Lane

RUN AS:  LEGAL LINE AD  LEGAL DISPLAY AD\*

PUBLISH DATES: June 19, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, 2003

SPECIAL INSTRUCTIONS: \_\_\_\_\_

BILLING: Clerk & Recorder



Shelley Vance-Gallatin Co MT MISC 0.00

PLATTED K ✓

RESOLUTION NO. 2003-108

DECISION CONCERNING PETITION TO ABANDON A PORTION OF POLLYWOG LANE

This Resolution was introduced by Shelley Vance; moved by Commissioner Murdock and seconded by Commissioner Mitchell. The Resolution was adopted unanimously.

WHEREAS, on May 13, 2003, the Gallatin County Clerk and Recorder presented a Petition to abandon the northern and southern parts of the cul-de-sac of Pollywog Lane lying outside of the 60' right-of-way dedicated on the plat of Minor Subdivision No. 307 located in the NW1/4 of Section 13, T1S, R4E, P.M.M., Gallatin County, Montana; and

WHEREAS, on May 13, 2003, 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, on May 13, 2003, the Gallatin County Commissioners appointed a committee consisting of one county commissioner and the county surveyor to investigate the contents of the petition and the feasibility, desirability and costs of abandoning the road; and

WHEREAS, on July 1, 2003, the Gallatin County Commissioners conducted a public hearing, after notice, on the petition and the results of the investigation; and

WHEREAS, the County Commission determined that portion of road would no longer be used for public purposes, abandonment will not create a public safety hazard and no person would be denied access or become land-locked, and that abandonment of that portion of right-of-way is feasible.

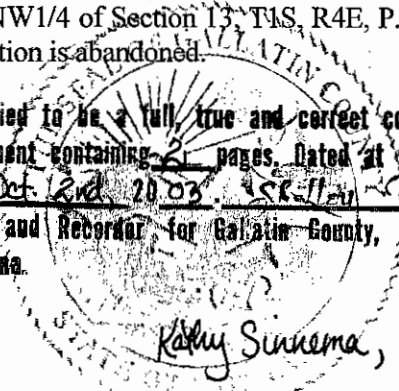
WHEREAS, the Gallatin County Commissioners voted unanimously to grant the petition and abandon the northern and southern parts of the cul-de-sac of Pollywog Lane lying outside of the 60' right-of-way dedicated on the plat of Minor Subdivision No. 307 located in the NW1/4 of Section 13, T1S, R4E, P.M.M., Gallatin County, Montana.

NOW, THEREFORE BE IT RESOLVED:

1. On July 8, 2003, based on the petition and the results of the investigation, the Gallatin County Commissioners conclude that the decision made herein is in the best interests of the county.
2. The northern and southern parts of the cul-de-sac of Pollywog Lane lying outside of the 60' right-of-way dedicated on the plat of Minor Subdivision No. 307 located in the NW1/4 of Section 13, T1S, R4E, P.M.M., Gallatin County, Montana, as requested in the Petition is abandoned.

Certified to be a full, true and correct copy of a document containing 2 pages, Dated at Bozeman, MT, Oct. 2nd 2003, Shelley Vance Clerk and Recorder for Gallatin County, State of Montana.

By: Kathy Sinnema, Deputy





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Page: 2 of 2  
10/02/2003 08:19A

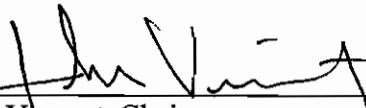
Shelley Vance-Gallatin Co MT MISC 0.00

3. Within ten (10) days from the date a Resolution of Abandonment is adopted the Clerk and Recorder shall send a copy of that 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.

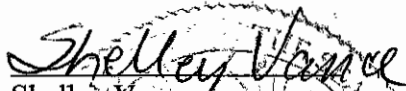
4. The Clerk and Recorder shall notify the county road supervisor by furnishing a certified copy of this resolution to the supervisor.

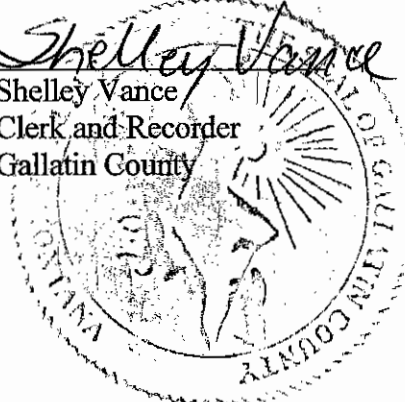
DATED this 30th day of September, 2003.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY

  
John Vincent, Chairman

ATTEST:

  
Shelley Vance  
Clerk and Recorder  
Gallatin County

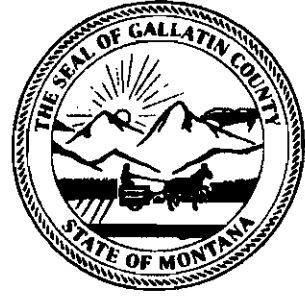




State of Montana

*County of Gallatin*

Bozeman



**AFFIDAVIT OF MAILING**

**STATE OF MONTANA)**

**)ss**

**COUNTY OF GALLATIN)**

**SHELLEY VANCE, 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 hereby certify that copies of Resolution 2003-108 were mailed to all owners of land abutting the road; all individuals named in the petition who could be affected; the postmaster of the area; and the Public Lands Access Association on October 1, 2003.

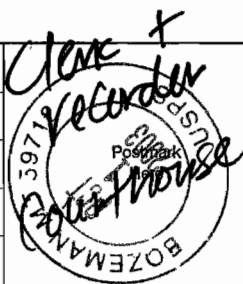
*Shelley Vance*

Shelley Vance  
Clerk and Recorder  
Gallatin County, Montana

7000 0520 0014 2179 9854

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>



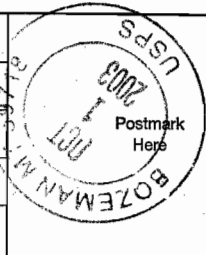
**Recipient's Name (Please Print Clearly) (To be completed by mailer)**  
 US Post Master  
 Street, Apt. No. or PO Box No.  
 96 N. Weaver Street  
 Belgrade, MT 59714  
 City, State, ZIP+4

PS Form 3800, February 2000 See Reverse for Instructions

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 2179 9830

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>



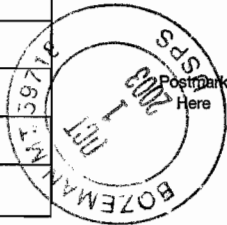
**Recipient's Name (Please Print Clearly) (To be completed by mailer)**  
 Mark A. Chandler  
 Street, Apt. No. or PO Box No.  
 205 Edelweiss Drive  
 Bozeman, MT 59718  
 City, State, ZIP+4

PS Form 3800, February 2000 See Reverse for Instructions

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 2179 9816

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>



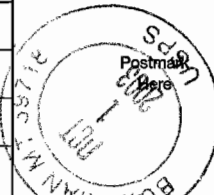
**Recipient's Name (Please Print Clearly) (To be completed by mailer)**  
 M. Paul & Sharon Christensen  
 Street, Apt. No. or PO Box No.  
 PO Box 1338  
 Ennis, MT 59729  
 City, State, ZIP+4

PS Form 3800, February 2000 See Reverse for Instructions

7000 0520 0014 2179 9847

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>



**Recipient's Name (Please Print Clearly) (To be completed by mailer)**  
 Public Land Access Assoc.  
 Street, Apt. No. or PO Box No.  
 105 3rd Ave East  
 Three Forks, MT 59752  
 City, State, ZIP+4

PS Form 3800, February 2000 See Reverse for Instructions

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 2179 9823

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>



**Recipient's Name (Please Print Clearly) (To be completed by mailer)**  
 Boz. Sand & Gravel-Kenneth Hash  
 Street, Apt. No. or PO Box No.  
 Bozeman, MT 59771  
 City, State, ZIP+4

PS Form 3800, February 2000 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

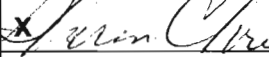
M. Paul & Sharon Christensen  
PO Box 1338  
Ennis, MT 59729

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

Sharon Christensen

C. Signature


 Agent AddresseeD. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

 Certified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label) 7000 0520 0014 2179 9816

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Public Land Access Assoc.  
% Bill Fairhurst  
105 3rd Ave East  
Three Forks, MT 59752

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature


 Agent Addressee

B. Received by (Printed Name)

W. H. FAIRHURST

C. Date of Delivery

10/02/03

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

PO Box 247

3. Service Type

 Certified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label) 7000 0520 0014 2179 9847

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

**SENDER: COMPLETE THIS SECTION**

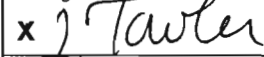
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark A. Chandler  
205 Edelweiss Drive  
Bozeman, MT 59718

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature


 Agent Addressee

B. Received by (Printed Name)

Jennifer Fowler

C. Date of Delivery

10-2

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

 Certified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label) 7000 0520 0014 2179 9830

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

US Post Master  
96 N. Weaver Street  
Belgrade, MT 59714

2. Article Number

(Transfer from service label)

7000 0520 0014 2179 9854

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

DERRICK HANNA

C. Date of Delivery

10-2-03

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

 Certified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bozeman Sand & Gravel  
Kenneth Hash, Pres  
PO Box 1327  
Bozeman, MT 59771

2. Article Number

(Transfer from service label)

7000 0520 0014 2179 9823

PS Form 3811, August 2001

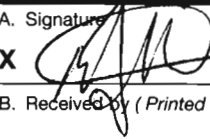
Domestic Return Receipt

102595-02-M-1035

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

3. Service Type

 Certified Mail  Express Mail Registered  Return Receipt for Merchandise Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes