

Read Petition # 815

Abandon Skinner Road located in Sections
5, 4, 3, 10, 15, 22, 23, 27 and 26
T2N, and Sections 32 and 33 T3N, R4E

No action taken

RECEIVED
Date 8-11-03 3:15 PM
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: Beginning at the intersection of Dry Creek and Skinner Roads and all of Skinner Road to its intersection with Skinner and Menard Roads.

(Attach additional page if required).

2. The road is commonly known as: Skinner Road.

3. The general route of the road is described as follows: Skinner Road begins at the intersection of Skinner Road and Nixon Gulch Road in Section 5, T2N, R4E and continues through Section 4, T2N, R4E and into Section 3, T2N, R4E where it turns southerly and continues through Sections 10 and 15, T2N, R4E and into Section 22 where it turns westerly to the boundary line between Sections 22 and 23 and then continues southerly and westerly where it ends at the intersection of Skinner Road and Dry Creek Road in Section 26, all in Gallatin County, Montana.

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

LANDOWNER(S) * Also see Ownership List **MAILING ADDRESS**

1. ✓ Peter S. Dyk (deceased) 1706 West Terrace Avenue
✓ LaVonne Langaker Bozeman, MT 59715

W $\frac{1}{2}$, SE $\frac{1}{4}$ of Section 5, T2N, R4E; W $\frac{1}{2}$ of Section 10, T2N, R4E

PROPERTY DESCRIPTION

2. ✓ Richard & Marilyn Dotson 361 South 100 West
✓ Cedar City, UT 84720-3223

PROPERTY DESCRIPTION

3. ✓ Frank DeHaan, Inc. 6800 Dry Creek Road
✓ Belgrade, MT 59714

Section 4, T2N, R4E; Section 34, T3N, R4E; Section 33, T3N, R4E;
Section 4, T2N, R4E

PROPERTY DESCRIPTION

LANDOWNER(S)MAILING ADDRESS4. ✓ Wallace & Patricia Brownell9765 Dry Creek Road
Belgrade, MT 59714

E $\frac{1}{2}$ of Section 15, T2N, R4E; W $\frac{1}{2}$ of Section 15, T2N, R4E; Section 22, T2N, R4E; NE $\frac{1}{4}$ of Section 22, T2N, R4E; SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 26, T2N, R4E;
PROPERTY DESCRIPTION Section 27, T2N, R4E, Tracts 1, 2, 3, 4 of COS No. 2200
in NW $\frac{1}{4}$ of Section 26, T2N, R4E

5. ✓ Perry L. SchultzP.O. Box 1911
Belgrade, MT 59714NW $\frac{1}{4}$ of Section 22, T2N, R4E and NW $\frac{1}{4}$ of Section 22 in T2N, R4E of P.M.M.PROPERTY DESCRIPTION6. ✓ Horace F. Morgan (deceased)209 South Grand Avenue
Bozeman, MT 59715Richard R. MorganW $\frac{1}{2}$ of Section 23, T2N, R4EPROPERTY DESCRIPTION7. ✓ Biggs Ranch, Inc.2987 Biggs Highland Road
Belgrade, MT 59714Section 3, T2N, R4EPROPERTY DESCRIPTION8. ✓ Ronald J. Woods11390 Twelve Oaks Way, Apt. 520
North Palm Beach, FL 33408-3291E $\frac{1}{2}$ of Section 10, T2N, R4EPROPERTY DESCRIPTION9. ✓ Gary & Grace France1515 Skinner Road
Belgrade, MT 59714Imp SW $\frac{1}{4}$ of Section 22, less a tract of land located in Section 22, T2N, R4EPROPERTY DESCRIPTION

10. _____

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)

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: We have not received a response in writing from Mr. Schultz, NW $\frac{1}{4}$ of Section 22 and a tract of land in SW $\frac{1}{4}$ of Section 29, T2N, R4E

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

✓ Robert DeHaan
✓ Snowmass, Inc.
✓ Amorex Land Company
✓ Climbing Arrow Ranch, Inc.
✓ MeKen Corp.
✓ Hill Country, Inc.
✓ Gallatin River Ranch, HOA
✓ William Lansing
✓ Ken Vidar

120 Menard Rd. Belgrade MT 59744
P.O. Box 2132, Laredo, TX 78044
P.O. Box 10, Lake Bluff, IL 40044-0010
45 Hitching Post Road, Bozeman, MT 59715
P.O. Box 899, Manhattan, MT 59741
P.O. Box 990, Manhattan, MT 59741
P.O. Box 899, Manhattan, MT 59741
22 Starwood Dr., Woodside, CA 94062-4842
P.O. Box 899, Manhattan, MT 59741

* See Attachment A

(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: Skinner Road is not improved and is used for "mud bogging" or "4-wheeling" by unknown persons. This use destroys the road. The County cannot upgrade the road. People frequently leave the road and drive across the fields causing damage to private property. Please see Attachment B, a list of damages and photographs of ruts in the Skinner 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. ✓ Gary France 1515 SKINNER ROAD
Signature Address
GARY FRANCE Belgrade, MT, 59714
Printed Name City, State & Zip
3/20/03
Date

S¹/₂ NW¹/₄ SW¹/₄ SE¹/₄, SW¹/₄ SW¹/₄ SE¹/₄, E¹/₂ SW¹/₄ SE¹/₄
and W¹/₂ W¹/₂ SE¹/₄ SE¹/₄, S3, T1S, R5E 4350 Airport Rd.
Description of Property

2. ✓ R.J. Morgan 27600 Raby 4¹/₂ to Ra
Signature Address
R.J. Morgan Belgrade
Printed Name City, State & Zip

Date

W¹/₂ of Section 23, T2N, R4E

Description of Property

3. ✓ Wally Brown 9765 Day, Cabot Rd
Signature Address
Wally Brown Belgrade mt 59714
Printed Name City, State & Zip

Date

Tracts 1, 2, 3 and 4 of Certificate of Survey No. 2200 in Sections 14 and 15, T2N, R4E

Description of Property

4. ✓ Patricia Brownell 9765 Dry Creek Rd
Signature Address
Patricia L. Brownell Belgrade MT 59714
Printed Name City, State & Zip
3/20/03
Date

Tracts 1, 2, 3 and 4 of Certificate of Survey No 2200 +
located in Sections 14 & 15, T2N, R4E
Description of Property

5. ✓ Holly Brown PO Box 3266
Signature Address
Holly Brown Bozeman MT 59712
Printed Name City, State & Zip
3/20/03
Date

Lot 4 Block 9, Hyalite Heights Subdivision
1304 Park View Place, Bozeman MT 59715
Description of Property

6. ✓ [Signature] 1900 W Koch #5
Signature Address
AERANNE NELKE Bozeman MT 59715
Printed Name City, State & Zip

Date

Tract 14 Sager Stimson Tracts / E 1/2 x W 1/2 SE 1/4 NW 1/4 of
Section 2, T1S R5E, 4855 Ballantyne Lane, Bozeman MT 59718
Description of Property

7. ✓ Mike G 3260 Linney Rd.
Signature Address
Mike Germann Bozeman MT 59718
Printed Name City, State & Zip

Date

Tract 2 COS 11-C §9 T1S, R4E
Description of Property

8. No [Signature]
Signature
Susan Wata
Printed Name

3800 Bluestem Rd
Address
Bozeman
City, State & Zip

Date

9. [Signature]
Signature
Jennifer Bandy
Printed Name

Description of Property
15 Chinook Trail
Address
Bozeman MT 59718
City, State & Zip

Date

Lot 3, Block 4 Middle Creek Meadows Subdivision #3
Description of Property
[Signature]
Signature
Marc Johnson
Printed Name

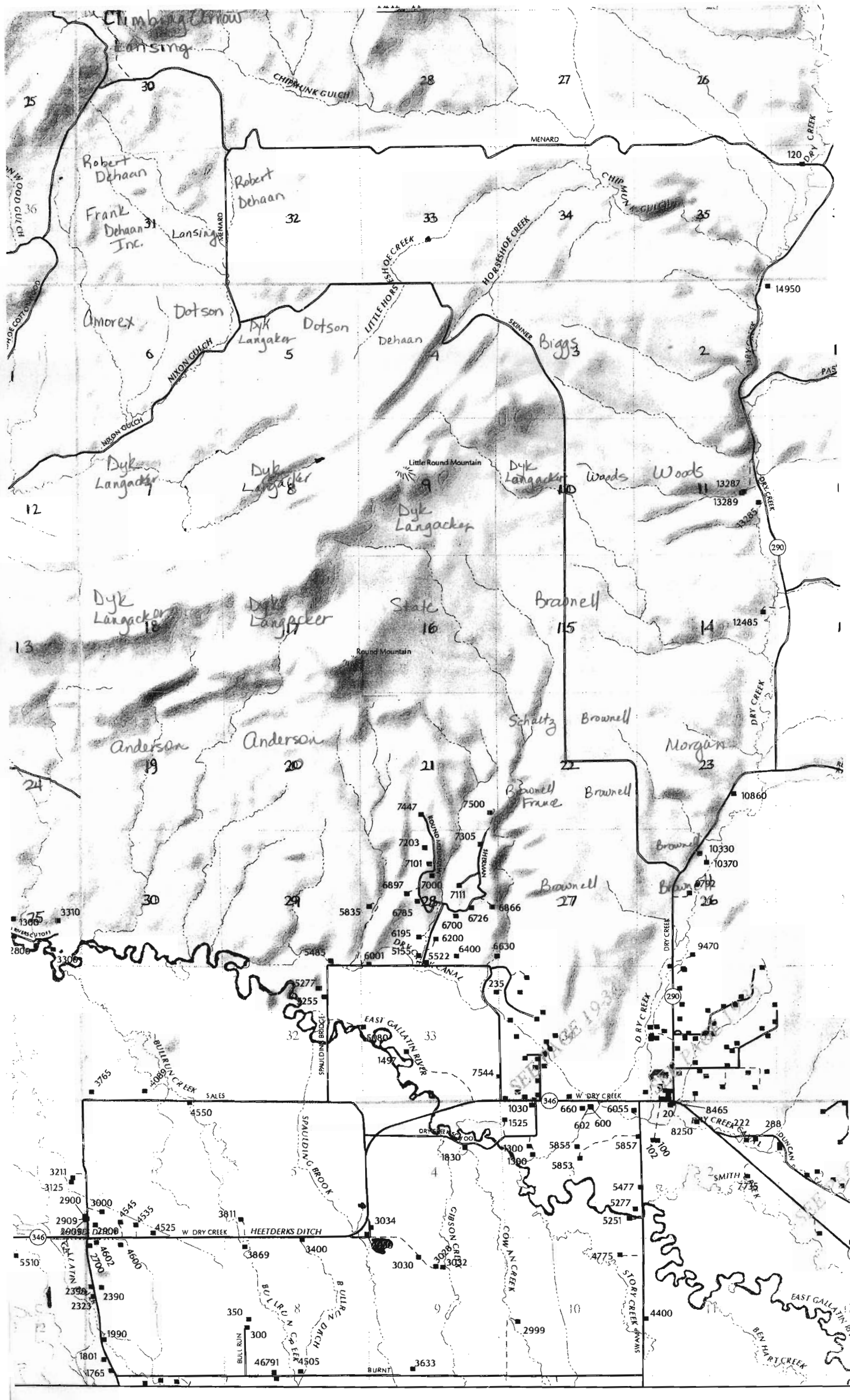
Description of Property
1220 Bozeman Trance Rd
Address
Bozeman MT 59715
City, State & Zip

Date

12. [Signature]
[Signature]
Teresa R. Pew

28500 Rocky Mountain Rd
Belgrade MT
59714

Tracts 1, 2, 3, 4, 5 + 6 of COS 504, S24, T4N, R3E



OWNERSHIP LIST

Biggs Ranch, Inc.

All of Section 3, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

Frank DeHaan, Inc.

E½E½ Section 32 and all of Section 33, Township 3 North, Range 4 East, P.M.M., Gallatin County, Montana. All of Section 4, Township 2 North, Range 5 East, P.M.M., Gallatin County, Montana.

Richard A Dotson and Maralyn S. Dotson, husband and wife

Government Lots 1 and 2 and the S½NE¼ of Section 5, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

LaVonne Langaker and Peter S. Dyk

The W½ of Section 5 and the W½ of Section 10, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

Ronald J. Woods

The E½ of Section 10, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

Wallace Brownell and Patricia Brownell

Tracts 1, 2, 3 and 4 of Certificate of Survey No. 2200, located in Sections 14 and 15, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

The Southwest Quarter (SW¼) of Section Twenty-two (22) in Township Two (2) North of Range Four (4) East, M.P.M., excepting therefrom the following described tract of land: Beginning at a point which is the center of Section Twenty-two (22) in Township Two (2) North of Range Four (4) East, M.P.M., thence West along the center line of said Section 22, a distance of 2640 feet, more or less, to the West line of said Section 22; thence South along the West line of said Section 22, a distance of 30 feet; thence East along a line parallel to and 30 feet distance from the center line of said Section 22, a distance of 1250 feet; thence South 300 feet; thence East 100 feet; thence Northeast a distance of 300 feet, more or less, to a point which is 30 feet South and 1190 feet West of the North-South center line of said Section 22; thence East along a line parallel to and 30 feet distance from the East-West center line of said Section 22, a distance of 1190 feet, more or less, to a point 30 feet South of the center of said Section 22; thence North along the center line of said Section 22, 30 feet to the point of beginning. [Deed Reference: Film 155, page 2459]

All of Section 27, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

(continued)

OWNERSHIP LIST

The SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana. [Deed Reference: Film 43, page 668]

The N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana. [Deed Reference: Film 49, page 1207]

Perry L. Schultz

The Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-two (22) in Township Two (2) North of Range Four (4) East of P.M.M., containing 160 acres, more or less.

Also, the following described tract of land: Beginning at a point which is the center of Section Twenty-two (22) in Township Two (2) North of Range Four (4) East of M.P.M.; thence West along the center line of said Section 22, a distance of 2640 feet, more or less to the West line of said Section 22; thence South along the West line of said Section 22, a distance of 30 feet; thence East along a line parallel to and 30 feet distance from the center line of said Section 22, a distance of 1250 feet; thence South 300 feet; thence East 100 feet; thence Northeast a distance of 300 feet, more or less to a point which is 30 feet South and 1190 feet West of the North-South center line of said Section 22; thence East along a line parallel to and 30 feet, a distance from the East-West center line of said Section 22, a distance of 1190 feet, more or less, to a point 30 feet South of the center line of said Section 22; thence North along the center line of said Section 22, 30 feet to the point of beginning.

As recorded in Book 136, page 91, in the office of the County Clerk and Recorder, Gallatin County, Montana.

Horace F. Mogren and Richard J. Mogren

The W $\frac{1}{2}$ of Section 23, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana.

ATTACHMENT A

Section 16, Township 2 North, Range 4 East belongs to the State of Montana and is leased to Dyk / Langacker. The property has no access.

VANDALISM ON SKINNER ROAD

Batteries and hydraulic cylinder stolen off tractor
Semi truck driven through fence (Bob Davis)
Fences torn out in different areas
Steel fence post shot in half
Trash being dumped various locations
Cattle shot
Game is harassed
Deer shot and left at gate
Bon fires on our property
Road sign and no trespassing sign shot as many as 200 rounds
Large grain bin has 21 bullet holes
Driving across fields in the mud
Golden eagle shot, talons removed, shoved in the corner of wooden granary
Two fire extinguishers found with ammonia odor on our property
Marijuana found growing
Six vehicles (mud boggers) traveling on road and the field on March 15th water and snow still on road..Sign on road reads: Not passable when wet or snow packed
Travel on road at all hours of the day... nearly every day
Playing in the mud, drinking beer, and smoking pot seem to be the thing to do
Total disregard for anyone or anything is the attitude of most of the people who use skinner road for recreation

This is the last best place for robbers and thieves.





CHECKLIST OF PROCEDURES FOR ROAD PETITIONS 8-11-03

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 Susan Swinley PHONE 587-4427

- ☒ 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: 9/9/03
- ☒ 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. 815

- ☒ 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 Association
- b) 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 Public hearing Scheduled For Nov 18
- ☒ 11) Publish public hearing notice one time. DATE 11/13

- ☒ 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 all of Skinner Road.

Legal Description: Beginning in Section 5, T2N, R4E, at the intersection of Skinner Road with Nixon Gulch Road and Menard Road and continuing east and south through Sections 32 and 33 T3N, R4E, and Sections 5, 4, 3, 10, 15, 22, 23, 27 and ending in section 26 T2N, R4E at the intersection of Skinner Road and Dry Creek Road PMM Gallatin County, Montana.

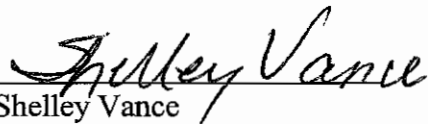
STATE OF MONTANA)

)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 25th day of August 2003, A.D.

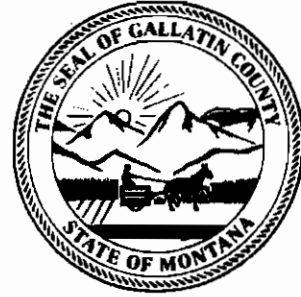


Shelley Vance
Clerk and Recorder
Gallatin County, Montana

State of Montana

County of Gallatin

Bozeman



September 25, 2003

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

RE: abandonment of Skinner Road located in Sections 5, 4, 3, 10, 15, 22, 23, 27, and 26 T2N, and Sections 32 and 33 T3N, R4E, P.M.M., Gallatin County, Montana.

Dear Board,

The undersigned viewed the area described in Road Petition No. 815 on September 25, 2003.

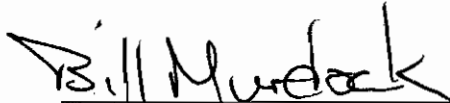
According to §7-14-2603 M.C.A., the Board of County Commissioners shall cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the petition. The investigation shall be sufficient to properly determine the merits or demerits of the petition.

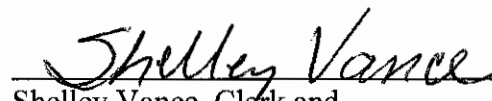
Section 7-14-2615(4) M.C.A., states that "the board may not abandon a county road or right-of-way used to access private land if the access benefits two or more landowners unless all of the landowners agree to the abandonment."

On September 8, 2003 a petition protesting the abandonment of Skinner Road was received in the Gallatin County Clerk and Recorder's Office and copies of the petition were submitted to the Board of County Commissioners. The protest petition contains the signatures of two or more landowners who access their land from Skinner Road.

Based on our investigation, the petition to abandon and the petition in protest of the abandonment, the undersigned do not believe it to be feasible or desirable to grant the abandonment and to do so would be in direct conflict with § 7-14-2615(4), M.C.A.

Respectfully submitted,

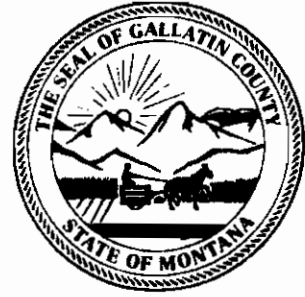

Bill Murdock, County Commissioner


Shelley Vance, 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 county road has been submitted to the Board of County Commissioners of Gallatin County, Montana, for consideration. Petitioners are requesting the abandonment of Skinner Road described as follows:

Beginning in Section 5, T2N, R4E, at the intersection of Skinner Road with Nixon Gulch Road and Menard Road and continuing east and south through Sections 32 and 33 T3N, R4E, and Sections 5, 4, 3, 10, 15, 22, 23, 27 and ending at the intersection of Skinner Road and Dry Creek Road in Section 26 T2N, R4E PMM Gallatin County, Montana.

NOTICE IS FURTHER GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on November 18, 2003, at 9:00 A.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 John Vincent, Bill Murdock, or Jennifer Smith Mitchell at 311 W. Main, Room 301, Bozeman, Montana 59715, telephone 582-3000.

Dated this 5th day of November 2003.

Shelley Vance

Shelley Vance
Clerk and Recorder
Gallatin County, Montana

Please publish: November 13, 2003
Please Bill: Clerk & Recorder

County of Gallatin

STATE OF MONTANA)
COUNTY OF GALLATIN) ss

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

I hereby certify that copies of the notice of public hearing and viewing committee report of a petition to abandon all of Skinner Road located in Sections 5, 4, 3, 10, 15, 22, 23, 27, and 26 T2N, and Sections 32 and 33 T3N, R4E, petitioned in Road Petition #815 was mailed regular mail to all signers of the petition; landowners named on the petition; individuals named in the petition who could be affected; the postmaster of the area; the Public Lands Access Association on November 10, 2003.

Shelley Vance

SHELLEY VANCE
Clerk and Recorder
Gallatin County, Montana

**PETITION PROTESTING TO ABANDON COUNTY ROAD
KNOWN AS SKINNER ROAD.**

**Landowners immediately adjacent to Skinner Road and users to
Skinner Road**

Signature	Printed Name	Address	Date
1 <u>Biggs Ranch Inc</u>	<u>Prudence Biggs</u>	<u>2987 Biggs Haugland Rd Belgrade MT. Sec 3 T2N R4E</u>	
2 <u>Frank DeHaan</u>	<u>6800 Dry Creek Rd.</u>	<u>Belgrade MT.</u>	<u>9-5-03</u>
3 <u>Lea DeHaan</u>	<u>6800 Dry Creek Rd.</u>	<u>Belgrade MT.</u>	<u>9-5-03</u>
4 <u>JASON CAMP</u>	<u>JASON CAMP</u>	<u>1040 REYNOLDS CR RD BELGRADE MT</u>	<u>9-6-03</u>
5 <u>Dan Theisen</u>	<u>DANIEL THEISEN</u>	<u>9333 Theisen Rd, Belgrade MT 59714</u>	<u>9-6-03</u>
6 <u>Michael P. Theisen</u>	<u>Michael P. Theisen</u>	<u>9333 Theisen Road Belgrade MT</u>	<u>6 Sept 03</u>
7 <u>Quinn Lane</u>	<u>Quinn Lane</u>	<u>Belgrade MT</u>	<u>6 Sept 03</u>
8 <u>Dean Lusk</u>	<u>Dean Lusk</u>	<u>2805 Lxs Davis Rd Belgrade MT 59714</u>	<u>9/6/03</u>
9 <u>Frank W Morgan</u>	<u>PR Horace Morgan Estate</u>	<u>1300 Mt. Ellis Ln</u> <u>Bozeman MT 59715</u>	
10 <u>Gary DeHaan</u>	<u>Gary DeHaan</u>	<u>19323 Dry Creek Rd</u> <u>Belgrade, MT 59714</u>	<u>9/6/03</u>

Skinner Road
Landowners
Adjacent Owners
& Lessee
Marked with Red Hat.



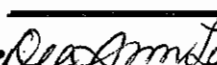
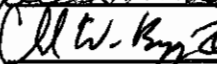
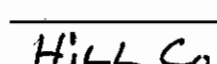
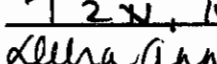
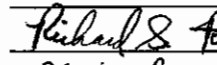
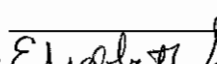

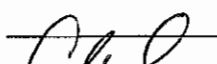
**PETITION PROTESTING TO ABANDON COUNTY ROAD
KNOWN AS SKINNER ROAD.**

**Landowners immediately adjacent to Skinner Road and users to
Skinner Road**

Signature	Printed Name	Address	Date
• <i>Vannie Langaker Cole</i>	Vannie Langaker Cole	2575 E. Baxter Lane	Bozeman, MT 59718
• <i>Dennis M. Cole</i>	DENNIS M. COLE	2575 E. BAXTER LN.	BOZEMAN, MT 59718
• <i>Catherine Dyk</i>	Catherine Dyk	1706 Terrace Ave.	Bozeman, MT 59715

PETITION PROTESTING TO ABANDON COUNTY ROAD KNOWN AS SKINNER ROAD.

Landowners immediately adjacent to Skinner Road and users to
Skinner Road

Signature	Printed Name	Address	Date
1. 	Lf Limited	MANHATTAN P.O. Box 990, 59741	9/6/03
	Section 25 24, 45		
2. 	P. AmeriMeat Inc.	P.O. Box 990 Manhattan	9/6/03
	NE 1/4 Sec 35 T2N, R4E		
3. 	DeeAnn Longel	1305 W. N. River Rd P.O. Box, 1008, Manhattan, MT 59744	9/8/03
4. 	Charles W. Briggs III	2400 Ward Rd Bozeman, MT 59718	9/8/03
5. 	Hill Country Inc.	P.O. Box 990 Manhattan 59744	9/6/03
	Numerous Properties Sections 21, 22, 23, 24, 26, 27, 28, 11, 12		
	T2N, R4E		
6. 	Debra Ann Wilbanks	310 100th St Tommend Mt 59644	9/8/03
7. 	Richard S. Rothberg	P.O. Box 917 Belgrade, MT 59714	9/8/03
8. 	Elizabeth Beauchaine	59 E Chestnut Crest Belgrade, MT 59714	9/8/03
9. 	Jason Pardo	295 W. RIVERROCK Rd 59714	9/8/03
10. 	Charlie Brewster	P.O. Box 1028 Manhattan 59741	9-8-03

**PETITION PROTESTING TO ABANDON COUNTY ROAD
KNOWN AS SKINNER ROAD.**

**Landowners immediately adjacent to Skinner Road and users to
Skinner Road**

Signature	Printed Name	Address	Date
-----------	--------------	---------	------

<i>Lance DeHaan</i>	Lance DeHaan	100 Menard Rd, Belgrade	9-6-03
<i>Frank Sebock</i>	FRANK SEBOCK	12000 HORSESHOE COTTONWOOD, BELGRADE	9-7-03
<i>Denise Sebock</i>	Denise Sebock	12000 Horseshoe Cottonwood, Belgrade	9-7-03
<i>Curt Halverson</i>	CURT HALVORSON	13287 Dry Cr Rd	9-7-03
<i>Robert DeHaan</i>	Robert DeHaan	120 Menard Rd, Belgrade	9-7-03

September 7, 2003

To Whom it May Concern:

I, Ronald Riddle, acting as power of attorney for Richard and Maralyn Dotson, owners of the property at Government Lots 1 and 2 and S1/2NE1/4 of Section 5, Township 2 North, Range 4 East, P.M.M., Gallatin County, Montana which is accessible through Skinner Road, hereby voice my opposition to the closure of Skinner Road.

Signed,

A handwritten signature in cursive script, appearing to read "Ronald Riddle".

Ronald Riddle having power of attorney for Richard and Maralyn Dotson

FROM :

FAX NO. : 4355864466

Sep. 07 2003 08:18PM P1

FROM : DEKHAM

FAX NO. : 43573004500

Sep. 07 2003 11:30 AM P10

**PETITION PROTESTING TO ABANDON COUNTY ROAD
KNOWN AS SKINNER ROAD.**

**Landowners immediately adjacent to Skinner Road and users to
Skinner Road**

Signature

Printed Name

Address

Date

Richard Riddle *RICHARD RIDDLE* *152 W COVE DRIVE*
CEANE CITY, UT 84720
9-7-03

LIVING PROVE OF ATTORNEY FOR

Richard + Maryann Dutton

PETITION PROTESTING TO ABANDON COUNTY ROAD KNOWN AS SKINNER ROAD.

Landowners immediately adjacent to Skinner Road and users to
Skinner Road

Signature

Printed Name

Address

Date

1. Kohlby Lange Kohlby Lange 1300 Twin Rivers Lutoff Sept 5 '03
2. John Nichols John Nichols 314 N 5th Manhattan, MT Sept 5, 03
3. Cammy VanAntwerp Cammy VanAntwerp 116 S. 4th Manhattan 9-8-03
4. Robin S. Warner Robin Warner 321 E. Washington Manhattan 9.8.03
5. Sheela V. Berdley Sheela V. Berdley 395 Prospect Tr. Bozeman MT 59718 9-8-03
6. Don Gies Don Gies 1155 Baldy Mtn. Belgrade 59714 9-8-03
7. LON G. LUNDBERG LON G. LUNDBERG PBox 970 Manhattan 59741 9-8-03
8. John P. Steele JOHN P. STEELE Box 369 MANHATTAN 59741 9/8/03
9. _____
10. _____

PETITION PROTESTING TO ABANDON COUNTY ROAD KNOWN AS SKINNER ROAD.

**Landowners immediately adjacent to Skinner Road and users to
Skinner Road**

Signature	Printed Name	Address	Date
<i>Calvin Biggs</i>	Calvin Biggs	2925 Biggs Hugland Rd MT	9-4-03
<i>Robert F. Wiedeman</i>	Robert F. Wiedeman	1040 Woodside Dr.	9-4-03
<i>Greg R. Wiedeman</i>	Greg R. Wiedeman	PO Box 838 Three Forks MT	9/5/03
<i>Archie Davis</i>	Archie Davis	1030 Woodside Dr. Manhattan	9/5/03
<i>Robert Wier</i>	ROBERT WYER	91 NORTH BROADWAY BELGRADE	
<i>Richard J. Jorgensen</i>	RICHARD J. JORGENSEN	P.O. Box 934 Belgrade MT	59714
<i>Steve Lytle</i>	Steve Lytle	532 Westwood Cir. Bel	MT 59714
<i>Joe Rockafellow</i>	Joe Rockafellow	3600 Thorpe Rd. Bel. MT	59714
<i>Bill Brownell</i>	Bill Brownell	1535 Reynolds Creek Rd. Belgrade	59714
<i>Audrey L. Smirud</i>	Audrey L. Smirud	Box 162741 - Man. B. MT	59715
<i>Kimberly A. Smirud</i>	Kimberly A. Smirud	284 Frontier Dr. Bozeman	59718 9/5/03
<i>Paul Anderson</i>	PAUL ANDERSON	312 1/2 54th Manhattan	
<i>Dave Rasmussen</i>	DAVE RASMUSSEN	10860 DRY CR RD	59714
<i>Michelle Moore</i>	MICHELLE MOORE	108100 DRY CR. RD. - BELGRADE, MT.	59714
<i>Kim Huey</i>	KIM HUEY	P.O. Box 1031 Manhattan, MT.	59714
<i>Nina Biggs</i>	Nina Biggs	2985 Biggs Hugland Rd Belgrade	9/8/03

Landowners immediately adjacent to Skinner Road and users to Skinner Road

[illegible]

R4.

NELLEN & SWIMLEY
P.L.L.P.

RECEIVED NOV 13 2003

A. SUZANNE NELLEN*
SUSAN B. SWIMLEY
MARSHALL BLAKE HILL**

*also admitted in Washington
**also admitted in Virginia

ATTORNEYS AT LAW

1800 W. KOCH AVENUE, SUITE 5
BOZEMAN, MONTANA 59715
PHONE: (406) 587-4427
FAX: (406) 587-9291

November 12, 2003

Gallatin County Commissioners
311 West Main Street
Bozeman, MT 59715

RE: Abandonment of Skinner Road

Dear Commissioners:

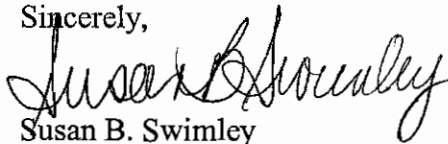
Every signor of Petition to Abandon Skinner Road, with the exception of Jennifer Bordy, has withdrawn their signature from the Petition. The Petition was drafted and signed based upon what was thought to be a general consensus of the owners abutting Skinner Road. Since the neighborhood meeting, it has become apparent that some adjacent landowners do not agree with the abandonment.

I have worked diligently to remove this item from your agenda but have been unable to speak directly with Ms. Bordy. Ms. Bordy's office informed my office on Wednesday, November 12, 2003 at 11:47 a.m. that she would not be signing the withdrawal of signature letter.

I am certain that the County Attorney's office is aware of the case of Buckley et al. v. Wordal et al., 262 Mont 306, 865 P.2d 240 (1993) which governs local governments and the withdrawal of signatures.

I apologize for not being able to remove this item from your agenda. I am certain this will inconvenience a number of the neighbors, let alone county staff. Unfortunately, I can not obtain the necessary withdrawal from Ms. Bordy.

Sincerely,


Susan B. Swimley

cc: Wally Brownell
Shelley Vance Clerk and Recorder with original withdrawals
Marty Lambert, County Attorney
Kate Dinwiddie, Deputy County Attorney

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,



R. STEPHEN WHITE

11-5-03

Date

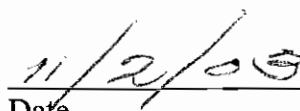
cc: County Commissioners

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,


R.J. MORGAN



Date

cc: County Commissioners

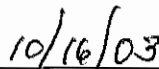
Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,



GARY FRANCE




Date

cc: County Commissioners

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,


WALLY BROWNELL

10-16-03
Date

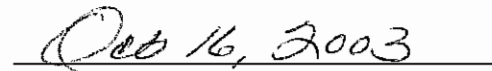
cc: County Commissioners

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,


PATRICIA L. BROWNELL

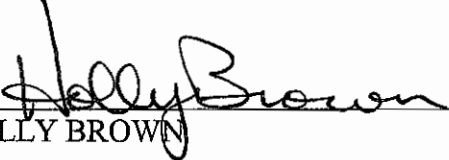

Date

cc: County Commissioners

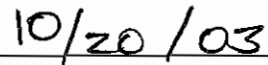
Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,



HOLLY BROWN



Date

cc: County Commissioners

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Nellen', written over a horizontal line.

A. SUZANNE NELLEN

10/13/03
Date

cc: County Commissioners

Dear County Commissioners:

On March 20, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,


MIKE GERMANN

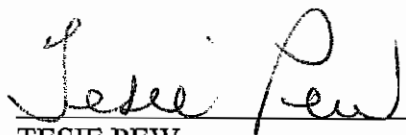
10-21-03
Date

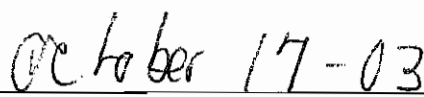
cc: County Commissioners

Dear County Commissioners:

On August 8, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,


TESIE PEW

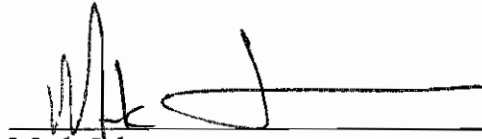

Date

cc: County Commissioners

Dear County Commissioners:

On August 8, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Johnson', written over a horizontal line.

Mark Johnson

Date

11/12/03

cc: County Clerk and Recorder

NELLEN & SWIMLEY
P.L.L.P.

A. SUZANNE NELLEN*
SUSAN B. SWIMLEY
MARSHALL BLAKE HILL**

*also admitted in Washington
**also admitted in Virginia

ATTORNEYS AT LAW

1800 W. KOCH AVENUE, SUITE 5
BOZEMAN, MONTANA 59715
PHONE: (406) 587-4427
FAX: (406) 587-9291

November 13, 2003

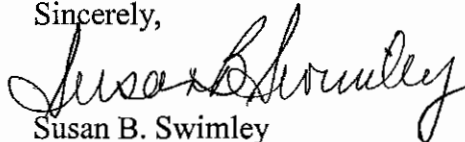
Gallatin County Commissioners
311 West Main Street
Bozeman, MT 59715

RE: Abandonment of Skinner Road

Dear Commissioners:

After delivery of my letter to you of November 12, 2003, I received in the mail from Jennifer Bordy, her withdrawal of her name and signature from the Petition. We now have all the signatures needed to withdraw the Petition to Abandon Skinner Road. I have by telephone and by copy of this letter, informed the Clerk and Recorder's office of this new development.

Sincerely,


Susan B. Swimley

cc: Wally Brownell
Shelley Vance Clerk and Recorder with original withdrawal
Marty Lambert, County Attorney
Kate Dinwiddie, Deputy County Attorney

On August 8, 2003, I signed the Petition to Abandon Skinner Road. Please consider this letter my official request to withdraw my name and signature from that Petition.

Jennifer Bordy
JENNIFER BORDY

Date 11/12/03

cc: County Commissioners

P.O. Box 366
Manhattan, MT 59741

November 17, 2003

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

It was brought to my attention today that a public hearing is being held tomorrow morning regarding a request to abandon Skinner Road from its intersection with Nixon Gulch Road and Menard Road to the point where it intersects with Dry Creek Road. I think this would not be in the best interest of the area and would like to voice my opposition to abandoning this road.

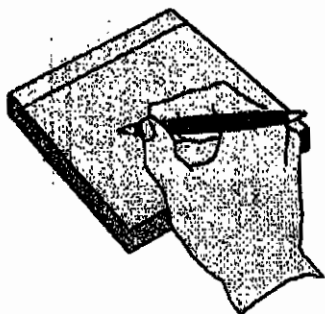
Thank you for this opportunity to speak.

Sincerely,

Eleanor Mest
Eleanor Mest

John A. Mest 11/17/03

FACSIMILE TRANSMISSION



TO: GALLATIN County Comm.

LOCATION: Court House

TELEPHONE: 582-3000

FAX: 582-3003

FROM:

The Office of John P. Steele
P.O. Box 279
Manhattan, MT 59741

MANHATTAN PLANNING
BOARD

TELEPHONE - VOICE: (406) 284-4004

TELEPHONE - FAX: (406) 284-6558

RE: SKINNER ROAD ABANDONMENT

COMMENTS:

COULD YOU PLEASE READ AND
ENTER THIS IN THE RECORD AT
THIS MORNINGS PUBLIC HEARING
ALL SEVEN OF THE MEMBERS
WE WERE ABLE TO CONTACT AGREE
WITH THIS.

SENT BY: JOHN STEELE

NO. OF PAGES INCLUDING COVER SHEET: Two

TODAY'S DATE: 11/18/2003 TIME: 8:15 AM

TOWN OF MANHATTAN
CITY COUNTY PLANNING BOARD

November 17, 2003

Manhattan City County Planning Board
P.O. Box 96
Manhattan, MT. 59741

RE: Abandonment of Skinner Road from the intersection with
Nixon Gulch and Menard Road.

Dear Commissioners,

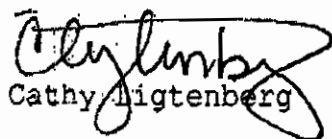
After pooling seven of the nine members of the
Manhattan City County Planning Board we felt it necessary
to address this petition. We realize that this road is
outside of the four and one half-mile radius that we
review.

There are several reason that we feel this road should
not be abandon. Because of the rapid growth in the valley
we feel that some of the area on Horseshoe/Cottonwood Road
will most certainly be developed in the next twenty years.
When this does occur, Skinner road will become an important
access road to that area, not only for residents, but
emergency services from Belgrade and Bozeman.

One of the boards biggest concerns is that it will
cause traffic to be funneled down Nixon Gulch Road. That in
turn will add to a traffic congestion problem that is
already starting to develop at North Railroad Ave. and
Broadway in Manhattan due to growth north of town.
Directing traffic out Menard Road is not a suitable
alternative.

Because of the short notice, if you decide not to
reject this petition for abandonment, please consider
postponing the decision so that the planning board can look
into this matter further.

Sincerely yours,


Cathy Lightenberg


Kristen Swenson

Time	Speaker	Note
<u>9:04:00 AM</u>	Chairman Vincent	Call to Order, Moment of Silence, Pledge of Allegiance
<u>9:04:43 AM</u>	Chairman Vincent	Agenda adjustment: Regular Agenda #4 Public Hearing to Consider Petition to Abandon Skinner Road has been withdrawn. "I have heard that everyone that signed that petition to abandon the road has retracted their signatures from the petition and so we are assuming that that makes that issue null and void, at least for the present time."
<u>9:05:38 AM</u>	Public comment	Joe Gutkoski on Skinner Road issue.
<u>9:07:32 AM</u>	Commissioner Murdock	Read the Consent Agenda as follows: 1. Approval of Claims 2. Request for Mortgage Survey Exemption for Gehrke 3. Request for Boundary Relocation Exemption for Majxner/Collier 4. Approval of Contract: Mail and Courier Services Agreement-Same Day Delivery
<u>9:08:33 AM</u>	Public comment	Planning Officer, Victoria Drummond requests continuance on Consent Agenda Item #3 until 11/25/03.
<u>9:09:01 AM</u>	Commissioner Mitchell	Motion to approve the agenda as modified.
<u>9:09:03 AM</u>	Commissioner Murdock	Second
<u>9:09:07 AM</u>		Motion passed unanimously.
<u>9:09:12 AM</u>	Chairman Vincent	Board Appointment
<u>9:09:23 AM</u>	Commissioner Mitchell	Board of Adjustments
<u>9:10:09 AM</u>	Chairman Vincent	There was no public comment.
<u>9:10:19 AM</u>	Commissioner Murdock	Motion to reappoint Mr. Miller and Mr. Pfaehler to the Board of Adjustments.
<u>9:10:24 AM</u>	Commissioner Mitchell	Second
<u>9:10:34 AM</u>		Motion passed unanimously.
<u>9:10:38 AM</u>	Commissioner Mitchell	Motion to reappoint Steve White to the Board of Adjustments.
<u>9:10:52 AM</u>	Commissioner Murdock	Second
<u>9:11:00 AM</u>		Motion passed unanimously.
<u>9:11:07 AM</u>	Chairman Vincent	Resolution Relating to \$705,000 General Obligation Refunding Bonds, Series 2003; Fixing the Form and Details, Making Covenants with Respect Thereto Authorizing the Execution and Delivery and Levying Taxes for the Payment Thereof

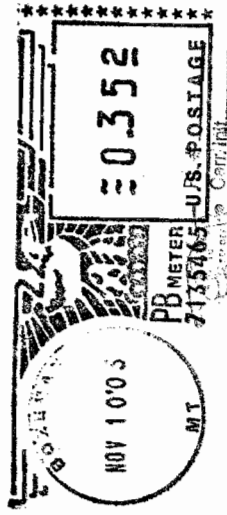
* Notices of Public Hearing



Gallatin County Clerk and Recorder
Recording Department
311 West Main, Room 203
Bozeman, Montana 59715-4574

TEMP-RETURN
SERVICE REQUESTED

PRIORITY
FIRST CLASS



- Date 11/12
- ☐ Not Deliverable As Addressed
 - ☐ Unable To Forward
 - ☐ Insufficient Address
 - ☐ Moved, Left No Address
 - ☐ Unclaimed ☐ Refused
 - ☐ Attempted - Not Known
 - ☒ No Such Street ☒ Number
 - ☐ Vacant ☐ Illegible
 - ☐ No Mail Receptacle
 - ☐ Box Closed - No Order
 - ☐ Returned For Better Address
 - ☐ Postage Due

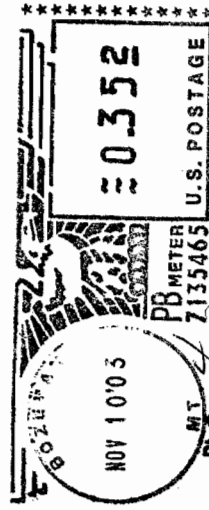
Dan Theisen
33 Theisen Road
Belgrade MT 59714



Gallatin County Clerk and Recorder
Recording Department
311 West Main, Room 203
Bozeman, Montana 59715-4574

TEMP-RETURN
SERVICE REQUESTED

PRIORITY
FIRST CLASS



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 - ☐ Returned For Better Address
 - ☐ Postage Due

Robert Weyer
91 North Broadway
Belgrade MT 59714



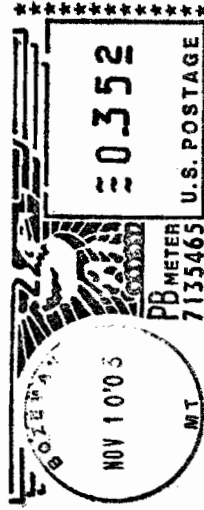
Gallatin County Clerk and Recorder
Recording Department
311 West Main, Room 203
Bozeman, Montana 59715-4504

TEMP-RETURN
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- ☐ Postage Due

PRESORTED
FIRST CLASS



Frank & Denise Sebock
12000 Horseshoe Cottonwood Road
Belgrade MT 59714

