

Road Petition #817

Road Petition #817
A portion of Nixon Gulch Road
located in Sections 11, 12, 14, 23,
26 and 27, Township 2N, Range 3E

2 of 2 Envelopes
for Nixon Gulch Road

1 of 2 Envelopes

Denied 4-20-2004

Commissioners Journal 48
page 305

Gallatin River Ranch Homeowners' Association
3200 Nixon Gulch Road
Manhattan, MT 59741

February 11, 2004

Ms. Shelley Vance
Clerk and Recorder
311 West Main Street
Bozeman, MT 59715

Re: Petition to Abandon Section of
Nixon Gulch Road

Dear Ms. Vance:

When filing the petition to abandon the portion of Nixon Gulch Road within Gallatin River Road I neglected to advise you that if there are questions about any aspect of the petition or the County requires any assistance from the petitioners in processing the petition such questions or requests should be directed to me. I can be reached at 284-9952.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary A. MacMillan', with a long horizontal flourish extending to the right.

Gary A. MacMillan

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 Nixon Gulch Road commencing on the northern bank of the Gallatin River to the northern border of Gallatin River Ranch where the right of way intersects the southern lot line, southeast corner of lot 6 on Cas No. 1686A, as more particularly described in road petitions 266 and 493 on file.
 (Attach additional page if required).

2. The road is commonly known as: Nixon Gulch Road within Gallatin River Ranch.

3. The general route of the road is described as follows: From the Gallatin River it moves to the northeast through Nixon Gulch approximately 3.5 miles, then continues northeast approximately 1.5 miles to the back boundary line of Gallatin River Ranch.

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

<u>LANDOWNER(S)</u>	<u>MAILING ADDRESS</u>
1/ ✓ Stephen Duogan Suzanne Duogan	11 Brook Street Plympton, MA 02367
<u>E 1/2 NW 1/4 SE 1/4 IN 27 2N 3E</u> PROPERTY DESCRIPTION	<u>T02N R03E</u>
* 2/ ✓ Thomas Tracy Phyllis Tracy	26862 Paseo Cardero San Juan Capistrano, CA 92765
<u>W 1/2 NE 1/4 SE 1/4 IN 27</u> PROPERTY DESCRIPTION	<u>T02N R03E</u>
* 3/ ✓ Cynthia Garrity Michael Garrity	PO Box 1030 MANHATTAN, MT 59741
<u>S 1/2 SE 1/4 NE 1/4 IN 27</u> PROPERTY DESCRIPTION	<u>T02N R03E</u>

* denotes petition signatory

LANDOWNER(S)

MAILING ADDRESS

4/ HEATHER BECKETT } 50%
BRIAN BECKETT } 50%
 Joseph P. Robb - 50%

415 Double D Lane
MANHATTAN, MT 59741

N 1/2 SE 1/4 NE 1/4 in 27 TO 2N R 3E
 PROPERTY DESCRIPTION

* 5/ MARY DYER
ROBERT DYER

PO Box 300
MANHATTAN, MT 59741

S 1/2 NE 1/4 NE 1/4 in 27 TO 2N R 3E
 PROPERTY DESCRIPTION

6/ DENNIS Schmicke
CONNIE Schmicke

PO Box 987
MANHATTAN, MT 59741

²⁶
S 1/2 NW 1/4 NW 1/4 in 28 TO 2N R 3E
 PROPERTY DESCRIPTION

* 7/ RICHARD ANDERSON

3901 Nixon Gulch Rd
MANHATTAN, MT 59741

S 1/2 NW 1/4 SW 1/4 and N 1/2 SW 1/4 SW 1/4 of 23 TO 2N R 3E
 PROPERTY DESCRIPTION

* 8/ SUSAN PIECHOWSKI
JOHN ANDREWS

4519 Choctaw Trail
Green Bay, WI 54813

N 1/2 NW 1/4 SW 1/4 in 23 TO 2N R 3E
 PROPERTY DESCRIPTION

* 9/ ^{Michael}
MICHAEL LESSLEY
WENDY LESSLEY

1312 Cobb Hill Rd
Bozeman, MT 59718

S 1/2 SW 1/4 NW 1/4 in 23 TO 2N R 3E
 PROPERTY DESCRIPTION

* 10/ SUSAN FRAZIER
RICHARD FRAZIER

4421 NIXON GULCH RD
MANHATTAN, MT 59741

N 1/2 SW 1/4 NW 1/4 in 23 TO 2N R 3E
 PROPERTY DESCRIPTION

LANDOWNER(S)

MAILING ADDRESS

* 11. ✓ Alex Mc Dermont 76 Cliffview Rd
MANHATTAN, MT 59741

N 1/2 SW 1/4 NE 1/4 IN 23 TO 2 NR 3E
 PROPERTY DESCRIPTION

* 12. ✓ Robert Halasa 515 DENISE DRIVE
Estella Halasa Philadelphia, PA 19116

S 1/2 NW 1/4 NE 1/4 IN 23 TO 2 NR 3E
 PROPERTY DESCRIPTION

* 13. ✓ Games McFadden 311 McIver Road
Elisabeth McFadden GREAT FALLS, MT 59404

N 1/2 NE 1/4 NW 1/4 IN 23 TO 2 NR 3E
 PROPERTY DESCRIPTION

* 14. ✓ Hill Country INC PO Box 899
Mcken Corp. MANHATTAN, MT 59741

N 1/2 NW 1/4 NW 1/4 IN 26 TO 2 NR 3E
 PROPERTY DESCRIPTION

* 15. ✓ Hill Country INC. PO Box 899
MCKEN CORP. MANHATTAN, MT 59741

S 1/2 SW 1/4 SW 1/4 IN 23 TO 2 NR 3E
 PROPERTY DESCRIPTION

* 16. ✓ Hill Country INC. PO Box 899
Mcken Corp. MANHATTAN, MT 59741

N 1/2 SE 1/4 NW 1/4 IN 23 TO 2 NR 3E
 PROPERTY DESCRIPTION

(Use additional pages if required)

LANDOWNER(S)

MAILING ADDRESS

* 17~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741
 ✓ Kenneth M. Vidar
 Mary Ellen Vidar
N 1/2 NW 1/4 NE 1/4 IN 23 TO 2NR3E
 PROPERTY DESCRIPTION

* 18~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741

S 1/2 SE 1/4 SW 1/4 IN 14 TO 2NR3E
 PROPERTY DESCRIPTION

* 19~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741

N 1/2 SE 1/4 SW 1/4 IN 14 TO 2NR3E
 PROPERTY DESCRIPTION

* 20~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741

N 1/2 SW 1/4 SE 1/4 IN 14 TO 2NR3E
 PROPERTY DESCRIPTION

* 21~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741

S 1/2 NW 1/4 SE 1/4 IN 14 TO 2NR3E
 PROPERTY DESCRIPTION

* 22~~2~~. Hill Country Inc. PO Box 899
Meken Corp. MANHATTAN, MT 59741

N 1/2 NW 1/4 SE 1/4 IN 14 TO 2NR3E
 PROPERTY DESCRIPTION

(Use additional pages if required)

LANDOWNER(S)

MAILING ADDRESS

* 2311. ✓	Hill Country Inc.	PO Box 899
	Meken Corp.	MANHATTAN, MT 59741

S 1/2 SW 1/4 NE 1/4 IN 14	T02NR3E
PROPERTY DESCRIPTION	

* 2412. ✓	Hill Country Inc.	PO Box 899
	Meken Corp.	MANHATTAN, MT 59741

N 1/2 SW 1/4 NE 1/4 IN 14	T02NR3E
PROPERTY DESCRIPTION	

* 2513. ✓	Hill Country Inc.	PO Box 899
	Meken Corp.	MANHATTAN, MT 59741

N 1/2 SE 1/4 NE 1/4 IN 14	T02NR3E
PROPERTY DESCRIPTION	

* 2614. ✓	Hill Country Inc.	PO Box 899
	Meken Corp.	MANHATTAN, MT 59741

S 1/2 NE 1/4 NE 1/4 IN 14	T02NR3E
PROPERTY DESCRIPTION	

* 2715. ✓	Hill Country Inc.	PO Box 899
	Meken Corp.	MANHATTAN, MT 59741

N 1/2 NE 1/4 NE 1/4 IN 14	T02NR3E
PROPERTY DESCRIPTION	

* 2826.	DIANE LEWIS	2043 Silent Spring Drive
	Hugh F. Lewis	MARYLAND HEIGHTS, MD 63043
	Meken Corp.	

S 1/2 SE 1/4 NW 1/4 IN 23	T02NR3E
PROPERTY DESCRIPTION	

(Use additional pages if required)

LANDOWNER(S)

MAILING ADDRESS

* 29.24/ Hill Country Inc.
MEKEN CORP.

PO Box 899
MANHATTAN, MT 59741

E 1/2 SW 1/4 SW 1/4 IN 12 TO 2N R 3E
PROPERTY DESCRIPTION

* 30 22/ Hill Country Inc.
MEKEN CORP.

PO Box 899
MANHATTAN, MT 59741

W 1/2 SW 1/4 SW 1/4 IN 11 TO 2N R 3E
PROPERTY DESCRIPTION 12

* 31 23/ Hill Country Inc.
MEKEN CORP.

PO Box 899
MANHATTAN, MT 59741

E 1/2 SE 1/4 SE 1/4 IN 11 TO 2N R 3E
PROPERTY DESCRIPTION

* 3.2 24/ Hill Country Inc.
MEKEN CORP.
Vidar Companies
Amerimont

PO Box 899
MANHATTAN, MT 59741

LFM 437
PROPERTY DESCRIPTION

680 Code 0611081040101000

15. _____

PROPERTY DESCRIPTION

16. _____

PROPERTY DESCRIPTION

(Use additional pages if required)

5. Except for the following landowners the landowners identified in Section 3 consent to the abandonment: (If any of the adjacent landowners do not consent identify them in this paragraph)

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

William + Karm Feldner
GRR Landowners

20219 76th Ave SE
Snohomish, WA 98296

Alex + Christine Fox
GRR Landowners

PO Box 387
Gallatin Gateway, MT 59730

See List Attached as
Addendum to Item 7
(3 pages)

(Use additional pages if required)

8. The necessity for and advantage of the abandonment of the road are as follows: See Item 8 statement, pages a-c
immediately following this page 4

Addendum to Item 8: Reasons For Abandonment

The right of way for Nixon Gulch Road within the confines of Gallatin River Ranch (hereafter the "ROW") is nothing but a liability for the County, its existence is contrary to the County Growth Policy, and it is a needless source of danger to the residents of the Ranch (hereafter "GRR"), the wildlife on the Ranch, and the environment. This approximately 100 year old right of way was never improved by the County from the wagon path it was, accesses no public lands, and is not used or useful as a regular means of travel except by residents within the GRR community along its lower half, which has been improved to a degree by the developers of GRR. The northern portion of the roadway within Gallatin River Ranch is all but impassable and no one uses it as a means of access to private land outside the Ranch. (See the Affidavit of Jeffrey Gates, Ranch Manager and Chief of Security attached as Appendix 2) The hill country dry grazing lands to the north of Gallatin River Ranch are served by three County roads that intersect and span that area from Logan to Belgrade. They are Cottonwood (a/k/a Cottonwood/Horseshoe), the northern portion of Nixon Gulch and Skinner Roads. The County does perform maintenance on this three road loop. The northern portion of Nixon Gulch in this loop is **not** the subject of this petition. Only the right of way within GRR is the subject of this petition.

Most of this right of way was established by Petition 266 in 1906 and is a 60 foot right of way which closely tracks the bottom of Nixon Gulch from the Gallatin River to the corner of Nixon Gulch Road and Reservoir Cut Off Road (see GRR road map in Appendix 3 , at which point it leaves the Gulch and climbs two steep hills (11% and 12% grades) before plateauing and continuing its serpentine path to the northern border of the Ranch. As partially depicted on the County Road Department's right of way/road map in Appendix 1, the right of way has many turns as it snakes up the Gulch, sharing the bottom of the Gulch with a seasonal drainage stream bed. There are 18 turns in the roadway in its first 1 ½ miles inside the Ranch. **A road meeting the County's minimum width and side slope standards cannot be accommodated within the right of way without massive blasting, filling and both artificial channeling and bridging of the seasonal drainage. The County's turn radius standards cannot be met for many turns within the ROW.** At many points the Gulch, including its seasonal drainage channel, is significantly less than 60 feet wide. A rapid snow melt last winter produced a multi-day torrent in the drainage that blew out culverts and the roadbed itself at several points in Nixon Gulch. A substantial area north of GRR drains naturally into Nixon Gulch and the run off spills into the Gallatin River at the front of the Ranch.

Given the serpentine nature of the right of way, no matter how a road was placed within the right of way, the road would have 8 hairpin turns¹, one of which would be at the bottom of a steep grade (11 percent) of roughly .25 miles in length. That hairpin immediately follows a 80 degree bend on the steep hillside (see photograph 13 in Appendix 3). On the approaches to those hairpins, and in other canyon areas along the right of way, stopping sight distances on

¹ Two of those hairpins are in the portion of the right of way that the developers did not use for their Nixon Gulch Road, just north of the Equestrian Center where the right of way hugs a steep rock wall known as Castle Rock (See photos 22-28 in Appendix 3).

such a road would be frequently 50 feet or less, even with massive regrading within the right of way. The efforts required to produce this substandard, unsafe road would also destroy much of the natural beauty of Nixon Gulch, greatly impair the drainage and accelerate runoff, and impair the wildlife habitat of the 5800 acre Ranch.

A map and photographs taken along the right of way, number-keyed to the map, are attached in Appendix 3. Many photographs illustrate the unsuitable nature of the ROW for future road development. For example, photograph 37 shows a hairpin turn approximately 2/10th of a mile north of the Gallatin River. Photographs 33 and 34 shows a second hairpin approximately 3/10ths of a mile north of the Gallatin River. Photographs 31 and 32 shows a third hairpin turn approximately 8/10ths of a mile north of the Gallatin River, which is immediately followed by another hairpin turn (see photograph 36). After four more substantial turns in 3/10ths of a mile there is another hairpin curve (see photograph 30). **There are 18 major turns in the mile and a half between the bridge onto the Ranch and its Equestrian Center.** Photograph 20 shows a point where the Gulch's steep canyon walls are less than 43 feet apart, just as the Gulch bends sharply to the right as you head north on the ROW (see overhead photograph 18). Photograph 39 depicts the one lane Nixon Bridge crossing the Gallatin River directly into a steep rock bluff, with the total roadway of approximately 20 feet in width hugging the cliff wall on the river bank.

In short, given the topography of Nixon Gulch, the right of way could never be developed as a safe road either for agricultural equipment or general public conveyance and it could not be developed at reasonable cost. There is no public purpose currently served by the right of way, as is demonstrated by the fact that the County has never developed or maintained it. Because of the antiquated layout of this right of way, it has no future value to the County, since it could never be developed as a safe and adequate feeder road in the County system in the event that the land to the north of GRR were to experience traffic-producing development. Should such development occur in that area, the Cottonwood, upper Nixon Gulch and Skinner rights-of-way will allow far safer road development, at far more reasonable cost, since they are relatively flat, have long sight-lines and are practically devoid of any rock ledge within their rights-of-way. Today that loop is being seasonally maintained by the County, with Skinner Road getting more regular maintenance, and that loop has apparently been meeting the current access needs of property owners to the north of GRR.

The Gallatin River Ranch Homeowners Association's reasons for wanting the abandonment are three fold. First, as long as Nixon Gulch within the Ranch is within County jurisdiction, we, as a community, cannot establish safety standards and traffic flow patterns for the road. Much of the lower section of this road, even as improved by the Ranch, cannot be safely traveled at more than 15 miles an hour. The County has posted no speed limit on this section of Nixon Gulch and there is no County enforcement presence on the road. An example of traffic flow considerations are those times when public equestrian clinics and events are held at the Equestrian Center of the Ranch. The Equestrian Center is 1.5 miles up Nixon Gulch, and three to six horse trailers enter and leave the Ranch by Nixon Gulch on event days. At such times a desirable safety measure would be to turn Nixon Gulch into a one way in for the morning and a one way out in the afternoon. We cannot lawfully do that on a County right of way.

The second reason for seeking the abandonment is that the existence of this old right of way has been used as a justification for and means of entry onto Gallatin River Ranch by poachers, thieves and malicious mischief makers. See the detail provided in the affidavit of the Ranch's Security Chief, Jeffrey Gates (Appendix 2). These poachers and mischief makers leave the right of way to trespass both on the private road system in the Ranch and off road, doing damage with trucks, SUVs and ATVs to the fragile high-desert hillsides (see photographs 40 and 41 in Appendix 3). The poachers are discharging high powered rifles irresponsibly within a residential community. Both categories of trespassers also litter the Ranch. We ask the County to abandon the right of way as a preliminary step to allowing the Gallatin River Homeowners Association to take steps to limit these forms of trespassing, the dangers they pose and the damage they do.

The third reason for this petition is the desire of the residents and property owners within GRR to preserve important wildlife habitat on the Ranch. Over forty percent of the Ranch's 5900 acres are dedicated open space, and most of the land on both sides of the ROW is so dedicated. Birds of prey nest and raise there young in the Gulch. Animal trails frequented by deer and antelope cross the Gulch at numerous points, and the Gulch is an important seasonal grazing area for them. It is, in short, animal habitat worth preserving. (See Photos 43 and 44 in Appendix 3)

Placing a County road through Nixon Gulch would be contrary to the County's Growth Policy, not only because of the Policy's goal of preserving habitat, but its goals of protecting water quality and discouraging sprawl and leapfrog development. Such a County road would both accelerate and contaminate run off into the Gallatin River, while inviting development in the hill country to the north. Development in this area of the County should be encouraged as infill development immediately to the north of Manhattan town line, as promoted by Manhattan's own development studies. Sound planning, responsible fiscal policy, public safety and engineering and environmental considerations all point to the abandonment of this segment of Nixon Gulch Road as the right decision.

Parcel owners in Gallatin River Ranch who do not own land immediately adjacent to the road, but who could be affected by the abandonment of the road (asterisk = petition signatory):

* Ed & Jennifer Abbott
471 High Meadow Road
Manhattan MT 59741

* Doug & Jaquie Bowen
3930 19th St. Lane
Greeley CO 80634

Jane Burkhalter
10822 Campichael Road
Knoxville TN 27932

* Bernard & Sandy Lahendro
412 Hunting Card Lane
Glen Mills PA 19342

* Tom & Sharon Andrews
481 High Meadow Road
Manhattan MT 59741

* Jack & Donna Brogan
500 Horseshoe Gulch
Manhattan MT 59741

Susan Eckert
15033 Kelly Canyon Road
Bozeman MT 59715

Jorge & Cookie Gonzalez
288 Windridge Drive
Brunswick GA 31520

Dave & Sande Baum
One Ansham Way
Chappaqua NY 10514

Cheryl Crandall
624 Ellwood Ave
Orlando FL 32804

* Dale & Dianna Fehrenbach
421 Trap Line Lane
Chanhassen MN 55317

Tim & Cindy Gzeika
1315 Christopher Gist St.
New Brighton PA 15066

Dr. Marc & Kim Bloom
8 Homestead Road
Kinnersville PA 16930

* Andrew & Kallaya Duncanson
2472 Parkview Drive
Hamel MN 55340-9764

* Larry & Stephanie Groenbaum
65 Soundview Drive
Montauk NY 11954

Guy Feager & Connie Hall
32 Hunter Ranch Road
Elma WA 98541

* Stan & Karen Brashears
119 Hawkins Circle
Wheaton IL 60187

* Bill & Debbie Ebeling
25 Everett Ave
Winchester MA 01890

Larry & Janet Haldeman
304 Lost Creek Drive
Kennesaw GA 30152

Ann Hare
P.O. Box 138
Woodstock CT 06281

Bill & Linda Cooper
552 Mossy Rock Lane
Manhattan MT 59741

* Dr. Tom Esposito
2409 Prescott Lane
Westchester IL 60154

Elizabeth Hanna
25363 Flanders Drive
Carmel CA 93823

* Rick Hegenberger
171 Church St. # 270
Charleston SC 29401

Catherine Duncan
PO Box 2764 3541 Edgewood Dr.
Ruidoso NM 88365
Abilene TX 79605-3946

Stephen & Meg Andreae
701 South Bridge Street
Charlevoix MI 49720

* John & Eleanor Hatem
P.O. Box 779
Manhattan MT 59741

Elise Smith Hoefler
33 College Park
Davis CA 95616

Doug & Daria East
112 Golden Trout Way
Bozeman MT 59718

Bev & Mary Barge
3034 Teslow Dr.
Bozeman MT 59715

* Steve & Carol Hodgson
6933 E. Pinnacle Pt.
Orange CA 92869

Charles & Carol James
10335 North Port Washington f
Maquon WI 53092

Herbert & Penny Eighmy
550 Lookabout Lane,
Manhattan MT 59741

* Dr. James & Barbara Bonecke
21 Country Life Acres
St. Louis MO 63131

* Forrest & Sue Hunter
4725 Millbrook Drive, N.W.
Atlanta GA 30327-3548

Justin Kirby
1608 32nd Ave.
Seattle WA 98122

Dina Cole & Lisa Atterberry
2444 N. Sheffield
Chicago IL 60614

Stephen & Suzae Branch
PO Box 1172
Manhattan MT 59741

* Jennifer Kirby
4218 N. Cheyenne Street
Tacoma WA 98407

Jay & Sheri Ledoux
1021 Kingsley
Lomox BC V8M-3R7

* James Greenbaum
86 Sondview Drive
Montauk NY 11954

* Gary & Beverly MacMillan
50 Rockhaven Rd.
Manhattan MT 59741

Douglas & Kathryn Moriarty
P.O. Box 169
Manhattan MT 59741

David & Deborah Nice
4571 Ware Creek Road
Williamsburg VA 23188

* Nelson Becker & Alex Hamilton
1137 Pache Rd.
Belgrade MT 59714

Ken Moll
4652 Torida Way
Yorba Linda CA 92886

Mark & Mary Nania
640 Americas Cup Cove
Alpharetta GA 30005

Kim & Michele Pansegrau
3843 Weatherwood Trail
Verona WI 53593
3296 Saracen Way

Lisa & Damon Harrell
2053 Serendipity Way
Schwenksville PA 19473

* Paul & Alexandra Muller
19325 Waterford Place
Sharewood MN 55331

* Denny Brown & Ann Oglesby
4259 Laredo Place
Billings MT 59106

David & Janemarie Poimanteer
PO Box 1251
Santa Cruz CA 95061

* Mitch & Janice Hobish
P.O. Box 632
Manhattan MT 59741

* Cathy O'Connor
626 Prospect Trail
Bozeman MT 59718

* Joe & Bonnie Raymond
1203 North Spruce
Bozeman MT 59715

* Ray & Mara Rigel
21926 Mapleton Court
Ashburn VA 20148

Zan & Doug Hoxsey
1062 Boylan Road
Bozeman MT 59715

* Mathew Pease
21 Madison Ave.
Demarest NJ 07627

Bobbie G. & E. Donald Roberts
234 Highland Track Drive
Baton Rouge LA 70816-70809
10928 Shoreline Dr.

* Barry & Judy Rose
215 West Cowan
Houston TX 77007

Kathleen & Rick Johnson
3708 Otsney Drive
St. Charles MO 63303

Bob Ramsey
2890 E. Live Oak Cir.
Holladay UT 84117

* Nels and Teri Sanddal
113 Lay Pass
Manhattan MT 59741

David & Judith Schlaht
1117 4th Avenue South
Fargo ND 58103

Ronald & Norlene Koch
8782 Gray Fox Dr.
Evergreen CO 80439

Joe Robb
PO Box 6485 900
Avon CO 81620
Manhattan MT 59741

Larry & Cindy MacKenzie
22965 Forest Ridge Drive
Lakeville MN 55044

Gary Cates & Susan Shapiro
777 1st Street # 516
Gilroy CA 95020

* Harold & Linda Lee
1333 Debbs Lane
Chesapeake VA 23320

* Carlos & Elena Roubicek
P.O. Box 1268
Marco Island FL 34146

Charles & Kathleen McBride
1421 Oakdale Road, Ste.#2
Modesto CA 95355

John & Marcia Spiess
P.O. Box 485
Manhattan MT 59741

* Michael Libster
3200 Nixon Gulch
Manhattan MT 59741

* Dr. Tom & Barbara Mack
169 marvin Ave.
Los Altos CA 94022

Roger Meffink
19425-B Soledad Canyon #351
Canyon Country GA 91351

* Art & Suzi Thompson
3150 W. Graf St. #9
Bozeman MT 59715

Jeffrey & Gloria Love
191 Warbranch Road
Central CT 29630

Ronald and Gail Matheson
22424 Poplar St.
Murieta GA 92562

JoAnn Mulcahy
PO Box 6528
Sheridan WY 82801

* Kenneth & Mary Ellen Vidar
1 Mekan Ranch Rd
Manhattan MT 59741

* Joe & Cindy Walkowski
210 Sixth Avenue
Salt Lake City UT 84103

Charles & Marie Stutz
An Den Buchen 3
Dusseldorf GE...

Graham & Elizabeth Zug
127 Rose Lane
Haverford PA 19041

TSW
PO Box 6526
Sheridan WY 82801

Steven & Karen Schreiter
2918 E. Princeton Ave
Eau Claire WI 54703

Larry & Glenda Walker
8500 Doral Ct.
East Flower Muond TX 75022

* LeVay Lemon & Al Silvey
225 Horse Thief Trail
Manhattan MT 59741

* Richard Young
90 North Market
Charleston SC 29401

Jim & Kim Steiner
26945 Berkshire Lane
San Juan Capistrano CA 92675

* James F. Normandin
Memorial Medical Center Foundation
P.O. Box 1428
Long Beach CA 90801

* Greg Vidmar
2210 Watts Lane
Bozeman MT 59718

* Alex Fox
P.O. Box 347
Gallatin Gateway, MT 59730

Dennis Woods
3147 Progress Circle
Mira Loma CA 91752

* William A. Feldner
Karna A. Feldner
20219 76th Avenue SE
Snohomish, WA 98296

* Steve Hodgson/William Dewing
D & H Building
1322 Bell Ave. Ste. # 1-F
Tustin CA 92780

Rick & Lynn Scully
PO Box 3784
Rancho Santa Fe CA 92067

* Tracey Spear
PO Box 861
Manhattan MT 59741

PLEASE MAIL NOTICE OF PUBLIC HEARING AND VIEWERS REPORT TO
NAMES LISTED BELOW IN ADDITION TO NAMES LISTED IN PETITION
(These people gave public comment during receipt of petition on 2-10-04)

Monte Cooper
1406 Bear Canyon Road
Bozeman, MT 59715

Joe Gutkoski
304 N 18th
Bozeman, MT 59715

Glen Hawkin
745 Doane Road
Bozeman, MT 59718

Gallatin Wildlife Association
P.O. Box 5276
Bozeman, MT 59717

Debra Anderson
2020 Charlotte Street
Bozeman, MT 59718

Cindy Younkin
c/o Moore Law Firm
P.O. Box 1288
Bozeman, MT 59771

Bruce Rich
Fish, Wildlife & Parks
1400 South 19 Ave.
Bozeman, MT 59715

The undersigned state that they are owners of real property in the Gallatin County road district which is taxable for the county general road tax. If more than 10 freeholders sign, use additional pages.

1. ✓ JANICE C. HABISH Signature
JANICE C. HABISH Printed Name
10-20-03 Date
PO Box 632 Address
Manhattan, MT 59741 City, State & Zip

lot # 19
S 1/2 NE 1/4 NW 1/4 IN 27 T02NR3E Description of Property

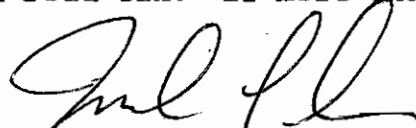
2. ✓ Jennifer Abbott Signature
Jennifer Abbott Printed Name
10-22-03 Date
471 High Meadow Rd Address
Manhattan MT 59741 City, State & Zip

lots 35 & 41
SW 1/4 NE 1/4 IN 22 T02NR3E; N 1/2 NW 1/4 SW 1/4 IN 22 T02NR3E Description of Property

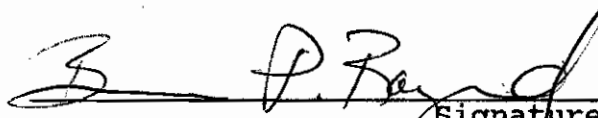
3. ✓ GATHEY Signature
GATHEY Printed Name
Oct. 23, 2003 Date
626 Prospector Tr Address
Bozeman MT 59718 City, State & Zip

168
N 1/2 SE 1/4 NW 1/4 IN 15 T02NR3E 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. ✓  PO Box 899
 Signature MANHATTAN, MT 59741
 Address
Michael Libster MANHATTAN, MT 59741
 Printed Name City, State & Zip
10/17/03
 Date

Lot # 79, 64, 58 @ GRN 5 1/2 SW 1/4 NW 1/4 IN 28 T02NR3E
E 1/2 NE 1/4 SE 1/4 IN 28 T02NR3E; W 1/2 SE 1/4 NE 1/4 IN 21 T02NR3E;
 Description of Property

2. ✓  309 Donegal Drive
 Signature Bozeman, MT 59715
 Address
Bonnie P. Raymond Bozeman, MT 59715
 Printed Name City, State & Zip
10/17/03
 Date

Lot # 160
N 1/2 NE 1/4 SW 1/4 IN 15 T02NR3E
 Description of Property

3. ✓  309 Donegal Drive
 Signature Bozeman, MT 59715
 Address
Joe Raymond Bozeman, MT 59715
 Printed Name City, State & Zip
10/18/03
 Date

Lot # 160
N 1/2 NE 1/4 SW 1/4 IN 15 T02NR3E
 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. ✓ Beverly MacMillan Signature 50 Rock Haven Rd Address
Beverly MacMillan Printed Name Manhattan MT 59741 City, State & Zip
10/24/03 Date

S 1/2 NE 1/4 SE 1/4 IN 15 TO 2NR3E; N 1/2 SE 1/4 SE 1/4 IN 15 TO 2NR3E
Description of Property

2. ✓ [Signature] Signature 50 ROCK HAVEN ROAD Address
GARY A. MACMILLAN Printed Name MANHATTAN, MT 59741 City, State & Zip
10/24/03 Date

S 1/2 NE 1/4 SE 1/4 IN 15 TO 2NR3E; N 1/2 SE 1/4 SE 1/4 IN 15 TO 2NR3E
Description of Property

3. ✓ D.H.H. Eighmy Signature P.O. Box 310 Address
DR. H.H. EIGHMY TRUST Printed Name MANHATTAN MT. 59741 City, State & Zip
JAN 15, 2004 Date

N 1/2 SW 1/4 NW 1/4 IN 27 TO 2NR3E
Description of Property

8. M Sue Frazier Signature 4421 NIXON Gulch Rd Address
M. SUE FRAZIER Printed Name Manhattan, MT 59741 City, State & Zip
10-14-03 Date

N 1/2 SW 1/4 NW 1/4 IN 23 TO 2N R 3E
Description of Property

9. Al Sibley Signature 225 Horse Thief Trail Address
Al Sibley Printed Name Manhattan, MT 59741 City, State & Zip
10/14/03 Date

N 1/2 NW 1/4 NE 1/4 IN 15, TO 2N R 3E
Description of Property

10. Richard A. Frazier Signature 4421 Nixon Gulch Rd. Address
RICHARD A. FRAZIER Printed Name MANHATTAN, MT. 59741 City, State & Zip
10-15-2003 Date

N 1/2 SW 1/4 NW 1/4 IN 23 TO 2N R 3E
Description of Property

8. ✓ Richard K Anderson DM 3901 Nixon Gulch Rd
Signature Address
Richard K Anderson Manhattan MT 59741
Printed Name City, State & Zip
10/14/03
Date

Parcel 47 + 48
N 1/2 SW 1/4 SW 1/4 IN 23 T2R3E; S 1/2 NW 1/4 SW 1/4 IN 23 T2R3E
Description of Property

9. ✓ John E Brogan 500 HORSESHOE Gulch
Signature Address
JOHN E. BROGAN MANHATTAN, MT 59741
Printed Name City, State & Zip
14 OCT 2003
Date

N 1/2 SW 1/4 NE 1/4 IN 27 T2N R3E
Description of Property

10. ✓ Donna Brogan 500 Horseshoe Gulch
Signature Address
Donna Brogan Manhattan, MT. 59741
Printed Name City, State & Zip
10/14/03
Date

Parcel 15
N 1/2 SW 1/4 NE 1/4 IN 27 T2N R3E
Description of Property

We support the abandonment of Nixon Gulch Road within GRR

Mitchell K. Hobish
Signature

350 LOOKABOUT LA.
Address

MITCHELL K. HOBISH
Printed Name

MANHATTAN, MT 59741
City, State, & Zip

DECEMBER 5, 2003
Date

Lot # 19

S 1/2 NE 1/4 NW 1/4 SEC 27 T02N R3E
Description of Property

Hill Country Inc.
[Signature]
Signature

P.O. Box 990
Address

Thomas H. Lange L
Printed Name

Manhattan, MT 59741
City, State, & Zip

12/5/03
Date

N 1/2 NW 1/4 NE 1/4
For Hill Country Inc. Properties
See Descriptions at 14-27, 29-32 at pp. 3-3c for partial list
C of S 1886A
T02N R3E
Description of Property

Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17. > [Signature]
Signature

4259 Laurel Pl.
Address

Ann Oglesby
Printed Name

Blgo, MT. 59106
City, State, & Zip

11/30/03
Date

Lot 2 & 3
E 1/2 NW 1/4 SW 1/4 IN 27 T02NR3E
W 1/2 NE 1/4 SW 1/4 IN 27 T02NR3E
Description of Property

18. > [Signature]
Signature

4259 Laurel Pl.
Address

DK Brown
Printed Name

BILLINGS, MT 59106
City, State, & Zip

11/30/03
Date

Lot 2, 3
E 1/2 NW 1/4 SW 1/4 IN 27 T02NR3E
W 1/2 NE 1/4 SW 1/4 IN 27 T02NR3E
Description of Property

19. > _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 ✓ Lawrence B. Greenbaum
Signature

66 Sandview Drive
Address

Lawrence B. Greenbaum
Printed Name

Mantauk, NY 11954
City, State, & Zip

November 30, 2003
Date

Lot #
142

N 1/2 NW 1/4 NW 1/4 IN 22 T02NR3E

N 1/2 NE 1/4 NW 1/4 IN 22 T02NR3E

Description of Property

18 ✓ James T. Greenbaum
Signature

66 Sandview Drive
Address

James T. Greenbaum
Printed Name

Mantauk, NY 11954
City, State, & Zip

November 30, 2003
Date

Lot #
141

N 1/2 NW 1/4 NW 1/4 IN 22 T02NR3E

N 1/2 NE 1/4 NW 1/4 IN 22 T02NR3E

Description of Property

19 > _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

Key: Abandonment of County Right of Way - Nixon Gulch Rd

8. Mickey Lessley signature 1312 Cobb Hill Rd. Address
MICKEY R. LESSLEY Printed Name Bozeman, MT. 59718 City, State & Zip
10-20-3 Date

lots #45 & #140 at Gallatin River Ranch
5 1/2 SW 1/4 NW 1/4 W 23 T02N R3E; N 1/2 NE 1/4 NE 1/4 W 21 T02N R3E
 Description of Property

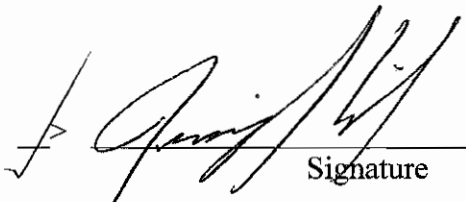
9. Wendy Lessley signature 1312 Cobb Hill Rd Address
Wendy Lessley Printed Name Bozeman MT 59718 City, State & Zip
10-20-3 Date

lots #45 & #140 @ Gallatin River Ranch
5 1/2 SW 1/4 NW 1/4 W 23 T02N R3E; N 1/2 NE 1/4 NE 1/4 W 21 T02N R3E
 Description of Property

10. _____ signature _____ Address
 _____ Printed Name _____ City, State & Zip
 _____ Date

 _____ Description of Property

* Supporting the abandonment



Signature

4218 N Cheyenne St
Address

Jennifer Kirby
Printed Name

Tacoma WA 98407
City, State, & Zip

10/20/03
Date

3 1/2 NE 1/4 NW 1/4 W 28 T02NR3E
Gallatin River Ranch Parcel #90
Description of Property

> _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

> _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 ✓ Ray Rigel Signature 21926 MAPLETON CT Address
RAY RIGEL Printed Name ASHBURN, VA 20148 City, State, & Zip
11/28/03 Date
Lot 43, DD Lane
N 1/2 SE 1/4 NE 1/4 W 22 TO 2NR3E Description of Property

18 > _____ Signature _____ Address
_____ Printed Name _____ City, State, & Zip
_____ Date

_____ Description of Property

19 > _____ Signature _____ Address
_____ Printed Name _____ City, State, & Zip
_____ Date

_____ Description of Property

✓ Diane Lewis
Signature

2043 Silent Spring Dr.
Address

Diane Lewis
Printed Name

Maryland Hts, MO
City, State, & Zip 63043

10-20-03
Date

N¹/₂ NE¹/₄ SW¹/₄ IN 23 TO 2NR3E
Description of Property

✓ Hugh F Lewis
Signature

2043 Silent Spring Dr
Address

HUGH F LEWIS
Printed Name

MARYLAND HTS MO 63043
City, State, & Zip

10-20-03
Date

N¹/₂ NE¹/₄ SW¹/₄ IN 23 TO 2NR3E
Description of Property

✓ _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

8
No
[Signature]
Signature
JOHN E. KROSTEN
Printed Name
11/20/03
Date

PA 529
Address
Manhattan MT 59741
City, State, & Zip

reside on Nixon Gulch Rd north of Manhattan,
south of GRR
Description of Property

9
[Signature]
Signature
MARY ALEXSANDRA HAMILTON
Printed Name
1137 PACHE RD
Address
BELGRADE MT 59714
City, State, & Zip
Nov. 22, 2003
Date

PARCEL 51 S 1/2 NE 1/4 SE 1/4, IN 21 T02NR3E
GALLATIN RIVER RANCH
Description of Property

10
[Signature]
Signature
NELSON K BECKER
Printed Name
1137 PACHE RD
Address
BELGRADE MT 59714
City, State, & Zip
Nov 22 2003
Date

PARCEL 51 S 1/2 NE 1/4 SE 1/4, IN 21 T02NR3E
GALLATIN RIVER RANCH
Description of Property

> Barry A. Rose
Signature

BARRY A. ROSE
Printed Name

October 20, 2003
Date

215 W. COWAN
Address

HOUSTON, TX, 77007
City, State, & Zip

Parcel 194

N 1/2 NE 1/4 NW 1/4, IN 14 TO 2 NR 3E
Description of Property

> Judith W. Rose
Signature

JUDITH W. ROSE
Printed Name

10/20/03
Date

215 W. Cowan
Address

Houston, TX 77007
City, State, & Zip

#194

N 1/2 NE 1/4 NW 1/4, IN 14 TO 2 NR 3E

Description of Property

> _____
Signature

Printed Name

Date

Address

City, State, & Zip

Description of Property

✓ Matthew P. Pease
Signature

21 Madison Ave.
Address

Matthew P. Pease
Printed Name

Demarest, N.J. 07627
City, State, & Zip

10/19/03
Date

S 1/2 NW 1/4 SW 1/4 IN 14

T02NR3E
Description of Property

> Matthew P. Pease
Signature

21 Madison Ave.
Address

Matthew P. Pease
Printed Name

Demarest, N.J. 07627
City, State, & Zip

10/19/03
Date

Description of Property

> Matthew P. Pease
Signature

21 Madison Ave.
Address

Matthew P. Pease
Printed Name

Demarest, N.J. 07627
City, State, & Zip

10/19/03
Date

8.

[Signature]
 Signature
Michael J. Garrity
 Printed Name
10/20/03
 Date

152 Buckboard Tr
 Address
Manhattan MT 5974
 City, State & Zip
 PO Box 1030
 Manhattan

S 1/2 SE 1/4 NE 1/4 IN 27 TO 2 NR 3E
 Description of Property

9.

[Signature]
 Signature
Cynthia G. Garrity
 Printed Name
10/20/03
 Date

152 Buckboard Trail
 Address
Manhattan MT 5974
 City, State & Zip
 PO Box 1030
 Manhattan

S 1/2 SE 1/4 NE 1/4 IN 27 TO 2 NR 3E
 Description of Property

10.

 Signature

 Printed Name

 Date

 Address

 City, State & Zip

 Description of Property

8.

R.A. Dyer
Signature

P.O. Box 300
Address

ROBERT. A. DYER
Printed Name

MANHATTAN, MT. 59741
City, State & Zip

10-20-03
Date

14515 72nd Ave. CTE
Puyallup, WA 98375

#17
S 1/2 NE 1/4 NE 1/4 IN 27 TO 2NR3E
Description of Property

9/

G.B. Viomar
Signature

2210 WATTS LANE
Address

GREGORY B. VIOMAR
Printed Name

BOZEMAN, MT. 59718
City, State & Zip

10/23/03
Date

LOT'S # 110 & 109
S 1/2 NE 1/4 SW 1/4 IN 23 TO 2NR3E; S 1/2 NW 1/4 SE 1/4, IN 23 TO 2NR
Description of Property

10.

Signature

Address

Printed Name

City, State & Zip

Date

Description of Property

8. ✓ [Signature] Signature 55 N. River Connection Address
ELEANOR HATEM Printed Name MANHATTAN, MT 59741 City, State & Zip
10/14/03 Date PO Box 779

Parcel 108
S 1/2 NE 1/4 SE 1/4 N 23 TO 2NR3E Description of Property

9. ~~[Signature] Signature 55 N. River Connection Address
Ellis J HATEM Printed Name MANHATTAN, MT 59741 City, State & Zip
10/14/03 Date~~

NOT
OWNER
OF
RECORD

S 1/2 NE 1/4 SE 1/4 N 23 TO 2NR3E Description of Property

10. _____ Signature _____ Address
_____ Printed Name _____ City, State & Zip
_____ Date

_____ Description of Property

4. ✓ Kent W #1 Meken Ranch Rd.
 Signature Address
KENNETH VIDAR Manhattan Mt. 59741
 Printed Name City, State & Zip
11-12-03 PO Box 899
 Date Manhattan

Residence Meken Ranch Road
N 1/2 SW 1/4 NE 1/4 IN 28 T02N R3E
 MEKEN CORP. Description of Property

5. ✓ by Kent W Box 869
 Signature Address
Kenneth Vidar, President Manhattan Mt. 59741
 Printed Name City, State & Zip
11-12-03 Box 899 Manhattan
 Date

50% Gallatin River Ranch (unsold) T2N R3E. MPM
See property descriptions 14-27, 29-32 at pages 3-3C
 for partial list of holdings Description of Property

6. ✓ Wacey Spear Box 861
 Signature Address
Wacey Spear Trust Manhattan MT 59741
 Printed Name City, State & Zip
11-14-03 Box 715
 Date Donald OR 97020

Lots 71 & 98
N 1/2 SE 1/4 SE 1/4 IN 23 T02N R3E; S 1/2 SE 1/4 SE 1/4 IN 23 T02N
 Description of Property R3E

7. _____
 Signature Address

 Printed Name City, State & Zip

 Date

 Description of Property

H. W. G. [Signature]
Deborah F. Ebeling
H. William Ebeling, TRUSTEE
DEBORAH F. EBELING, TRUSTEE
Deborah F. EBELING - 1996 Rev. Trust
Printed Name

25 Everett Ave
Address

Winchester, MA 01890
City, State, & Zip

11/10/03
Date

LOT# 77

E 1/2 NW 1/4 SE 1/4 IN 28 T02N R3E
Description of Property

> _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

> _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

4. *[Signature]* 115 Lay Pass
 Signature Address
Lee L Sawoal Manhattan MT 59741
 Printed Name City, State & Zip
Oct 10, 2003
 Date

Lot 28
N 1/2 SE 1/4 SW 1/4 W 22 TO 2N R 3E
 Description of Property

5. *[Signature]* 115 LAY PASS
 Signature Address
NERS D. SAWOAL MANHATTAN MT 59741
 Printed Name City, State & Zip
October 10, 2003
 Date

LOT 28
N 1/2 SE 1/4 SW 1/4 W 22 TO 2N R 3E
 Description of Property

6. *[Signature]* 2025 Nixon Gulch Rd
 Signature Address
Jeff Gates Manhattan M 59741
 Printed Name City, State & Zip
11-12-03 304 Twin River Cutoff Rd.
 Date Manhattan

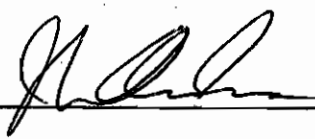
2025 NIXON GULCH RD, MANHATTAN, MT
 Description of Property

7. _____
 Signature Address

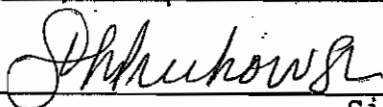
 Printed Name City, State & Zip

 Date

_____ Description of Property

8. ✓  Signature 4519 CHOCTAW TRL Address
JOHN F ANDREWS Printed Name GREEN BAY WI 54313 City, State & Zip
10/22/03 Date

GALLATIN RIVER RANCH PARCEL 46
N¹/₂ NW¹/₄ SW¹/₄ IN 23 T02NR3E Description of Property

9. ✓  Signature 4519 CHOCTAW TRL Address
S.M. PIECHOWSKI Printed Name GREEN BAY WI 54313 City, State & Zip
10/22/03 Date

GALLATIN RIVER RANCH PARCEL 46
N¹/₂ NW¹/₄ SW¹/₄ IN 23 T02NR3E Description of Property

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

✓ Bernard Lahendo
Signature

14 Lookabout Lane
Address

Bernard Lahendo
Printed Name

Manhattan, MT 59741
City, State, & Zip

10-25-03
Date

412 Hunting Card Ln.
Glen Mills, PA 19342

S 1/2 SW 1/4 SE 1/4 Section 22, T2N R3E
Gallatin County, Montana
Description of Property

✓ Sandra Lahendo
Signature

14 Lookabout Lane
Address

Sandra Lahendo
Printed Name

Manhattan, MT 59741
City, State, & Zip

10-25-03
Date

S 1/2 SW 1/4 SE 1/4 Section 22, T2N R3E
Gallatin County, Montana
Description of Property

> _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

[Signature] 1333 Debbs Lane
Signature Address
HAROLD B. LEE Chesapeake, VA 23320
Printed Name City, State, & Zip
4 NOV 03
Date

Gallatin River Ranch #34
N¹/₂ NE¹/₄ SW¹/₄ IN 22 T 2NR3E
Description of Property

[Signature] 1333 Debbs Lane
Signature Address
LINDA T. LEE Chesapeake VA 23320
Printed Name City, State, & Zip
4 Nov 03
Date

GRR Lot 34
N¹/₂ NE¹/₄ SW¹/₄ IN 22 T 2NR3E
Description of Property

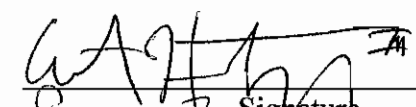
> _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

PETITION TO ABANDON NIXON GULCH ROAD ON
GALLATIN RIVER RANCH:

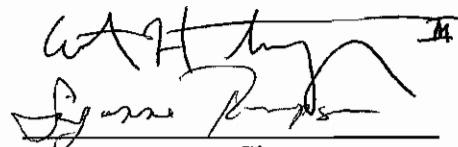
✓
✓

Signature
ARTHUR A. THOMPSON III
SUZANNE M. THOMPSON
Printed Name

3150 W. GLAF ST., #9
Address
BOZEMAN, MT 59715
City, State, & Zip

NOVEMBER 4, 2003
Date

95

TRACT 96A of COS #2155


Signature
ARTHUR A. THOMPSON III
SUZANNE M. THOMPSON
Printed Name

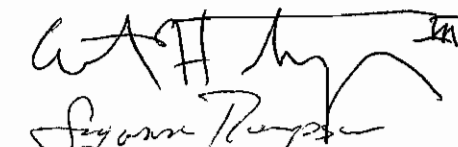
Description of Property

3150 W. GLAF ST., #9
Address
BOZEMAN, MT 59715
City, State, & Zip

NOVEMBER 4, 2003
Date

99

TRACT 99A of COS #2155


Signature
ARTHUR A. THOMPSON III
SUZANNE M. THOMPSON
Printed Name

Description of Property

3150 W. GLAF ST., #9
Address
BOZEMAN, MT 59715
City, State, & Zip

NOVEMBER 4, 2003
Date

100

S 1/2 SE 1/4 SW 1/4 IN 23 TO 2UR3E

Description of Property

✓ 10>

Forrest W. Hunter
Signature

4725 Millbrook Dr.
Address

Forrest W. Hunter
Printed Name

Atlanta GA 30327
City, State, & Zip

10-31-03
Date

S 1/2 SW 1/4 NE 1/4 IN 27 TO 2NR3E
Description of Property

✓ 10>

Susan Z. Hunter
Signature

4725 Millbrook Dr.
Address

Susan Z. Hunter
Printed Name

Atlanta GA 30327
City, State, & Zip

10-31-03
Date

S 1/2 SW 1/4 NE 1/4 IN 27 TO 2NR3E
Description of Property

>

Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

8.

[Signature]
Signature

311 McIver Rd
Address

Gaines McFadden
Printed Name

Great Falls, MT 59404
City, State & Zip

11/2/03
Date

Lots 67 + 69
N 1/2 NE 1/4 NW 1/4 + S 1/2 NE 1/4 NW 1/4 IN 23 TO 2NR3E
Description of Property

9.

[Signature]
Signature

311 McIver Rd
Address

Beth McFadden
Printed Name

Great Falls, MT 59404
City, State & Zip

11/2/03
Date

Lots 67 + 69
N 1/2 NE 1/4 NW 1/4 + S 1/2 NE 1/4 NW 1/4 IN 23 TO 2NR3E
Description of Property

10.

Signature

Address

Printed Name

City, State & Zip

Date

Description of Property

↓ Paul F. Muller
Signature

Paul F. Muller
Printed Name

10/22/2003
Date

19325 Waterford Place
Address

Shorewood MN 55331
City, State, & Zip

N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ W 15 T02R3E
Description of Property

— > _____
Signature

_____ Address

_____ Printed Name

_____ City, State, & Zip

_____ Date

Description of Property

— > _____
Signature

_____ Address

_____ Printed Name

_____ City, State, & Zip

_____ Date

Description of Property

8. ✓ Robert + Stella Hamsa 515 DENISE DR.
 Signature Address
ROBERT + STELLA HAMSA PHILA. PA 19116
 Printed Name City, State & Zip
10-23-03
 Date

S 1/2 NW 1/4 NE 1/4 IN 23 T02R3E # 129
 Description of Property

9. _____
 Signature Address

 Printed Name City, State & Zip

 Date

_____ Description of Property

10. _____
 Signature Address

 Printed Name City, State & Zip

 Date

_____ Description of Property

8. ✓ Alex Mc Dermont 76 CLIFFVIEW RD
 Signature Address
ALEX McDERMONT MANHATTAN NY 59741
 Printed Name City, State & Zip

 Date

_____ 126
N 1/2 SW 1/4 NE 1/4 IN 23 T02N R3E
 Description of Property

9. _____
 Signature Address

 Printed Name City, State & Zip

 Date

_____ Description of Property
 10. _____
 Signature Address

 Printed Name City, State & Zip

 Date

_____ Description of Property

174, 39

✓ > [Signature]
Signature

6933 E. PUNACLO PT.
Address

STEVEN E. HODGSON
Printed Name

ORANGE CA 92869
City, State, & Zip

10-20-03
Date

S 1/2 SW 1/4 NW 1/4 IN 22 T02NR3E

S 1/2 NW 1/4 NW 1/4 IN 15 T02NR3E

Description of Property



BUILDING SYSTEMS, INC.
1322 BELL AVE. SUITE 1-F
TUSTIN, CA 92780-6438

City, State, & Zip

174

✓ > [Signature] V.P.
Signature

WILLIAM M. DEWING
Printed Name

8-20-03
Date

S 1/2 NW 1/4 NW 1/4 IN 15 T02NR3E

Description of Property

> _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

✓> James Beneker
Signature
JAMES BENEKER
Printed Name
10/18/03
Date

21 COUNTRY LIFE ACRES
Address
ST LOUIS MO 63131
City, State, & Zip

87 N 1/2 SE 1/4 NE 1/4 IN 26 TO 2 NR 3E

✓> Barbara Beneker
Signature
BARBARA BENEKER
Printed Name
10/18/03
Date

Description of Property
21 COUNTRY LIFE ACRES
Address
ST LOUIS MO 63131
City, State, & Zip

N 1/2 SE 1/4 NE 1/4 IN 26 TO 2 NR 3E

> _____
Signature

Printed Name

Date

Description of Property

Address

City, State, & Zip

Description of Property

Joseph A. Walkowski
Signature

JOSEPH A. WALKOWSKI
Printed Name

210 SIXTH AVENUE
Address

SALT LAKE CITY, UT 84103
City, State, & Zip

10/18/03
Date

E 1/2 NE 1/4 SW 1/4 IN 27 T02NR3E
Description of Property

Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

4. ✓ Thomas Andrews Signature 461 High MEADOW Rd Address
THOMAS C. ANDREWS Printed Name MANHATTAN, MT. 59741 City, State & Zip
11/4/03 Date P.O. Box 959
Manhattan

S 1/2 SE 1/4 NW 1/4 IN 22 TO 2N R 3E
 Description of Property

5. ✓ Thomas J. Esposto Signature 23 Hoss Ridge Rd Address
THOMAS J. ESPOSTO Printed Name MANHATTAN, MT 59741 City, State & Zip
11/2/03 Date 285 Hoss Ridge Rd
Manhattan

N 1/2 NW 1/4 NE 1/4 IN 27 TO 2N R 3E
 Description of Property

6. _____ Signature _____ Address
 _____ Printed Name _____ City, State & Zip
 _____ Date

_____ Description of Property

7. _____ Signature _____ Address
 _____ Printed Name _____ City, State & Zip
 _____ Date

_____ Description of Property

The undersigned state that they are owners of real property in the Gallatin County road district which is taxable for the county general road tax. If more than 10 freeholders sign, use additional pages.

1. ✓ Edwin H. Abbott Signature 471 High Meadow Rd Address
EDWIN H. ABBOTT Printed Name Manhattan, MT. 59741 City, State & Zip
10/25/03 Date

SW 1/4 NE 1/4 IN 22 T02NR3E Description of Property

2. ✓ LeVay Lemon Signature 225 Horse Thief Trail Address
LeVay Lemon Printed Name Manhattan, MT. 59741 City, State & Zip
10/29/03 Date 1904 E. 5150 S.
Salt Lake City, UT 84117-702

Lot 177
N 1/2 NW 1/4 NE 1/4 IN 15 T02NR3E Description of Property

3. ✓ Stanley P. Brashears Trust Signature 1061 LOOKABOUT LANE Address
STANLEY P. BRASHEARS TRUST Printed Name MANHATTAN, MT. 59741 City, State & Zip
10/31/03 Date 119 Hawks Cir.
Wheaton, IL 60187-2033

LOT 61
S 1/2 SW 1/4 NE 1/4 IN 28 T02NR3E Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 ✓ [Signature]
Signature

20219 76th Ave SE
Address

Wm A FELDNER
Printed Name

Snohomish, WA 98296
City, State, & Zip

Dec 28 2003
Date

S 1/2 SE 1/4 NE 1/4 W 28 TO 2 NR 3E
Gallatin River Ranch - Lot 80
Description of Property

18 ✓ [Signature]
Signature

20219 76th Ave SE
Address

Karna S Feldner
Printed Name

Snohomish, Wa. 98296
City, State, & Zip

12-28-03
Date

S 1/2 SE 1/4 NE 1/4 W 28 TO 2 NR 3E
Gallatin River Ranch - Lot 80
Description of Property

19 > _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

10 > ✓ Forrest W. Hunter
Signature

4725 Millbrook Dr.
Address

Forrest W. Hunter
Printed Name

Atlanta GA 30327
City, State, & Zip

10-31-03
Date

S 1/2 SW 1/4 NE 1/4 IN 27 TO 2 NR 3E
Description of Property

10 > ✓ Susan Z. Hunter
Signature

4725 Millbrook Dr.
Address

Susan Z. Hunter
Printed Name

Atlanta GA 30327
City, State, & Zip

10-31-03
Date

S 1/2 SW 1/4 NE 1/4 IN 27 TO 2 NR 3E
Description of Property

> _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 > Dianna Fehrenbach 421 Traphine Lane
Signature Address

✓ Dianna Fehrenbach Chanhassen, Mn. 55317
Printed Name City, State, & Zip

12-9-03
Date

#265

S 1/2 NE 1/4 SW 1/4 IN 24 TO 2 N 1/2 E

Description of Property

18 > _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

19 > _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 > Barbara Mack 63 Bay Tree Ave
Signature Address

BARBARA J MACK LOS ALTOS CA 94022
Printed Name City, State, & Zip

12-1-03
Date

169 Marvin Ave.
Los Altos

Lot #268

N¹/₂ SE¹/₄ NW¹/₄ in 24 T02NR3E
Description of Property

18 > Thomas P Mack 63 Bay tree Lane.
Signature Address

THOMAS P. MACK Los Altos, CA. 94022
Printed Name City, State, & Zip

12-1-03
Date

169 Marvin Ave.
Los Altos

Lot #268

N¹/₂ SE¹/₄ NW¹/₄ in 24 T02NR3E

Description of Property

19 > _____
Signature Address

Printed Name City, State, & Zip

Date

Description of Property

We support the abandonment of Nixon Gulch Road within GRR

17 > Alex Fox
Signature

Po Box 347
Address

✓ Alex Fox
Printed Name

Callahan Gateway MT 59730
City, State, & Zip

12/2/03
Date

Lot 150

5 1/2 SW 1/4 SW 1/4 IN 15 T02N R3E
Description of Property

18 > _____
Signature

Address

Printed Name

City, State, & Zip

Date

Description of Property

19 > _____
Signature

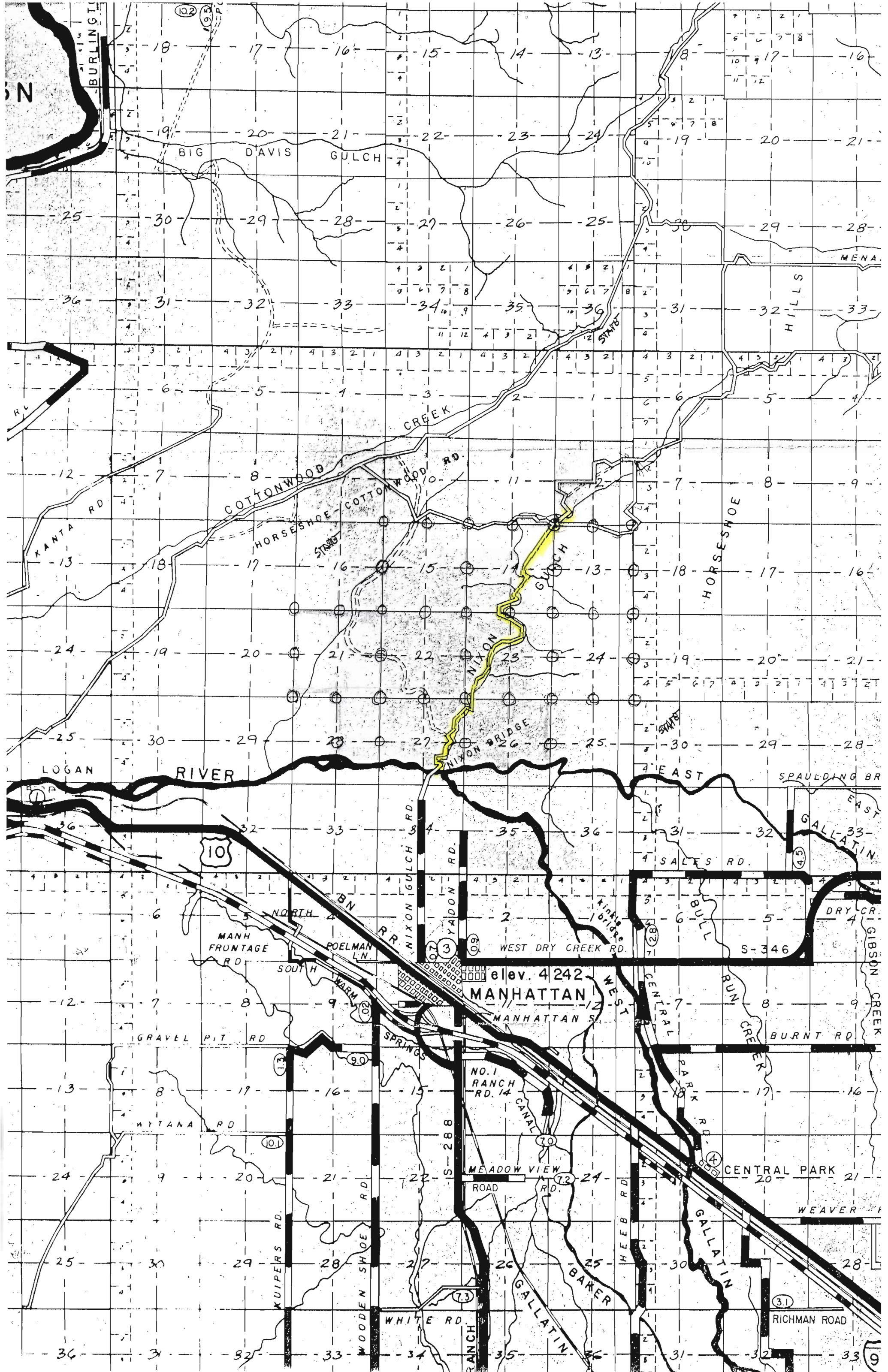
Address

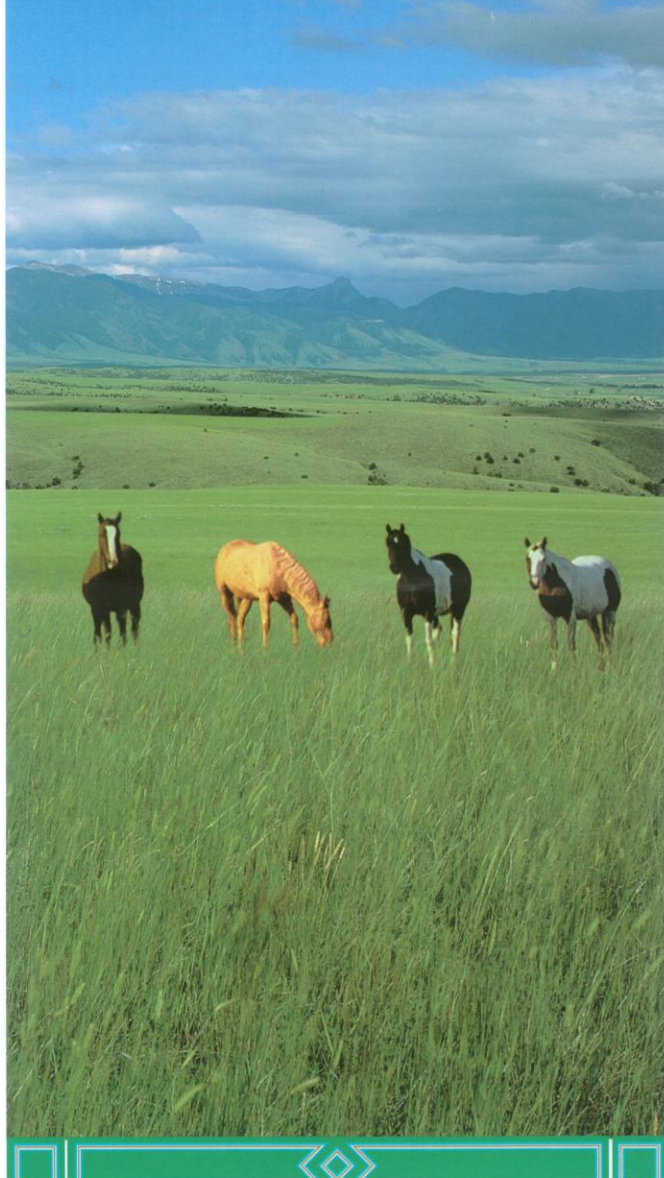
Printed Name

City, State, & Zip

Date

Description of Property

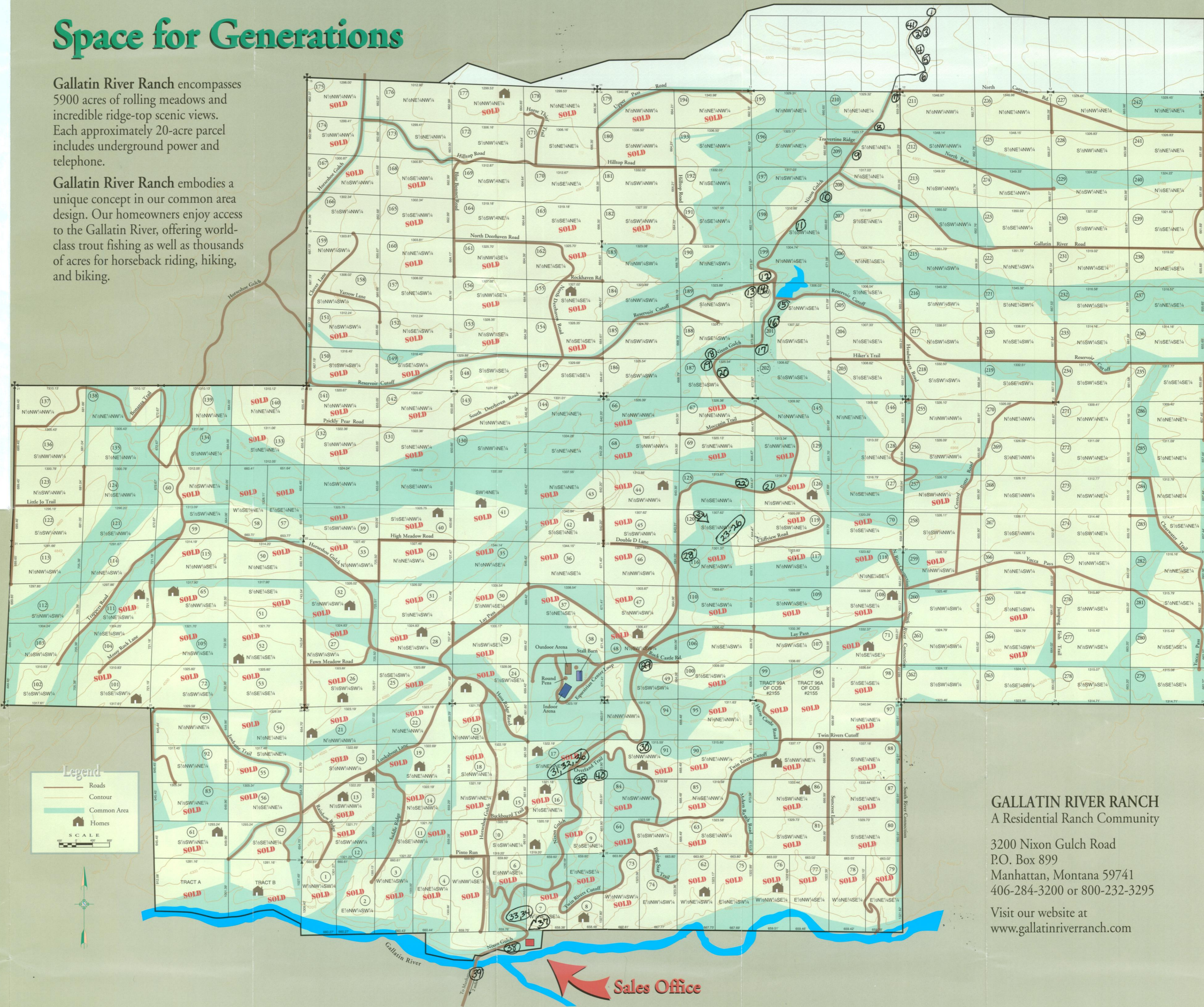




Space for Generations

Gallatin River Ranch encompasses 5900 acres of rolling meadows and incredible ridge-top scenic views. Each approximately 20-acre parcel includes underground power and telephone.

Gallatin River Ranch embodies a unique concept in our common area design. Our homeowners enjoy access to the Gallatin River, offering world-class trout fishing as well as thousands of acres for horseback riding, hiking, and biking.



Legend

- Roads
- Contour
- Common Area
- Homes

SCALE

0 100 200 Feet



GALLATIN RIVER RANCH
A Residential Ranch Community

3200 Nixon Gulch Road
P.O. Box 899
Manhattan, Montana 59741
406-284-3200 or 800-232-3295

Visit our website at
www.gallatinriverranch.com



1 North Entrance Looking South



2 View to North Entrance - 9 Foot Roadway



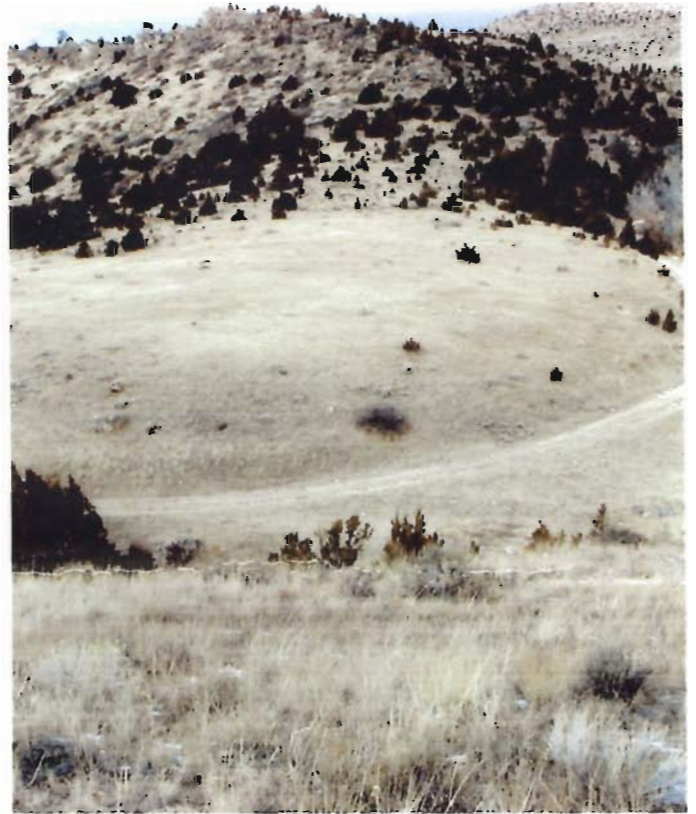
3 North Entrance Hillside Wall From Drainage



4 Longer View of North Hillside



5 North View First Hairpin



6 West View First Hairpin



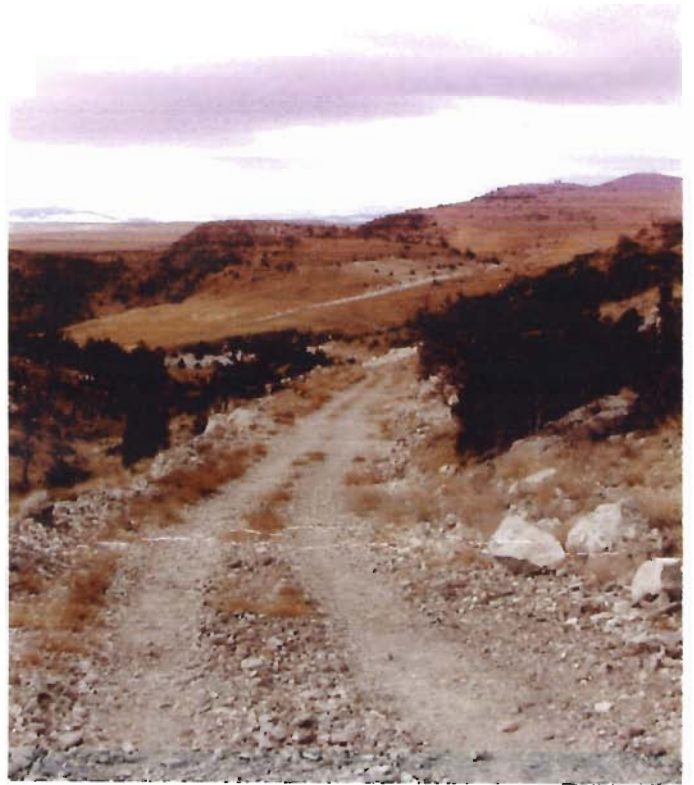
7 South View After First Hairpin



8 South View Approaching Drainage Crossing



9 South View North Hilltop



10 Top Travertine Hill Looking South



11 Midgrade Travertine Hill Looking South



12 Bottom of Travertine Looking North



13 Wide Angle Travertine Hairpin Looking North



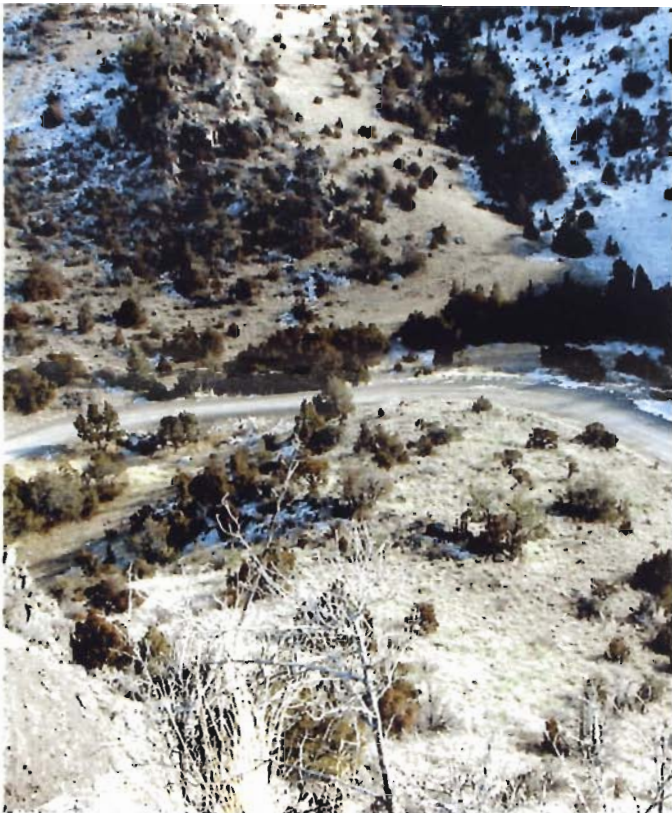
14 Wide Angle Travertine Looking North and Gulch Drainage Crossing



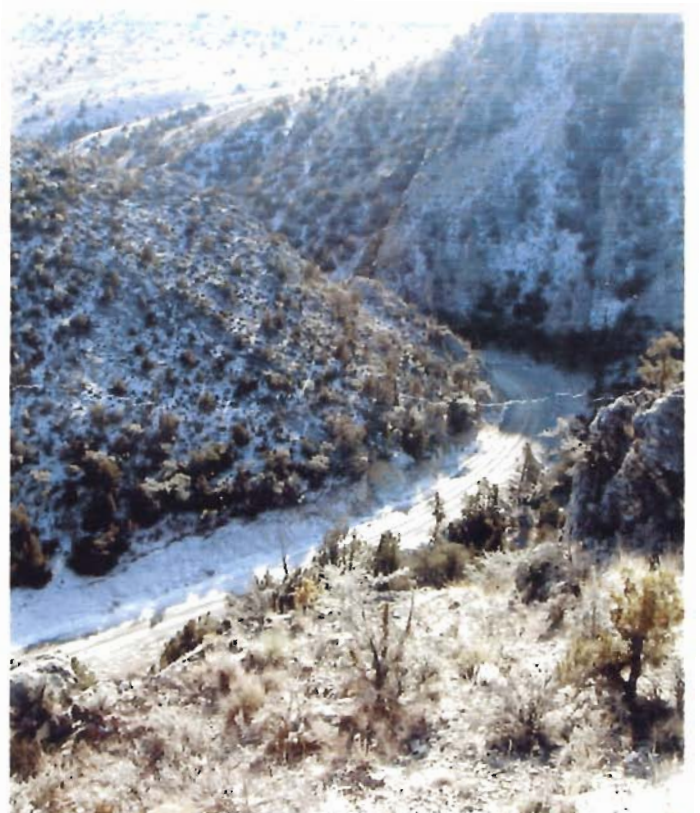
15 Reservoir Area Looking South



16 South View Entering Nixon Gulch Canyon



17 Overhead View Turn Into Canyon



18 Overhead View Southern Turn in Canyon



19 Turn South Out of Canyon



20 Canyon Southern Turn Choke Point



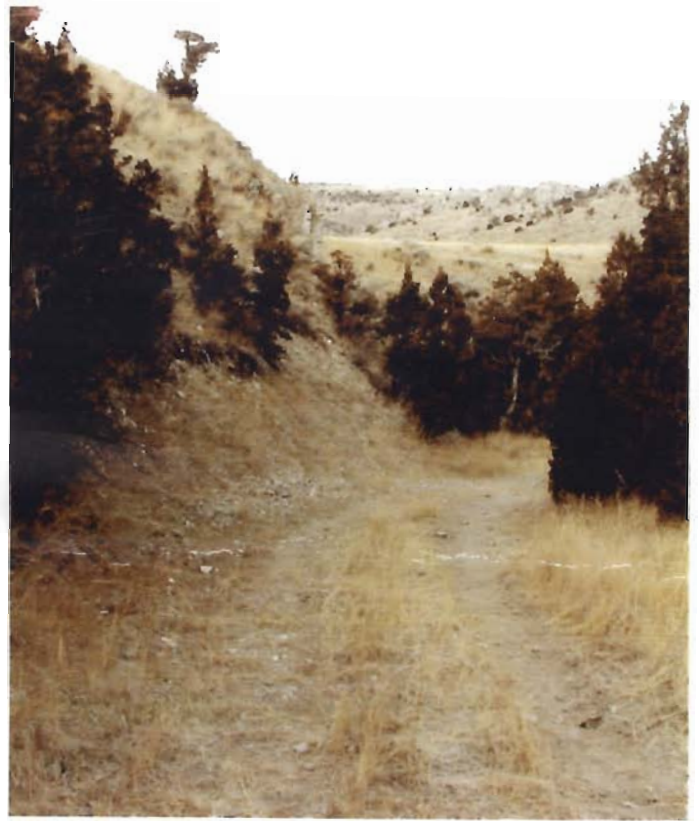
21 Approach to Castle Rock Divergence



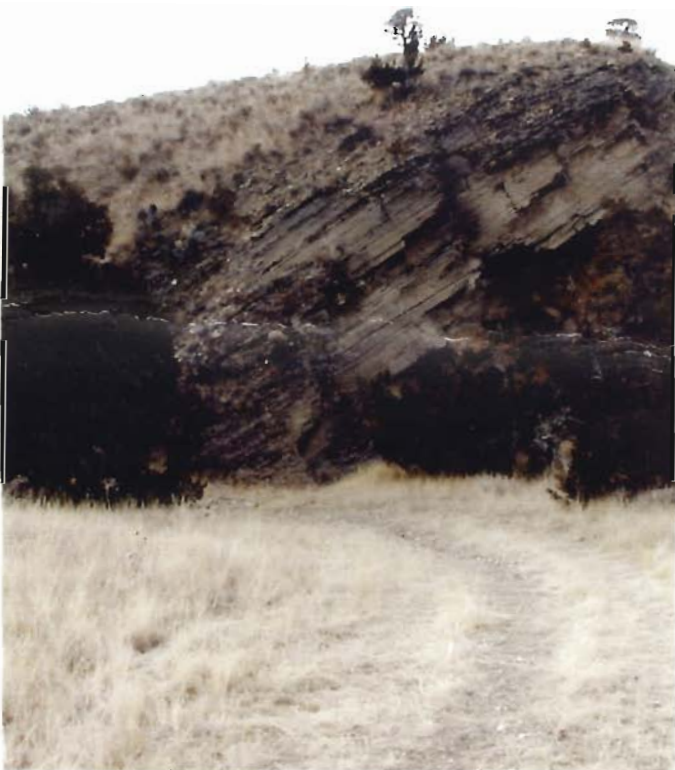
22 North End Castle Rock Divergence



23 On Castle Rock ROW Section



24 On Castle Rock ROW Section



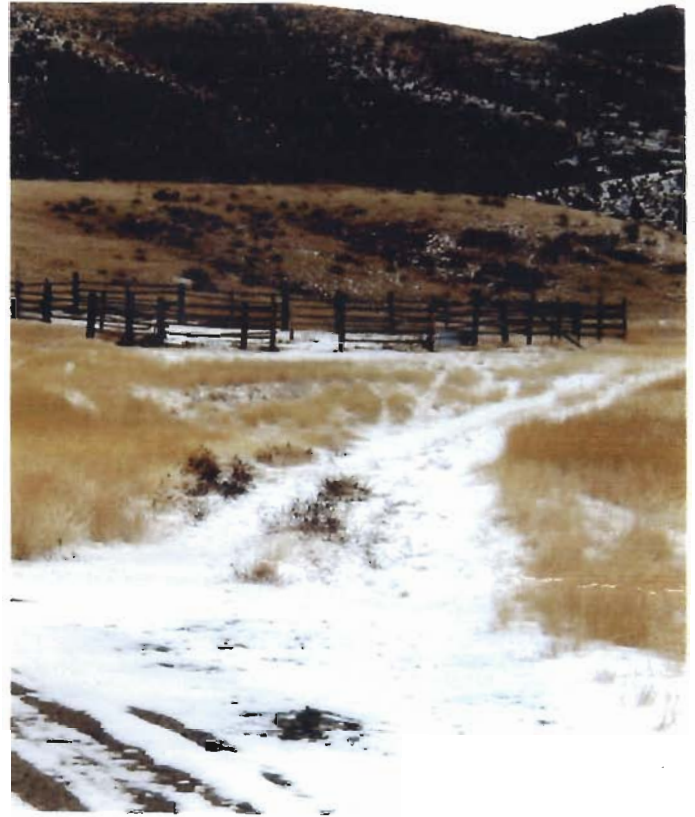
25 On Castle Rock ROW Section



26 On Castle Rock ROW Section



27 View from Southwest Castle Rock ROW



28 View North Onto Castle Rock Divergence



29 View South From "5 Corners"



30 Hairpin South of "5 Corners"



31 Hairpin at Overland Trail Corner



32 Second View of Hairpin in 31



33 Hairpin 3/10th Mile Inside Ranch



34 View of Hairpin in 33 Looking North



35 From Overland Trail Hairpin South



36 From Overland Trail Hairpin North



37 Overview of Turn to South of Hairpin in 33



38 View of Cliff and 80 Degree Turn To Bridge



39 View North Across Bridge Toward Ranch



40 View of Hillside Off-roading at Overland Trail



41 Poachers' Off Road Truck Trail Northend



42 Looking Southeast Over Nixon Gulch North of Ranch Rear Entrance



43 Deer Along Lower Nixon Gulch in Ranch



44 Deer Along Lower Nixon Gulch in Ranch

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 Gary MacMillan PHONE 284-3200

- 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: 2-10-04
- 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. # 817

- 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 4/20/04
- 11) Publish public hearing notice one time. DATE 4/11/04

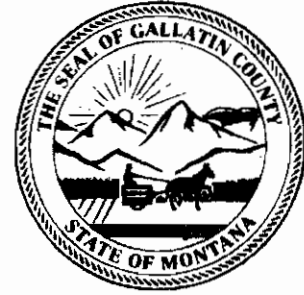
- 12) Send a copy of the viewing committee report and public hearing notice to the following:
 - Persons listed in #8a
 - County Road Superintendent
 - County Attorney
 - County Commissioners (3 copies)

- 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



March 25, 2004

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

RE: abandonment of a portion of Nixon Gulch Road located in Sections 11, 12, 14, 23, 26, and 27, Township 2 North, Range 3 East, P.M.M. Gallatin County, Montana.

Dear Board,

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. The undersigned viewed the area described in Road Petition No. 817 on March 10, 2004.

The portion of Nixon Gulch Road listed in the petition to be abandoned is between 3 and 4 miles in length and is located approximately 2 1/2 miles north of the southern portion of Nixon Gulch Road and approximately 4 miles south of the northern portion of Nixon Gulch Road. It is completely within the boundaries of Gallatin River Ranch.

Gallatin River Ranch is an un-reviewed, de facto subdivision consisting of approximately 300 twenty-acre tracts. Gallatin County Commissions have historically required roads to

welfare. The Commission needs to determine if it is in the public interest, feasible, and desirable to grant the petition.

State land sections are located approximately 1.5 miles to the west in Section 16, Township 2 North, Range 3 East, and approximately 1.5 miles to the north in Section 36, Township 3 North, Range 3 East.

Upon entering Gallatin River Ranch (from Manhattan) we observed the following:

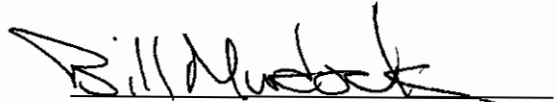
- A welcome visitors sign/archway has been erected over the road at the entrance to Gallatin River Ranch.
- Speed bumps have been installed on the roadway.

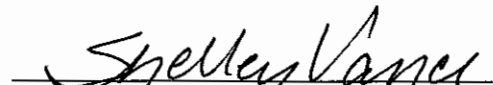
- Side roads off of Nixon Gulch Road are signed and labeled private.
- A road has been constructed commencing from Gallatin River Ranch entrance and ending at the roads' intersection with Reservoir Road. It generally follows the original county-petitioned road, with remnants of the old road remaining adjacent to the creek bottom. The first two miles of this road are wide enough for 2 cars. Then the road begins to narrow and there is less pit run on the road surface. The road has been improved to an all weather surface.
- Approximately 3 miles from the entrance and continuing on for approximately ½ mile we observed 3 newly installed culverts.
- From the intersection of this road and Reservoir Road to the north boundary of Gallatin River Ranch, the road is unimproved, one lane, contains extremely steep slopes, and is impassible when wet.

The portion of Nixon Gulch Road lying within Gallatin River Ranch does not directly access any public lands.

It appears that no property owners outside of Gallatin River Ranch would become land-locked by this abandonment.

Respectfully submitted,

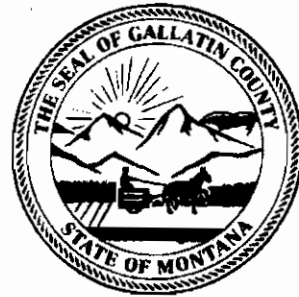

Bill Murdock, County Commissioner


Shelley Vance, Clerk and
Recorder/Surveyor

State of Montana

County of Gallatin

Bozeman



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on April 20, 2004, at 9:00 A.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a petition to abandon a portion of Nixon Gulch Road located in Sections 11, 12, 14, 23, 26 and 27, Township 2 North, Range 3 East, P.M.M Gallatin County, Montana. 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 5th day of April 2004.

Shelley Vance

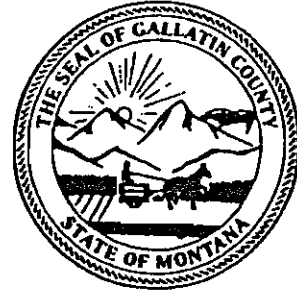
Shelley Vance
Clerk and Recorder
Gallatin County, Montana

Please publish: April 11, 2004
Please Bill: Clerk & Recorder

311 West Main, Room 203
Bozeman, MT 59715-4574
Phone: (406) 582-3050
Fax: (406) 582-3037

**GALLATIN COUNTY
CLERK & RECORDER**

Legal Notice



To: Bozeman Daily Chronicle

From: *Kathy at Clerk & Recorder's*

Fax: 406-587-7995

Pages (including this page): *2*

Phone: 406-587-4491

Date: *4/5/04*

Re: Legal Notice

CC: *Time: 10:20 AM*

Urgent

Legal Line Ad

Please Reply

Please Recycle

Publish Date(s): *4/11, sunday,* _____,
_____, *2004*

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Published in the Bozeman Daily Chronicle**

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33. GUY FEAGER & CONNIE HALL, 32 HUNTER RANCH ROAD ELMA, WA 98541
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35. BILL & DEBBIE EBELING, 25 EVERETT AVE WINCHESTER, MA 1890
36. LARRY & JANET HALDEMAN, 304 LOST CREEK DRIVE KENNESAW, GA 30152
37. ANN HARE, PO BOX 138 WOODSTOCK, CT 6281
38. BILL & LINDA COOPER, 552 MOSSY ROCK LANE MANHATTAN, MT 59741
39. DR. TOM ESPOSITO, 2409 PRESCOTT LANE WESTCHESTER, IL 60154
40. ELIZABETH HANNA, 25363 FLANDERS DRIVE CARMEL, CA 93923
41. RICK HEGENBERGER, 171 CHURCH ST #270 CHARLESTON, SC 29401
42. CATHERINE DUNCAN, PO BOX 2764 RUIDOSO, NM 88355
43. STEPHEN & MEG ANDREAE, 701 SOUTH BRIDGE STREET CHARLEVOIX, MI 49720
44. JOHN & ELEANOR HATEM, PO BOX 779 MANHATTAN, MT 59741
45. ELISE SMITH HOEFER, 33 COLLEGE PARK DAVIS, CA 95616
46. DOUG & DARLA EAST, 112 GOLDEN TROUT WAY BOZEMAN, MT 59718
47. BEV & MARY BARGE, 3034 TESLOW DRIVE BOZEMAN, MT 59715
48. STEVE & CAROL HODGSON, 6933 E PINNACLE PT ORANGE, CA 92869
49. CHARLES & CAROL JAMES, 10335 N PORT WASHINGTON PL MAQUON, WI 53092
50. HERBERT & PENNY EIGHMY, 550 LOOKABOUT LANE MANNHATAN, MT 59741
51. DR. JAMES & BARBARA BENECKE, 21 COUNTRY LIFE ACRES ST LOUIS, MO 63131
52. FORREST & SUE HUNTER, 4725 MILLBROOK DRIVE, NW ATLANTA, GA 30327-3548
53. JUSTIN KIRBY, 1608 32ND AVE SEATTLE, WA 98122
54. DINA CALE & LISA ATTERBERRY, 2444 N SHEFFIELD CHICAGO, IL 60614
55. STEPHEN & SUZEE BRANCH, PO BOX 1172 MANHATTAN, MT 59741
56. JENNIPHER KIRBY, 4218 N CHEYENNE STREET TACOMA, WA 98407
57. JAY & SHERRI LEDOUX, 1021 KINGSLEY LOMOX, BC V9M-3R7 CANADA
58. JAMES GREENBAUM, 66 SONDVVIEW DRIVE MONTAUK, NY 11954
59. GARY & BEVERLY MacMILLAN, 50 ROCKHAVEN ROAD MANHATTAN, MT 59741
60. DOUGLAS & KATHRYN MORIARTY, PO BOX 169 MANHATTAN, MT 59741
61. DAVID & DEBORAH NICE, 4571 WARE CREEK ROAD WILLIAMSBURG, VA 23188
62. NELSON BECKER & ALEX HAMILTON, 1137 PACHE ROAD BELGRADE, MT 59714
63. KEN MOLL, 4652 TORIDA WAY YORBA LINDA, CA 92886
64. MARK & MARY NANIA, 640 AMERICAS CUP COVE ALPHARETTA, GA 30005
65. KIM & MICHELE PANSEGRAU, 3943 WEATHERWOOD TRAIL VERONA, WI 53593
66. LISA & DAMON HARRELL, 2053 SERENDIPITY WAY SCHWENKSVILLE, PA 19473
67. PAUL & ALEXANDRA MULLER, 19325 WATERFORD PLACE SHAREWOOD, MN 55331
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69. DAVID & JANEMARIE POLMANTEER, PO BOX 1251 SANTA CRUZ, CA 95061
70. MITCH & JANICE HOBISH, PO BOX 632 MANHATTAN, MT 59741
71. CATHY O'CONNOR, 626 PROSPECT TRAIL BOZEMAN, MT 59718
72. JOE & BONNIE RAYMOND, 1203 NORTH SPRUCE BOZEMAN, MT 59715
73. RAY & MARA RIGEL, 21926 MAPLETON COURT ASHBURN, VA 20148
74. ZAN & DOUG HOXSEY, 1062 BOYLAN ROAD BOZEMAN, MT 59715
75. MATHEW PEASE, 21 MADISON AVE DEMAREST, NJ 7627
76. BOBBIE G. & E. DONALD ROBERTS, 234 HIGHLAND TRACK DRIVE BATON ROUGE, LA 70810
77. BARRY & JUDY ROSE, 215 WEST COWAN HOUSTON, TX 77007
78. KATHLEEN & RICK JOHNSON, 3708 OLSNEY DRIVE ST. CHARLES, MO 63303
79. BOB RAMSEY, 2890 E LIVE OAK CIR. HOLLADAY, UT 84117
80. NELS & TERI SANDDAL, 113 LAY PASS MANHATTAN, MT 59741
81. DAVID & JUDITH SCHLAHT, 1117 4TH AVE SOUTH FARGO, ND 58103
82. RONALD & NORLENE KOCH, 8782 GRAY FOX DR EVERGREEN, CO 80439
83. JOE ROBB, PO BOX 6195 AVON, CO 81620
84. LARRY & CINDY MacKENZIE, 22965 FOREST RIDGE DRIVE LAKEVILLE, MN 55044
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87. CARLOS & ELENA ROUBICEK, PO BOX 1268 MARCO ISLAND, FL 34146
88. CHARLES & KATHLEEN McBRIDE, 1421 OAKDALE ROAD, STE #2 MODESTO, CA 95355
89. JOHN & MARCIA SPIESS, PO BOX 485 MANHATTAN, MT 59741
90. MICHAEL LIBSTER, 3200 NIXON GULCH MANHATTAN, MT 59741
91. DR. TOM & BARBARA MACK, 169 MARVIN AVE LOS ALTOS, CA 94022
92. ROGER MEILINK, 19425-B SOLEDAD CANYON #351 CANYON COUNTRY, GA 91351
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95. RONALD & GAIL MATHESON, 22424 POPLAR ST MURRIETA, GA 92562
96. JoANN MULCAHY, PO BOX 6526 SHERIDAN, WY 82801
97. KENNETH & MARY ELLEN VIDAR, 1 MEKEN RANCH ROAD MANHATTAN, MT 59741
98. JOE & CINDY WALKOWSKI, 210 SIXTH AVENUE SALT LAKE CITY, UT 84103
99. CHARLES & MARIE STUTZ, AN DEN BUCHEN 3 DUSSELDORF, GERMANY
100. GRAHAM & ELIZABETH ZUG, 127 ROSE LANE HAVERFORD, PA 19041
101. TSW, PO BOX 6526 SHERIDAN, WY 82801
102. STEVEN & KAREN SCHREITER, 2918 E PRINCETON AVE EAU CLAIRE, WI 54703
103. LARRY & GLENDA WALKER, 8500 DORAL CT EAST FLOWER MUOND, TX 75022
104. LeVAY LEMON & AL SILVEY, 225 HORSE THIEF TRAIL MANHATTAN, MT 59741
105. RICHARD YOUNG, 90 NORTH MARKET CHARLSTON, SC 29401
106. JIM & KIM STEINER, 26945 BERKSHIRE LANE SAN JUAN CAPISTRANO, CA 92675
107. JAMES F. NORMANDIN MEMORIAL MEDICAL CENTER FOUNDATION,
PO BOX 1428 LONG BEACH, CA 90801
108. GREG VIDMAR, 2210 WATTS LANE BOZEMAN, MT 59718
109. DENNIS WOODS, 3147 PROGRESS CIRCLE MIRA LOMA, CA 91752
110. STEVE HODGSON/WILLIAM DEWING D & H BUILDING, 1322 BELL AVE STE #1-F TUSTIN, CA 92780
111. RICK & LYNN SCULLY, PO BOX 3764 RANCHO SANTE FE, CA 92067
112. TRACEY SPEAR, PO BOX 861 MANHATTAN, MT 59741
113. MANHATTAN POSTAL SERVICE, POSTMASTER, 120 E RAILROAD AVE N MANHATTAN, MT 59741
114. PUBLIC LANDS ACCESS ASSOC, ATTN BILL FAIRHURST, 105 3RD AVE EAST THREEFORKS, MT 59752
115. MONTE COOPER, 1406 BEAR CANYON ROAD BOZEMAN, MT 59715
116. JOE GUTKOSKI, 304 N 18TH BOZEMAN, MT 59715
117. GLEN HAWKIN, 745 DOANE ROAD BOZEMAN, MT 59718
118. GALLATIN WILDLIFE ASSOCIATION, PO BOX 5276 BOZEMAN, MT 59717
119. DEBRA ANDERSON, 2020 CHARLOTTE STREET BOZEMAN, MT 59718
120. CINDY YOUNKIN C/O MOORE LAW FIRM, PO BOX 1288 BOZEMAN, MT 59771
121. BRUCE RICH C/O FISH, WILDLIFE & PARKS, 1400 SOUTH 19 AVE BOZEMAN, MT 59715

Shelley Vance

SHELLEY VANCE
Clerk and Recorder
Gallatin County, Montana

IN RE PETITION TO ABANDON RIGHT-OF-WAY: Affidavit In Support by
FOR NIXON GULCH ROAD WITHIN GALLATIN : Jeffrey L. Gates
RIVER RANCH :

I, Jeffrey L. Gates, being duly sworn, depose and say:

1. I am over 18 years of age, believe in the obligations of an oath to tell the truth, and make the statements I make in this affidavit based on my own knowledge and direct observation.
2. I am now the Manager and Chief of Security and Traffic Safety for the Gallatin River Ranch Home Owners Association and have held that position since 1993. In that capacity I am responsible for the security and safety of homeowners and ranch property with regard to traffic and trespassers. I routinely deal with trespassers, monitor traffic control and roadway safety issues, minor thefts and poaching incidents.
3. Prior to my employment in this capacity at Gallatin River Ranch (hereafter "GRR") I had 15 years of experience in related employment, including service as a County Undersheriff (Kansas), Chief of Police (Oklahoma), Assistant Chief (Kansas), High Tech Security (Wells Fargo, San Onofre Nuclear Power Plant, and Residential Community Security (daughter of President Nixon resided in the community).
4. In the course of my duties I have regularly monitored the traffic entering Gallatin River Ranch (hereafter "GRR") at the front entrance on Nixon Gulch Road immediately north of the Gallatin River, with particular attention to the identity of the persons entering, as well as their speed, load and other factors pertaining to safety on the roads within GRR. I also maintain and monitor within GRR electronic surveillance equipment which captures images of vehicles on the Ranch. For security reasons I do not wish to detail the nature of that equipment or locations in a public document such as this affidavit.
5. My duties also involve surveillance and radio coordination of surveillance by others on the GRR staff for safety and security throughout the Ranch on a daily basis, which often involves surveillance from high points providing sweeping views of the northern, undeveloped portion of the Nixon Gulch ROA within GRR. I also regularly visit the northern exit point of the Nixon Gulch ROA .
6. Based on my years of this activity on the Ranch, I can unequivocally state that no property owner to the north of GRR uses the Nixon Gulch ROW within GRR as a means of accessing his or her property north of the Ranch. The ROW through the Ranch does not serve farmers, ranchers or any agricultural interest to the north of the Ranch.

7. The Nixon Gulch ROW within GRR is used as a means of access to the Ranch's private lands and roads by poachers and mischief makers and both categories of trespassers enter the Ranch from the undeveloped north end of the Nixon Gulch ROW and from Nixon Gulch at the Ranch's front entrance. Having gained entrance poachers have been known to shot a deer from the ROW, field dress it near the ROW and flee the Ranch. This happened as recently as November 11, 2003 just to the north of Nixon Gulch's intersection with the Ranch's Reservoir Cutoff Road. Poachers also drive off road, hide their vehicles and hunt. In 2002 we know of at least 4 instances of poaching. Previously we also experienced incidents of mass kills, one of 15 deer and antelope, with only horns harvested, and one of 9 antelope.

8. We do not permit the discharging of fire arms on the Ranch. Because of the topography of the Ranch, the traffic on the Ranch's roads, and the continuing development of residences throughout the Ranch, discharging firearms on the Ranch in all but the most tightly controlled circumstances is an act of extreme recklessness.

9. Mischief makers use the Ranch's private road system to go to secluded areas of the Ranch for a variety of activities, leaving evidence of their presence in the form of empty beverage containers and similar litter. In January 2002 someone entered the Ranch from the north end of the ROW, transporting a broken down, partially dismantled Nissan truck onto Ranch and abandoned it about a third of a mile into the Ranch. Later in the year the abandoned truck became a site for drinking and a target for firearms practice. This past month the truck was removed by the County Road Department at our request.

10. Mischief makers have also driven off road, at times making efforts to climb steep hillsides with their vehicles, leaving scars on the land that will not soon disappear, given the high-desert climate and vegetation of the Ranch.

11. Other incidents of malicious mischief and vandalism include shots fired into a construction trailer and shooting out the windows of the Ranch backhoe and excavator and beer bottles thrown and smashed on rented road equipment.

12. As recently as November 22, 2003 both our surveillance equipment and residents detected a vehicle entering the Ranch at 4:31 AM, then proceeding to drive into the Equestrian Center, drive around in an erratic manner and depart the Ranch at 4:48. The Equestrian Center has been the site of a number of thefts of supplies and equestrian equipment. Thefts from construction sites ranging from lumber to a generator have occurred.

13. On November 24, 2003, the Ranch's rear gate on Horseshoe Gulch Road was removed from its hinges and damaged.

14. On November 28, 2003, at approximately 6:00 AM a poacher entered the Ranch at the main entrance on the Nixon Gulch ROW and was seen, on foot, wearing an orange hunting vest within 100 yards of an occupied residence on the Ranch some distance off of the ROW. Responding, I saw

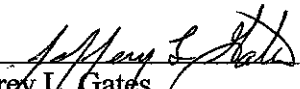
him flee the Ranch through the main gate. I followed him as he fled through Manhattan on Nixon Gulch Road, then turned right on Main Street toward Logan. A Montana Highway Patrolman apprehended him in Logan still wearing his vest, with rifle shells in its pocket, and his rifle in the car.

14. In the past 5 years I have never seen any law enforcement personnel patrol the Nixon Gulch right of way. There is no deterrent presence by any governmental police officer, County or State.

15. The portion of the Nixon Gulch ROW developed by the Ranch is a twisting, turning roadway, with very limited sight lines and many blind curves. As such, it demands close monitoring, low speed limits, traffic control signs and other passive control measures to provide users with a modicum of safety. In order to implement such safety measures, the Gallatin River Ranch Homeowners' Association needs to assume control over the ROW, and by its sponsorship of this petition, the Association has demonstrated its willingness to undertake this responsibility for its members and those others who legitimately access the Ranch.

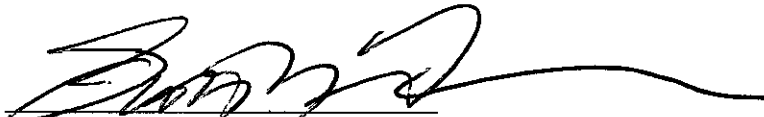
16. The Nixon Gulch ROW within the Ranch north of Reservoir Cutoff Road is undeveloped, very rough and inherently dangerous. It is impassable when wet and the narrow road track is subject to erosion and has stretches which are in danger of sudden collapse.

17. The abandonment of the County ROW for Nixon Gulch Road within the Ranch will facilitate our efforts to provide safe road conditions for the Ranch's residents, their guests and the construction, maintenance and service personnel who frequent our roads. It will also allow us to take steps that will enhance our ability to deter theft, poaching, vandalism and other forms of malicious mischief. All these forms of lawlessness pose a physical danger to County residents who live and work on the Ranch, as well as the many people who legitimately enter the Ranch. Our property owners as well as the construction and service contractors serving property owners on the Ranch are also subject to threats of property losses which can be better contained if the Nixon Gulch ROW within the Ranch is abandoned by the County.



Jeffrey L. Gates

Sworn to and subscribed before me, this 2ND Day of December, 2003.



Notary Public SCOTT R. TRACY
My Commission Expires 2-25-2006
RESIDING AT BELGRADE MT



RECEIVED APR 16 2004

Gallatin River Ranch Homeowners Association
3200 Nixon Gulch Road
Manhattan, MT 59741

April 16, 2004

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

Re: Abandonment of a portion of Nixon Gulch Road, Road Petition No. 817

Dear Board:

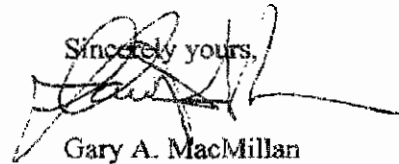
As the proponents of the above-identified road abandonment petition, we request that you act on it in a slightly modified and reduced form.

Fish, Wildlife & Parks, acting through Mr. Bruce Rich of the Bozeman office, has requested that we reduce the extent of our request at its southerly end. The petition now seeks abandonment of the right-of-way from the north end of Nixon Bridge. We exclude from the abandonment request that segment of the right-of-way from the northerly edge of Nixon Bridge to the point where the southerly border of Gallatin River Ranch meets the eastern boundary of the right-of-way.

The request for abandonment, as amended, reads as follows:

That portion of Nixon Gulch Road commencing at a point where the southerly border of Gallatin River Ranch intersects the easterly boundary of the right-of-way north of the Nixon Bridge to the northern border of Gallatin River Ranch where the right-of-way intersects the southerly lot line, southwest corner of lot 6 on Cos No. 1686A, that point being the northern border of the Gallatin River Ranch, as more particularly described in Road Petitions Nos. 266 and 493 on file.

Sincerely yours,



Gary A. MacMillan
Director
Gallatin River Ranch Homeowners
Association

April 16, 2004

To: Shelley Vance
Clerk and Recorder
Gallatin County, MT

VIA FAX 582-3068

From: Gary MacMillan
Gallatin River Ranch Homeowners Association

Re: Road Petition No. 817

Dear Ms. Vance:

Bruce Rich of Fish, Wildlife & Parks asked for some additional clarification of language in the letter I transmitted to you earlier this afternoon. The changes are reflected in the attached letter, which is in substitution for that transmitted earlier. Mr. Rich has advised me that with the modification reflected in the enclosed letter, his agency has no opposition to the petition. Mr. Rich has been faxed a copy of the letter.

Again, if it is satisfactory to handle it in this fashion, I will bring the original of the enclosed letter to the hearing on Tuesday.

My phone number is 284-9952 and fax 284-4079.

Sincerely,


Gary MacMillan

April 16, 2004

To: Shelley Vance
Clerk and Recorder
Gallatin County, MT

VIA FAX 582-3068

From: Gary MacMillan
Gallatin River Ranch Homeowners Association

Re: Road Petition No. 817

Dear Ms. Vance:

Enclosed please find our Association's letter requesting a modification of the scope of the proposed abandonment in order to comply with a request from Fish, Wildlife & Parks we received today. Bruce Rich or Nick Chesterfield of Fish, Wildlife & Parks should be in attendance at the public hearing on Tuesday, April 20. Mr. Rich has advised me that with the modification reflected in the enclosed letter, his agency has no opposition to the petition. Mr. Rich has been faxed a copy of the letter.

If it is satisfactory to handle it in this fashion, I will bring the original of the enclosed letter to the hearing on Tuesday.

My phone number is 284-9952 and fax 284-4079.

Sincerely,



Gary MacMillan

Gallatin River Ranch Homeowners Association
3200 Nixon Gulch Road
Manhattan, MT 59741

April 16, 2004

Board of County Commissioners
Gallatin County Courthouse
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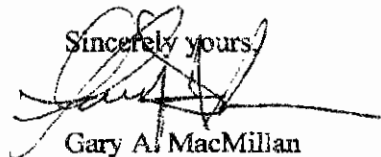
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The request for abandonment, as amended, reads as follows:

That portion of Nixon Gulch Road commencing at a point where the southerly border of Gallatin River Ranch intersects the easterly boundary of the right-of-way north of the Nixon Bridge to the east of the point where the right-of-way intersects the northern bank of the Gallatin River to the northern border of Gallatin River Ranch where the right-of-way intersects the southerly lot line, southwest corner of lot 6 on Cos No. 1686A, as more particularly described in Road Petitions Nos. 266 and 493 on file.

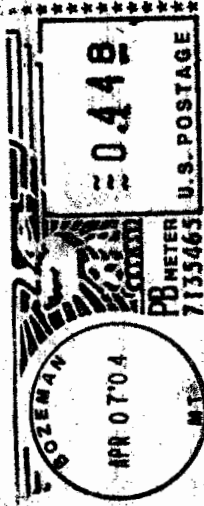
Sincerely yours,



Gary A. MacMillan
Director
Gallatin River Ranch Homeowners
Association



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



CHARLES & MARIE STUTZ
AN DEN BUCHEN 3
DUSSELDORF
GERMANY

Zurück/Retour CN15

Empfänger/Firma unter der angegebenen Anschrift nicht zu ermitteln Information/Adresse insuffisante

Empfänger verzogen. Einwilligung zur Weitergabe der neuen Anschrift liegt nicht vor. Déménagé

Annahme verweigert Refusé

Nicht abgeholt Non réclamé

Nicht zulässig Non admis

Rücksendung an Absender für: 57443/60003 2276

57443/60003

