

ROAD PETITION #821

TO ABANDON A PORTION OF ADAMS STREET B/W  
LOT 12, BLOCK 12 AND LOT 7, BLOCK 13, INCLD.  
10 FEET OF SW1/4 OF SECTION 11, TOWNSHIP 3  
SOUTH, RANGE 4 EAST OF THE UNINCORPORATED  
TOWNSITE OF SALESVILLE, COMMONLY KNOWN AS  
GALLATIN GATEWAY, COUNTY OF GALLATIN, STATE  
OF MONTANA

*Granted May 2, 2007*

RECEIVED  
Date 1-10-07  
Clerk & Recorder  
Gallatin County, Mont.

**PETITION TO ABANDON A PORTION OF ADAMS STREET IN GALLATIN  
COUNTY, MONTANA**

TO: THE BOARD OF COUNTY COMMISSIONERS  
GALLATIN COUNTY, MONTANA

 **ORIGINAL**

COMES NOW the undersigned owners of the lots on the portion of the street in an unincorporated town or townsite sought to be discontinued and petition this Board, pursuant to Montana Code Annotated §7-14-2616, to discontinue a portion of Adams Street between Lot 12, Block 12 and Lot 7, Block 13, as described with particularity herein and represent as follows:

1. The portion of the Adams Street to be discontinued are described with particularity as follows:

A) A portion of Adams Street in the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, is shown in red on the plats attached hereto as *Exhibit A*<sup>1</sup> and described as follows:

That portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13, including 10 feet of the alleyway running perpendicular to Adams Street, in the SW1/4 of the SW1/4 of Section 11, Township 3 South, Range 4 East of the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, County of Gallatin, State of Montana.

The total distance to be abandoned is 60 feet wide by 150 feet long.

<sup>1</sup> Note that attached plats are more than five years out of date. This is due to the Clerk and Recorder's system with regard to the Salesville plat book. The record owners shown on the plats do not match the updated plats on file with the Clerk and Recorder's office. The updated plats are not able to be copied at this time. The size and location of the portion of Adams Street and the alley ways sought to be abandoned by this Petition, however, appear to be unchanged.

2. The general route of the street is described as follows:

(A) The portion of Adams Street running perpendicular to Mill Street and Sales Street, lying between Blocks 12 and 13 as depicted on *Exhibit A* and more particularly described as follows:

That portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13, including 10 feet of the alleyway running perpendicular to Adams Street, in the SW1/4 of the SW1/4 of Section 11, Township 3 South, Range 4 East of the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, County of Gallatin, State of Montana.

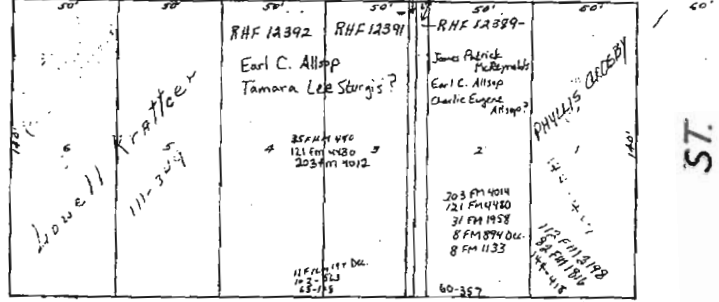
The total distance to be abandoned is 60 feet wide by 150 feet long

3. All of the owners on the street are identified in *Exhibit B*, attached hereto and incorporated herein by reference.

4. All signatures from property owners on the street are attached hereto as *Exhibit C* and incorporated herein by reference.

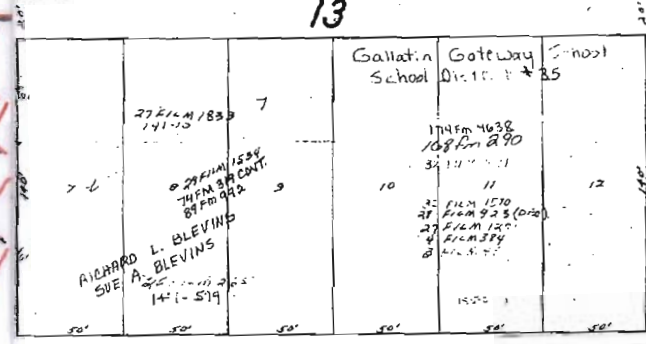
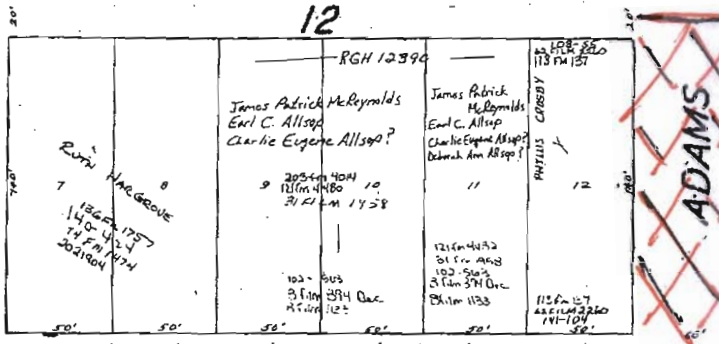
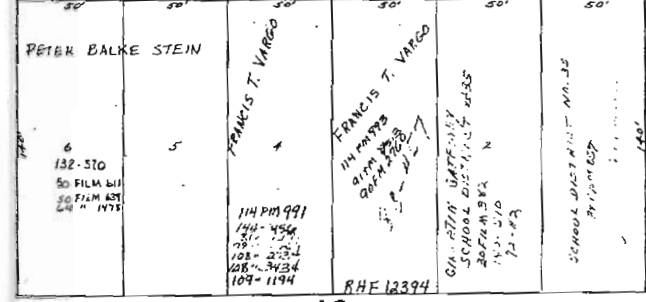
Earl C. Allsop  
 Jr. vs Patrick McReynolds  
 8 FM 894 Dec.  
 8 FM 1133  
 65-128

MILL ST.  
 Tamara Lee Sturgis?  
 Earl C. Allsop  
 James Patrick McReynolds  
 65-128  
 8 FM 894 Dec.  
 8 FM 1133  
 31 FM 1058  
 121 FM 4480  
 203 FM 4012



MILL ST.

MILL ST.



SALES ST.

SALES ST.

EXHIBIT  
 A

DISCLAIMER: This plot is a visual representation only and does not represent a survey. No liability is assumed as to the accuracy delineated herein.

GALLATIN GATEWAY

List of Property Owners on Adams Street located in unincorporated townsite of Salesville,  
commonly referred to as Gallatin Gateway, County of Gallatin, State of Montana:

Block 12:

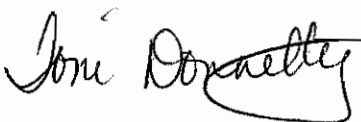
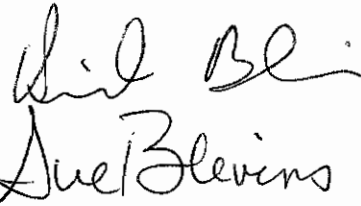
Lot 12 – Salesville Properties LLC

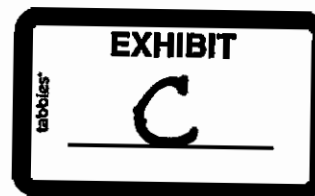
Block 13

Lot 7 – Richard L. Blevins and Sue L. Blevins



The undersigned state that they are owners of lots on the portion of Adams Street, which are the subject of this Petition, in the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, County of Gallatin, State of Montana.

| Printed Name                                | Signature  | Date     | Address and Property Description  |
|---|--|----------|---|
| Salesville Properties, LLC<br>(Petitioners) | <br>PRESIDENT   | 12/28/06 | PO BX 35<br>Gallatin Gateway<br>MT<br>Lots 1 and 12, Block 12           |
| Blevins, Richard<br>Blevins, Sue            | <br>Sue Blevins | 12/28/06 | PO BOX 59<br>Gallatin Gateway<br>MT 59730<br>Lots 7, 8, and 9, Block 13 |



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 Liz Montoya PHONE 582-9676

- 1) Determine if there are sufficient qualified signatures as per 7-14-2601 MCA.
- 2) Check list of adjacent landowners for completeness and that they consent as per 7-14-2602(4) and 7-4-2615(4) MCA.
- 3) Complete "Report of Qualified Signatures".
- 4) Schedule petition on Commissioner's agenda. DATE: 2-27-07
- 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. 421
- 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 4/19/07
- 11) Publish public hearing notice one time. DATE 4/18 - 4/15  
*two for greener valley*
- 12) Send a copy of the viewing committee report and public hearing notice to the following:
  - Persons listed in #8a
  - County Road Superintendent → certified copy
  - 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.

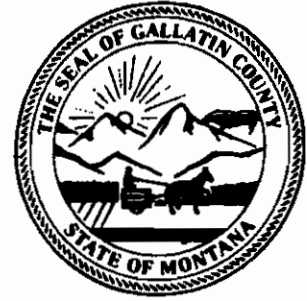




State of Montana

*County of Gallatin*

Bozeman



April 2, 2007

Board of County Commissioners  
Gallatin County Courthouse  
Bozeman, MT 59715

RE: abandonment of a portion Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13, including 10 feet of alleyway running perpendicular to Adams Street, in the SW  $\frac{1}{4}$  of Section 11, Township 3 South, Range 4 East of the unincorporated town site of Salesville, commonly known as Gallatin Gateway, 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 along with George Durkin, County Road Engineer, viewed the area described on March 16, 2007.

7-14-2616 (1), MCA, states "That the County Commissioners may discontinue a street or alley or any part of a street or alley in an unincorporated town or townsite upon the petition in writing of all owners of lots on the street or alley if it can be done without detriment to the public interest."

We considered the following issues:

- The petition does not state a reason as to why that portion of Adams should be abandoned.
- Gallatin Gateway is a prime area for growth within Gallatin County.

If Gallatin Gateway grows in the future, streets and alleyways would be needed for improvements for utility services. If Adams Street is abandoned, and growth begins, the county would have to buy back easements for placement of utilities.

- A portion of Webb Street between Block 13 and 14 was abandoned by Resolution 2001-39. The Gallatin Gateway School has built a playground on that abandoned street.
- A large parcel of property is located on the south side of Sales Street. The plat of Gallatin Gateway shows that Adams, Webb, and Lynde streets would have been the access streets to this property.

Sales Street is an undeveloped street that intersects Adams Street and Lynde on the plat. Our records indicate that Sales Street has never been abandoned.

If Adams Street is abandoned, this property is not landlocked. However, the only access from town to this property is Lynde Street.

With the prospective growth that could happen in Gallatin Gateway, it is our recommendation that abandoning this portion of Adams Street at this time is not in the best interest of the public.

Respectfully submitted,

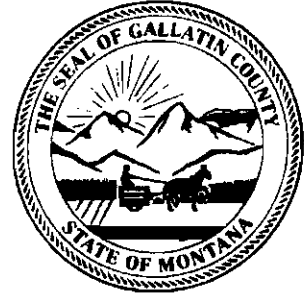
  
\_\_\_\_\_  
Joe Skinner, County Commissioner

  
\_\_\_\_\_  
Charlotte Mills, Clerk & Recorder

State of Montana

*County of Gallatin*

Bozeman



**AFFIDAVIT OF MAILING**

STATE OF MONTANA)

)ss

COUNTY OF GALLATIN)

**CHARLOTTE MILLS, BEING FIRST DULY SWORN ON OATH, deposes and says:**

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

I hereby certify that a copy of the notice of public hearing and viewing committee report of a petition to abandon that portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13, including 10 feet of the alleyway running perpendicular to Adams Street, in the SW1/4 of Section 11, Township 3 South, Range 4 East of the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, County of Gallatin, State of Montana, was mailed to the following land owners on: April 6 2007.

**Liz Montoya (Andriolo & Refling, PLLC), 670 Ferguson Ave, Bozeman, MT 59718**  
**Salesville Properties, LLC Attn: Toni Donnelly, P O Box 35, Gallatin Gateway, MT 59730**  
**Richard Hargrove, P O Box 397, Gallatin Gateway, MT 59730**  
**Peter Stein, P O Box B, Gallatin Gateway, MT 59730**  
**Richard & Sue Blevins, P O Box 59, Gallatin Gateway, MT 59730**  
**US Post Master, 4 Rabel Ln, Gallatin Gateway, MT 59730**  
MT 59730

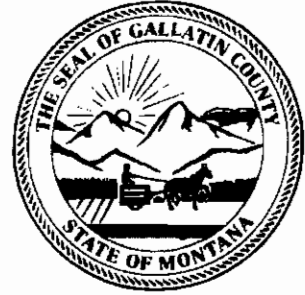
*Charlotte Mills*  
CHARLOTTE MILLS  
Clerk and Recorder  
Gallatin County, Montana

By *Stephanie Young*, deputy

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 18, 2007, at 1:30 P.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a petition to abandon that portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13, including 10 feet of the alleyway running perpendicular to Adams Street, in the SW1/4 of Section 11, Township 3 South, Range 4 East of the unincorporated townsite of Salesville, commonly known as Gallatin Gateway, County of Gallatin, State of Montana. All interested parties are encouraged to attend.

Further information may be obtained from Gallatin County Commissioners Bill Murdock, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 4<sup>th</sup> day of April, 2007.

*Charlotte Mills*

Charlotte Mills  
Clerk and Recorder  
Gallatin County, Montana

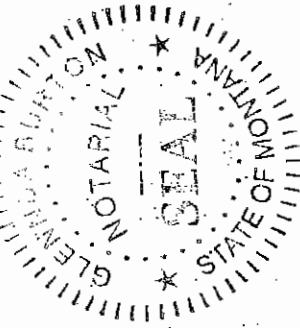
Please publish: April 8 and 15, 2007  
Please Bill: Clerk & Recorder

# Affidavit of Publication

STATE OF MONTANA, }  
County of Gallatin } SS.

      Matt Rose       being duly sworn, deposes and says: That he is legal Ad Clerk of the Bozeman Daily Chronicle, a newspaper of general circulation, printed and published Bozeman, Gallatin County, Montana; and that the notice here unto annexed (Public Hearing Re: Abandonment of Portion of Adams Street) has been

correctly published in the regular and entire issue of every number of said paper for 2 consecutive Sundays the first of which publication was made on the 8th day of April 2007 and the last on the 15th day of April 2007.



WETA POSE  
Subscribed and sworn to before me this 16th day of April 2007  
Glenida Burton

Notary Public for the State of Montana,  
residing at Bozeman, Montana.

Notary Public for the State of Montana  
Residing at Bozeman, Montana  
My Commission Expires June 27, 2008

## NOTICE OF PUBLIC HEARING

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Further information may be obtained from Gallatin County Commissioners Bill Murdock, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 4th day of April, 2007.

Charlotte Mills  
Clerk and Recorder  
Gallatin County.

State of Mont. County of Gallatin, ss Filed for record October 28, 1970  
at 3:55 P.M. and recorded in Book 8 of DEEDS page 1133  
CARL L. STUCKY Recorder. By Scott R. Reynolds Deputy

1 IN THE DISTRICT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT OF THE  
2 STATE OF MONTANA, IN AND FOR THE COUNTY OF GALLATIN

4 In the Matter of the Estate of ) No. 5-69  
5 SIGWALD B. PETERSON, Deceased. )  
6 -----

7 DEED OF EXECUTRIX

8 This indenture, made on the 7th day of October, 1970,  
9 by and between Anna Marie Bakken as the duly appointed, qualified  
10 and acting executrix of the estate of Sigwald B. Peterson, deceased,  
11 the party of the first part, and James Patrick McReynolds and Earl  
12 C. Allsop, the parties of the second part,

13 Whereas, the said District Court upon due and legal return  
14 of the proceedings under the terms of the Last Will and Testament  
15 of Sigwald B. Peterson, deceased, and upon due and legal notice  
16 given and in the manner ordered and directed by the Court, the said  
17 Court on the 5th day of October, 1970, made an Order confirming  
18 the sale and directing a conveyance to be executed to the said parties  
19 of the second part, a certified copy of which said Order of  
20 Confirmation was recorded in the office of the Clerk and Recorder  
21 of Gallatin County, on the 16 day of October, 1970, in Book  
22 8 of Decrees, at page 894, which said Order of Confirmation  
23 is now on file and of record as aforesaid and is referred to and  
24 made a part of this indenture;

25 NOW, THEREFORE, the said Anna Marie Bakken, as Executrix of  
26 the Last Will and Testament of Sigwald B. Peterson, deceased, as  
27 aforesaid, the Party of the First Part, pursuant to the Order  
28 last aforesaid of said District Court, for and in consideration  
29 of the sum of FORTY-FIVE HUNDRED DOLLARS (\$4500.00), lawful money  
30 of the United States of America, to her in hand paid by the said  
31 party of the Second Part, the receipt of which is hereby acknowledged  
32 has GRANTED, BARGAINED, SOLD AND CONVEYED, and by these presents

ADAMSON AND GAI  
ATTORNEYS AT LAW  
MONTANA AND CALIFORNIA  
1000 WEST 10TH AVENUE  
SPOKANE, MONTANA 59201  
TELEPHONE 327-3181

1 does GRANT, BARGAIN, SELL AND CONVEY, unto the Parties of the Second  
2 Part, their heirs, executors, administrators, and assigns forever,  
3 the real estate hereinafter described and all of the right, title  
4 and interest that the said estate has by operation of law or  
5 otherwise acquired, other than or in addition to that of the said  
6 Sigwald B. Peterson, at the time of his death, in and to the  
7 following described real estate, and situate in the Town of  
8 Gallatin Gateway, County of Gallatin, State of Montana, to-wit:

9 Lot 2 and the east ten (10) feet of Lot 3, Lots 9,  
10 10 and 11 in Block 12 of the townsite of Salesville  
11 now known as Gallatin Gateway, Montana, according to  
12 the map or plat on file in the office of the County  
13 Clerk and Recorder of Gallatin County, Montana, and

14 One (1) 1933 Plymouth Coupe Automobile, shop tools  
15 and equipment, building materials and iron supplies.

16 To have and to hold all and singular, the above mentioned  
17 and described premises, together with the appurtenances, unto the  
18 said Parties of the Second Part, their heirs and assigns forever.

19 IN WITNESS WHEREOF, the said party of the First Part, as  
20 Executrix of the estate of said deceased, as aforesaid, has  
21 executed these presents the day and year first above written.

*Anna Marie Bakken*

22 STATE OF MONTANA )  
23 : ss.  
24 County of Gallatin )

25 On this 5<sup>th</sup> day of October, 1970, before me,  
26 a Notary Public for the State of Montana, personally appeared  
27 Anna Marie Bakken, known to me to be the person whose name is  
28 subscribed to the within instrument, as executrix of the Last  
29 Will and Testament of Sigwald B. Peterson, deceased, and acknowledged  
30 to me that she as such executrix, executed the same.

31 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
32 my Notarial Seal at my office in Bozeman, Montana, the day and  
33 year first above written.

*McKenley J. Anderson, Jr.*  
Notary Public for the State of Montana  
Residing at Bozeman, Montana  
My commission expires

ANDERSON AND SONS  
ATTORNEYS AT LAW  
SUITE 100 NORTHBOULEVARD  
BOZEMAN, MONTANA 59717  
TELEPHONE 527-3161



# WARRANTY DEED

FILM 31 PAGE 1958

REVENUE STAMPS

For Value Received

J. PATRICK McREYNOLDS and SANDRA I. McREYNOLDS, husband and wife, the grantor's, do hereby grant, bargain, sell, convey and confirm unto EARL ALLSOP

the grantee, the following described premises, in Gallatin County, Montana, to wit:

All of Lot Two (2), the East Six (6) feet of Lot Three (3) <sup>Lot</sup> Nine (9), Lot Ten (10) and Lot Eleven (11), all in Block Twelve (12), of the original townsite of Gallatin Gateway (formerly known as Salesville) in the County of Gallatin, State of Montana

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, And the said Grantor's do hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all incumbrances excepting current taxes and assessments, and subject to existing Restrictive Covenants and easements.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 2nd, 1975.

*J. Patrick McReynolds*  
J. PATRICK McREYNOLDS  
*Sandra I. McReynolds*  
SANDRA I. McREYNOLDS

INDEXED  
PLATED

STATE OF MONTANA, COUNTY OF Gallatin  
On this 2nd day of July, 1975, before me, a notary public in and for said State personally appeared: J. PATRICK McREYNOLDS and SANDRA I. McREYNOLDS, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public for the State of Montana,  
Residing at Bozeman, Montana  
My commission expires 1977

STATE OF MONTANA, COUNTY OF Gallatin:  
I hereby certify that this instrument was filed for record at the request of

at 3:30 ~~o'clock~~ o'clock pm., this 2 day of February 1976, in my office, and duly recorded in Book 31 of Deeds at page 1958

CARL L. STUCKY  
County Clerk and Recorder  
By *Richard A. Bridges* Deputy

Fees \$ 2.00  
Mail to: Holter, Heath & Kirwan



QUIT CLAIM DEED (JOINT TENANTS)

EARL ALLSOP, of 306 Mill Street, Gallatin Gateway, Montana 59730, herein referred to as Grantor, whether one or more, in consideration of ONE AND NO/100 DOLLAR AND OTHER VALUABLE CONSIDERATIONS (\$1.00 o.v.c.), does hereby remise, set over and forever quit claim unto CHARLIE EUGENE ALLSOP and DEBORAH ANN ALLSOP, of 304 Mill Street, Gallatin Gateway, Montana 59730, herein referred to as Grantees, as joint tenants with right of survivorship and not as tenants in common, whether one or more, and to Grantees' heirs and assigns of the survivor forever, all of the following real property in Gallatin County, Montana:

Lot 11, Block 12 of the Township of Salesville, Montana, now known as Gallatin Gateway, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

together with all tenements, hereditaments and appurtenances thereto, and reversions and remainders and all rents, issues and profits thereof, and all right, title and interest of the Grantor therein.

TO HAVE AND TO HOLD all and singular the said premises, together with appurtenances unto the Grantees, as joint tenants with right of survivorship and not as tenants in common, and to the Grantees' heirs and assigns of the survivor forever.

IN WITNESS WHEREOF, this instrument is executed this 23<sup>rd</sup> day of March, 1992.

  
\_\_\_\_\_  
EARL ALLSOP

STATE OF MONTANA )  
 ) :SS.  
County of Gallatin )

On this 23<sup>rd</sup> day of March, 1992, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Earl Allsop, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Judy M. Gilbert  
Notary Public for the State of Montana  
Residing at: Belgrade, MT  
My Commission Expires: 05-23-94

INSTRUMENT OF POOR  
PHOTOGRAPHIC QUALITY

INDEXED  
PLATTED

241531

State of Mont., County of Gallatin, ss Filed for record March 24, 1992  
at 8:51 A.M., and recorded in Book 121 of DEEDS page 4482  
Shellen M. Henry Recorder. By Deborah A. Gray Deputy

\$12.00 Pd.  
Rt: Drysdale, Nellen & Nellen

**WARRANTY DEED**

**FILE # 203 PAGE 4014**

FOR A VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned, Earl Allsop and Pamela E. Allsop, of 306 Mill Street, Gallatin Gateway, Montana, 59730, hereby grant, unto Charlie Eugene Allsop, of 304 Mill Street, Gallatin Gateway, Montana, 59730, real property in Gallatin County, Montana, described as follows:

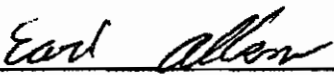
All of Lot 2, Lot 9, and Lot 10, in Block 12 of the Township of Salesville, Montana, now known as Gallatin Gateway, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

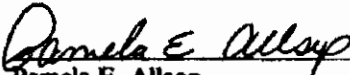
TOGETHER WITH all easements, rights-of-way, and other rights of record or apparent from a physical examination of the land, all buildings, structures, improvements, and other appurtenances located on the land, all water rights appurtenant to or otherwise appertaining to the land, all other rights, rents, issues, profits, appurtenances or hereditaments and tenements appurtenant to and located on the land, all mineral rights which Seller may have with the mineral rights including coal, oil, gas and other minerals in, and under the foregoing lands. No warranty is made as to the status of ownership of such rights.

SUBJECT TO reservations and exceptions in patents from the United States or the State of Montana, prior mineral reservations and exceptions, visible easements, easements of record and rights of way, all building, use, zoning, sanitary and environmental restrictions, and taxes and assessments for 1999 and subsequent years.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and his heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 17 day of Sept, 1999.

  
\_\_\_\_\_  
Earl Allsop

  
\_\_\_\_\_  
Pamela E. Allsop

STATE OF MONTANA )

County of Gallatin )

: ss.

FILE # 203 PAGE 4015

On this 24 day of September, in the year of 1999, before me, Notary Public for the State of Montana, personally appeared Earl Allsop and Pamela E. Allsop, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove first written.

[Signature]  
Notary Public, State of Montana  
Residing at: Belgrade, MT  
My Commission expires: 12/12/02



INDEXED   
PLATTED  401588

State of Mont., County of Gallatin. ss Filed for record OCTOBER 8, 19 99  
at 2:33 P.M., and recorded in Book 203 of DEEDS, page 4014  
Shelley Vason Recorder. By Bityphelidis Deputy  
FEE: \$12.00 PD  
RT: RICHARD A. RAMLER  
202 W. MADISON  
BELGRADE, MT 59714



### QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned, J. Patrick McReynolds, a/k/a James Patrick McReynolds, 7960 Springhill Community Road, Belgrade, Montana, 59714, and Earl Allsop, a/k/a Earl C. Allsop, P.O. Box 178, Gallatin Gateway, Montana 59730, hereby remise, release and quitclaim unto Tamara Lee Sturgis, of 180 East Williams Road, Gallatin Gateway, Montana, 59730, real property in Gallatin County, Montana, described as follows:

The East 10 Feet of Lot 3, the West 40 Feet of Lot 3, and Lot 4, all in Block 12 of the Township of Salesville, Montana, now known as Gallatin Gateway, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder for Gallatin County, Montana. (Ref. Film 8, Page 1133; Film 31, Page 1958; and Film 35, Page 440)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and her heirs and assigns forever.

DATED this 29 day of April, 2004.

Earl C Allsop  
Earl Allsop a/k/a Earl C. Allsop

J. Patrick McReynolds  
J. Patrick McReynolds, a/k/a James Patrick McReynolds

STATE OF MONTANA, County of Gallatin;

This instrument was acknowledged before me on this 29th day of April, 2004, by J. Patrick McReynolds, a/k/a James Patrick McReynolds.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Cheryl L. Woodland  
Notary Public, State of Montana  
Residing at: Bozeman, MT  
My Commission Expires: 11/19/2005

STATE OF MONTANA, County of Gallatin;

This instrument was acknowledged before me on this 26th day of April, 2004, by Earl Allsop a/k/a Earl C. Allsop.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Notary Public, State of Montana  
Residing at: Bozeman, MT  
My Commission Expires: 12/12/2006

Platted



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Page: 1 of 3  
05/03/2007 08:57A

Charlotte Mills-Gallatin Co MTMISC 0.00

RECORDED BY ME AT 07:11 AM THE CORRECT COPY OF A  
document containing 3 pages/ Entered at Bozeman,  
MT, MAY 3 9 07. Charlotte Mills  
Clerk and Recorder for Gallatin County, State of  
Montana  
By: *Stephan Skinn*  
Deputy

RESOLUTION NO. 2007-053

A RESOLUTION TO ABANDON A PORTION OF ADAMS STREET  
BETWEEN LOT 12, BLOCK 12 AND LOT 7, BLOCK 13, INCLUDING 10 FEET OF  
THE ALLEYWAY RUNNING PERPENDICULAR TO ADAMS STREET, IN THE  
SW1/4 OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 4 EAST OF THE  
UNINCORPORATED TOWNSITE OF SALESVILLE, COMMONLY KNOWN AS  
GALLATIN GATEWAY

This Resolution was introduced by Charlotte Mills; moved by Commissioner Murdock and seconded by Commissioner White, 2-1, voted in favor of the Resolution. Commissioner Skinner opposed.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition to abandon that portion of Adams Street ("Street") lying between Lot 12, Block 12, and Lot 7, Block 13, including 10 feet of the alleyway running perpendicular to Adams Street ("Alley"), in the SW1/4 of Section 11, Township 3 South, Range 4 East pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated (MCA); and

WHEREAS, Section 7-14-2601(2)(b), MCA, defines the term "abandonment" to mean the cessation of use of right-of-way (easement) or activity thereon with no intention to reclaim or use again; and

WHEREAS, Section 7-14-2616, MCA, authorizes the Gallatin County Board of County Commissioners ("Commission") to discontinue a street or alley or any part of a street or alley in an unincorporated town or townsite upon the petition in writing of all owners of lots on the street or alley if it can be done without detriment to the public interest; and

WHEREAS, on February 16, 2007, at a public meeting before the Commission, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA; and

WHEREAS, according to Section 7-14-2603, MCA, the Commission 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; and

WHEREAS, on February 27, 2007, the Gallatin County Clerk and Recorder presented the Petition to discontinue a portion of Adams Street to the Commission and the Commission appointed a viewing committee consisting of County Commissioner Joe Skinner and the County Surveyor, Charlotte Mills, as required by Section 7-14-2603(1), MCA; and

WHEREAS, on March 16, 2007, the Viewing Committee along with George Durkin, County Road Engineer, viewed the area described above; and

A RESOLUTION TO ABANDON A PORTION OF ADAMS STREET BETWEEN LOT 12, BLOCK 12 AND LOT 7, BLOCK 13, INCLUDING 10 FEET OF THE ALLEYWAY RUNNING PERPENDICULAR TO ADAMS STREET, IN THE SW1/4 OF SECTION 11, TOWNSHIP 3 SOUTH, RANGE 4 EAST OF THE UNINCORPORATED TOWNSITE OF SALESVILLE, COMMONLY KNOWN AS GALLATIN GATEWAY

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Page: 2 of 3  
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Charlotte Mills-Gallatin Co MT MISC 0.00

WHEREAS, on April 2, 2007 said Viewing Committee issues a Report; and

WHEREAS, the Report stated the petition does not state a reason as to why the Street or the Alley should be abandoned; and

WHEREAS, the Report stated Gallatin Gateway is a prime area for growth within Gallatin County and that if Gallatin Gateway grows in the future, streets and alleyways would be needed for improvements for utility services and that if the Street is abandoned, and growth begins, the county may have to buy back easements for placement of utilities; and

WHEREAS, the Report stated a portion of Webb Street, located between Block 13 and 14, was abandoned by Resolution #2001-039 and that the Gallatin Gateway School has built a playground on that abandoned street; and

WHEREAS, the Report stated a large parcel of property is located on the south side of Sales Street as shown on the townsite plat for Salesville and the plat of Salesville shows Adams, Webb and Lynde Streets would have been the access streets to this property and that Sales Street is an undeveloped street that intersects Adams Street and Lynde on the plat and that The Clerk & Recorder records indicate that Sales Street has never been abandoned; and

WHEREAS, the Report stated with the prospective growth that could happen in Gallatin Gateway, it is not the recommendation of the Viewing Committee that this is in the best interest of the public; and

WHEREAS, on April 18, 2007, a public hearing was held to consider the petition; and

WHEREAS, the Commission finds that abandoning a portion of Adams Street is appropriate; and

WHEREAS, if Adams Street is abandoned, the public may use Lynde Street for access; and

WHEREAS, abandoning Adams Street would benefit the surrounding property owners and is in the best interest of the entire community.

**NOW THEREFORE BE IT RESOLVED:**

1. That portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13 including 10 feet of the alleyway running perpendicular to Adams Street, in the SW1/4 of Section 11, Township 3 South, Range 4 East, P.M.M., Gallatin County, Montana as requested in the Petition, is hereby abandoned.

2. Salesville Properties, LLC owns the west half of that portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13 in the SW1/4 of Section 11, Township 3 South, Range 4 East, P.M.M., Gallatin County, Montana.
3. Richard L. & Sue L. Blevins own the east half of that portion of Adams Street lying between Lot 12, Block 12 and Lot 7, Block 13 in the SW1/4 of Section 11, Township 3 South, Range 4 East, P.M.M., Gallatin County, Montana.
4. Salesville Properties, LLC own the west 10 feet of the Alley running perpendicular to Adams Street where it crosses Adams Street, also describable as the southwest quadrant of the intersection of the Adams Street and the alleyway running through Block 12.
5. Richard L. & Sue L. Blevins own the east 10 feet of the Alley running perpendicular to Adam Street where it crosses Adams Street, also describable as the southeast quadrant of the intersection of the Adams Street and the alleyway running through Block 13.
6. The Commission hereby requests the Clerk and Recorder, within ten (10) days from the date of passage of this Resolution of Abandonment, to send a copy of this Resolution by certified mail to all owners of and abutting on the abandoned road. The owners shall be those listed on the last county assessment roll.
7. The Clerk and Recorder shall notify the county road supervisor by furnishing a certified copy of this Resolution to the supervisor.

DATED this 2<sup>nd</sup> day of May, 2007.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY

Joe P. Skinner  
Joe P. Skinner

5/2/07  
Date

ATTEST:

Charlotte Mills

Charlotte Mills  
Clerk and Recorder  
Gallatin County

5/2/07  
Date

2264762

Page: 3 of 3  
05/03/2007 08:57A



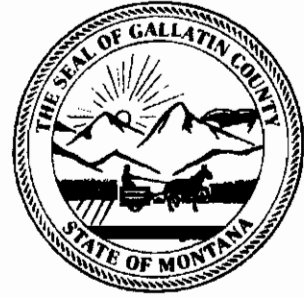
Charlotte Mills-Gallatin Co MTMISC 0.00



State of Montana

*County of Gallatin*

Bozeman



**AFFIDAVIT OF MAILING**

STATE OF MONTANA)

)ss

COUNTY OF GALLATIN)

**CHARLOTTE MILLS, BEING FIRST DULY SWORN ON OATH, deposes and says:**

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

I hereby certify that copies of Resolution 2007-053 were sent certified mailed to all owners of land abutting the road; all individuals named in the petition who could be affected; the postmaster of the area; and the Public Lands Access Association on May 03, 2007.

**Liz Montoya (Andriolo & Refling, PLLC), 670 Ferguson Ave, Bozeman, MT 59718**

**Salesville Properties, LLC Attn: Toni Donnelly, P O Box 35, Gallatin Gateway, MT 59730**

**Richard Hargrove, P O Box 397, Gallatin Gateway, MT 59730**

**Peter Stein, P O Box B, Gallatin Gateway, MT 59730**

**Richard & Sue Blevins, P O Box 59, Gallatin Gateway, MT 59730**

**US Post Master, 4 Rabel Ln, Gallatin Gateway, MT 59730**



By *Serrano Founo*, DEPUTY

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Sent To  
 Street, Apt. or PO Box  
 City, State  
**Salesville Properties, LLC**  
**Attn: Toni Donnelly**  
**P O Box 35**  
**Gallatin Gateway, MT 59730**

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**BILL FAIRHURST**  
**PUBLIC LAND ACCESS ASSOC**  
**105 3<sup>RD</sup> AVENUE EAST**  
**THREE FORKS, MT 59752**

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| Total Postage & Fees                              | \$ |                  |

Sent To  
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**Richard & Sue Blevins**  
**P O Box 59**  
**Gallatin Gateway, MT 59730**

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Sent To  
 Street, Apt. No. or PO Box No.  
 City, State, ZIP  
**Peter Stein**  
**P O Box B**  
**Gallatin Gateway, MT 59730**

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| Restricted Delivery Fee<br>(Endorsement Required) |    |                  |
| Total Postage & Fees                              | \$ |                  |

Sent To  
 Street, Apt. or PO Box  
 City, State  
**Andriolo & Refling, PLLC**  
**Attn: Liz Montoya**  
**670 Ferguson Ave**  
**Bozeman, MT 59718**

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |                                       |
|--|---|---------------------------------------|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | A. Signature<br><input checked="" type="checkbox"/> <i>Shari Evans</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee  |                                       |
|  | B. Received by (Printed Name)<br><i>Shari Evans</i>   | C. Date of Delivery<br><i>5-07-07</i> |
| 1. Article Addressed to:<br><br><div style="border: 1px solid black; padding: 5px;">             Salesville Properties, LLC<br/>             Attn: Toni Donnelly<br/>             P O Box 35<br/>             Gallatin Gateway MT 59730           </div>   | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No   |                                       |
|  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. |                                       |
|  | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes  |                                       |
| 2. Article Number (Transfer from service label) <i>7002 3150 0004 3917 0857</i>  |   |                                       |
| PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540<br><i>RID 821 B 822</i>   |   |                                       |

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |                                      |
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| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | A. Signature<br><input checked="" type="checkbox"/> <i>Christie Schwick</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee  |                                      |
|  | B. Received by (Printed Name)<br><i>Christie Schwick</i>  | C. Date of Delivery<br><i>5/4/07</i> |
| 1. Article Addressed to:<br><br><div style="border: 1px solid black; padding: 5px;">             Gallatin Gateway Post Master<br/>             4 Rabel Lane<br/>             Gallatin Gateway, MT 59730           </div>   | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No   |                                      |
|  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. |                                      |
|  | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes  |                                      |
| 2. Article Number (Transfer from service label) <i>7002 3150 0004 3917 0840</i>  |   |                                      |
| PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540<br><i>RID 821 B 822</i>   |   |                                      |

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |                                       |
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| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | A. Signature<br><input checked="" type="checkbox"/> <i>Sue Blevins</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee  |                                       |
|  | B. Received by (Printed Name)<br><i>Sue Blevins</i>   | C. Date of Delivery<br><i>5-04-07</i> |
| 1. Article Addressed to:<br><br><div style="border: 1px solid black; padding: 5px;">             Richard &amp; Sue Blevins<br/>             P O Box 59<br/>             Gallatin Gateway, MT 59730           </div>  | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No   |                                       |
|  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. |                                       |
|  | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes  |                                       |
| 2. Article Number (Transfer from service label) <i>7002 3150 0004 3917 0642</i>  |   |                                       |
| PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540<br><i>RID 821 B 822</i>   |   |                                       |

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Peter Stein  
 P O Box B  
 Gallatin Gateway, MT 59730

2. Article Number

(Transfer from service label)

7002 3150 0004 3917 1274

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

RID 821 \$ 822

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-4-07

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

**SENDER: COMPLETE THIS SECTION**

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

BILL FAIRHURST  
 PUBLIC LAND ACCESS ASSOC  
 105 3<sup>RD</sup> AVENUE EAST  
 THREE FORKS, MT 59752

2. Article Number

(Transfer from service label)

7002 3150 0004 3917 1298

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

RID 821 \$ 822

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

WILLIAM A FAIRHURST

02/09/07

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:

Andriolo & Refling, PLLC  
 Attn: Liz Montoya  
 670 Ferguson Ave  
 Bozeman, MT 59718

2. Article Number

(Transfer from service label)

7002 3150 0004 3917 0895

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

RID 821 \$ 822

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

Heather Craig

5-7-7

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes