

CHECKLIST OF PROCEDURES FOR ROAD ABANDONMENT PETITIONS

Original signed petition must be submitted to the Clerk and Recorder along with a map showing the entire area of the road under consideration and property within a 1 mile radius (please refer to County GIS if a map is needed). Stamp the date received on the petition. Get name and phone number of contact person for questions.

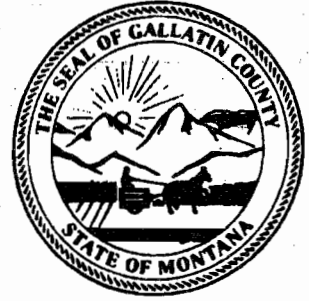
NAME Laurie Olsen PHONE 539-4865

- 1) Determine if petition has sufficient information for processing. (Copy to County Attorney.) It should address all the pertinent information listed in:
 - a) The form of the petition
 - b) Section 7-14-2602
 - c) Identify owners abutting the road to be abandoned (7-14-2604)
 - d) Owners of private land to which the road gives access (7-14-2615(4))
- 2) Determine if there are sufficient qualified signatures as per 7-14-2601.
- 3) Complete "Report of Qualified Signatures".
- 4) Schedule the first hearing on the petition on Commissioner's agenda. DATE: 4/12/16
 - a) Prepare draft resolution appointing viewing committee and assigning Petition # 840.
 - b) Forward copy to county attorney for review
- 5) Make copies of petition and Report of Qualified Signers. 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 at first hearing via resolution.
- 7) Viewing committee (7-14-2603) completes road report and report is received. DATE: 8/26/16
- 8) County Attorney and other county staff identify owners abutting the road to be abandoned and owners of private land to which the road gives access
- 9) Schedule public hearing on Commissioner's agenda and prepare notices. DATE 10/4/16
- 10) a) Type regular mail envelopes for:
 - 1) All landowners named on the petition
 - 2) All signers on the petition
 - 3) All landowners determined by viewing committee and county staff abutting the road to be abandoned and landowners of private land to which the road gives access.
 - ~~4) The postmaster of the area~~b) Type and prepare certified mail envelopes for:
 - 1) All landowners abutting the road to be abandoned and landowners of private land to which the road gives access.
 - ~~2) The postmaster of the area~~
- 11) Mail a copy of the public hearing notice and viewers report to the people listed in 10) a) above.
- 12) Publish public hearing legal notice two times in Chronicle for a county road (7-1-2121) and if necessary in another newspaper. DATES 9/4 - 9/16
- 13) Post notice in ~~4~~ public places 30 days prior to hearing and prepare affidavit of posting. At least 2 of the postings should be on or near the portion of road to be abandoned on yellow notice signs.
- 14) Post a copy of the viewing committee report and public hearing notice to the following online and with County Commission staff.
- 15) Prepare draft resolution for Commissioners to consider at next public hearing. Email to County Attorney for review.
- 16) Commissioners hold public hearing to grant or deny petition and pass resolution if granted. - 10-4-16
- 17) Within 10 days of passage of resolution send copies of resolution to all persons listed in #10b (BY CERTIFIED MAIL) and forward certified copy to County Road Superintendent (per 7-14-2613).
- 18) Type affidavits of mailing and posting for the notice, and the final board decision.
- 19) If the petition is granted, a certified copy of the resolution must be recorded.
- 20) Scan petition file and file away in basement drawer for road petitions.

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 Resolution #2016-115, a Resolution Made Pursuant to Road Abandonment Petition No. 840 to Abandon 50-foot-wide Right-of-Way Tract Adjacent to Gateway South Road Located in the East Half of the Southeast Quarter of Section 10, Township 3 South, Range 4 East, was mailed to the following landowners on October 5, 2016.

Table with 2 columns: Name, Address. Lists landowners: Robert E. & Hazel M. Olson, Richard H. & Donna J. Shockley, Triton II, LLC, Russell L. & Laurel L. Olson with their respective addresses and zip codes.

Signature of Charlotte Mills, Clerk and Recorder of Gallatin County, Montana. Signature of Veniece Lindemulder, Deputy. Includes a circular seal of Gallatin County, State of Montana.

RESOLUTION NO. 2016- 115

A RESOLUTION MADE PURSUANT TO ROAD ABANDONMENT PETITION NO. 840 TO ABANDON 50' WIDE ROAD RIGHT-OF-WAY TRACT ADJACENT TO GATEWAY SOUTH ROAD LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 EAST

This Resolution was introduced by Recording Supervisor Eric Semerad; moved by Commissioner Seifert and seconded by Commissioner White. This Resolution was adopted unanimously.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition on March 24, 2016, to abandon a portion of Gateway South Road (hereinafter referred to as the "Road"), pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44" east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana;

WHEREAS, upon acceptance of the Petition, the Clerk & Recorder assigned the Number 840 to the Petition;

WHEREAS, the Petition states the necessity or advantage of the abandonment as: "Places our driveway on land not owned by the County"; and "We have been maintaining this property since 1956, keeping it mowed, weed free and grazed";

WHEREAS, "abandon" "vacation" and "abandonment" as set forth herein mean the cessation of use of right-of-way (easement) or activity thereon with no intention to reclaim or use again;

WHEREAS, on March 30, 2016, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA;

WHEREAS, on April 12, 2016 the Board of County Commissioners passed Resolution 2016-053 which caused an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition and appointed a viewing

A RESOLUTION MADE PURSUANT TO ROAD ABANDONMENT PETITION NO. 840 TO ABANDON 50' WIDE ROAD RIGHT-OF-WAY TRACT ADJACENT TO GATEWAY SOUTH ROAD LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 EAST

committee consisting of County Commissioner R. Stephen White and the County Surveyor, Charlotte Mills;

WHEREAS, on July 12, 2016, the viewing committee met to view the road being petitioned for abandonment;

WHEREAS, on Tuesday, July 12, 2016, the viewing committee met with Bill Brownell from the Gallatin County Road Department to view the road being petitioned for abandonment;

WHEREAS, the viewers' report dated August 26, 2016 reported that the "petitioned road is deeded property owned by Gallatin County in fee simple";

WHEREAS, the viewers' report further stated: "The viewing committee believes we cannot use the road abandonment process because the county road is deeded fee simple property that cannot be abandoned. Therefore, it is our conclusion that it is not feasible or desirable to grant the petition, and this petition should be denied";

WHEREAS, on September 1, 2016 notices were posted in four (4) public places including on the fencepost located at northwest corner of property to be abandoned; the gatepost of the driveway for residence at 632 Gateway South Road; the Gallatin Gateway Post Office; and the Gallatin County Courthouse lobby. A Notice of Public Hearing to be held on October 4, 2016 was published in the Bozeman Daily Chronicle on September 4 and September 10, 2016; and mailed to petitioners and all landowners adjacent to the road to be abandoned along with a viewer's report on September 1, 2016;

WHEREAS, the notice put the petitioners and adjacent landowners on notice of the public hearing on Petition No. 840 to abandon the Road; and

WHEREAS, on October 4, 2016, the Gallatin County Commissioners conducted a public hearing, after notice, on the Petition and the results of the investigation.

NOW THEREFORE BE IT RESOLVED:

1. That portion of that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South $86^{\circ}16'$ West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North $86^{\circ}16'$ East, a distance of 439.5 feet; thence north $43^{\circ}44'$ east a distance

of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, is hereby (check one):

abandoned.
 not abandoned.

2. The Commission hereby requests the Clerk and Recorder, within ten (10) days from the date of passage of this Resolution, to send a copy by certified mail to all owners of land abutting on the road. The owners shall be those listed on the last county assessment roll.
3. The Clerk and Recorder shall notify the county road supervisor by furnishing a certified copy of this Resolution to the supervisor.

DATED this 4th day of October, 2016.

BOARD OF COUNTY COMMISSIONERS OF
GALLATIN COUNTY



Joe P. Skinner
Chairman

10/4/2016

Date

ATTEST:

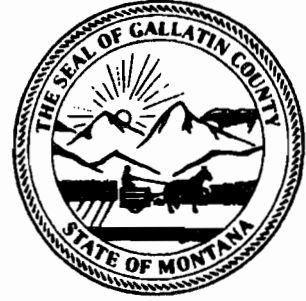


Charlotte Mills
Clerk and Recorder
Gallatin County

State of Montana

County of Gallatin

Bozeman



August 26, 2016

Board of County Commissioners
Gallatin County Courthouse
Bozeman, MT 59715

RE: The abandonment of a 50' wide road right-of-way tract adjacent to Gateway South Road located in the east half of the southeast quarter of section 10, township 3 south, range 4 east

Legal Description: that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44" east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana;

Dear Board,

According to M.C.A. §7-14-2603 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.

On Tuesday, July 12, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department to view the road being petitioned for abandonment.

The petitioned road is deeded property owned by Gallatin County in fee simple. When the property was purchased for the road, more property was purchased than needed.

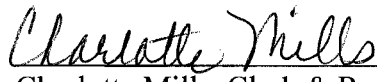
To determine the amount of land that is to be kept by the County for the right-of-way along the county road and the amount of land which can be sold, a survey may need to be done. The land will need to be appraised to determine the value. Based on the value of the land, Montana State law determines how property owned by the County may be disposed.

The viewing committee believes we cannot use the road abandonment process because the county road is deeded fee simple property that cannot be abandoned. Therefore, it is our conclusion that it is not feasible or desirable to grant the petition, and this petition should be denied.

Respectfully submitted,

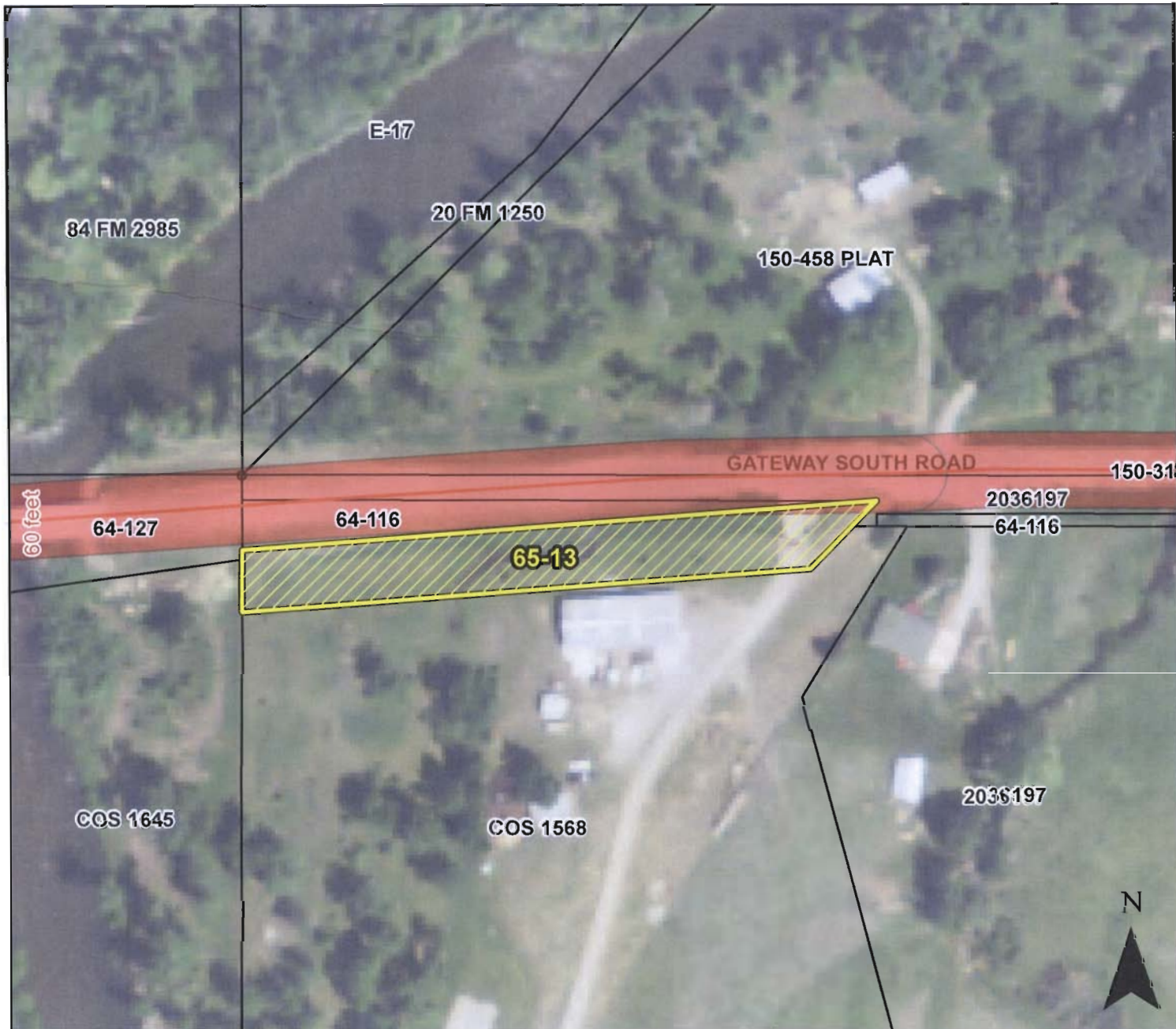


R. Stephen White, County Commissioner

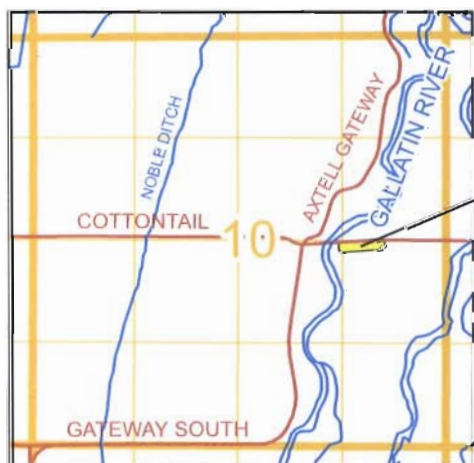


Charlotte Mills, Clerk & Recorder



**TRACT TO BE ABANDONED
LOCATED IN THE NE1/4 SE1/4 SECTION 10, T 3 S R 4 E**



1 inch = 120 feet



TRACT TO BE ABANDONED
NE 1/4 SE 1/4 SECTION 10,
T 3 S R 4 E

-  TRACT TO BE ABANDONED
-  60 FOOT ROAD BUFFER
- 2013 NAIP AERIAL IMAGERY



Updated: 09/01/2016
Gallatin County Clerk and Recorder's Office
NOTE: This plot is a visual representation only
and does not represent a survey. No liability
is assumed as to the accuracy of the data
delineated hereon.

349002 1513797

GALLATIN COUNTY LEGAL#8917

ATTN: ERIC SEMERAD
311 W MAIN ROOM 203
BOZEMAN MT 59715

AFFIDAVIT OF PUBLICATION
STATE OF MONTANA)

County of Gallatin)

)SS.
)

Viola Green

being duly sworn, deposes and says; that he/she is legal ad clerk of the Bozeman Daily Chronicle, a newspaper of general circulation, printed and published in Bozeman, Gallatin County, Montana; and that the notice here unto annexed
NOTICE OF PUBLIC HEARING
PUB HEARING OCT 4TH
has been correctly published in the regular and entire issues of every number of said paper for 2 insertions.

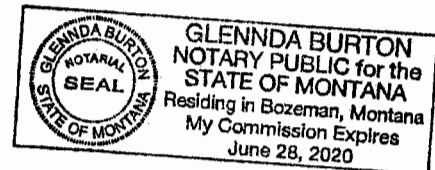
Said notice was published on:
09/04/2016 09/10/2016

Viola Green

Subscribed and sworn to before me this
16th day of September, 2016

Glennnda Burton

Notary Public for the State of Montana
Residing at Bozeman, Montana



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on October 4, 2016, at 9:00 A.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a road petition to abandon that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5'; thence north 43°44' east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana.

All interested parties are encouraged to attend. Further information may be obtained from Gallatin County Commissioners Don Seifert, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 31st day of August, 2016.

Charlotte Mills
Clerk and Recorder





RESOLUTION NO. 2016- 053

A RESOLUTION MADE TO ASSIGN THE VIEWING COMMITTEE AND PETITION NUMBER FOR A PETITION TO ABANDON 50' WIDE ROAD RIGHT-OF-WAY TRACT ADJACENT TO GATEWAY SOUTH ROAD LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 EAST

This Resolution was introduced by RECORDING SUPERVISOR ERIC SEMERAD; moved by Commissioner SEIFERT and seconded by Commissioner WHITE. This Resolution was adopted UNANIMOUSLY.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition on March 24, 2016, to abandon a portion of Gateway South Road (hereinafter referred to as the "Road"), pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44" east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana;

WHEREAS, on March 30th, 2015, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA;

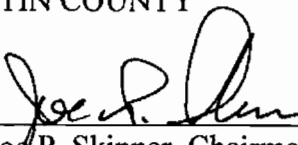
WHEREAS, according to Section 7-14-2603, MCA, the Board of County Commissioners shall cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition. The investigation shall be sufficient to properly determine the merits or demerits of the Petition. No more than one member of the board and the county surveyor shall make the investigation;

NOW THEREFORE BE IT RESOLVED:

1. The Board hereby accepts the petition for abandonment of the 50' wide road right of way that is further described as that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44" east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana
2. The petition is assigned Road Petition Number 840.
3. Commissioner WHITE and County Surveyor Charlotte Mills are assigned to investigate the feasibility, desirability, and cost of granting the prayer of the Petition, and to report their findings back to the Board.


DATED this 12TH day of April, 2016.

BOARD OF COUNTY COMMISSIONERS OF
GALLATIN COUNTY



Joe P. Skinner, Chairman

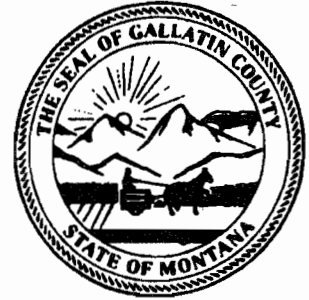
ATTEST:


Charlotte Mills
Clerk and Recorder
Gallatin County

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 Notice of Public Hearing to abandon that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44" east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana; and the viewing Committee report regarding abandoning the same, according to Road Petition Number 840, was mailed to the following landowners on September 1, 2016.

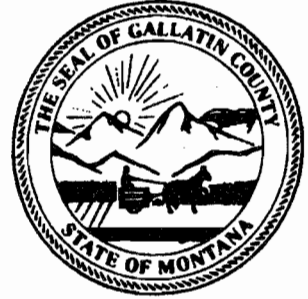
Table with 5 columns: Name, Address, City, State, ZIP. Lists various landowners and their contact information.

Charlotte Mills
CHARLOTTE MILLS
Clerk and Recorder
Gallatin County, Montana

State of Montana

County of Gallatin

Bozeman



CERTIFICATE OF THE COUNTY CLERK AND RECORDER
RELATING TO
QUALIFICATIONS OF THE SIGNERS

Statement of Purpose: Petition to abandon a 50' wide tract of land adjacent to Gateway South Road.

Legal Description: That tract of land described on deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44' east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana;

STATE OF MONTANA)
)ss
COUNTY OF GALLATIN)

I, Charlotte Mills, do hereby certify that I am the qualified and acting County Clerk and Recorder for Gallatin County, State of Montana; that I have examined the petition to which this certificate is attached, and that pursuant to Section 7-14-2601 M.C.A. 2015, it contains the signatures of 10 qualified freeholders of the Gallatin County road district.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office at Bozeman, the County Seat of Gallatin County, State of Montana, this 30th day of March 2016, A.D.

Charlotte Mills
Charlotte Mills
Clerk and Recorder
Gallatin County, Montana



State of Montana

County of Gallatin

Bozeman



AFFIDAVIT OF POSTING

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 attached Notice of Hearing has been posted on September 1, 2016 at the following public locations:

1. Fencepost located at northwest corner of property to be abandoned.
2. Gatepost of driveway for residence at 632 Gateway South Road.
3. Gallatin Gateway Post Office.
4. Gallatin County Courthouse.

Charlotte Mills

CHARLOTTE MILLS
Clerk and Recorder
Gallatin County, Montana

RECEIVED

PETITION TO ABANDON COUNTY ROAD

MAR 24 2016

TO: THE BOARD OF COUNTY COMMISSIONERS, GALLATIN COUNTY, MONTANA

Clerk & Recorder
Gallatin County, Mont.

COME NOW the undersigned freeholders of the road district consisting of Gallatin County, Montana, in its entirety and petition this Board pursuant to Title 7, Chapter 14, Part 26 MCA, to abandon a county road or right-of-way ("road") located in Gallatin County, Montana and represent as follows:

1. The road or portion of the road to be abandoned: 630/632 Gateway S. Rd, Land to west/north, South of Gateway S. Rd.

2. The general route of the road or portion of road to be abandoned is described as follows (please include a map(s) that shows the location of the road or portion of the road to be abandoned and shows all property within a 1 mile radius):

A portion of land located south of the right of way on Gateway S. Rd, Gallatin Gateway, located on north border of property owned by Russell L Olsen & Laurel L Olsen!

3. The lands and owners affected by the abandonment (include names and addresses of property owners which abut the road or portion of the road to be abandoned or owners of private land to which the road gives access): (do not sign in this section)

LANDOWNER(S) (please print)	MAILING ADDRESS
<u>1. Robert E & Hazel M Olsen Rev. Living Trust</u>	<u>630 Gateway S. Rd Gallatin Gateway MT 59730</u>
Legal Description of Property	<u>S10, T03 S, R04 E, Acres 90 E2SE4 LESS RWS + LESS COS 1908</u>

<u>2. Richard H & Donna D SHOCKLEY</u>	<u>627 Gateway S Rd Gallatin Gateway 59730</u>
Legal Description of Property	<u>S10, T03 S, R04 E, Acres 5.94, SE4NE4</u>

<u>3. Roman Gate Enterprises LLC Triton II LLC Kris Lawrence, Owner</u>	<u>3389 Sheridan St. Ste 558 Hollywood, FL 33021-3606</u>
Legal Description of Property	<u>S10, T03 S, R04 E, C.O.S. 1645 Parcel A</u>

4. _____	_____
_____	_____
Legal Description of Property	_____

5. _____	_____
_____	_____
Legal Description of Property	_____

LANDOWNER(S) (please print)

MAILING ADDRESS

6. _____

Legal Description of Property _____

7. _____

Legal Description of Property _____

8. _____

Legal Description of Property _____

9. _____

Legal Description of Property _____

10. _____

Legal Description of Property _____

11. _____

Legal Description of Property _____

12. _____

Legal Description of Property _____

13. _____

Legal Description of Property _____

14. _____

Legal Description of Property _____

PETITION TO ABANDON COUNTY ROAD

TO: THE BOARD OF COUNTY COMMISSIONERS, GALLATIN COUNTY, MONTANA

COME NOW the undersigned freeholders of the road district consisting of Gallatin County, Montana, in its entirety and petition this Board pursuant to Title 7, Chapter 14, Part 26 MCA, to abandon a county road or right-of-way ("road") located in Gallatin County, Montana and represent as follows:

1. The road or portion of the road to be abandoned: _____

2. The general route of the road or portion of road to be abandoned is described as follows (please include a map(s) that shows the location of the road or portion of the road to be abandoned and shows all property within a 1 mile radius):

3. The lands and owners affected by the abandonment (include names and addresses of property owners which abut the road or portion of the road to be abandoned or owners of private land to which the road gives access): (do not sign in this section)

LANDOWNER(S) (please print)	MAILING ADDRESS
1. <u>Russell L. Olsen</u> <u>& Laurel L. Olsen</u>	<u>PO Box 14</u> <u>Gallatin Gateway MT</u> <u>59730</u>
Legal Description of Property <u>S10, T03, R04 E, C.O.S. 1568 Parcel 1</u>	
2. _____	_____
Legal Description of Property _____	
3. _____	_____
Legal Description of Property _____	
4. _____	_____
Legal Description of Property _____	
5. _____	_____
Legal Description of Property _____	

LANDOWNER(S) (please print)

MAILING ADDRESS

6. _____

Legal Description of Property _____

7. _____

Legal Description of Property _____

8. _____

Legal Description of Property _____

9. _____

Legal Description of Property _____

10. _____

Legal Description of Property _____

11. _____

Legal Description of Property _____

12. _____

Legal Description of Property _____

13. _____

Legal Description of Property _____

14. _____

Legal Description of Property _____

15. _____

Legal Description of Property _____

4. Do all the landowners who abut the road to be abandoned or owners of private land to which the road gives access listed in Section 3 above consent to the abandonment? Yes If no, list those landowners and their reasons for not consenting:

5. If an abutting landowner listed in Section 3 cannot be found to determine the landowner's consent, identify the landowner and state the efforts made to locate the landowner:

6. The necessity for and advantage of the abandonment is as follows:

→ Places over driveway on land not owned by County, (we have encroachment permit)

→ We have been maintaining this property since 1956 - Keeping it weed free, mowed/grazed -

7. Is the road providing access to public lands or waters? If yes, explain and provide location of public lands and waters on the attached map.

- no

8. Does the road or portion of the road contain any utilities?

no

State of MT
County of Gal.

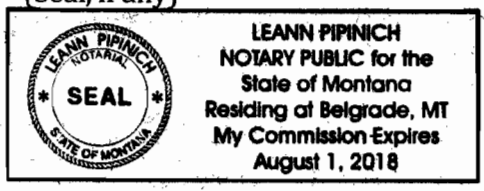
I swear that the information contained herein is correct and complete to the best of my knowledge.

Lauri Olsen
(Signature of petitioner.)

Signed and sworn to (or affirmed) before me on 3/23/16
by Lauri Olsen.

Leann Pipinich
Signature of notarial officer
Leann Pipinich

(Seal, if any)



Name - typed, stamped, or printed

Title (and Rank)

Residing at

My commission expires: _____

The undersigned state that they are freeholders in the Gallatin County Road District and petition to abandon the road set forth herein. If more than 10 freeholders sign, use additional pages.

1. Laurel Olsen 632 Gateway S. Rd
Signature Laurel L. Olsen Address Gallatin Gateway, MT 59730
Printed Name 4-7-2016 City, State, Zip
Date
Legal Description of Property S10, T03, R04E, C.O.S. 1508
Parcel 1

2. Laurel Olsen 632 Gateway S. Rd
Signature Laurel L. Olsen Address Gallatin Gateway, MT 59730
Printed Name 4-7-2016 City, State, Zip
Date
Legal Description of Property S10, T03, R04E, C.O.S. 1508 Parcel 1

3. _____
Signature _____ Address _____
Printed Name _____ City, State, Zip
Date _____
Legal Description of Property _____

4. _____
Signature _____ Address _____
Printed Name _____ City, State, Zip
Date _____
Legal Description of Property _____

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

6. _____

Signature _____

Address _____

Printed Name _____

City,State,Zip _____

Date _____

Legal Description of Property _____

7.

Signature _____

Address _____

Printed Name _____

City,State,Zip _____

Date _____

Legal Description of Property _____

8.

Signature _____

Address _____

Printed Name _____

City,State,Zip _____

Date _____

Legal Description of Property _____

9.

Signature _____

Address _____

Printed Name _____

City,State,Zip _____

Date _____

Legal Description of Property _____

10.

Signature _____

Address _____

Printed Name _____

City,State,Zip _____

Date _____

Legal Description of Property _____

Signature

Address

Printed Name

Date

Legal Description of Property

City, State, Zip

105 Grey Wolf Trail
Bozeman, MT 59718-7677

S36, T02 S, R04 E, C.O.S. 1758
Parcel 2, Acres 20.65

7. Deborah S Gee

Signature

Printed Name

Date

Legal Description of Property

Address

City, State, Zip

P.O. Box 644 20 Rabel Ln
Gallatin Gateway MT 59730

S11, T03 S, R04 E, C.O.S. 706
Parcel C, NE4 & SE4

8. Teri High

Signature

Printed Name

Date

Legal Description of Property

Address

City, State, Zip

985 W. Cameron Rd
Bozeman MT 59718

Hugh Finnegan Sub 3, S14, T01 S,
R04 E, Lot 3, Acres 5.221, 1/4 SW4

9. Donna J Shockley

Signature

Printed Name

Date

Legal Description of Property

Address

City, State, Zip

627 Gateway S. RD
Gallatin Gateway, MT 59730

S10, T03 S, R04 E, Acres 5.94
SE4NE4

10. Ann S Dickerson

Signature

Printed Name

Date

Legal Description of Property

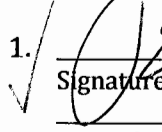
Address

City, State, Zip

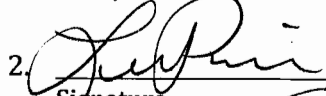
1380 Gateway Dr Rd
Gallatin Gateway, MT 59730

S15, T03 S, R04 E, C.O.S. 2715A,
Parcel tract B, Acres 139.5


The undersigned state that they are freeholders in the Gallatin County Road District and petition to abandon the road set forth herein. If more than 10 freeholders sign, use additional pages.

1.  Ray Padella 67 Wade Ln
Signature Bozeman MT 59715
Address
3-21-16 Bozeman MT 59715
Printed Name City, State, Zip
Date

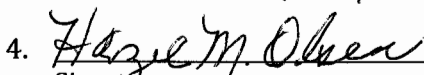
Legal Description of Property Mystic Heights Subdivision Phase 2
S12 T03 S, R05 E, Lot 14, Acres 2.725, Plat J-43

110 2.  Leann Pipinich 415 Tracy Ann
Signature Belgrad MT 59714
Address
3/21/16 Belgrad MT 59714
Printed Name City, State, Zip
Date

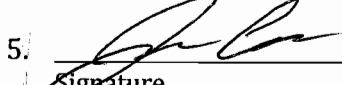
Legal Description of Property Broken 7 Sub, S28, T01N, R04 E,
Lot 10, Acres 1, Plat J-413

3.  Joseph A. Smith 247 Mayfield Rd.
Signature Bozeman MT 59715
Address
3-21-16 Bozeman MT 59715
Printed Name City, State, Zip
Date

Legal Description of Property S34, T01S, R06 E, Acres 118.26
Lots 1, 2, & 5 N of HW

4.  Hazel Olsen trustee 630 Gateway S Rd
Signature Gallatin Gateway, MT 59730
Address
3-21-2016 Gallatin Gateway, MT 59730
Printed Name City, State, Zip
Date

Legal Description of Property S10, T03 S, R04 E, Acres 50
E2SE4 LESS RWS & LESS COS 1568

5.  James Clore 8360 Calico Dr.
Signature Bozeman, MT 59718
Address
3/21/16 Bozeman, MT 59718
Printed Name City, State, Zip
Date

Legal Description of Property DEP SURVEY ND 19E S18, T02 S,
R05 E, Acres 12.581, TRACT 28A-1A

6.  Crystal Spry 105 Grey Wolf Trail

11. Robert M. Naert
Signature Robert M. Naert
Printed Name 3-21-16
Date

1655 Cottontail Rd.
Address Gallatin Gateway, MT-59730
City, State, Zip

Legal Description of Property S09, T03 S, R04 E, C.O.S. 140E,
Parcel 2

12. Amy Ripley
Signature Amy Ripley
Printed Name 3/21/16
Date

Po Box 122
Address 13500 Axtell-Gateway
Gallatin Gateway, MT 5970
City, State, Zip

Legal Description of Property S10, T03 S, R04 E, Acres 10.42
Kaselnak Tract E2NE4

13. Sarah Ouellet
Signature Sarah Ouellet
Printed Name 3-21-16
Date

Po Box 160121 Big Sky
Address 255 Little Bear, W.
Gallatin Gateway MT
City, State, Zip 59730

Legal Description of Property Bear Creek Prop 2+3, S22, T03S,
R04 E, Lot 101, Acres 2.184, Plat 5-105

14. Kris Lawrence
Signature Kris Lawrence
Printed Name 3/21/16
Date

TRITON II LLC
OWNER

1021 Gateway S. Rd
Address Gallatin Gateway, MT 59730
City, State, Zip

Legal Description of Property S10, T03 S, R04 E, C.O.S. 1645
Parcel A

15. Connie Evenson
Signature Connie Evenson
Printed Name 3/21/16
Date

375 Garnet Mountain Way
Address Gallatin Bozeman, MT 59715
City, State, Zip

Legal Description of Property Peakview Subdivision Phase 3 Lot 4
PEAKVIEW SUB 3, S02, T03 S, R04 E, Lot 4, Acres 1.21

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 October 4, 2016, at 9:00 A.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a road petition to abandon that tract of land conveyed by deed to Gallatin County, Montana recorded in Deed Book 65 Page 13 more particularly beginning at a point in the northeast quarter of the southeast quarter of section ten (10), township 3 South, Range 4 East, from which the east quarter corner of section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning South 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 86°16' East, a distance of 439.5 feet; thence north 43°44' east a distance of 74 feet, more or less, the point of beginning, containing in all 0.5 acre, more or less, Gallatin County, Montana;

All interested parties are encouraged to attend. Further information may be obtained from Gallatin County Commissioners Don Seifert, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 31st day of August, 2016.

Charlotte Mills

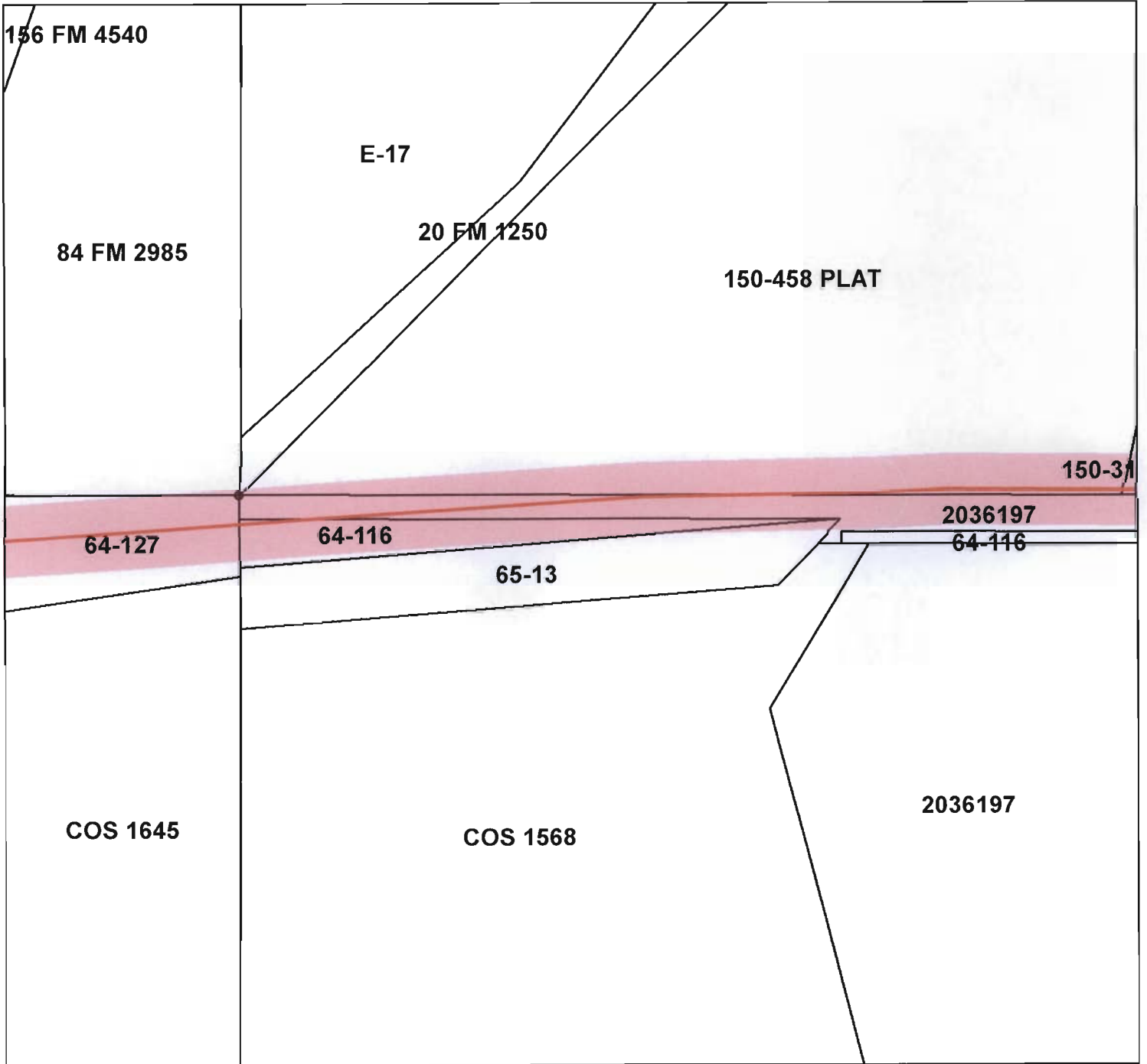
Charlotte Mills
Clerk and Recorder
Gallatin County, Montana

T 3 S R 4 E SECTION 10

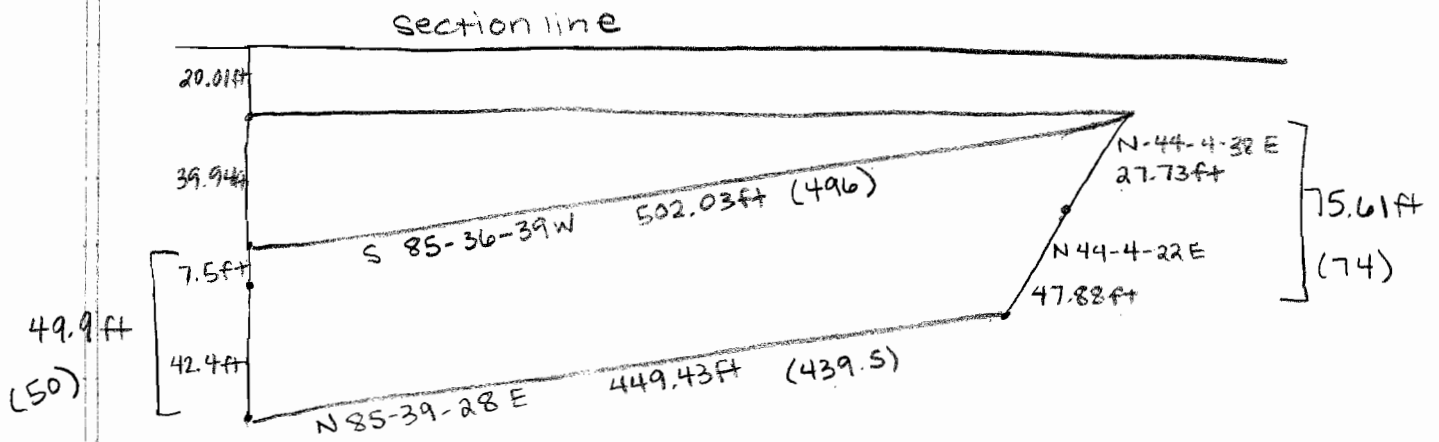


08/23/2016

T 3 S R 4 E SECTION 10



08/23/2016



State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001



Project I.D.: BR 9016(17) Parcel No.: 3 County: Gallatin
Designation: Gallatin R - Gallatin Gateway
Project No.: 2168-017

Highway Easement

This Easement, made this 26th day of June, 2000, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, **witnesses that**,

Richard H. Shockley
627 Gateway South Road
Gallatin Gateway, MT 59730

do(es) hereby **grant, bargain, sell and convey** unto **Gallatin County, Montana**, an easement and right-of-way for highway purposes, including the construction, reconstruction and maintenance of a highway over, across, and the right of entry upon and occupation of lands, and the right to take therefrom such earth, sand, gravel, stones, and trees as may be necessary in the construction, reconstruction, and maintenance of a highway covering and embracing the following described land:

Parcel No. 3, on Montana Department of Transportation Project BR 9016(17), as shown on the right-of-way plans for said project recorded in the office of the County Clerk and Recorder of Gallatin County, Montana. Said Easement covers and embraces the following described land, to wit:

A tract of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 3 South, Range 4 East, P.M.M., Gallatin County, Montana, as shown by the shaded area on the plat, consisting of 2 sheets, attached hereto and made a part hereof, containing an area of 0.137 ha (0.34 acre), more or less, including 0.094 ha (0.23 acre), which constitute a part of an existing public highway. Gross Area 0.137 ha (0.34 acre); Present Highway Area 0.094 ha (0.23 acre); Net Area 0.043 ha (0.11 acre).

LWO:Q:RW:2168:1.kmc-5



2018614

Page: 1 of 4
08/15/2000 01:34P

Shelley Vance-Gallatin Co MT MISC 24.00

To have and to hold the above-described property, unto Gallatin County, Montana, and to its successors and assigns as long as the same is used for highway purposes.

This Easement was executed on the date of its last acknowledgment.

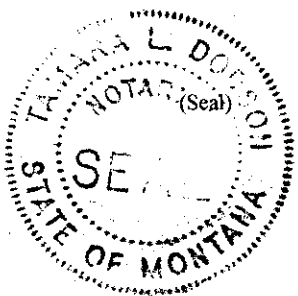
Richard A Shockley

State of Montana

County of Gallatin

This instrument was acknowledged before me on June 26, 2000
(date)

by Richard H. Shockley
(names)



Tamara L. Dodson

TAMARA L. DODSON
Notary Public for State of NOTARY PUBLIC for the State of Montana
Residing at Anaconda, Montana
My Commission Expires: My Commission Expires January 16, 2002

State of _____

County of _____

This instrument was acknowledged before me on _____
(date)

by _____
(names)

(Seal)

Notary Public for State of _____

My Commission Expires: _____



2018614
Page: 2 of 4
08/15/2000 01:34P

Shelley Vance-Gallatin Co MT MISC 24.00

Rev. 12/96

RW-STD:Form30.1

BR 9016(17) Gallatin County

Gallatin R - Gallatin Gateway Designation 3 Parcel No.

Project No. 2168-017

Highway Easement - Individual

Richard H. Shockley

to

GALLATIN COUNTY, MONTANA

No. _____
Office of _____
County Clerk and Recorder

County of _____, Montana
I hereby certify that the within instrument was filed for record in this office on the _____ day of _____, A.D. 2000, at _____ o'clock _____ m., and was duly recorded in Book _____ of _____ Page(s) _____

County Clerk and Recorder
By: _____ Deputy

Indexed _____ Recorded _____ Compared _____

After recording, please mail to:
Montana Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001



R/DROW

11:27:43
 05 OCT 1999
 U8569

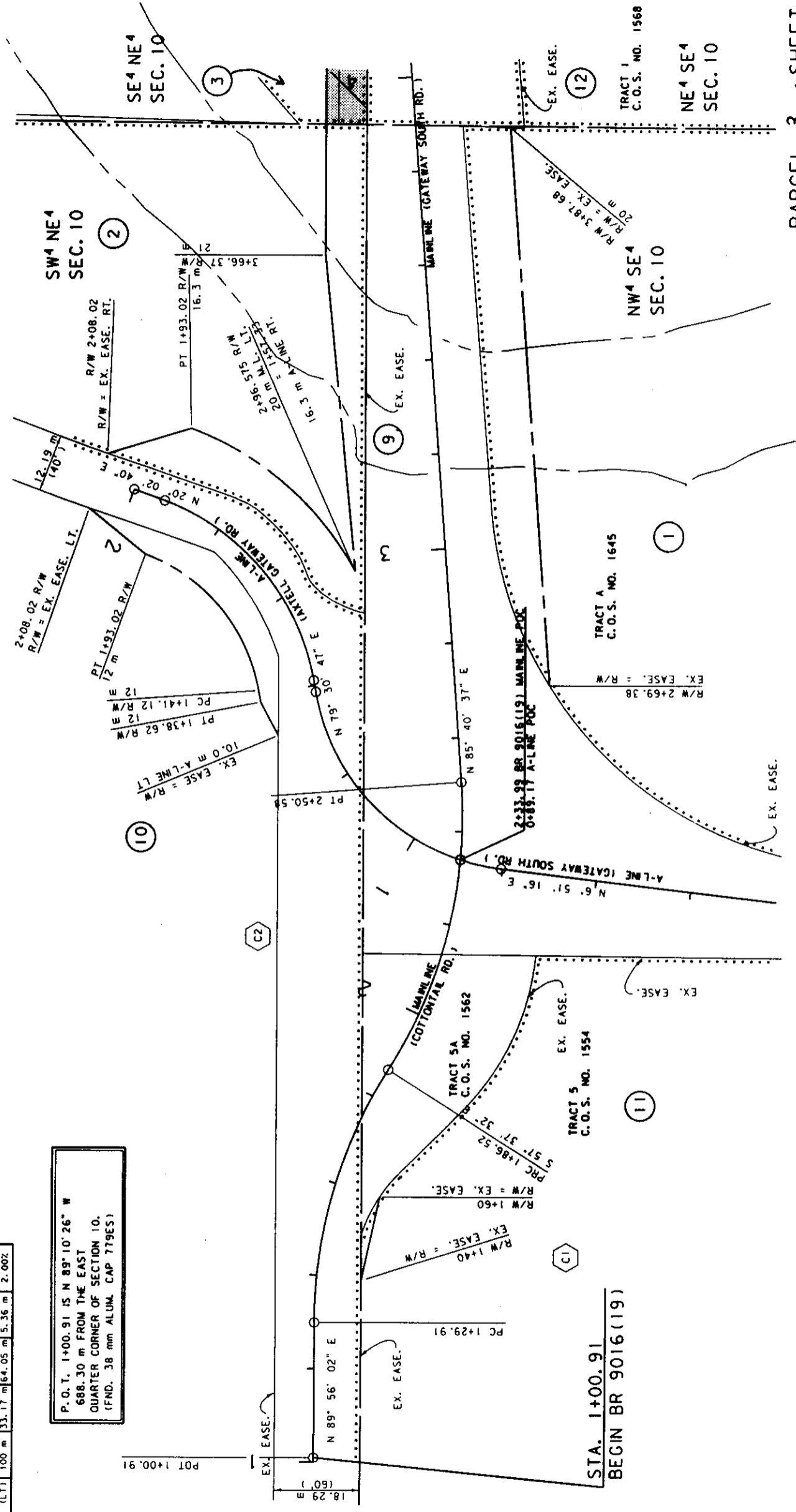
1218p01.exn
 2
 50M

STATE	RIGHT-OF-WAY ID
MONTANA	BR 9016(17)
PROJECT NUMBER 2168-017	
GALLATIN R - GALLATIN GATEWAY	

T. 3 S. N. R. 4 E.

CURVE NO.	STATION	Δ	R	T	L	E	S
C1	PI1+59.00	32°26'27"	100 m	29.09 m	56.62 m	4.15 m	2.00%
C2	PI2+19.69	36°41'53"	100 m	33.17 m	64.05 m	5.36 m	2.00%

P.O.T. 1+00.91 IS N 89°10'26" W
 688.30 m FROM THE EAST
 QUARTER CORNER OF SECTION 10.
 (FND. 38 mm ALUM. CAP 779ES)



PARCEL 3 : SHEET 1 OF 2

MONTANA
 DEPARTMENT OF TRANSPORTATION
 RIGHT OF WAY EXHIBIT
 GALLATIN COUNTY
 SCALE 1:500

LEGEND

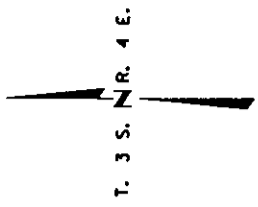
OWNERSHIP BOUNDARY	TRACT CONVEYED
RIGHT OF WAY LINE	DATE PREPARED 10-6-99
R.R. R/W LINE	DATE REVISED
CENTERLINE	THIS PLAN IS PREPARED FROM THE MONTANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OR FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDER.
FULL ACCESS CONTROL	
LIMITED ACCESS CONTROL	

- NOTES:
1. ALL MEASUREMENTS ARE METRIC EXCEPT AS NOTED
 2. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.

STATE	RIGHT-OF-WAY ID	SHEET NO.	TOTAL SHEETS
MONTANA	BR 9016(17)		

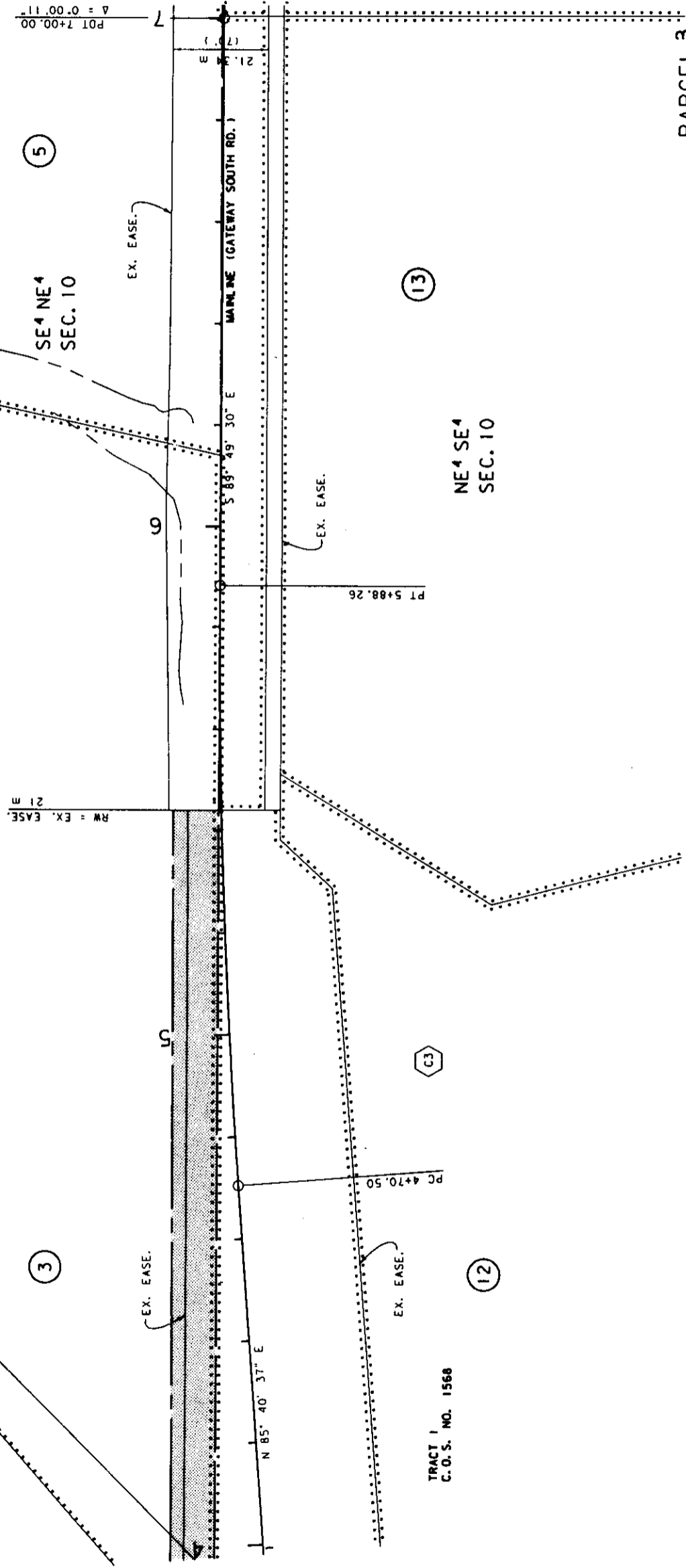
PROJECT NUMBER 2168-017
 GALLATIN R - GALLATIN GATEWAY

CURVE NO.	STATION	Δ	R	T	L	E	S
C3	PT 5+29.41	4°29'53"	RT 1,500 m	58.91 m	117.76 m	1.16 m	NC



A TRACT OF LAND AS DESCRIBED IN A QUITCLAIM DEED
 RECORDED ON FILM 112, PAGE 2296
 OFFICIAL RECORDS OF GALLATIN COUNTY, MONTANA

P.O.T. 5+88.26 IS S 89°59'54" W
 207.54 m FROM THE EAST
 QUARTER CORNER OF SECTION 10.
 (FND. 38 mm ALUM. CAP 779ES)



- NOTES:
1. ALL MEASUREMENTS ARE METRIC EXCEPT AS NOTED
 2. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.

OWNERSHIP BOUNDARY	TRACT CONVEYED
RIGHT OF WAY LINE	DATE PREPARED 10-6-99
R.R. R/W LINE	DATE REVISED 10-26-99
CENTERLINE	
FULL ACCESS CONTROL	
LIMITED ACCESS CONTROL	

THIS PLAN IS PREPARED FROM THE MONTANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP ON FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDS.

PARCEL 3 ; SHEET 2 OF 2

MONTANA
 DEPARTMENT OF TRANSPORTATION
 RIGHT OF WAY EXHIBIT
 GALLATIN COUNTY
 SCALE 1:500
 0 25M 50M

RDRW

11:29:26 05 OCT 1999 08569
 MONTANA CADD

1216803.0.dwg

Record of Deeds, Vol. 64

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

Justin M. Smith

(SEAL) Notary Public in and for the State of Montana, residing at Bozeman, Montana My commission expires December 16, 1922.

Filed for Record Sept. 26, 1921 at 1:50 P M N B Lundwall, deputy

J H Harris, County Recorder

EXAMINED WARRANTY DEED #10250

WARRANTY DEED

THIS INDENTURE made this 17th day of September, in the year of our Lord, one Thousand Nine Hundred and Twenty-one, between John Christian Steingruber, a single man, of the County of Gallatin, State of Montana, the party of the firstpart, and the County of Gallatin, of the State of Montana, the party of the second part;

WITNESSETH: That the party of the first part, for and in consideration of Sixty Three Dollars (\$63.00), lawful money of the United States of America, in hand paid, the receipt whereof is hereby acknowledged, and this Agreement which is to be executed upon the completion of the road for which this land is purchased, to-wit: to move the now existing fences along the present southern boundary of the road and place them in position along the south lines of the two pieces of ground herein deeded, HAS GRANTED, BARGAINED and SOLD, AND BY THESE PRESENTS DOES GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the party of the second part and to its assigns forever, the following described real estate, situated in the County of Gallatin, in the State of Montana, to-wit:

A strip of land ten feet (10') wide lying in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Ten (10), Township Three (3) South, Range Four (4) East, more particularly described as follows:

Beginning at a point on the east line of said Section Ten (10) from which the east quarter corner of said Section Ten (10) bears northerly along the east line of said Section Ten (10) a distance of Thirty feet (30'); thence from said point of beginning westerly along a line parallel to and Thirty feet (30') distant from the east and west center line of said Section Ten (10) a distance of Eight Hundred and Twenty six (826) feet, thence south a distance of Ten (10) feet, thence easterly along a line parallel to and Forty (40) feet distant from the east and west center line of said Section Ten (10) to a point in the east line of said Section Ten (10), thence northerly along the east line of said Section Ten (10) a distance of Ten (10) feet, more or less, to the point of beginning, containing in all, Nineteen One Hundredths of an acre (.19) more or less and

A parcel of ground lying in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Ten (10), Township Three South (3), Range Four (4) East, described as follows:

Beginning at a point in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Ten (10), Township Three (3) South, Range Four (4) East, from which the east quarter corner of said Section Ten (10) bears north Twenty (20) feet, thence easterly Eight Hundred and Twenty-six (826) feet along the east and west center line of said Section Ten (10) to the said east quarter corner; thence from said point of beginning westerly along a line parallel to and Twenty (20) feet distant from the east and west center line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section Ten (10) thence southerly along the west line of said Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) a distance of Forty feet (40'); thence North 86° 16' East, to the point of Beginning, containing in all Twenty Three One Hundredths (.23) of an acre, more or less,

Together with all the tenements, hereditaments and appurtenances to the same belonging and all the estate, title, interest, claim and demand of the said party of the first part herein;

TO HAVE AND TO HOLD the above described premises with all the appurtenances and privileges unto the party of the second part and to its assigns forever and the party of the first part, for himself and his heirs, administrators and assigns, does covenant with the said party of the second part and with its successors and assigns that he is lawfully seized of said premises and that said premises are free from all incumbrances; that he has good right and lawful authority to sell the same; that he will and his heirs, administrators and assigns shall, warrant and defend the title to said premises unto said party of the second part and its successors and assigns forever against the lawful claim and demand of all persons whomsoever;

IN WITNESS WHEREOF the said party of the first part has hereunto set his hand and seal the day and year above written.

John Christian Steingruber (SEAL)

ACKNOWLEDGMENT

STATE OF MONTANA) County of Gallatin)

: ss

On this 24th day of September, A D 1921, before me, Eugene Thorndike, a Notary Public for the State of Montana, personally appeared John Christian Steingruber, a single man, 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 Notarial Seal at my office in Willow Creek, the day and year first above written.

Eugene Thorndike,

(SEAL) Notary Public for the State of Montana, residing at Willow Creek, Montana, My commission expires Moh 5th, 1924.

Filed for Record Sept 28th, 1921 at 9:00 A M N B Lundwall, deputy

J H Harris, County Recorder.

line of said Section Ten (10) to a point in the west

DEED RECORD 65

WARRANTY DEED #10523

John Christian Steingruber
TO
County of Gallatin

WARRANTY DEED

This Indenture, Made this 11th day of October in the year of our Lord, one thousand nine hundred and twenty-one between John Christian Steingruber, a single man, of the County of Gallatin, State of Montana,

the party of the first part, and the County of Gallatin, of the State of Montana, the party of the second part;

WITNESSETH, That the said party of the first part in and for the consideration of (\$75.00) Seventy-five and no/100 Dollars, in hand paid, the receipt whereof is hereby acknowledged, has GRANTED, BARGAINED AND SOLD, and by these presents do hereby GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party of the second part, ~~and his~~ heirs forever, the following described real estate, situate in the County of Gallatin, in the State of Montana, to-wit:

Beginning at a point in the northeast quarter of the southeast quarter of section ten (10), Twp 3 South, Range 4 East, from which the east quarter corner of said section ten (10) bears north 20 feet, thence easterly 826 feet along the east and west center line of said section ten (10) to the said east quarter corner; thence from said point of beginning S 86°16' West, a distance of 496 feet, more or less, to a point in the west line of the said northeast quarter of the southeast quarter; thence southerly along the west line of said northeast quarter of the southeast quarter a distance of 50 feet; thence North 43°44' East a distance of 74 feet, more or less, to the point of beginning, containing in all 0.5 acre, more or less.

thence North 86°16' East, a distance of 496.5 feet;

Together with all the tenements, hereditaments, appurtenances, water rights and water ditches to the same belonging and all the estate, title, interest, claim and demand of the said party of the first part therein.

TO HAVE AND TO HOLD the above described premises, with all the appurtenances and privileges, unto the said party of the second part ~~and his~~ heirs forever. And the said party of the first part, for himself and his heirs, administrators and assigns do hereby covenant with the said party of the second part, ~~and his~~ heirs, administrators and assigns that he is lawfully seized of said premises, and that said premises are free from all incumbrances; that he has good right and lawful authority to sell the same, and that he will, and his heirs, administrators and assigns shall warrant and defend the title to said premises unto the said party of the second part, ~~and his~~ heirs forever, against the lawful claim and demand of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year above written.

Signed, Sealed and Delivered in presence of

Eugene Thorndike

John Christian Steingruber (SEAL)
(SEAL)
(SEAL)
(SEAL)

STATE OF MONTANA, }
County of Gallatin, } ss.

ACKNOWLEDGMENT

On this 11th day of October A. D. 1921, before me in and for said State, personally appeared John Christian Steingruber, a single man 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 hereunto set my hand and affix my notarial seal at my office in Willow Creek, Mont the day and year first above written.

(SEAL) Eugene Thorndike
Notary Public for the State of Montana, Residing at Willow Creek, Montana
My commission expires Mch 5th, 1924

Filed for Record the 22nd day of Oct. A. D. 1921, at 2:00 o'clock P M

By N B Lundwall, Deputy. J H Harris
County Recorder.

60' Right of way needs to be retained
 Except 60' right of way centered & needs to be surveyed

1568 COS NO.

1/4 COR. SEC. 10, T. 17 N., R. 4 E., M. 10 W.
 1/4 COR. SEC. 10, T. 17 N., R. 4 E., M. 10 W.

CERTIFICATE OF SURVEY NO. 1568

A TRACT OF LAND BEING A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, PRINCIPAL MERIDIAN MONTANA, GALLATIN COUNTY, MONTANA.

FOR: ROBERT E. AND HAZEL M. OLSEN TO CREATE A TRACT OF LAND.

DESCRIPTION

THE LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 EAST, PRINCIPAL MERIDIAN, GALLATIN COUNTY, MONTANA AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00-33-19 WEST A DISTANCE OF 110.00 FEET FROM THE NORTHWEST CORNER OF THE EAST ONE-HALF OF THE SAID SOUTHWEST ONE-QUARTER OF SECTION 10, THENCE EASTERLY ALONG THE UNDIVIDED RIGHT-OF-WAY OF TRACTS BEING TO SAID LAND IN UNITY THROUGH THE FOLLOWING COURSE:

NORTH 91-23-38 EAST A DISTANCE OF 406.77 FEET.
 NORTH 42-28-38 EAST A DISTANCE OF 46.34 FEET.
 SOUTH 64-57-41 EAST A DISTANCE OF 62.49 FEET.

THENCE SOUTH 31-42-13 WEST A DISTANCE OF 140.00 FEET, THENCE SOUTH 14-13-37 EAST A DISTANCE OF 1376.20 FEET, THENCE NORTH 00-33-19 WEST A DISTANCE OF 797.13 FEET, THENCE NORTH 00-33-19 EAST ALONG THE WEST LINE OF SAID EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER, A DISTANCE OF 1400.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING 20.001 ACRES ALONG WITH AND SUBJECT TO ANY EXISTING EASEMENTS.

ALL ACCORDING TO CERTIFICATE OF SURVEY NO. _____ GALLATIN COUNTY CLERK AND RECORDER RECORDS.

CERTIFICATE OF SUBSEVER

THE UNDERSIGNED, RONALD W. ALLEN, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT BETWEEN August 14, 1991, AND January 18, 1991, I SURVEYED THIS CERTIFICATE OF SURVEY, AND PLATTED SAME AS SHOWN ON THE ACCOMPANYING PLAN AND AS DESCRIBED IN ACCORDANCE WITH THE PROVISIONS OF THE MONTANA SUBDIVISION AND PLATTING ACT, SECTIONS 76, 3-101 THROUGH 76-3-614, M.C.A., AND THE GALLATIN COUNTY SUBDIVISION REGULATIONS.

ON THIS 18th DAY OF January, A.D., 1991.
 Ronald W. Allen
 PROFESSIONAL LAND SURVEYOR
 MONTANA REGISTRATION #49955

CERTIFICATE OF COUNTY TREASURER

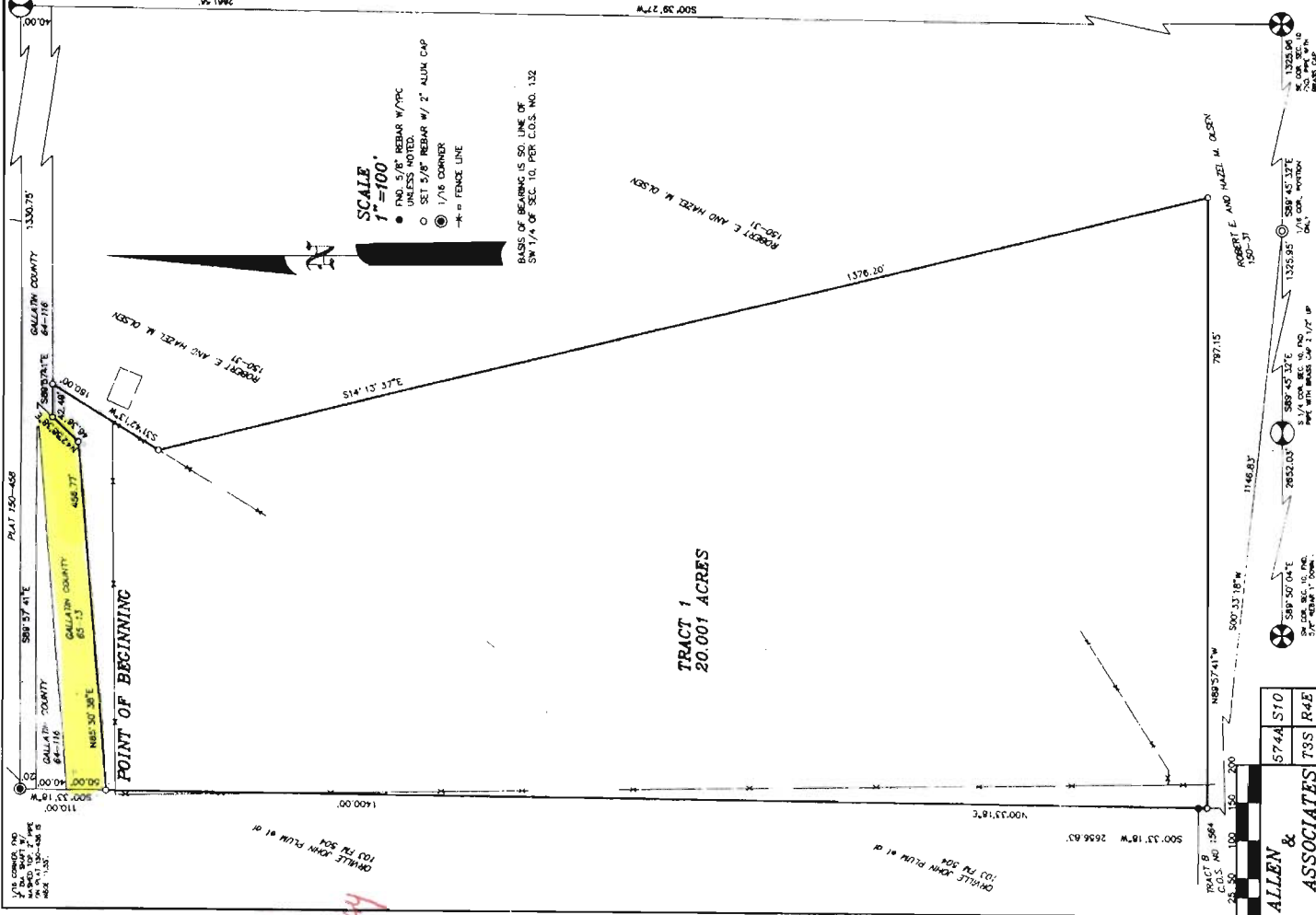
I, _____ TREASURER OF GALLATIN COUNTY, MONTANA, DO HEREBY CERTIFY THAT THE PLATTING OF THIS PLAN HAS BEEN DULY EXAMINED AND THAT NO REAL PROPERTY TAXES ASSESSED ON SAID LAND TO BE SUBDIVIDED ARE DELINQUENT.

DATED THIS 18th DAY OF January, A.D., 1991.

By: _____
 COUNTY CLERK OF GALLATIN COUNTY

22280

BY: _____
 COUNTY CLERK AND RECORDER



ALLEN & ASSOCIATES
 5744 S10
 TSS R4E

Tuesday

the 11th

day of October

19 21

County Commissioners' Office,
Bozeman, Montana.

The Honorable Board of County Commissioners met at the above named office on Tuesday the 11th day of October, A.D. 1921, at 9:00 o'clock A. M.

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Those present being Hon J E Moore, Chairman, Hon B S Duncan and Hon G W Darlinton, Commissioners, and J H Harris, County Clerk as Clerk to the Board.

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The following proceedings were had and done, to-wit:-

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The minutes of the last meeting were read and ordered approved.

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A J Busch Supt C M & ST P RY Co at Bozeman, met with the Board relative to cleaning drift for necessary channel in West Gallatin River to protect road below Irwin bridge; the Board gave Mr Busch permission to clean river of drift at this point.

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The Board went to Willow Creek and interviewed John Christian Steingruber relative to securing about one-half/20^{ac} of ground to take dirt from for use on south side of Salesville Road Project #76; the Board interviewed Mr Eugene Thorndike of the Willow Creek State Bank who agreed to make arrangements with Mr Steingruber and the Board left a deed and claim and warrant to be signed and returned; warrant being in the sum of \$75, the land being purchased at the rate of \$150. per acre.

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The Board ordered the surveyor to make a survey through the Anceny ranch occupied by Mr Alderson for change in road in order to secure better grade; this being in Section 2-Twp 3 S, Range 3 East.

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J W McLees met with the Board and complained that the culvert across the McKinnon ditch in the grade south of Ned McLees was being constructed on his ground and not in road right-of-way and requested that same be removed back to road-right-of-way; the Board agreed to investigate same.

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The Board received notice that Mr Durston was willing to permit the County to hitch to the pipe line on his property to carry city water to the poor farm with the understanding that the county bear one half the expense for maintenance across his ground and that he was unwilling to grant any permit on the land that would be permanent or run longer than he found best and that he insisted that the agreement show that at any time he gave reasonable notice to discontinue the use of this pipe line be terminated.

The Board decided that under those conditions it would be best not to consider the extending of said pipe line at this time.

The Board adjourned at 5:00 o'clock P. M.

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Attest

Approved

Clerk

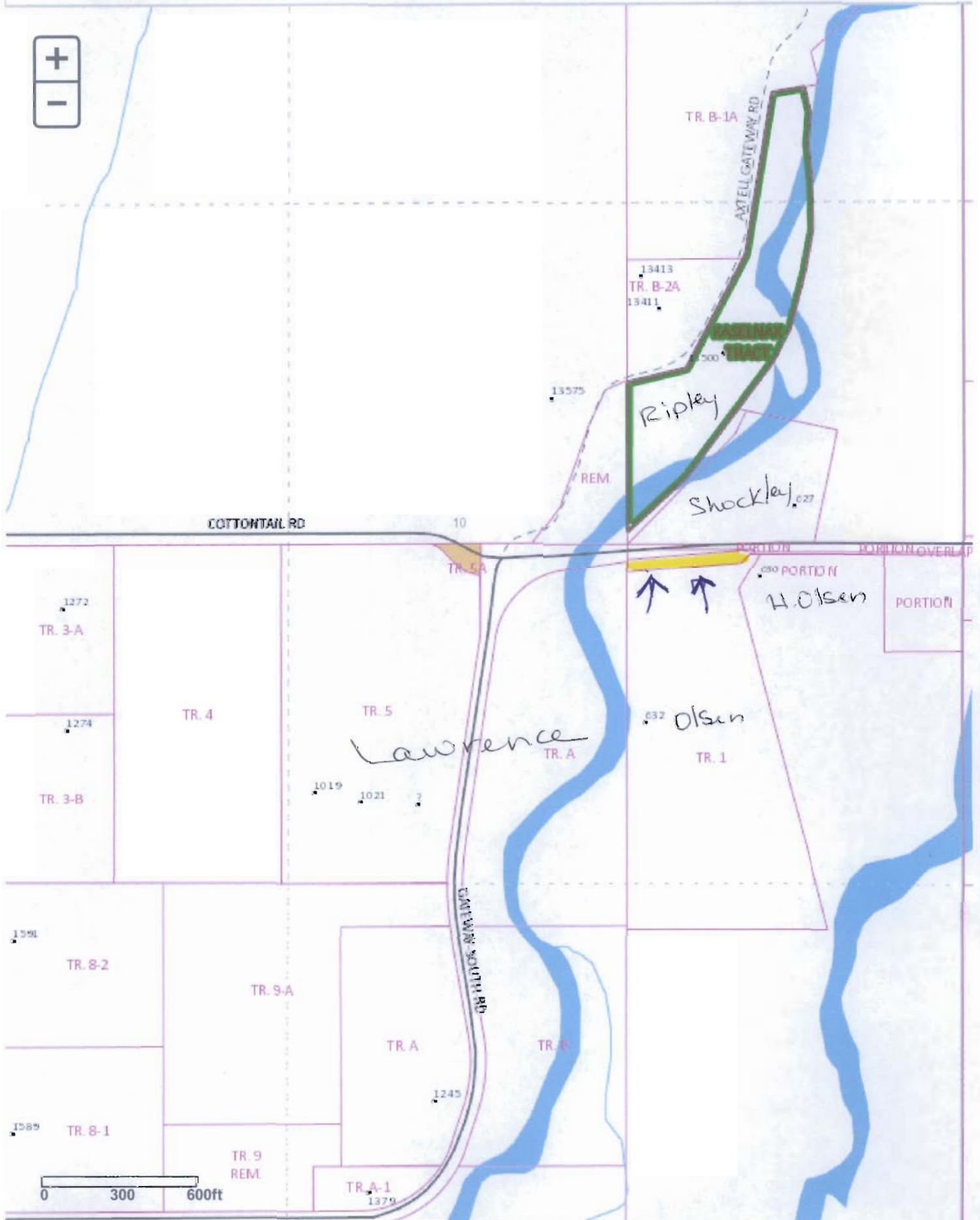
J H Harris

Chairman

J E Moore

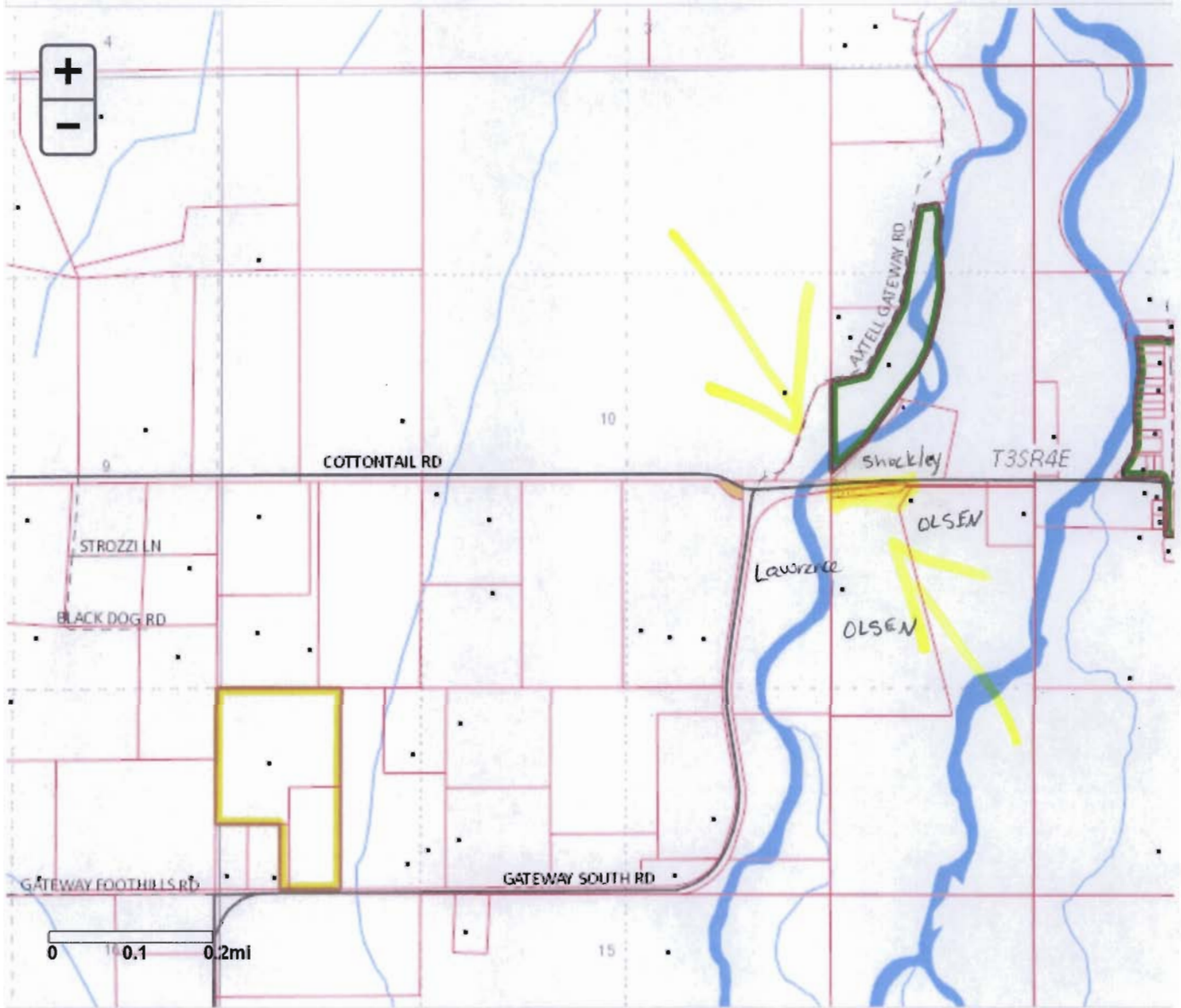
Gallatin County Clerk & Recorder Document Map Viewer

Tools Queries Help



Gallatin County Clerk & Recorder Document Map Viewer

Tools Queries Help



Approximate Map Scale: 1:18,056

Lat/Lon |

2
rock willow mat
3/4

RAE
SEC. 10 6

SEC. 10

Old 4' x 10' opening, conc. walls, wood floor. Replace with 24" x 32" pipe cul. M 6 or equiv. area.

10

PC 11+29.5

Old wood bridge 4' x 12' opening. Replace with 24" x 32" pipe cul. M 6 or equiv. area.

PI 12+42.0

$\Delta 44^{\circ}34'2"$
D 2865.0
L 1825.0
B 2865.0

PT 13+04.5
13+50.5

EQUATION

15

14' 6.0 to 17' 6.0
5th guard rail sides

Scattered willows

148' 10' steel span removed from bridge Park & arched by Century

RIVER

PC 19+26.7

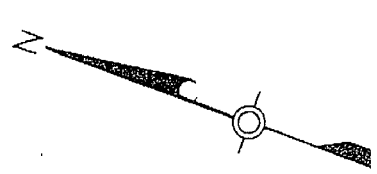
20

14' 10' to 21' 10' Both
4th guard sides

$\Delta 76^{\circ}44'1"$
D 19
L 238.7
L 1403.9
B 301.6

PI 21+65.4

PI 2



Gallatin County Elections Mapper

Gallatin County Elections | Gallatin County GIS

Tools Queries Help

Toolbar



Bureau of Land Management, Esri, HERE, DeLorme, INCREMENT P, NGA,...

Layer Control Layer Queries Results

Approximate Map Scale: 1:9,028

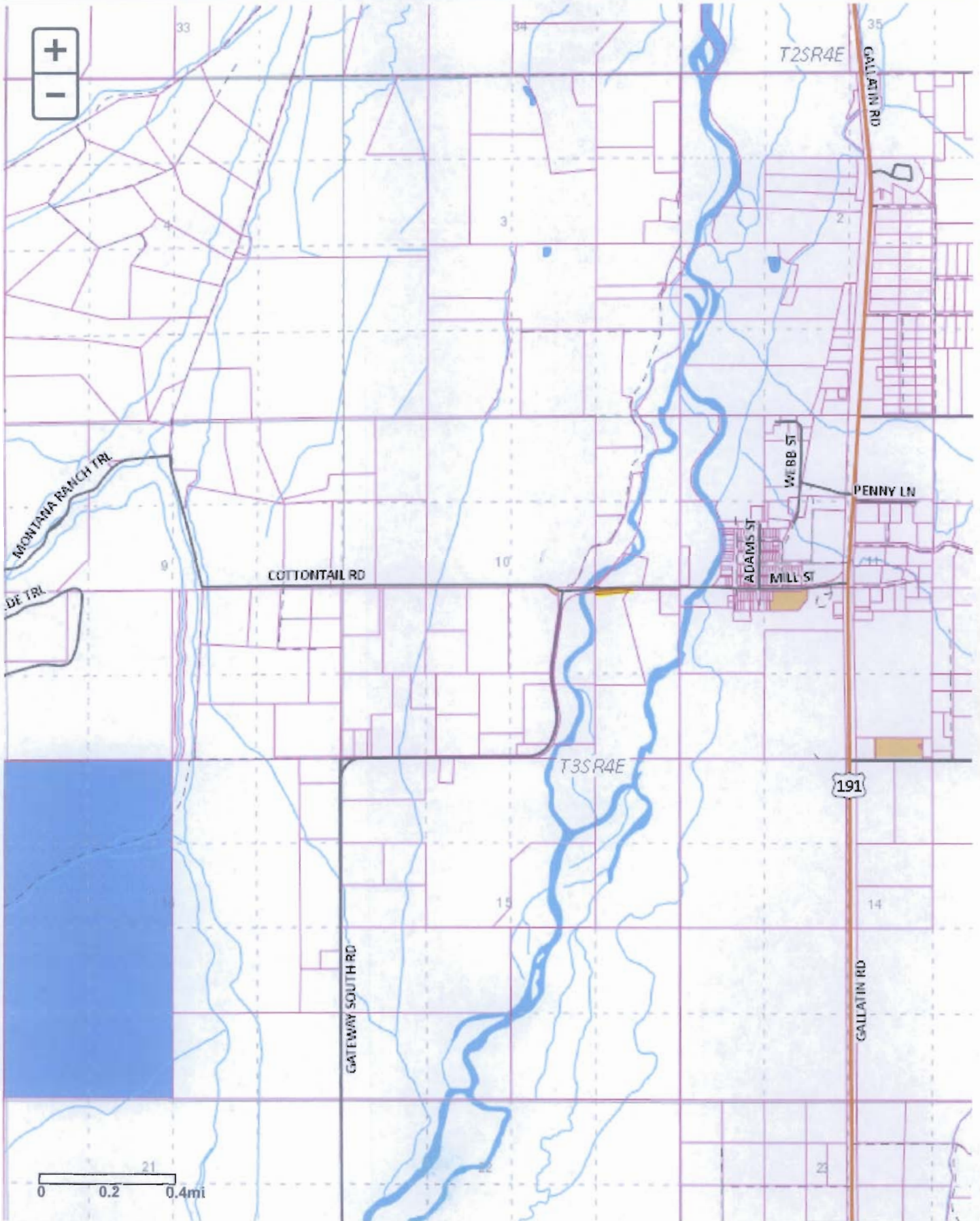
Lat/Lon DD: 45.5922/-111.2219

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*Russel +
Laurel
Olsen*

Gallatin County Clerk & Recorder Document Map Viewer

Tools Queries Help



Mills, Charlotte

Subject: FW: county road statute

From: Semerad, Eric
Sent: Tuesday, July 12, 2016 2:01 PM
To: Mills, Charlotte; Brownell, Bill; White, Steve
Subject: county road statute

Hello viewer's committee,
Here is the statute that relates to the County obtaining real property for county roads.

7-14-2107. Acquisition of right-of-way. (1) Each board of county commissioners shall contract, agree for, purchase, or otherwise lawfully acquire right-of-way for county roads over private property. It may institute proceedings under Title 70, chapter 30, paying for such right-of-way from the county road fund.

(2) Each board shall acquire rights-of-way for county roads and discontinue or abandon them only upon proper petition therefor.

(3) By taking or accepting interests in real property for county roads, the public acquires only the right-of-way and the incidents necessary to enjoying and maintaining it.

History: (1)En. Sec. 5-102, Ch. 197, L. 1965; Sec. 32-2802, R.C.M. 1947; (2), (3)En. Sec. 8-201, Ch. 197, L. 1965; Sec. 32-4001, R.C.M. 1947; R.C.M. 1947, 32-2802(part), 32-4001.

Eric Semerad
Recording Supervisor
Gallatin County, Montana
311 West Main, Room 203
Bozeman, MT 59715
(406)582-3050
eric.semerad@gallatin.mt.gov