

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.

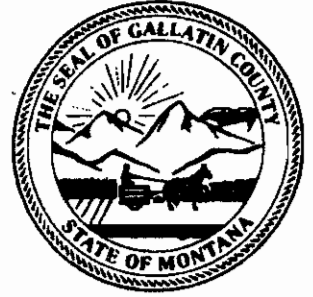
NAME Dave Ritchey PHONE 570-2850

- 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: 11/29/16
  - a) Prepare draft resolution appointing viewing committee and assigning Petition # 843.
  - 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: 6/20/17
- 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 7/11/17
- 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 6/25/2017 & July 2, 2017
- 13) Post notice in 5 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.
- 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 #2017-069, a Resolution made pursuant to Road Abandonment Petition No. 843 to abandon a portion of Calico Drive dedicated on Dependent Survey #19 and Certificate of Survey #67 in Section 18, Township 2 South, Range 5 East, Gallatin County, Montana, was mailed to the following landowners on July 14, 2017.

Duane A. and Joan M. Denton 1495 W. Cameron Bridge Rd. Bozeman, MT 59718
Middle Creek Academy, Inc. 1570 Cobb Hill Rd. Bozeman, MT 59718
David A. and Beverly Sue Ritchey 1568 Cobb Hill Rd. Bozeman, MT 59718
Margaret E. and Clarence N. Kelley 1506 Cobb Hill Rd. Bozeman, MT 59718

Charlotte Mills
CHARLOTTE MILLS
Clerk and Recorder
Gallatin County, Montana

By: Veniece Lindemulder, Deputy
Seal of Gallatin County, State of 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 **NOTICE OF PUBLIC HEARING** to abandon a portion of Calico Drive dedicated on Dependent Survey #19 and Certificate of Survey #67 in Section 18, Township 2 South, Range 5 East, Gallatin County, Montana, pursuant to Road Abandonment Petition No. 843, was posted by June 22, 2017 in the following four (4) public locations:

1. Intersection of Calico Road and Gooch Hill Road
2. Intersection of Calico Road and Falcon Lane
3. Intersection of Gooch Hill Road and Huffine Lane
4. Gallatin County Courthouse Lobby

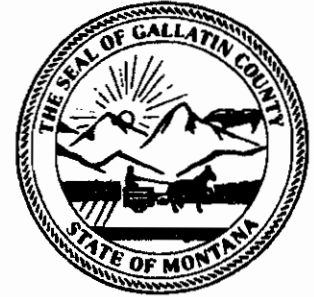
*Charlotte Mills*  
\_\_\_\_\_  
CHARLOTTE MILLS  
Clerk and Recorder  
Gallatin County, Montana



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 Viewing Committee Report and Notice of Public Hearing to abandon a portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey No. 19, and further recorded in Film 65 Page 2187, according to the surveys thereof, on file and of record in the office of the Clerk & Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana was mailed to those listed below on June 23, 2017.

Name Address

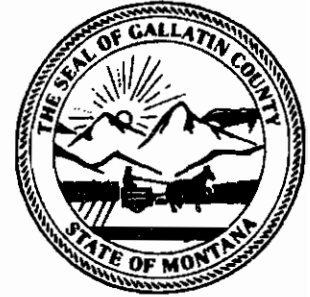
Table with 6 columns: Name, Address, City, State, Zip. Lists various individuals and organizations in Bozeman, MT, with their mailing addresses.

Charlotte Mills
CHARLOTTE MILLS
Clerk and Recorder
Gallatin County, Montana

State of Montana

*County of Gallatin*

Bozeman



**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on July 11, 2017, 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 portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey No. 19, and further recorded in Film 65 Page 2187, according to the surveys thereof, on file and of record in the office of the Clerk & Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., 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 21<sup>st</sup> day of June, 2017.

*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 portion of Calico Drive.

Legal Description: That part of Calico Drive as dedicated on the plat of Certificate of Survey No. 67, and as dedicated on the plat of Dependent Resurvey No. 19, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana.

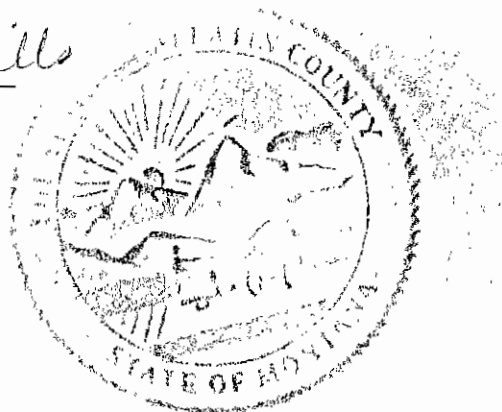
STATE OF MONTANA )
)ss
COUNTY OF GALLATIN)

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 18th day of November 2016, A.D.

Charlotte Mills

Charlotte Mills
Clerk and Recorder
Gallatin County, Montana



State of Montana

*County of Gallatin*

Bozeman



June 20, 2017

Board of County Commissioners  
Gallatin County Courthouse  
Bozeman, MT 59715

RE: Petition to abandon a portion of Calico Drive

**Legal Description:** That portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey No. 19, and further recorded in Film 65 Page 2187, according to the surveys thereof, on file and of record in the office of the Clerk & Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., 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 Thursday, December 29, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department, to view the road petitioned for abandonment. The proposed portion of Calico Drive to be abandoned has never been developed, and furthermore has a drop-off into the Hyalite Creek drainage that would make construction of the road difficult.

Three documents were filed with the Gallatin County Clerk and Recorder's office that show the dedication of this portion of Calico Drive. It appears that the Gallatin County Board of County Commissioners has never accepted the dedication. This acceptance is required by §7-14-2101(4)(b)(ii), MCA.

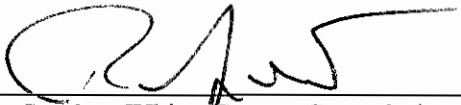
A dedication for Dependent Survey No. 19 was recorded separately on Film 65 Page 2187, but has not been accepted. Certificate of Survey No. 67 has language stating, "The lands included in the road right of way shown on said plat are hereby granted, donated, and dedicated to the use of the public forever." The Clerk's office also has no record of that right of way being accepted.

The Viewing Committee does find that this portion of Calico Drive does not provide existing legal access to public lands or waters. Also, two or more landowners do not use this portion of Calico Drive to access private property.

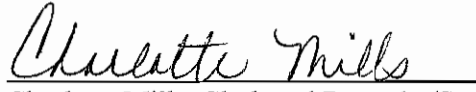
In order to abandon the portion of Calico Drive as petitioned, the County must first obtain jurisdiction over the right-of-way as a "county road." The viewing committee recommends that the Gallatin County Board of County Commissioners accepts the dedications for roads shown on Certificate of Survey 67 and Dependent Survey No. 19, further recorded in Film 65 Page 2187. At that point, the County will have jurisdiction and authority to act on the abandonment process.

Accordingly, we recommend abandoning the described portion of Calico Drive upon the actions provided in this letter.

Respectfully submitted,



R. Stephen White, County Commissioner



Charlotte Mills, Clerk and Recorder/Surveyor



RESOLUTION NO. 2017- 069

A RESOLUTION MADE PURSUANT TO ROAD ABANDONMENT PETITION NO. 843 TO ABANDON A PORTION OF CALICO DRIVE, BOZEMAN, MONTANA

Clerk & Recorder

This Resolution was introduced by Charlotte Mills; moved by Commissioner White and seconded by Commissioner Seifert. This Resolution was adopted unanimously. Commissioner Skinner was excused.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition on November 14, 2016, to abandon a portion of Calico Drive, pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey 19, and further recorded in Film 65 Page 2187, according to the surveys thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana (hereinafter referred to as the "Road");

WHEREAS, upon acceptance of the Petition, the Clerk & Recorder assigned the Number 843 to the Petition;

WHEREAS, the Petition states the necessity for and advantage of the abandonment is: "Petitioners intend to place land including the ROW (Right-of-Way) into a conservation easement thereby limiting or prohibiting development and protecting wildlife and riparian zone;"

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 November 18, 2016, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA;

WHEREAS, on November 29, 2016 the Board of County Commissioners passed Resolution 2016-131 which caused an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition and appointed a viewing committee consisting of County Commissioner Steve White and the County Surveyor, Charlotte Mills;

2585759

Page: 1 of 3 07/17/2017 02:42:00 PM Fee: \$0.00 MISC  
Charlotte Mills - Gallatin County, MT



A RESOLUTION MADE PURSUANT TO ROAD ABANDONMENT PETITION NO. 843 TO ABANDON A PORTION OF CALICO DRIVE, BOZEMAN, MONTANA



Certified to be a full, true and correct copy of a document containing 3 pages. Dated at Bozeman, MT, 4-17-2017.  
Charlotte Mills Clerk & Recorder for Gallatin County, State of Montana. Any alteration of this copy voids the certification.

By: [Signature] Deputy

WHEREAS, on December 29, 2016, the viewing committee met to view the road being petitioned for abandonment;

WHEREAS, in the viewers' report dated June 20, 2017, the viewing committee reported: "On Thursday, December 29, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department, to view the road being petitioned for abandonment";

WHEREAS, the viewing committee reported that the Road does not provide existing legal access to public lands or waters. In addition, two or more landowners do not use the Road to access private property;

WHEREAS, the viewing committee recommended that the Gallatin County Board of County commissioners accept the dedication for the Road as shown on Certificate of Survey 67 and Dependent Resurvey 19, further recorded in Film 65 Page 2187, and then abandon the Road as petitioned;

WHEREAS, on July 11, 2017, the Gallatin County Commissioners passed Resolution ~~2017-069~~ to accept the road dedication made on Certificate of Survey 67 and Dependent Resurvey 19, further recorded in Film 65 Page 2187, Gallatin County, Montana; and

WHEREAS, by June 22, 2017 notices were posted in four (4) public places including a notice at the intersection of the Road and Gooch Hill Road; the intersection of the Road and Falcon Lane; at the intersection of Gooch Hill Road and Huffine Lane; and the Gallatin County Courthouse lobby. A Notice of Public Hearing to be held on July 11 was published in the Bozeman Daily Chronicle on June 25, 2017 and July 2, 2017; and mailed to petitioners and all landowners adjacent to the Road along with a viewers' report on June 23, 2017;

WHEREAS, the notice to the petitioners put them on notice of the change in the Road to be abandoned;

WHEREAS, on July 11, 2017, the Gallatin County Commissioners conducted a public hearing, after notice, on the Petition and the results of the investigation; and

WHEREAS, on July 11, 2017, the Gallatin County Commissioners found that granting the Petition to abandon the Road can be made without detriment to the public interest.

NOW THEREFORE BE IT RESOLVED:

1. That portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey 19, and further recorded in Film 65 Page 2187, according to the surveys thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana is hereby 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 abandoned street. 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 11<sup>th</sup> day of July 2017.

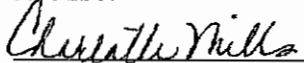
BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY



Don Seifert  
Chairman

July 11, 2017  
Date

ATTEST:



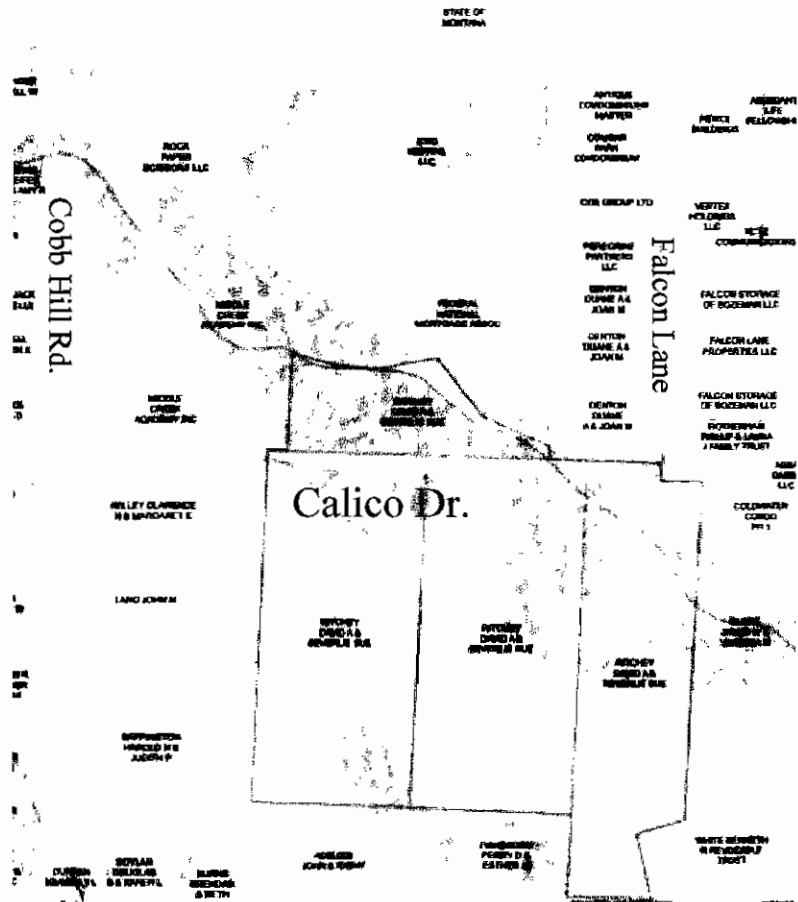
Charlotte Mills  
Clerk and Recorder  
Gallatin County

# NOTICE OF PUBLIC HEARING

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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.

21<sup>st</sup> day of June, 2017.  
Charlotte Mills  
Clerk and Recorder  
Gallatin County, Montana



RESOLUTION NO. 2017- 069

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Clerk & Recorder  
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WHEREAS, the Road is described as that portion of Calico Drive as dedicated on Certificate of Survey No. 67, and as dedicated on Dependent Resurvey 19, and further recorded in Film 65 Page 2187, according to the surveys thereof on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey 67 with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana (hereinafter referred to as the "Road");

WHEREAS, upon acceptance of the Petition, the Clerk & Recorder assigned the Number 843 to the Petition;

WHEREAS, the Petition states the necessity for and advantage of the abandonment is: "Petitioners intend to place land including the ROW (Right-of-Way) into a conservation easement thereby limiting or prohibiting development and protecting wildlife and riparian zone;"

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 November 18, 2016, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA;

WHEREAS, on November 29, 2016 the Board of County Commissioners passed Resolution 2016-131 which caused an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition and appointed a viewing committee consisting of County Commissioner Steve White and the County Surveyor, Charlotte Mills;

WHEREAS, on December 29, 2016, the viewing committee met to view the road being petitioned for abandonment;

WHEREAS, in the viewers' report dated June 20, 2017, the viewing committee reported: "On Thursday, December 29, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department, to view the road being petitioned for abandonment";

WHEREAS, the viewing committee reported that the Road does not provide existing legal access to public lands or waters. In addition, two or more landowners do not use the Road to access private property;

WHEREAS, the viewing committee recommended that the Gallatin County Board of County commissioners accept the dedication for the Road as shown on Certificate of Survey 67 and Dependent Resurvey 19, further recorded in Film 65 Page 2187, and then abandon the Road as petitioned;

WHEREAS, on July 11, 2017, the Gallatin County Commissioners passed Resolution ~~2017-069~~ to accept the road dedication made on Certificate of Survey 67 and Dependent Resurvey 19, further recorded in Film 65 Page 2187, Gallatin County, Montana; and

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WHEREAS, the notice to the petitioners put them on notice of the change in the Road to be abandoned;

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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 abandoned street. 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 11<sup>th</sup> day of July 2017.

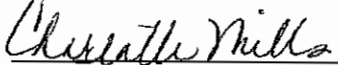
BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY



Don Seifert  
Chairman

July 11, 2017  
Date

ATTEST:



Charlotte Mills  
Clerk and Recorder  
Gallatin County

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: Only so much of County ROW as described in Exhibit A and shown in aerial photo Exhibit B in orange.

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):

Undeveloped ROW extending West from the intersection of Calico Dr. and Falcon Ln. and ending at west end of petitioners property. West end of ROW ends at Cobb Hill Rd.

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. Duane A. Denton  
Joan M. Denton

14915 W. Cameron Bridge Rd.  
Bozeman, MT 59718

Legal Description of Property Block A, Lot 7, Cougar Park West  
subdivision

2. Middle Creek Academy,  
Inc.

1570 Cobb Hill Rd.  
Bozeman, MT 59718

Legal Description of Property \_\_\_\_\_

3. David A. Ritchey  
Beverlie Sue Ritchey

1568 Cobb Hill Rd.  
Bozeman, MT 59718

Legal Description of Property See attached Exhibit E for property  
descriptions of four parcels.

4. \_\_\_\_\_

Legal Description of Property \_\_\_\_\_

5. \_\_\_\_\_

Legal Description of Property \_\_\_\_\_

RECEIVED

Dave Ritchey 570.2850

NOV 14 2016

Clerk & Recorder  
Gallatin County, Mont.



**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. \_\_\_\_\_  
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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:

Landowners Duane and Joan Denton are not to be included in the Conservation easement in the event the ROW is abandoned and they are granted property that was included in the ROW.

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:

N/A

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

- Relieves County of potential obligation to construct road thru heavily forested riparian area, construct bridge across creek, and maintenance.
- Places ROW into private ownership with a history of conservation.
- Petitioners land and Row comprises 1/2 mile of Middle Ck. and riparian area is home to a wide variety of birds, bears, fox, coyote, deer, racoon, badger and moose. Petitioners intend to place land including Row into a conservation easement, thereby limiting or prohibiting development and protecting wildlife and riparian zone.

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, to the best of petitioners knowledge other than utilities that service petitioners home and business

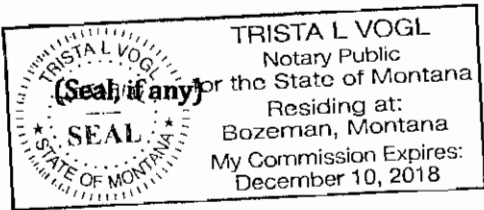
State of Montana  
County of Gallatin

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

Beverlie Sue Ritchey  
(Signature of petition gatherer.)

David A. Ritchey

Signed and sworn to (or affirmed) before me on October 21, 10 2016  
by Beverlie & David Ritchey.



Trista L Vogl  
Signature of notarial officer  
Trista L Vogl  
Name - typed, stamped, or printed  
Notary  
Title (and Rank)

Residing at Bozeman mt  
My commission expires: Dec 10 2018

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. James D. Wallace 1587 Cobb Hill Rd.  
Signature Address  
James D. Wallace Bozeman, MT 59718  
Printed Name City, State, Zip  
10-24-16  
Date

Legal Description of Property See Exhibit C for full legal description

2. Margaret E. Kelley 1506 Cobb Hill Rd.  
Signature Address  
Margaret E. Kelley Bozeman, MT 59718  
Printed Name City, State, Zip  
10.24.16  
Date

Legal Description of Property See exhibit D for full legal description

3. Clarence N. Kelley 1506 Cobb Hill Rd.  
Signature Address  
Clarence N. Kelley Bozeman, MT 59718  
Printed Name City, State, Zip  
10.24.16  
Date

Legal Description of Property See exhibit D for full legal description

4. David A. Ritchey 1568 Cobb Hill Rd.  
Signature Address  
David A. Ritchey Bozeman, MT 59718  
Printed Name City, State, Zip  
11.10.16  
Date

Legal Description of Property See exhibit E for full legal description

5. Beverlie Sue Ritchey 1568 Cobb Hill Rd.  
Signature Address  
Beverlie Sue Ritchey Bozeman, MT 59718  
Printed Name City, State, Zip  
11.10.16  
Date

Legal Description of Property See exhibit E for full legal description

6. \_\_\_\_\_

Signature

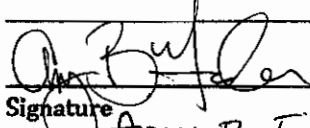
Address

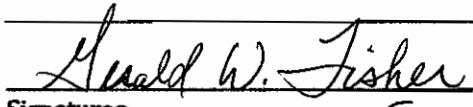
Printed Name

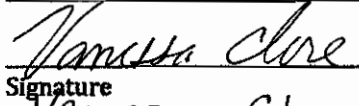
City,State,Zip

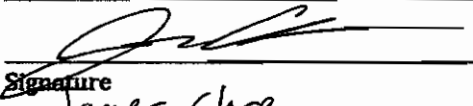
Date

Legal Description of Property

7.   
 Signature Amy B Fisher Address 1425 Cobb Hill Rd  
 Printed Name Amy B Fisher Bozeman MT 59718  
 Date 10/24/16 City,State,Zip  
 Legal Description of Property See exhibit F for legal description

8.   
 Signature Gerald W. Fisher Address 1425 Cobb Hill Rd  
 Printed Name GERALD W. FISHER BOZEMAN, MT. 59718  
 Date 10/24/16 City,State,Zip  
 Legal Description of Property See exhibit F for legal description

9.   
 Signature Vanessa Clore Address 8360 Calico  
 Printed Name Vanessa Clore Bozeman, Mt. 59718  
 Date 11.3.16 City,State,Zip  
 Legal Description of Property See exhibit G for legal description

10.   
 Signature James Clore Address 8360 Calico Dr.  
 Printed Name James Clore Bozeman, Mt. 59718  
 Date 11.3.16 City,State,Zip  
 Legal Description of Property See Exhibit G for legal description

11. [Signature]  
Signature Timothy TARANTO  
Printed Name 11/3/16  
Date  
Address 1499 COBB Hill Rd  
BOZEMAN, MT 59718  
City, State, Zip  
Legal Description of Property See exhibit H for legal description

12. [Signature]  
Signature Kelly M. Tarant  
Printed Name Kelly M. Tarant  
Date 11/3/16  
Address 1499 Cobb Hill Rd  
BOZEMAN, MT 59718  
City, State, Zip  
Legal Description of Property See exhibit H for legal description

13. [Signature]  
Signature Duane A. Denton  
Printed Name Duane A. Denton  
Date 11-10-2016  
Address 1495 W. Cameron Br. Rd.  
Bozeman, MT. 59718  
City, State, Zip  
Legal Description of Property Lot 7 in Block A, Cougar Park west  
Subdivision (see Exhibit I for full legal description)

14. [Signature]  
Signature Joan M Denton  
Printed Name JOAN M DENTON  
Date 11-10-2016  
Address 1495 W Cameron Br. Rd  
Bozeman Montana 59718  
City, State, Zip  
Legal Description of Property Lot 7 in Block A, Cougar Park west  
Subdivision (see Exhibit I for full legal description)

15. [Signature]  
Signature John M Jay  
Printed Name John Jay  
Date 11/13/2016  
Address 1440 Cobb Hill Rd  
Bozeman, MT  
City, State, Zip 59718  
Legal Description of Property See exhibit K for property  
description

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. Hattie Baker <sup>mem Board</sup> (Secretary) 1572 Cobb Hill Rd.  
Signature Hattie Baker Address Bozeman, MT 59718  
Printed Name 11/7/2016 City, State, Zip  
Date

Legal Description of Property Lots 1 and 2 Bronson Minor Subdivision  
MiddleCreek Academy, Inc. (see exhibit J)

2. \_\_\_\_\_  
Signature \_\_\_\_\_ Address \_\_\_\_\_  
Printed Name \_\_\_\_\_ City, State, Zip \_\_\_\_\_  
Date \_\_\_\_\_  
Legal Description of Property \_\_\_\_\_

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. \_\_\_\_\_

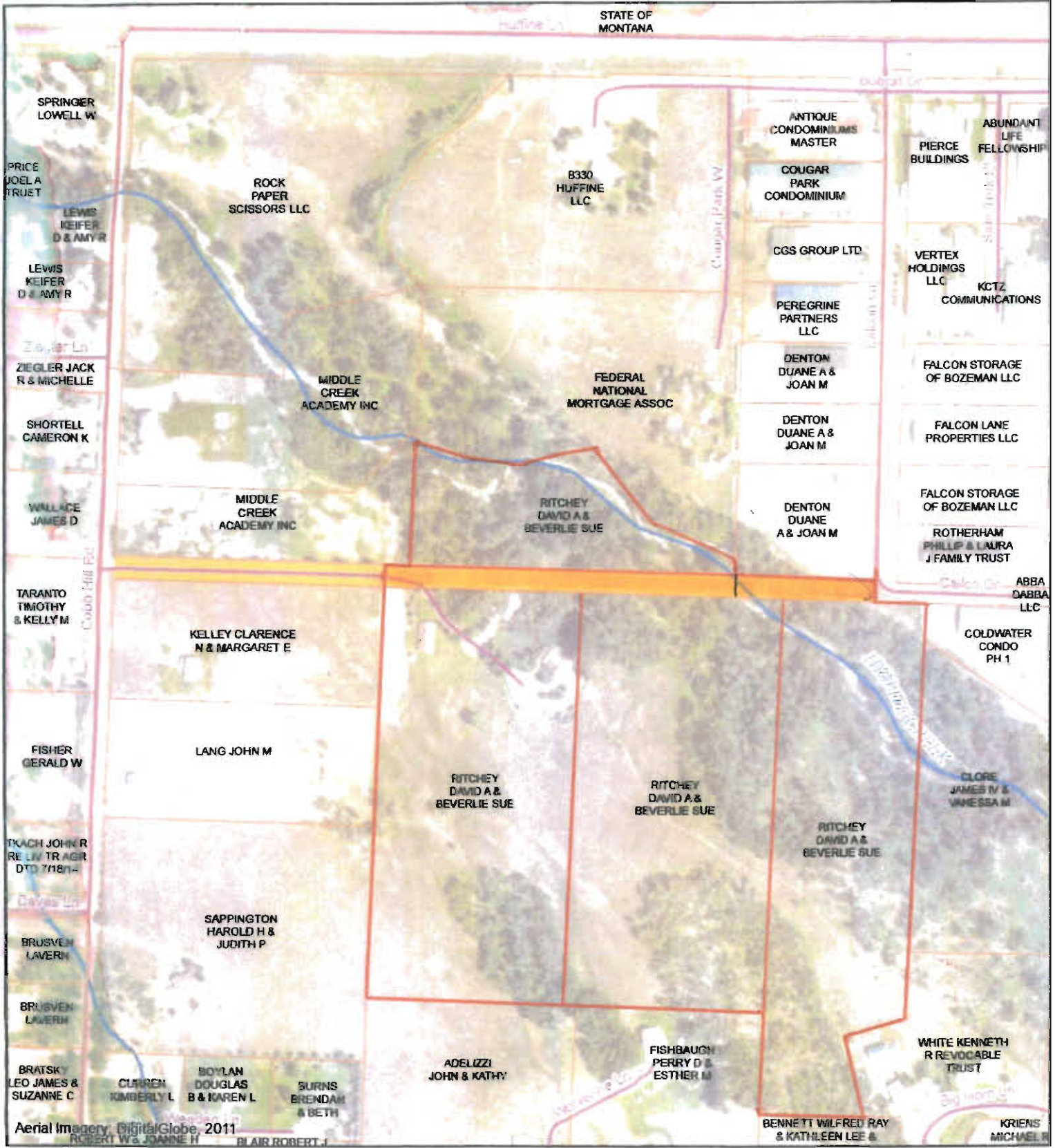
## **Exhibit A**

### **Legal Description of the Portion of Calico Drive to be Abandoned**

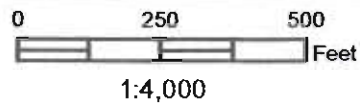
That part of Calico Drive as dedicated on the plat of Certificate of Survey No. 67, and as dedicated on the plat of Dependent Resurvey No. 19, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana.



# RIGHT-OF-WAY LOCATION MAP (Exhibit B)



- Subject Right-of-Way
- Cadastral Parcels
- Existing Roads



Date: September 20, 2016



Disclaimer: information provided on this map is for illustrative purposes only and should not be relied upon to identify legal boundaries

Exhibit C

WARRANTY DEED

FOR VALUE RECEIVED, MARK R. LAMBRECHT and AMY LAMBRECHT, the Grantors, do hereby grant, bargain, sell, convey and confirm unto JAMES D. WALLACE of 1587 Cobb Hill Road, Bozeman, Montana 59718 the Grantee and his assigns, the following described premises in Gallatin County, Montana, to-wit:

A tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13, Township 2 South, Range 4 East, M.P.M., Gallatin County, Montana, more particularly described as follows: Beginning at a point which bears South 0°56' West from the Northeast corner of Section 13, Township 2 South, Range 4 East, M.P.M., a distance of 1115.5 feet along the East line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13 to the Point of Beginning; thence continuing South 0°56' West a distance of 208.7 feet to the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13, thence North 89°45' West a distance of 417.4 feet along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence North 0°56' East a distance of 213.4 feet; thence South 89°04' East a distance of 417.4 feet to the point of beginning, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana. (Survey Reference: Book 141 of Deeds, page 614)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and his 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 except rights-of-way, federal patents and mineral reservations, easements, and building and use restrictions of record and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 18<sup>th</sup> day of October, 2001.

Mark R. Lambrecht  
Mark R. Lambrecht

Amy Lambrecht  
Amy Lambrecht

STATE OF MONTANA )  
: ss.  
County of Gallatin )

On this 18<sup>th</sup> day of October, 2001, before me, a Notary Public in and for said State, personally appeared MARK R. LAMBRECHT and AMY LAMBRECHT, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Sarah Crow  
Notary Public for the State of Montana.  
Residing at Bozeman, Montana.  
My commission expires: 10-17-2004

Exhibit D

American Land Title Company  
1800 West Koch / P.O. Box 396  
Bozeman, Montana 59715 / 59771-0396  
-Order No. R-34673

DEED OF RECONVEYANCE

AMERICAN LAND TITLE COMPANY as Trustee in that certain Deed of Trust/Trust Indenture executed by Clarence N. Kelley and Margaret E. Kelley, to American Federal Savings Bank, dated April 23, 1999 and recorded in Film 197, page 3323, as Document No. 389937, records of Gallatin County, Montana, pursuant to the written request of the Beneficiary, does hereby GRANT and RECONVEY unto the PARTIES ENTITLED THERETO,

A tract of land located in Government Lot 2 of Section 18, Township 2 South, Range 5 East, P.M.M., Gallatin County, Montana, commonly known as Certificate of Survey No. 641A, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

without Warranty, all the estate and interest derived to it by or through said Deed of Trust/Trust Indenture, in the lands therein described.

AMERICAN LAND TITLE COMPANY, TRUSTEE

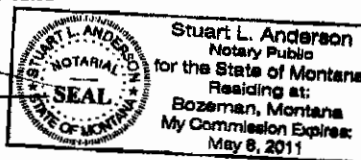
Dated: December 29, 2010

By: Marceia L. Stoner  
Marceia L. Stoner - Assistant Secretary

State of Montana )  
County of Gallatin ) ss.

On this 29th day of December in the year of 2010, before me, a Notary Public in and for said State, personally appeared Marceia L. Stoner known to me to be the Assistant Secretary of said Company that executed the within instrument or the person who executed the instrument on behalf of said Company, and acknowledged to me that said Company executed the same.

Stuart L. Anderson  
Stuart L. Anderson Notary Public for the State of Montana



Residing at Bozeman, Montana

My Commission expires May 8, 2011

This instrument furnished by AMERICAN LAND TITLE COMPANY

2378930  
Page: 1 of 1  
Charlottesville, VA  
12/29/2010 03:59:46 PM  
Fee: \$7.00  
REL

# Exhibit E

## OWNERS

### SCHEDULE A

Office File Number	Policy Number	Date of Policy	Amount of Insurance	Premium
1-60571	A60-403142	July 6, 1999 at 2:24 P.M.	\$565,000.00	\$1,586.50

1. Name of Insured:

DAVID A. RITCHEY AND BEVERLIE SUE RITCHEY

2. The estate or interest in the land which is covered by this policy is: fee simple

3. Title to the estate or interest in the land is vested in:

David A. Ritchey and Beverlie Sue Ritchey, as joint tenants

4. The land referred to in this policy is described as follows:

PARCEL I:

Tract 1 of Certificate of Survey No. 67, a tract of land located in the W½ of Section 18, Township 2 South, Range 5 East, M.P.M., Gallatin County, 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.

PARCEL II:

Tract 2 of Certificate of Survey No. 67, a tract of land located in the W½ of Section 18, Township 2 South, Range 5 East, M.P.M., Gallatin County, 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.

PARCEL III:

Tract 24A-1 of Certificate of Survey No. 761-E, two tracts of land being Tract 24A of Certificate of Survey No. 761 and Tract A-1 of Certificate of Survey No. 761-D and located in the NW¼, NE¼, SW¼, and SE¼ of Section 18, Township 2 South, Range 5 East, M.P.M., Gallatin County, 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.

PARCEL IV:

A tract of land located in the NW¼ of Section 18, Township 2 South, Range 5 East, M.P.M., Gallatin County, Montana, being further described as follows:

Beginning at a point on the North line of the Road Tract of Certificate of Survey No. 67, said point being South 89°04'25" East, a distance of 737.78 feet from the Northwest corner of said tract; thence North 00°56'13" East along the East line of that tract shown on Film 5, page 1126, a distance of 330.93 feet to a point on the thread of Middle Creek; thence Easterly along said thread of Middle Creek, being also the South line of that tract

(continued)

**COPY**

\_\_\_\_\_  
(Authorized Signature)

Exhibit A



2088038  
Page: 1 of 1  
11/19/2002 11:28A

Shelley Vance-Ballatin Co MT DEED 6.00

QUIT CLAIM DEED

INSTRUMENT OF POOR  
PHOTOGRAPHIC QUALITY

GERALD W FISHER herein referred to as seller, whether one or more, in consideration of ONE DOLLAR and other valuable considerations, does hereby remise, set over and forever quit claim unto ARAY B. FISHER of 425 Cobb Hill Road herein referred to as buyer, whether one or more, and to buyer's heirs and assigns forever, all of the following real property in Bozeman, MT County, Gallatin:

A tract of land in the SE 1/4 NE 1/4 of Section 13, Township 2 South Range 4 East, M.P.M., Gallatin County, Montana, more particularly described as follows: Commencing at a point on the East line of said quarter of quarter section which is 330.00 feet South of the Northeast corner of said quarter of quarter section, thence from said point of beginning, running, running south 89 degrees 46' west 264.0 feet, thence South 0 degrees 45' West, 330.0 feet, thence North 89 degrees 46' East, 264.0 feet, thence North 0 degrees 45' East, 330.0 feet to the point of beginning, according to the survey recorded in book 131, page 361, records of Gallatin County, Montana.

TOGETHER WITH all tenements, hereditament and appurtenances thereto, and all reversions and remainders, and all rents, issues and profits thereof, and all right, title and interest of the seller therein.

TO HAVE AND TO HOLD all and singular the said premises, together with appurtenances unto the buyer, and to the buyer's heirs and assigns forever.

IN WITNESS WHEREOF, this instrument is executed this 19<sup>th</sup> day of Nov 2002

Gerald W. Fisher  
Aray B. Fisher

STATE OF MONTANA  
County of Gallatin :ss.

On this 19<sup>th</sup> day of NOVEMBER 2002, before me, the undersigned, a Notary Public for the State of MT, personally appeared GERALD W FISHER + ARAY B FISHER known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she executed the same.

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



Darla Davidson  
NOTARY PUBLIC for State of MT  
Residing at Bozeman Gallatin County  
My commission expires: 11/15/2004  
DARLA DAVIDSON

Montana Cadastal

Exhibit G

Please return to:  
Security Title Company  
600 South 19th  
Bozeman, MT 59718

2493000

Page: 1 of 2    09/28/2014 11:58:28 AM    Fee: \$14.00  
Security Title - Gallatin County, MT    DEED

① STL - 614498

WHEN RECORDED, RETURN TO:  
James Clore IV and Vanessa M. Clore  
8360 Calico Drive  
Bozeman, MT 59718

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS:

THAT for value received, FRANK KOUTNY and JOYCE M. KOUTNY whose mailing address is 8360 Calico Drive, Bozeman, MT 59718, as the Grantors, do hereby grant, bargain, sell, convey and confirm unto JAMES CLORE IV and VANESSA M. CLORE, whose mailing address is 8360 Calico Drive, Bozeman, MT 59718, the Grantees, as Joint Tenants with right of survivorship and not as tenants in common, and to the survivor of said named Joint Tenants, the following described premises in Gallatin County, Montana, to-wit: ~~Vanessa Marie Clore~~

THE LEGAL DESCRIPTION OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS WARRANTY DEED IS ATTACHED HERETO MARKED AS EXHIBIT "A" FOR IDENTIFICATION AND BY THIS REFERENCE FULLY AND COMPLETELY INCORPORATED HEREIN.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees as Joint Tenants with right of survivorship and not as tenants in common. And the Grantors do hereby covenant to and with the said Grantees that the Grantors are the owners in fee simple of said premises and that they are free from all encumbrances excepting those listed on Exhibit "A" attached hereto, and that the Grantors will warrant and defend the same from all lawful claims whatsoever. This Deed is given with the covenants set forth in §30-11-110, M.C.A.

DATED this 15 day of September, 2014.

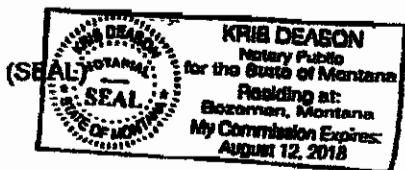
*Frank Koutny*  
FRANK KOUTNY  
*Joyce M. Koutny*  
JOYCE M. KOUTNY

STATE OF MONTANA )  
                                  ) ss  
County of Gallatin    )

On this 15 day of September, 2014, before me a Notary Public in and for the State of Montana, personally appeared FRANK KOUTNY and JOYCE M. KOUTNY known to me to be the persons who subscribed their names 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 notarial seal the day and year above written.

*Kris Deason*  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission expires \_\_\_\_\_



**EXHIBIT "A"**  
**TO**  
**WARRANTY DEED**

**Legal Description**

Tract 28A-1A of Dependent Survey No. 19E, located in Section 18, Township 2 South, Range 5 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

TOGETHER WITH the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining thereunto.

FURTHER TOGETHER WITH all water, water rights, ditch and ditch rights appurtenant to the hereinabove described real property, if any there be owned by Grantor.

FURTHER TOGETHER WITH all minerals, mineral rights, mineral interest, royalties, royalty rights and royalty interest appurtenant to the hereinabove described real property, if any there be owned by Grantor.

FURTHER SUBJECT TO all matters of record, including but not limited to the following: any and all terms, easements, agreements, rights-of-way, waivers, matters, certificates, certificate of surveys, dependent surveys, rights, interests, claims, covenants, restrictions, conditions, flood plain designations and reservations of record, and notations and dedications on the plat.

FURTHER SUBJECT TO the lien for general and special real estate taxes and assessments.

Exhibit H

**JOINT TENANCY WARRANTY DEED**

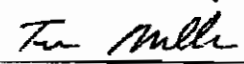
FOR VALUE RECEIVED, TIM MILLER and MISTY MILLER, the Grantors, do hereby grant, bargain, sell, convey and confirm unto TIMOTHY TARANTO and KELLY M. TARANTO of 1499 Cobb Hill Road, Bozeman, Montana 59718 the Grantees, as joint tenants (and not as tenants in common), the following described premises in Gallatin County, Montana, to-wit:

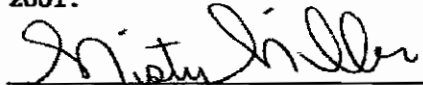
A tract of land located in the Northeast corner of the SE¼NE¼ of Section 13, Township 2 South, Range 4 East, M.P.M., Gallatin County, Montana, described as follows: Commencing at the Northeast corner of said SE¼NE¼; thence running South 89°46' West a distance of 254 feet; thence South 0°45' West 330 feet; thence North 89°46' East 254 feet; thence North 0°45' East 330 feet, to the point of beginning, according to survey recorded in Book 127, Page 334.

STE 01522

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except rights-of-way, federal patents and mineral reservations, easements, and building and use restrictions of record, and that they will warrant and defend the same from all lawful claims whatsoever.

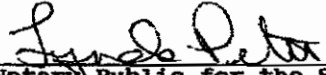
Dated this 20 day of June, 2001.

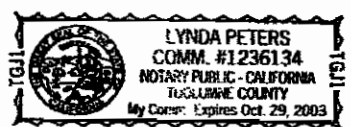
  
 \_\_\_\_\_  
 Tim Miller

  
 \_\_\_\_\_  
 Misty Miller

STATE OF CALIFORNIA )  
 ) : ss.  
 County of Tuolumne )

On this 20 day of June, 2001, before me, a Notary Public in and for said State, personally appeared TIM MILLER and MISTY MILLER, 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 California.  
 Residing at Sanora, California.  
 My commission expires: 10-29-03





(e) the effect of conditions contained in Certificate of Subdivision Plat Approval recorded September 12, 1980 in Film 58, page 907.

(f) The effect of conditions contained on plat of said subdivision, as follows: "No lot shall have direct access onto U.S. Highway 191."

TO HAVE AND TO HOLD all and singular the said premises, together with tenements, hereditaments and appurtenances unto the Grantee, and to Grantee's successors and assigns forever.

Grantor covenants with Grantee that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances; that Grantor and all persons acquiring any interest in the same through or for it will, on demand, execute and deliver to Grantee, at the expense of the latter, any further assurance of the same that may be reasonably required; and that Grantor will warrant to Grantee all of the said property against every person lawfully claiming the same.

IN WITNESS WHEREOF, this instrument is executed this 21st day of October, 1992.

COUGAR PARK PROPERTIES

BY: Gene G. Cook Its partner

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

On this 21st day of October, 1992, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Gene G. Cook, known to me to be the Managing Partner of COUGAR PARK PROPERTIES, a Montana Partnership, the Partnership that executed the within instrument and acknowledged to me that such Partnership executed the same, and that he executed the same on behalf of said Partnership.

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



L. Ann Stogee  
NOTARY PUBLIC for State of Montana  
Residing at Bozeman  
My Commission expires 3/29/95

253048



State of Mont., County of Gallatin. ss Filed for record October 21, 1992  
at 3:50 P. M., and recorded in Book 127 of DEEDS bud 19 page 104

WARRANTY DEED - 2  
Fee: \$12.00  
Recorder. By Shelley M. Cheney Deputy

Rt: American Land Title

WARRANTY DEED

COUGAR PARK PROPERTIES, a Montana Partnership, of 611 West Main Street, Bozeman, Montana 59715, hereinafter 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.), grants unto DUANE A. DENTON and JOAN M. DENTON, of 6310 Cattle Drive, Bozeman, Montana 59715, 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:

ACT 142657-R

Lots 5, 6, and 7 in Block A of Cougar Park West Subdivision in the NW $\frac{1}{4}$  and NE $\frac{1}{4}$  of Section 18, Township 2 South, Range 5 East, P.M.M., Gallatin County, 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 all reversions and remainders, and all rents, issues and profits thereof, and all right, title and interest of the Grantor therein, including easements and rights-of-way for access and utilities shown on the public records or plats filed or recorded with the Clerk and Recorder of Gallatin County, Montana, if any; and RESERVING unto Grantor and its assigns a joint right in said easements and rights of way.

SUBJECT TO:

(a) easements, covenants (including protective or restrictive covenants, and amendments thereto, if any), conditions, restrictions and rights-of-way shown or indicated in the public records or plats filed or recorded in the office of the County Clerk and Recorder of Gallatin County, Montana, or which may be ascertained from a visual inspection of the land, including ditch and utility rights-of-way and easements;

(b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims of title to water, claims to minerals, mineral rights, or related matters, including but not limited to, oil, gas, coal and other hydrocarbons;

(c) taxes and other governmental charges and assessments accrued or imposed after the date hereof, including Gallatin Conservation District, Bozeman Planning Board and Rae Fire Service, which Buyer assumes and agrees to pay as of the date hereof;

(d) zoning ordinances and land use restrictions, if any;

Mark A. Bryan, P.C.  
P.O. Box 1371  
Bozeman, MT 59771-1371  
(406) 586-8565

# Exhibit J


## WARRANTY DEED

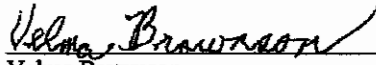
For Value Received, **ROGER BROWNSON** and **VELMA BROWNSON**, husband and wife, of P.O. Box 226, Harrison, MT 59735, the Grantors, do hereby grant, bargain, sell, convey and confirm unto **MIDDLE CREEK ACADEMY, INC.**, a Montana Corporation, of 1572 Cobb Hill Road, Bozeman, Montana 59718, the Grantee, the following described premises, in Gallatin County, Montana, to-wit:

Lot 1 of Minor Subdivision No. 244, located in Section 18, Township 2 South, Range 5 East, P.M.M., Gallatin County, 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.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its 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 except all easements, assessments, taxes, agreements, restrictions, covenants and encumbrances of record or assessed against the above-described property; and that they will warrant and defend the same from all lawful claims whatsoever.


DATED: 6-2-08

  
\_\_\_\_\_  
Roger Brownson

  
\_\_\_\_\_  
Velma Brownson

STATE OF MONTANA     )  
  ) ss.  
County of GALLATIN     )

On this 2nd day of June, 2008 before me, a Notary Public in and for said State, personally appeared **ROGER BROWNSON** and **VELMA BROWNSON**, 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 SEAL)  Lindsey VanHemelryck  
Notary Public  
for the State of Montana  
Residing at:  
Bozeman, Montana  
My Commission Expires:  
March 13, 2011

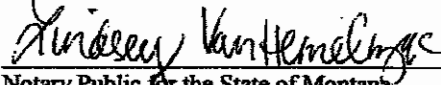
  
\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at: \_\_\_\_\_, Montana  
My Commission Expires: \_\_\_\_\_

Exhibit K

2396556

Page: 1 of 1 09/09/2011 10:36:10 AM Fee: \$7.00  
Charlotte Mills - Gallatin County, MT DEED

Security Title Company  
P.O. Box 6550  
Bozeman, MT 59771-6550  
STZ-611114

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, TREASURE STATE BANK, a Montana banking corporation, the Grantor, does hereby grant, bargain, sell, convey and confirm unto JOHN M. LANG of 7565 Pioneer Way, Bozeman, Montana 59718, the Grantee and his assigns, the following described premises in Gallatin County, Montana, to-wit:

Tract 1B of Certificate of Survey No. 641A, located in Government Lot 2 of Section 18, Township 2 South, Range 5 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

SUBJECT TO reservations and restrictions in federal patents, prior conveyances, and mineral reservations of record, all real property taxes and assessments for the current year and subsequent years, and all building and use restrictions, covenants, easements, agreements, conditions and rights of way of record and those which would be disclosed by an examination of the property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and his assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances except those limitations set forth above, and that it will specially warrant and defend all right, title and interest in and to the said premises acquired by Grantor and the quiet and peaceful possession thereof, unto the Grantee, his successors and assigns, against all and every person or persons, whomsoever, lawfully claiming or to claim the same based upon the ownership period of Grantor.

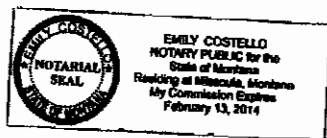
DATED this 9 day of September, 2011.

TREASURE STATE BANK, a Montana banking corporation, by

Jason Erickson, Vice President

STATE OF MONTANA )  
                                  ) ss.  
County of Missoula )

On this 9<sup>th</sup> day of September, 2011, before me, a Notary Public in and for said State, personally appeared Jason Erickson, Vice President of TREASURE STATE BANK, a Montana banking corporation, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that the corporation executed the same.



Emily Costello  
Printed Name: Emily Costello  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My commission expires: Feb 13, 2014

RESOLUTION NO. 2016- 131

A RESOLUTION MADE TO ASSIGN THE VIEWING COMMITTEE AND  
PETITION NUMBER FOR A PETITION TO ABANDON A PORTION OF  
CALICO DRIVE

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  
November 14, 2016, to abandon a portion of Calico Dr. (hereinafter referred to as the  
"Road"), pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that part of Calico Drive as dedicated on  
the plat of Certificate of Survey No. 67, and as dedicated on the plat of Dependent  
Resurvey No. 19, according to the plats thereof, on file and of record in the office of the  
Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension  
of the west line of Falcon Lane as dedicated on the plat of Cougar Park West  
Subdivision, and the northerly extension of the west line of Tract 1, Certificate of  
Survey No. 67, according to the plats thereof, on file and of record in the office of the  
Clerk and Recorder, Gallatin County, Montana, with said right of way to be abandoned  
located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M.,  
Gallatin County, Montana.

WHEREAS, on November 18, 2016, 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:


The Board hereby accepts the petition for abandonment of that part of Calico Drive as  
dedicated on the plat of Certificate of Survey No. 67, and as dedicated on the plat of

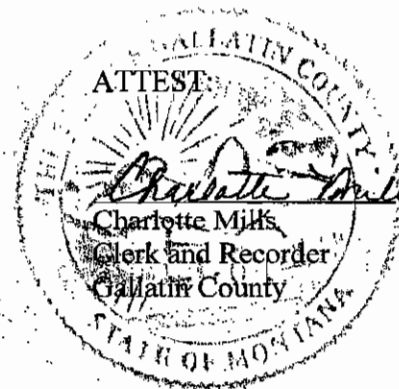
Dependent Resurvey No. 19, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, lying between the southerly extension of the west line of Falcon Lane as dedicated on the plat of Cougar Park West Subdivision, and the northerly extension of the west line of Tract 1, Certificate of Survey No. 67, according to the plats thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, with said right of way to be abandoned located in the North Half of Section 18, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana.

1. The petition is assigned Road Petition Number 843.
2. 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 29TH day of November, 2016.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY

  
\_\_\_\_\_  
Joe P. Skinner, Chairman



*Charlotte Mills by Mary Miller, deputy*

MCA Contents / TITLE 7 / CHAPTER 14 / Part 26 / 7-14-2615 Abandonme...

TITLE 7. LOCAL GOVERNMENT

CHAPTER 14. TRANSPORTATION

Part 26. Establishment, Alteration, and Abandonment of County Roads

## Abandonment Or Vacation Of County Roads

**7-14-2615. Abandonment or vacation of county roads.** (1) All county roads once established must continue to be county roads until abandoned or vacated by:

- (a) operation of law;
- (b) judgment of a court of competent jurisdiction; or
- (c) the order of the board.

(2) An order to abandon a county road is not valid unless preceded by notice and public hearing.

(3) The board may not abandon a county road or right-of-way used to provide existing legal access to public land or waters, including access for public recreational use as defined in [23-2-301](#) and as permitted in [23-2-302](#), unless another public road or right-of-way provides substantially the same access.

(4) The board may not abandon a county road or right-of-way used to access private land if the access benefits two or more landowners unless all of the landowners agree to the abandonment.

**History:** En. Sec. 8-214, Ch. 197, L. 1965; R.C.M. 1947, 32-4014; amd. Sec. 3, Ch. 107, L. 1999; amd. Sec. 1, Ch. 168, L. 2005.

**Mills, Charlotte**

**From:** Mills, Charlotte  
**Sent:** Tuesday, December 20, 2016 8:36 AM  
**To:** Brownell, Bill  
**Subject:** FW: Road Viewing

Hi Bill,

We have to do two road viewings, one with Steve and one with Don. The road viewing with Don is at the corner of Kagy and Bozeman Trail. The viewing with Steve is off Huffine Lane at the intersection of Falcon Lane and Calico Dr.

There is a schedule below that reflects our availability. Will any of these dates work for you, and please don't come in on your day off or vacation 😊 If none of these times work, we will try for week of January 9<sup>th</sup>.

Thanks,  
Charlotte

Commissioner White:

- ~~Friday, December 23<sup>rd</sup> @ 9:30 AM~~
- ~~Friday, December 23<sup>rd</sup> @ 1:30 PM~~
- ~~Wednesday, December 28<sup>th</sup> @ 8:30 AM~~
- ~~Wednesday, December 28<sup>th</sup> @ 1:30 PM~~ ✗
- Thursday, December 29<sup>th</sup> – All day (9:00) 8:30
- Wednesday, January 4<sup>th</sup> – after 1:30

Commissioner Seifert:

- ~~Friday, December 23<sup>rd</sup> @ 9:30 AM~~
- ~~Friday, December 23<sup>rd</sup> @ 1:30 PM~~
- ~~Wednesday, December 28<sup>th</sup> @ 8:30 AM~~
- ~~Wednesday, December 28<sup>th</sup> @ 1:30 PM~~ ✗ (1:30)
- Thursday, December 29<sup>th</sup> – All day ✗
- Wednesday, January 4<sup>th</sup> – after 1:30

Please let me know which day and for how long you would like the Commissioners to view roads with you.

Thanks!

Steph Kamerman

Executive Assistant  
Gallatin County Commission  
311 West Main, Room 306  
Bozeman, MT 59715  
p. 406.582.3000  
f. 406.582.3003



ADDITION TO  
PLAT OF  
A TRACT OF LAND LOCATED IN SECTION 18  
TOWNSHIP 2 SOUTH, RANGE 5 EAST  
MONTANA PRINCIPAL MERIDIAN  
GALLATIN COUNTY, MONTANA

CERTIFICATE OF DEDICATION

STATE OF MONTANA )  
                              : ss  
COUNTY OF GALLATIN)

Arnold A. Berger, Richard W. Anderson, James J. Sinclair and James P. Murphy certify that they are the owners and have caused to be surveyed and platted into tracts and roads the lands as shown and described on the attached plat.

The lands located in road right of way are hereby granted, donated and dedicated to the use of the public forever.

Dated this 28 day of January, 1974

Arnold A. Berger  
Richard W. Anderson  
James J. Sinclair  
James P. Murphy

STATE OF MONTANA )  
                              : ss  
COUNTY OF YELLOWSTONE)

On this 28 day of January, 1974, before me, a Notary Public for the State of Montana, personally appeared Arnold A. Berger, Richard W. Anderson, James J. Sinclair and James P. Murphy, known to me to be the persons whose names are subscribed to the foregoing Certificate of Dedication 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 in the certificate above written.



Dwight D. Lewis  
Notary Public for the State of  
Montana  
Residing at Billings, Mont  
My Commission expires 3-15-76

FRM 65 PAGE 2188

See Dependent Resurvey No. 19

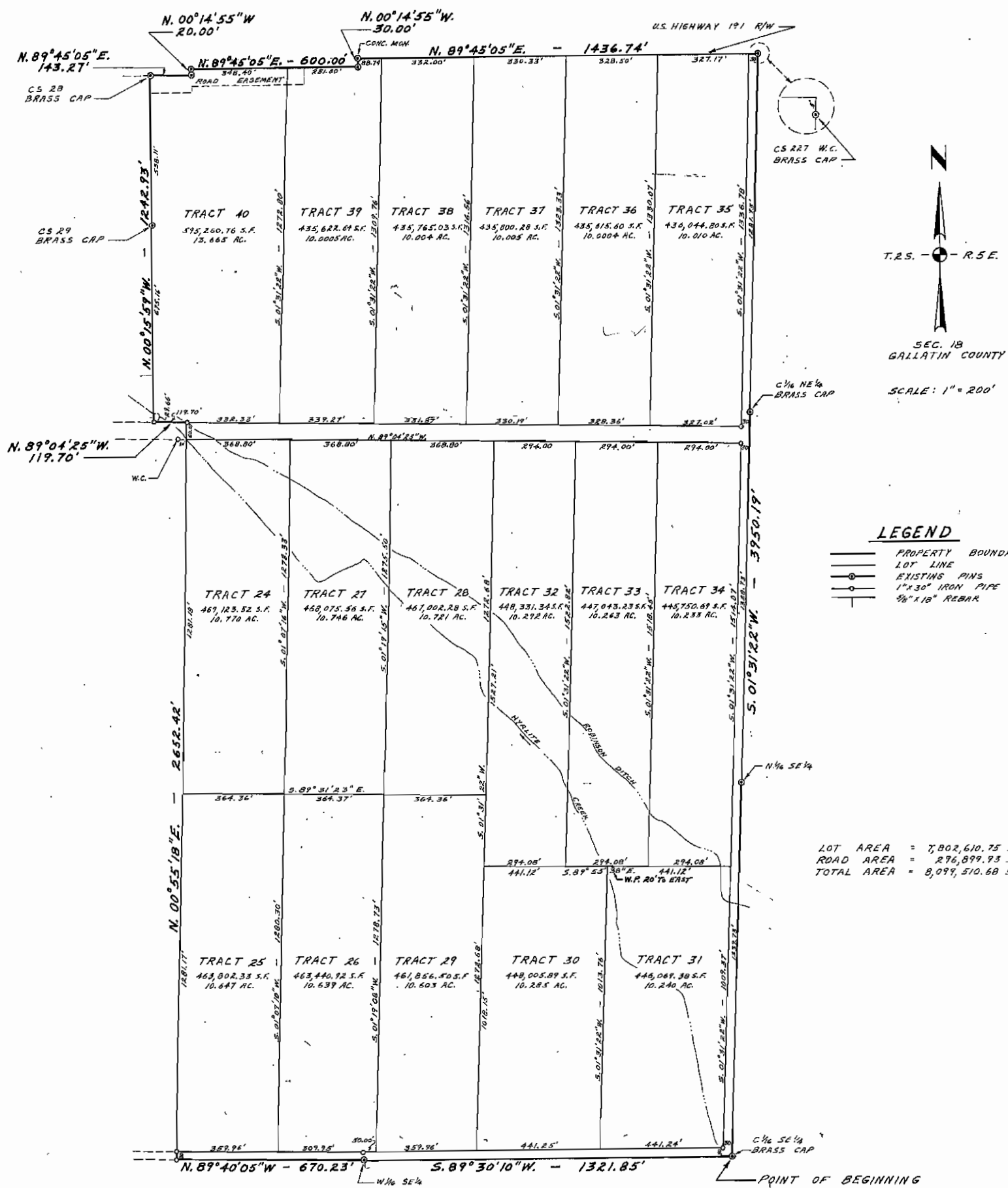
INDEXED   
PLATED

90694

State of Mont., County of Gallatin. as Filed for record September 22, 1981  
at 10:00 A. M., and recorded in Book 65 of MISCELLANEOUS page 2187  
Lealle A. Bridget Recorder. By *Carey M. Taylor*  
File

JANUARY 1974

A TRACT OF LAND LOCATED IN SECTION 18,  
TOWNSHIP 2 SOUTH, RANGE 5 EAST, M.P.M.  
GALLATIN COUNTY, MONTANA



**DESCRIPTION**

A tract of land located in Section 18, Township 2 South, Range 5 East, Montana Principal Meridian, and being more particularly described as follows:  
 Beginning at the center sixteenth (C 1/16) of the Southeast 1/4, said point being a brass cap, thence South 89° 30' 10" West a distance of 1321.83 feet; thence North 89° 40' 05" West a distance of 670.23 feet; thence North 00° 55' 18" East a distance of 2652.42 feet to a point on the north right of way line of a future county road; thence North 89° 04' 25" West along said road right of way a distance of 119.70 feet; thence North 00° 15' 59" West a distance of 1242.93 feet to a brass cap located on the south right of way line of U.S. Highway 191; thence North 89° 45' 05" East, along said highway right of way, a distance of 143.27 feet; thence North 00° 14' 55" West along said highway right of way, a distance of 20.00 feet; thence North 89° 45' 05" East, along said highway right of way, a distance of 600.00 feet; thence North 00° 14' 55" West, along said highway right of way, a distance of 30.00 feet; thence North 89° 45' 05" East, along said highway right of way, a distance of 1436.74 feet; thence South 01° 31' 22" West a distance of 3950.19 feet to the point of beginning and containing 185,439 acres.

The lands located in road right of way are hereby granted, donated and dedicated to the use of the public forever.

**CERTIFICATE OF SURVEYOR**

I, James A. Cummings, a Registered Professional Engineer and Land Surveyor in the State of Montana, Reg. No. 31188, do hereby certify that between 1-22-74 and 1-24-74, I supervised the survey of the above tract of land; that such survey was made in accordance with the provisions of the Revised Code of Montana, that iron pins were set at all property corners as shown on the accompanying plat.

Dated this 14th day of January, 1974  
 Survey Party Chief: *James A. Cummings* Date: *1-14-74*  
 Approved this 30th day of Jan, 1974  
 City-County Planning Board: *Richard Mayfield*  
 Board of County Commissioners: *Walter J. Jones*



GALLATIN COUNTY CLERK & RECORDER FILING RECORD

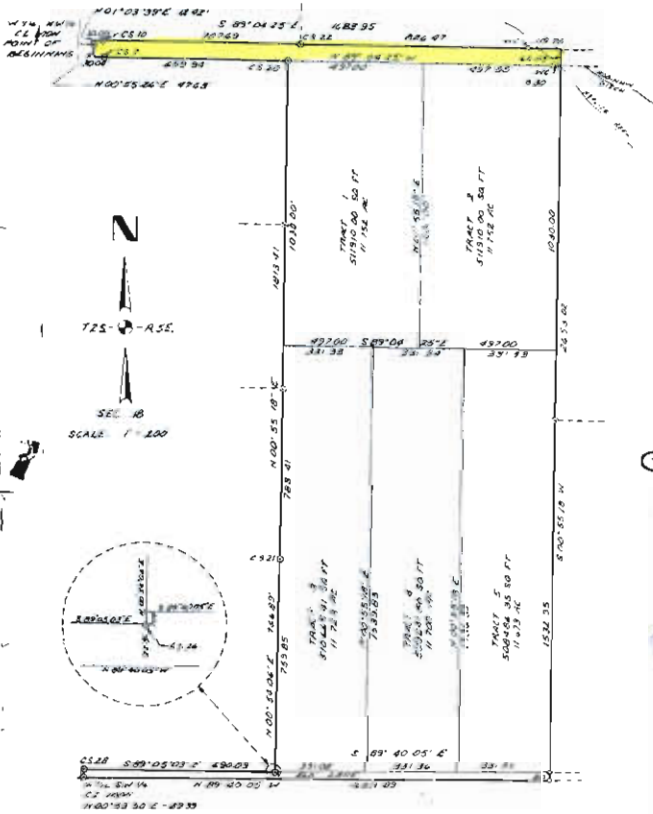
Date: \_\_\_\_\_ Survey No. \_\_\_\_\_  
 Recorded: \_\_\_\_\_ File No. \_\_\_\_\_  
 Sheet No. \_\_\_\_\_

February 5, 74  
 8:30  
 Carl L. Stucky  
 County Clerk  
 8:52 PM

Approved 1-30-74  
 Carl R. Bost County Surveyor

# 67  
**CERTIFICATE OF SURVEY**  
 A TRACT OF LAND LOCATED IN THE W 1/2 SEC 16, T.2 S, R 5 E, M.R.M  
 GALLATIN COUNTY, MONTANA

FIGURE, SECTION, RANGE, TOWNSHIP



TRACT AREA = 50,600  
 ACREAGE = 3,925  
 TOTAL AREA = 62,225

**LEGEND**

- PROPERTY BOUNDARY
- TRACT AREA
- DISTANCE
- BEARING
- 1/2" = 200' HORIZONTAL SCALE

CORRECTION OF DISTANCE  
 AS PER 1871

**CERTIFICATE OF INDICATION**

STATE OF MONTANA )  
 COUNTY OF GALLATIN )

Arnold A. Berger, Richard W. Anderson, James J. Hamel and James T. Murphy certify that they are the owners and have caused to be surveyed and plotted these streets and roads as shown by plat and certificate hereto annexed, the following described tract of land:

A tract of land situated in the West 1/2 of Section 16, Township 2 South, Range 5 East, Montana Principal Meridian, and being more particularly described as follows:

Beginning at the West 1/4 corner of the Northeast 1/4 of said Section 16, said point being a post from monument, thence South 02° 35' 30" East a distance of 12.42 feet, thence South 89° 40' 00" East a distance of 269.05 feet, thence South 02° 35' 30" East a distance of 263.33 feet, thence North 89° 40' 00" East a distance of 100.00 feet to the west 1/4 corner (to east from monument) of the Northeast 1/4 of said Section 16, thence North 02° 35' 30" East a distance of 29.00 feet, thence South 89° 40' 00" East a distance of 269.05 feet, thence North 02° 35' 30" East a distance of 12.42 feet, thence North 02° 35' 30" East a distance of 12.42 feet, thence North 89° 40' 00" East a distance of 269.05 feet, thence North 02° 35' 30" East a distance of 12.42 feet to the true point of beginning and containing 51910.00 acres.

The lands included in the road right of way shown on said plat are hereby granted, removed and dedicated to the use of the public forever.

Dated this 12th day of July, 1974

Arnold A. Berger      Richard W. Anderson  
James J. Hamel      James T. Murphy

STATE OF MONTANA )  
 COUNTY OF GALLATIN )

On this 12th day of July, 1974, before me, a Notary Public for the State of Montana, personally appeared Arnold A. Berger, Richard W. Anderson, James J. Hamel and James T. Murphy, known to me to be the persons whose names are subscribed to the foregoing Certificate of Indication and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 12th day of July of the aforesaid year of 1974.

Notary Public for the State of Montana  
 Residing at Butte, MT  
 My Commission expires July 12, 1977

**CERTIFICATE OF RECORD**

I, James A. Connelley, a Registered Professional Engineer and Land Surveyor in the State of Montana, Kit No. 31181, do hereby certify that on July 16, 1974 I supervised the survey of the above tract of land, that such survey was made in accordance with the provisions of the Revised Code of Montana, and that the same were set as all property corners as shown on the accompanying plat.

Dated this 17th day of August, 1974

Survey Party (List)      Date      James A. Connelley, Kit No. 31181

Approved this      day of      1974      James A. Connelley

CITY/COUNTY PLANNING BOARD      BOARD OF COUNTY COMMISSIONERS

GALLATIN COUNTY CLERK & RECORDER (PLATE NUMBER)      13267

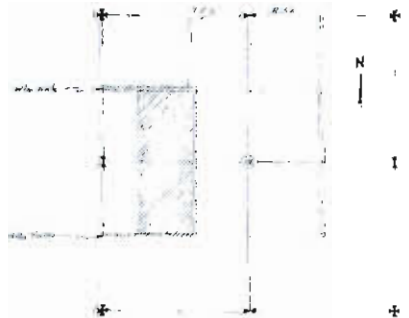
Date      Sept 26, 1974      Survey No.      67

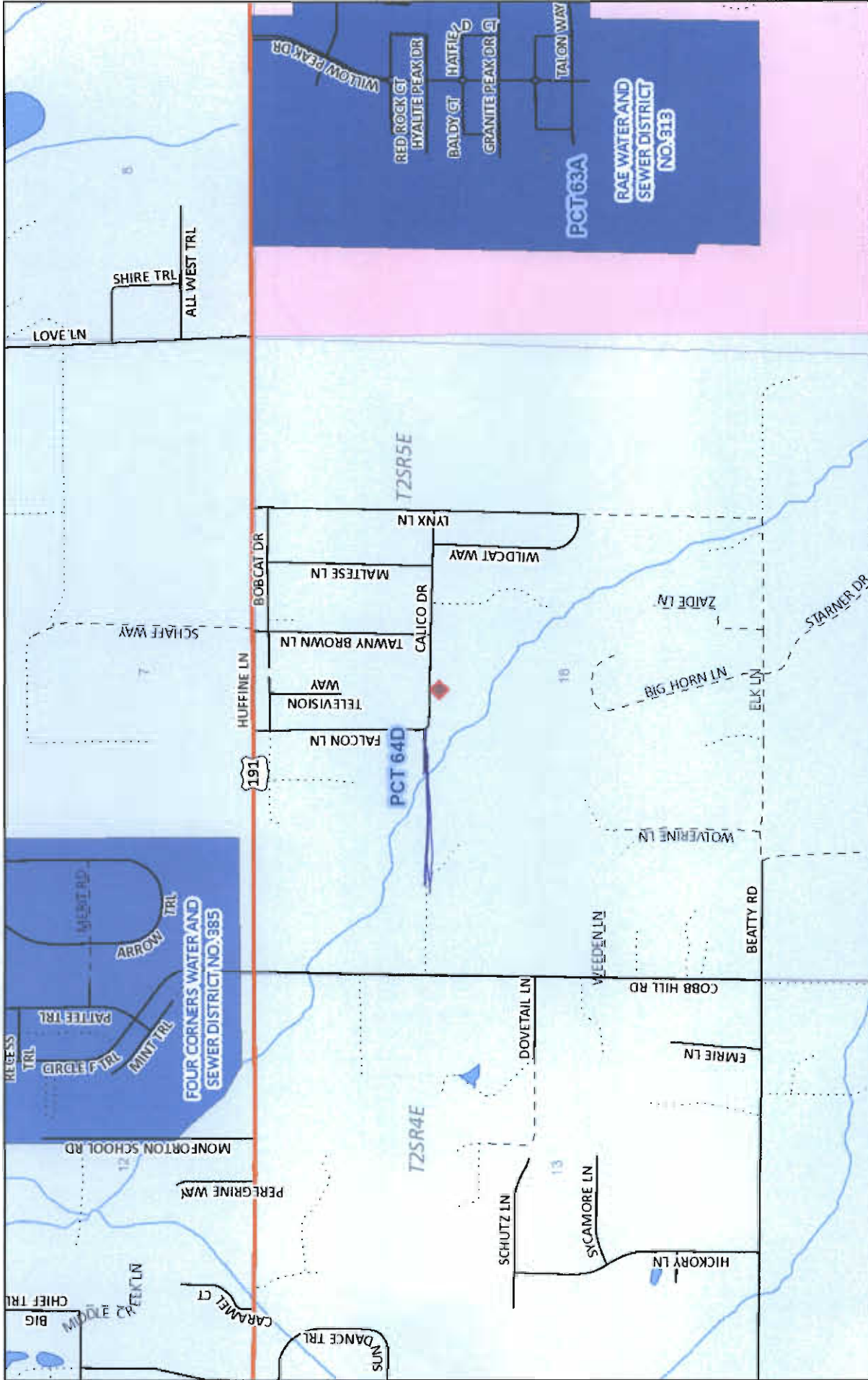
Recorder      John L. Loo, C.R.      Sheet No.      1

Sketch      See Map

APPROVED BY CLERK  
 COUNTY OF GALLATIN  
John L. Loo  
 REC'D

Approved 11/11/74  
James A. Connelley, County Surveyor

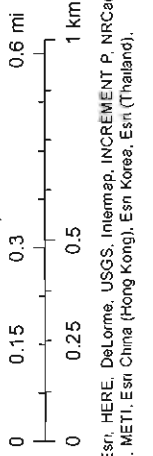




December 16, 2016

1:18,695

- Numbered Highways** — Montana — Unpaved
- INTERSTATE ROADS** — Paved — Alley/Driveway
- U.S.** — Paved — Rail Line



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

# Gallatin County GIS

December 29, 2016



Gallatin County GIS  
 311 W. Main Room 305  
 Bozeman, MT 59715  
 Phone: (406) 582-3049  
 Email: GIS@gallatin.mt.gov

- Numbered Highways**
- Interstates
  - U.S.
  - Montana
- Minor Roads**
- Paved
  - Unpaved
  - Alley/Drive way
  - Rail Line

- Cities**
- Parcels
  - Townships
  - Sections
  - Quarter Sections
  - Subdivisions
  - Minor Subdivisions

- Public Lands**
- Local Government
  - State of Montana
  - U.S. Bureau of Land Management
  - U.S. Forest Service
  - U.S. Park Service

- Addresses**
- Recent Addresses
  - Structure Addresses
- Water**
- Streams
  - Rivers
  - Lakes

# COUGAR PARK WEST SUBDIVISION PLAT J-90

TRACTS 39 & 40 OF DEPENDENT SURVEY NO. 19  
 IN THE NW 1/4 & NE 1/4 OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST, P.M.M. GALLATIN COUNTY, MONTANA  
 BY COUGAR PARK PROPERTIES TO CREATE 15 NEW LOTS.

**CERTIFICATE OF DEDICATION**  
 We, the undersigned property owners, do hereby certify that we caused to be surveyed, subdivided and platted into lots, streets and blocks as shown on this plat hereinafter included, the following described tract of land, to-wit: A tract of land in the NW 1/4 & NE 1/4 of Section 18, Township 2 South, Range 5 East, P.M.M. in Gallatin County, Montana more particularly described as follows: BEGINNING at the SW 1/4 corner of said section 18, thence N. 01° 31' 22" E - 1281.73 feet, thence S. 89° 45' 05" W - 1348.00 feet, the TRUE POINT OF BEGINNING, thence S. 01° 31' 22" W - 1309.78 feet, thence N. 89° 04' 25" W - 791.30 feet, thence N. 00° 15' 59" W - 1242.93 feet, thence N. 89° 45' 05" E - 143.27 feet, thence N. 00° 14' 55" W - 2000 feet, thence N. 89° 45' 05" E - 600.00 feet, thence N. 00° 14' 55" W - 30.00 feet, thence N. 89° 45' 05" E - 88.74 feet, to the point of beginning containing 23,663.65 acres more or less.

This described tract of land is to be known and designated as "COUGAR PARK WEST SUBDIVISION" GALLATIN COUNTY, MT; And the lands included in it are shown, shown on said plat are hereby granted and donated to the use of the public forever.  
 Dated this 3rd day of September 1980

*Glenn A. Buss*  
 Cougar Park Properties partnership - GLENN A. BUSS managing partner

**NOTARY PUBLIC**

Subscribed and sworn to before me this 3rd day of September, 1980  
*Arthur C. Kiefer*  
 Notary for the State of Montana - My Commission expires 10/15/83

**CERTIFICATE OF SURVEYOR**

I, ROBERT H. BABB, PE, Professional Engineer and Registered Land Surveyor, do hereby certify that this tract of land was surveyed under my supervision and direction between MAY 15 and SEPT. 8, 1979 and described in accordance with the provisions of the Montana Subdivision and Platting Act, sections 76-3-101 thru 76-3-614, M.C.A. 1976, and Gallatin County Ordinance No. 10 of 1979. Dated this 10th day of SEPTEMBER, 1979  
*Robert H. Babbs*  
 Robert H. Babbs 4523 ES

**CERTIFICATE OF CONSENT OF MORTGAGEES**

We, the undersigned mortgagees, do hereby join in and consent to the described plat, releasing all respective liens, claims or encumbrances as to any portion of said lands now being platted the streets, avenues, or other public uses and dedicated to the use of the public forever.  
 Dated this 5th day of September, A.D. 1980.  
*James S. Boyd*  
*James S. Boyd*

**CERTIFICATE OF COUNTY COMMISSIONERS**

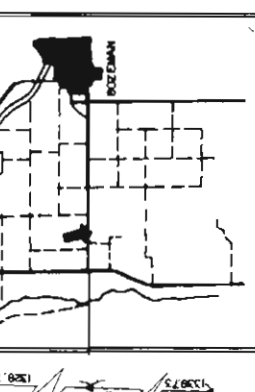
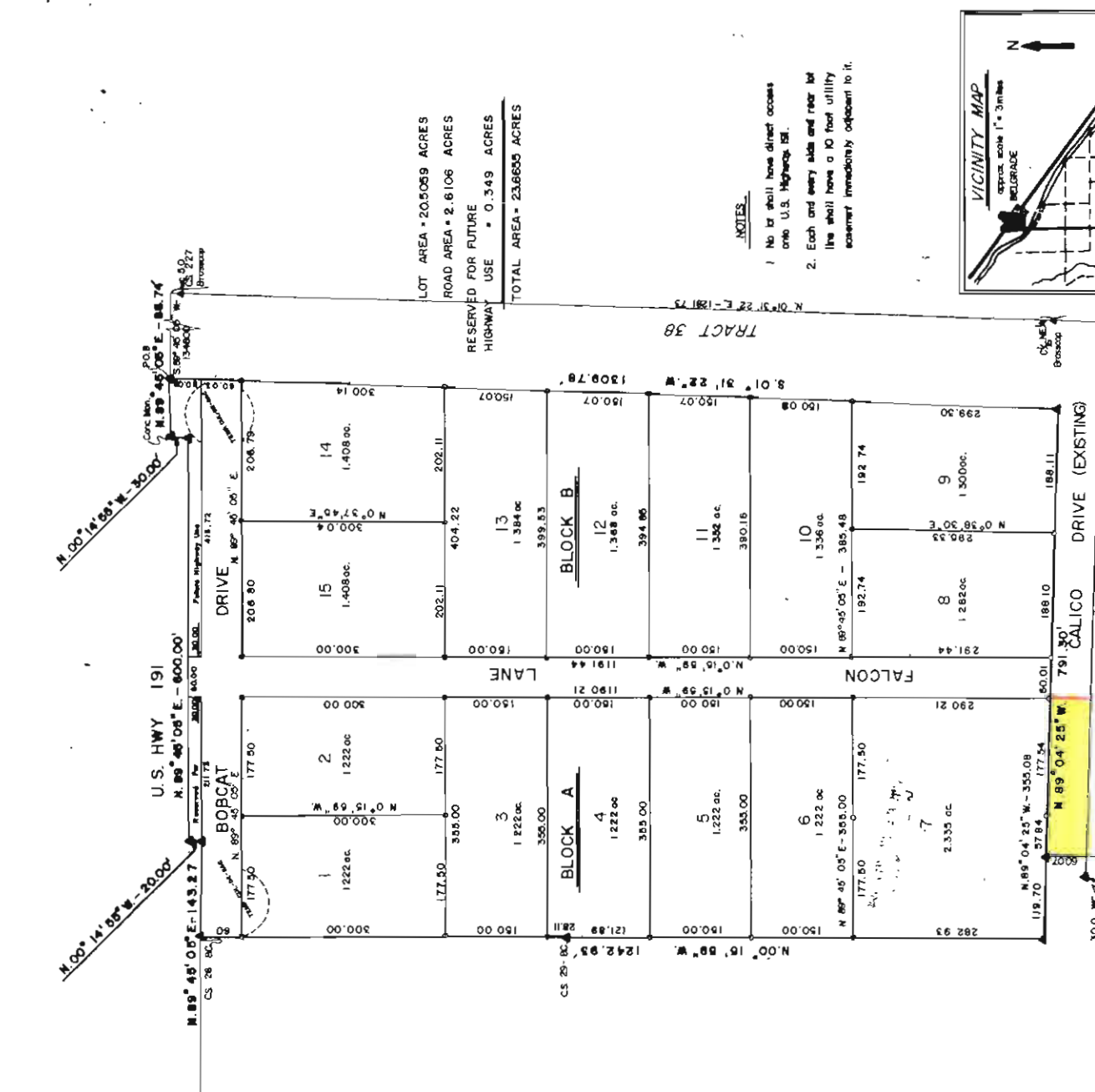
I, the chairman of the Board of Gallatin County Commissioners do hereby certify that the accompanying plat has been duly examined and has found the same to conform to law, approves it, and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use.  
 Dated this 11th day of Sept. A.D. 1980  
*John D. B. Smith*

**CERTIFICATE OF EXAMINATION**

Checked for errors in drafting and calculations only.  
 Dated this 10th day of September, A.D. 1980  
*William H. Smith*

**CLERK AND RECORDER**

I, Lucille A. Bridges, Clerk and Recorder of Gallatin County, do hereby certify that the foregoing instrument was filed in my office on the 10th day of September, A.D. 1980  
 Lucille A. Bridges  
 Clerk and Recorder - Gallatin County, Montana  
 By: *Candace M. Day*



- NOTES**
- No lot shall have direct access onto U.S. Highway 191.
  - Each and every side and rear lot shall have a 10 foot utility easement immediately adjacent to it.

Scale 1" = 100'  
 Boss of bearing - Montana Highway Dept. - U.S. 191 r/s  
**LEGEND**  
 ▲ found corner - 3/8" rebar or as described on plat  
 ○ corner set on this survey - rebar 24" long with cap marked 4523 ES Babbs

**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:

Margaret E. and Clarence Kelley  
1506 Cobb Hill Rd.  
Bozeman, MT 59718

RP843

## 2. Article Number

(Transfer from service label)

7012 0470 0000 2799 3155

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**A. Signature *Margaret E. Kelley*  AgentX *Margaret E. Kelley*  Addressee

B. Received by (Printed Name)

C. Date of Delivery

7-15-17

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

## 3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

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

## 1. Article Addressed to:

David A. Ritchey  
Beverly Sue Ritchey  
1568 Cobb Hill Rd.  
Bozeman, MT 59718



RP843

## 2. Article Number

(Transfer from service label)

7012 0470 0000 2799 3148

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**A. Signature *D. Ritchey*  AgentX *D. Ritchey*  Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

## 3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes