

RESOLUTION NO. 36-2020

A RESOLUTION DECLARING THE EXISTENCE OF A COUNTY ROAD; SUCH ROAD BEING SPECIFICALLY DESCRIBED BELOW:

WHEREAS the statutes of the State of Montana vest the Board of Commissioners with the authority and responsibility regarding roads and bridges, and such Statutes are generally found in Title 7, Chapter 14, Montana code annotated; and

WHEREAS the board is aware that a road exists in Fergus County, known as the **Bally Dome Road** which is more specifically described as follows:

Beginning at the junction with Alton Cutoff, midpoint on the line between Section 13, Township 18 North, Range 14 East, and Section 18, Township 18 North, Range 15 East; thence running east approximately 5285 feet across Section 18, Township 18 North, Range 15 East; then running north on the section line common to Sections 17 and 18 Township 18 North, Range 15 East, about 1286 feet; thence, east approximately 5264 feet across Section 17; thence north for approximately 1112 feet on the Section line common to Sections 16 & 17, Township 18 North, Range 15 East, then east along the northern boundary line of Sections 15 & 16 and the Southern boundary lines of Sections 9 & 10, Township 18 North Range 15 East, approximately two miles; thence northeast into Section 11, Township 18 North, Range 15 East (approximately 1784 feet); then east about 1114 feet; thence northeast in Section 11 approximately 940 feet; then southeast approximately 1759 feet in Section 11, then east in Section 11, Township 18 North, Range 15 East about 3547 feet, then northeast across Section 12, Township 18 North, Range 15 East for about 5340 feet; then north in Section 1 for 1775 feet; then northwest for approximately 541 feet in Section 1; then northeast for about 384 feet across Section 1; thence north for approximately 1595 feet in Section 1, Township 18 North, Range 15 East; then northeast approximately 2382 feet still in Section 1; then east about 4445 feet; then northeast approximately 1055 feet; then southeast approximately 2752 feet; then northeast about 1858 feet; thence south approximately 681 feet; then southeast about 3053 feet; then south approximately 834 feet; southeast about 1212 feet; ending at a point in the NE1/4 of Section 4, Township 18, Range 16 East for a total of feet or about 11.3 miles.

WHEREAS, the Board is aware that on some portions of the foregoing described road, petitions may have been filed in the past, and as a consequence, these portions appear to have been declared as county roads. However, some portions may appear not to have been previously the subject of road petitions; and

WHEREAS, the foregoing described road has been laid out, constructed and maintained with state or county funds, and it appears that persons using such road have long been under the belief that the entire length of such road is a county road; and

WHEREAS, the 1999 Montana Legislature enacted sub-sections 7-14-2101 (2) (b) and (c), which allows local governments to address roads such as that described above; and such statute requires a public hearing, after which the board has discretion to declare such to be a county road; and

WHEREAS, the Board of Commissioners, after due notice, held a public hearing on December 10th, 2020, to solicit public input as to the advisability of declaring the foregoing described road to be a county road; and after receiving such input, the board believes that to declare such to be a county road would be in the public interest;

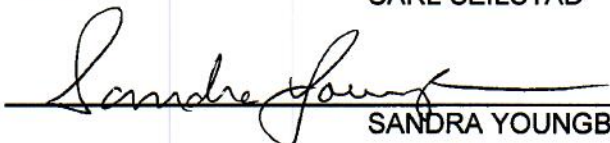
NOW THEREFORE BE IT RESOLVED, that pursuant to Section 2-14-2101, Montana code Annotated, the foregoing described road is hereby declared to be a public road and shall hereby continue to be used by the public.

PASSED AND APPROVED this 24th day of December, 2020.

BOARD OF COMMISSIONERS:


ROSS BUTCHER


CARL SEILSTAD


SANDRA YOUNGBAUER

ATTEST:


Rana Wichman, Clerk & Recorder



