

RESOLUTION NO. 40-2020

A RESOLUTION DECLARING THE EXISTENCE OF THREE MILE ROAD, 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 **Three Mile Road** which is more specifically described as follows:

Three Mile Road starts at the intersection with Salt Creek Road in Section 30, Township 20 North, Range 18 East; running to the south-west approximately 200 feet, then heading north-west for about 597 feet; then running west approximately 3,398 feet; then north-west about 670 feet, crossing into Section 24, Township 20 North, Range 17 East. Then running northwest for approximately 2656 feet in Section 24, then southwest about 137 feet, turning northwest again for about 6192 feet into Section 23; the road then runs southwest approximately 217 feet, then west about 397 feet and curving southwest for about 699 feet. The road then heads northwesterly for approximately 291 feet and then turns to the southwest for about 2,252 feet into Section 22, Township 20 North, Range 17 East; then to the west for about 4539 feet across Section 22 and into Section 21, then northwest for about 539 feet, then curving west for approximately 308 feet, then heading northeast for about 743 feet, running back northwest for about 1904 feet. The road then runs to the north for about 1,015 feet into Section 16 and then northwesterly for about 2,044 feet ending at the locked gate in Section 16, Township 20 North, Range 17 East.

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, and 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 24th day of December, 2020.

BOARD OF COMMISSIONERS:

ABSENT

CARL SEILSTAD

Sandra Youngbauer

SANDRA YOUNGBAUER

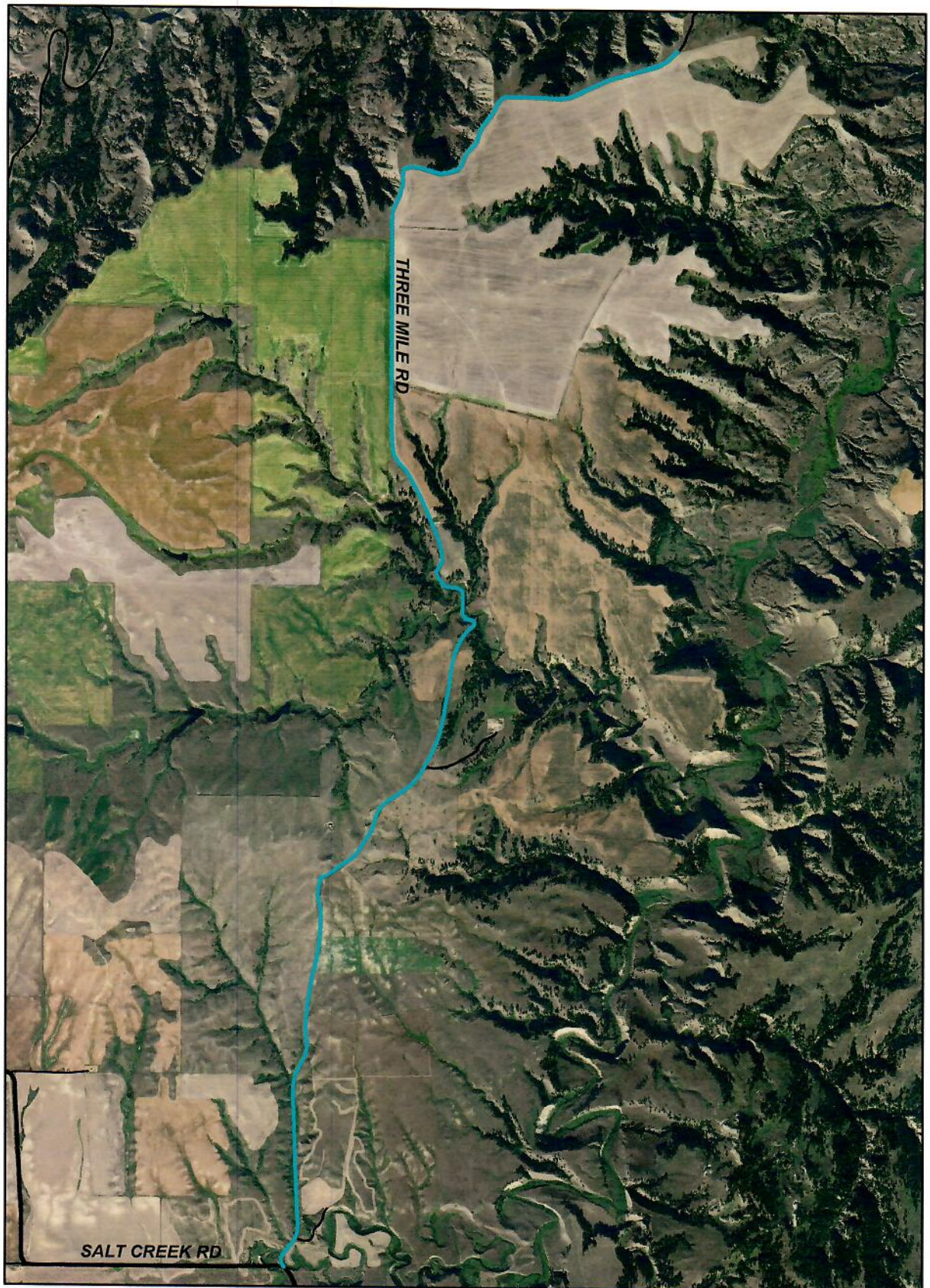
Ross Butcher

ROSS BUTCHER

ATTEST:

Rana Wichman
Rana Wichman, Clerk & Recorder





THREE MILE RD

SALT CREEK RD

