

RESOLUTION NO. 16-2020

A RESOLUTION ACCEPTING THE EXISTENCE OF **COTTER BRIDGE 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 **Cotter Bridge Road** which is more specifically described as follows:

A point of beginning starting in Township 16N, 21E, Section 25, at the cross section with McCartney Road, head northeasterly for approximately 831 feet, thence northerly for approximately 3,716 feet, then slight arc north-west for approximately 380 feet, thence northerly for approximately 588 feet to the Section 25, Section 24 line. Continuing northerly in section 24 for approximately 1,646 feet, thence east for approximately 4,067 feet to the Township 16N, 21E, Section 24 line. Continuing east into Township 16N, 22E, Section 19 for approximately 5,639 feet to the Section 19, Section 20 line. Continuing easterly into Section 20 for approximately 1,899 feet, then slight north for approximately 434 feet, thence easterly for approximately 1,967 feet, thence slight northerly for approximately 650 feet, then an easterly arc for approximately 454 feet to the Section 20, Section 21 line. Continuing easterly into Section 21 for approximately 3,748 feet, then slight south-easterly for approximately 1,651 feet to the Section 21, Section 22 line. Continuing into Section 22 south-easterly for approximately 1,549 feet, commencing at the intersection with Fords Creek Road.

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

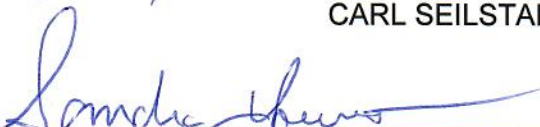
WHEREAS, the Board of Commissioners, after due notice, held a public hearing on March 18, 2020, to solicit public input as to the advisability of declaring the foregoing described road to be a county road; and after receiving such input, the Board believes that to declare such to be a county road would be in the public interest;

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 7-4-2101, Montana Code Annotated, and the foregoing described road is hereby accepted to be a public road and shall hereby continue to be used by the public.

PASSED AND APPROVED this 15th day of April, 2020.

BOARD OF COMMISSIONERS:


CARL SEILSTAD


SANDRA YOUNGBAUER


ROSS BUTCHER

ATTEST:

Rana Wichman, Clerk & Recorder

