

RESOLUTION 24 - 2024

**A RESOLUTION DECLARING THE FERGUS COUNTY
COMMISSION'S INTENT TO DECLARE TOBIN LANE
TO BE A COUNTY ROAD**

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, there exists a certain road in Fergus County known as Tobin Lane and such road has long served members of the traveling public as well as landowners adjoining such road, which is more specifically described as follows:

A map depicting this road is attached hereto as Exhibit A, and by this reference incorporated herein.

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 petition; 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 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 may declare the road described as a county road, after due notice is published and a public hearing is held to solicit public input as to the advisability of declaring the foregoing described road to be a county road;

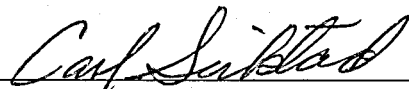
NOW THEREFORE BE IT RESOLVED, that pursuant to Section 7-14-2101, Montana Code Annotated, the Fergus Board of Commissioners hereby declares its intent to declare Tobin Lane, as described above, to be a County Road.

BE IT FURTHER RESOLVED, that a public hearing on this matter shall be held at the Commission Chambers at the Fergus County Courthouse, Lewistown, Montana on the 24th day of October 2024 at the time of 2 p.m., after which the Commission shall take action on this proposal.

BE IT FURTHER RESOLVED, that the Fergus County Clerk and Recorder is directed to publish notice of the public hearing and proposed action as required by law.

PASSED AND APPROVED this 10 day of October 2024.

BOARD OF COMMISSIONERS:


CARL SEILSTAD


ROSS BUTCHER


JENNIFER SAUNDERS

ATTEST:

JANEL TUCEK, Clerk & Recorder

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