

RESOLUTION 28 - 2024

**A RESOLUTION DECLARING 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 road consisting of approximately 3.99 miles beginning at the northern intersection of section 19 and 20 of 21N R17E and traveling northerly generally along the section lines between sections 17 and 18 continuing northerly generally along the section lines between 7 and 8 to near the southern intersection of section 6 and 7 wherein the road veers north westerly into section 6. Thence traveling northerly generally along the quarter section line to near the intersection of the southwest quarter of the southeast quarter of the north east quarter of section six wherein the road curves westerly and then back easterly to a point near the boundary of the northwest quarter and the north east boundary of the north east quarter of section six where it travels northerly into section 31 T22N R18E near the north south quarter section line along the westerly boundary of the Toney Tracks in section 31 T22N R18E recorded 11/8/45 survey no. 7056 ending at the intersection of the quarter sections in the north east quarter of section 31.

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 will 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;

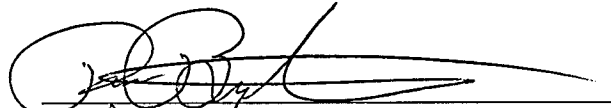
WHEREAS, a public hearing on this matter was held at the Commission Chambers at the Fergus County Courthouse, Lewistown, Montana on the 12th day of November, 2024, at the time of 2 p.m., after which the Commission took action on this proposal.

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

PASSED AND APPROVED this 12th day of November, 2024.

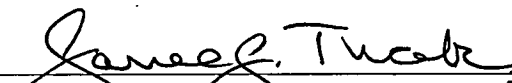
BOARD OF COMMISSIONERS:

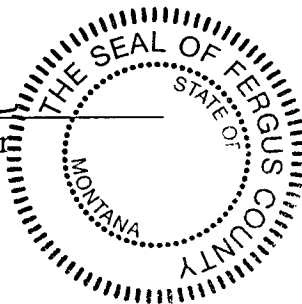

CARL SEILSTAD


ROSS BUTCHER


JENNIFER SAUNDERS

ATTEST:


JANEL TUCEK, Clerk & Recorder



Tobin Lane

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