



Request for Commission Action

Public Hearing

Meeting Date: June 9, 2022

Action Information

Date Required: 6/9/2022

Action/Motion Requested: Second Hearing - Request board approve/deny a road abandonment petition to abandon a portion of Cottonwood Lane

Parties Involved: Tonjia Bouldin
Theadora Price
John Corey
J. Kirk Davies
Richard Steiner, Jr.
Pyramid Mountain Lumber, Inc.

Fiscal Impact:

Budget Action Required:

Project Information

Project/Item: Second Hearing - Request the board consider the petition to abandon a portion of Cottonwood Lane located in S3 T16 N R15 W beginning at Juniper Drive and ending at Spruce Drive.

Project Location: Cottonwood Lane located in S3 T16 N R15 W beginning at Juniper Drive and ending at Spruce Drive.

Project/Contract Begin Date:

Project/Contract End Date:

Action Request Summary

Second Hearing - Request the board consider the petition to abandon a portion of Cottonwood Lane located in S3 T16 N R15 W beginning at Juniper Drive and ending at Spruce Drive.

Action Request Approvals

Clerk & Recorder
Attorney

Risk & Benefits

BCC Admin Staff

Surveyor

Created -

Commission Actions

Chair

Chair Authorized to Sign: No

Commissioner

Commissioner

Action Date

To review the Commissioners' schedule, please go to <http://bit.ly/BCCschedule>

CERTIFICATION

I, Patrick Swart, Deputy Clerk & Recorder for Missoula County, Montana, hereby certify that the attached petition for abandonment of a county road or public right-of-way contains the necessary signatures of at least ten or more of the freeholders within the Missoula County road district and meets the content requirements set forth in MCA 7-14-2602.

The right-of-way to be abandoned is described as follows:

A portion of Cottonwood Lane located in Section 3, Township 1 N, Range 15 W, beginning at Block 3, Lot 1 of Seeley Lake Homesites 10A and Block 8, Lot 8 of Seeley Lake Homesites 3 and ending at Block 3, Lot 15 of Seeley Lake Homesites #10A and Block 8, Lot 7 of Seeley Lake Homesites 3

Signed this 20th day of April, 2022


Patrick Swart
Deputy Clerk & Recorder



PETITION TO ESTABLISH, ALTER, OR ABANDON A COUNTY ROAD

This is a petition brought pursuant to Montana Code Annotated, Title 7, Chapter 14, Part 26, to affect that certain county road or public right-of-way under the jurisdiction of Missoula County, specifically described as:

Name of road or general description: that part of the easterly portion of Cottonwood Lane located between Juniper Drive and Spruce Drive, Seeley Lake

Located in: Section 3, Township 1N, Range 15 West, Missoula County

Beginning at (from): Block 3, Lot 1 of Seeley Lake Homesites #10 A & Block 8, Lot 8 of Seeley Lake Homesites #3

Ending at (to): Block 3, Lot 15 of Seeley Lake Homesites #10 A & Block 8, Lot 7 of Seeley Lake Homesites #3

☒ A map or diagram is attached that illustrates the proposed action, which is incorporated herein by reference.

The County Commissioners are requested to [choose one of the following]:

☐ Establish the right-of-way described above.

☐ Alter the right-of-way as follows: _____

☒ Abandon the right-of-way described above.

The establishment, alteration, or abandonment is necessary and advantageous for the following reason(s): The portion of Cottonwood Lane described above has never been developed or used as a right-of-way or access by any adjoining property owner. It is located on the edge of a large sinkhole that is an active Class III landfill utilized by a local lumber mill. It has been classified as "unusable" by the Montana Department of Revenue. No adjacent landowners use the property as access. It is undrivable in its current state. The only value it presents is in the potential increase in the size of adjacent properties. Without significant engineering and fill, the road could not be developed and used as a public right-of-way due to the nature of the landfill material. All adjacent properties may be accessed via Juniper Drive or Spruce Drive.

All land and owners affected by the proposed action are listed below.*


*Note: Missoula County may not abandon a county road or right-of-way used to access private land if the access benefits two or more landowners unless all the landowners agree to the abandonment. When granting consent, all affected property owners must be listed and sign (e.g. both husband and wife). Trusts must have all members sign or provide trust documents that allow one member to sign on behalf of the trust. Businesses must provide documentation the signing party is authorized to sign on behalf of the business.

» Please see attached signature pages for individual owner signatures. «

Tax ID #	Owner Name(s)	Mailing Address	Signature
1665308	Tonjia Bouldin Theadora Price John Corey	606 Juniper Dr. PO Box 371 Seeley Lake, MT 59868	See Below
1664902	J. Kirk Davies	217 Red Fox Rd. Lolo, MT 59847	See Attachment
1464804	Richard Steiner, Jr.	PO Box 4203 Whitefish, MT 59937	See Attachment
1463908	Pyramid Mountain Lumber, Inc.	PO Box 549 Seeley Lake, MT 59868	See Attachment

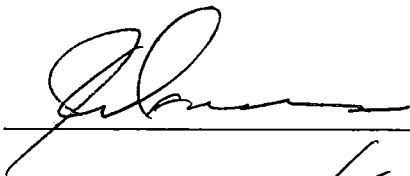
Tax ID#: 1463908 Name: Todd Johnson for Pyramid Mountain Lumber, Inc.

Address: PO Box 549, Seeley Lake, MT 59868

Signature:  - Plant Manager / Owner /
Secretary - Treasurer

Tax ID#: 1664902 Name: J. Kirk Davies

Address: 217 Red Fox Rd., Lolo, MT 59847

Signature:  10/3/21

← (For Petition to Aband county Rd in Seeley) →

Tax ID#: 1665308 Name: Tonjia Bouldin

Address: PO Box 371, Seeley Lake, MT 59868

Signature: _____

← _____ →

Tax ID#: 1665308 Name: Theadora Price

Address: PO Box 371, Seeley Lake, MT 59868

Signature: _____

← _____ →

Tax ID#: 1665308 Name: John Corey

Address: PO Box 371, Seeley Lake, MT 59868

Signature: _____

← _____ →

Tax ID#: 1464804 Name: Richard Steiner, Jr.

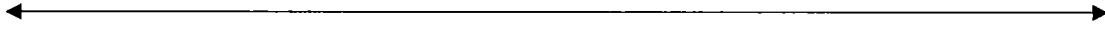
Address: PO Box 4203, Whitefish, MT 59937

Signature: _____

Tax ID#: 1664902 Name: J. Kirk Davies

Address: 217 Red Fox Rd., Lolo, MT 59847

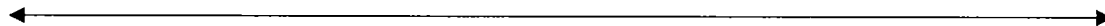
Signature: _____



Tax ID#: 1665308 Name: Tonjia Bouldin

Address: PO Box 371, Seeley Lake, MT 59868

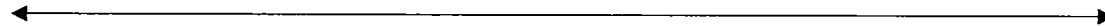
Signature: _____



Tax ID#: 1665308 Name: Theadora Price

Address: PO Box 371, Seeley Lake, MT 59868

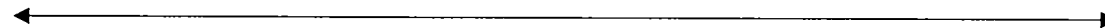
Signature: _____



Tax ID#: 1665308 Name: John Corey

Address: PO Box 371, Seeley Lake, MT 59868

Signature: _____



Tax ID#: 1464804 Name: Richard Steiner, Jr.

Address: PO Box 4203, Whitefish, MT 59937

Signature: Richard W. Steiner

Tax ID#: 1664902

Name: J. Kirk Davies

Address: 217 Red Fox Rd., Lolo, MT 59847

Signature:

Tax ID#: 1665308

Name: Tonjia Bouldin

Address: PO Box 371, Seeley Lake, MT 59868

Signature:

Tax ID#: 1665308

Name: Theadora Price

Address: PO Box 371, Seeley Lake, MT 59868

Signature:

Tax ID#: 1665308

Name: John Corey

Address: PO Box 371, Seeley Lake, MT 59868

Signature:

Tax ID#: 1464804

Name: Richard Steiner, Jr.

Address: PO Box 4203, Whitefish, MT 59937


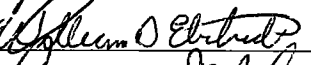

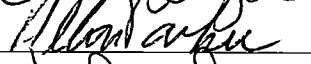


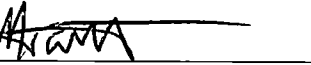
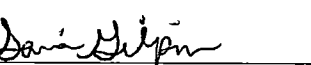


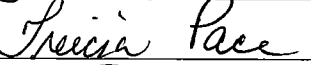

Signature:

The landowners named below have thus far not given consent to the proposed abandonment or alteration: _____

Where consent is not given for an establishment or alteration, the probable cost of the right-of-way: _____

If more space is needed, attach additional sheet(s).

Therefore, we, the undersigned being at least ten freeholders of the road district of Missoula County, do hereby petition the Board of Missoula County Commissioners to establish, abandon, or alter the western portion of Cottonwood Lane, as further described on the first page above. [Note: A minimum of ten valid signatures from owners of real property in Missoula County must appear on the petition. It is recommended additional signatures be gathered to avoid delay from any difficulty verifying signatures.]

Signature	Date	Printed Name	Address
	1-20-22	Ryan Sokoloski	1115 Whitetail
	2-25-22	WILLIAM D EBERHARDT	742 TIMBERLANE
	2-25-22	Carrie Sokoloski	1115 Whitetail
	3/2/22	ALTON PARKER	142 MOOSE LANE
	3/28/22	Cristine Matheny	965 Frontier Dr.
	3/31/22	Debra McOmber	120 Chipmunk Ct
	4/1/22	MICHAEL TRIPLETT	205 LARCH
	4/1/22	Sarina Gilpin	628 Spruce Dr.
	4/4/22	Mike Sokoloski	1171 Whitetail Dr.
	4/7/22	Freda Rathbun	746 Juniper Dr.
	4/7/22	Treicia Bee	1000 Spruce Dr
	4/7/22	Karen Dove	1753 Grandview Dr.

Primary contact for the petitioners [name and contact info]: Carrie Sokoloski, PO Box 647, Seeley Lake, MT 59868, (406) 939-4749

Following section for office use only

☒ \$300 processing fee received for road abandonments only, payable to the Missoula County Clerk and Recorder. No fee for establishment or alteration petitions. (Ref. County Resolution No. 2019-118).


Clerk:  DEPUTY Date: 04/13/2022

☒ Petition reference number assigned:

Signatures Verified:

☐ All signatures verified.

☒ The following signatures cannot be verified: MICHAEL TRIPLET, MIKE
SOLOLOSKI, FREDA RATHBUN, AND TREILIA PALE.

Clerk:  DEPUTY Date: 04/13/2022

Descriptions and Exhibits:

☐ Approved: Descriptions of the road and exhibits have been approved for adequacy and accuracy.

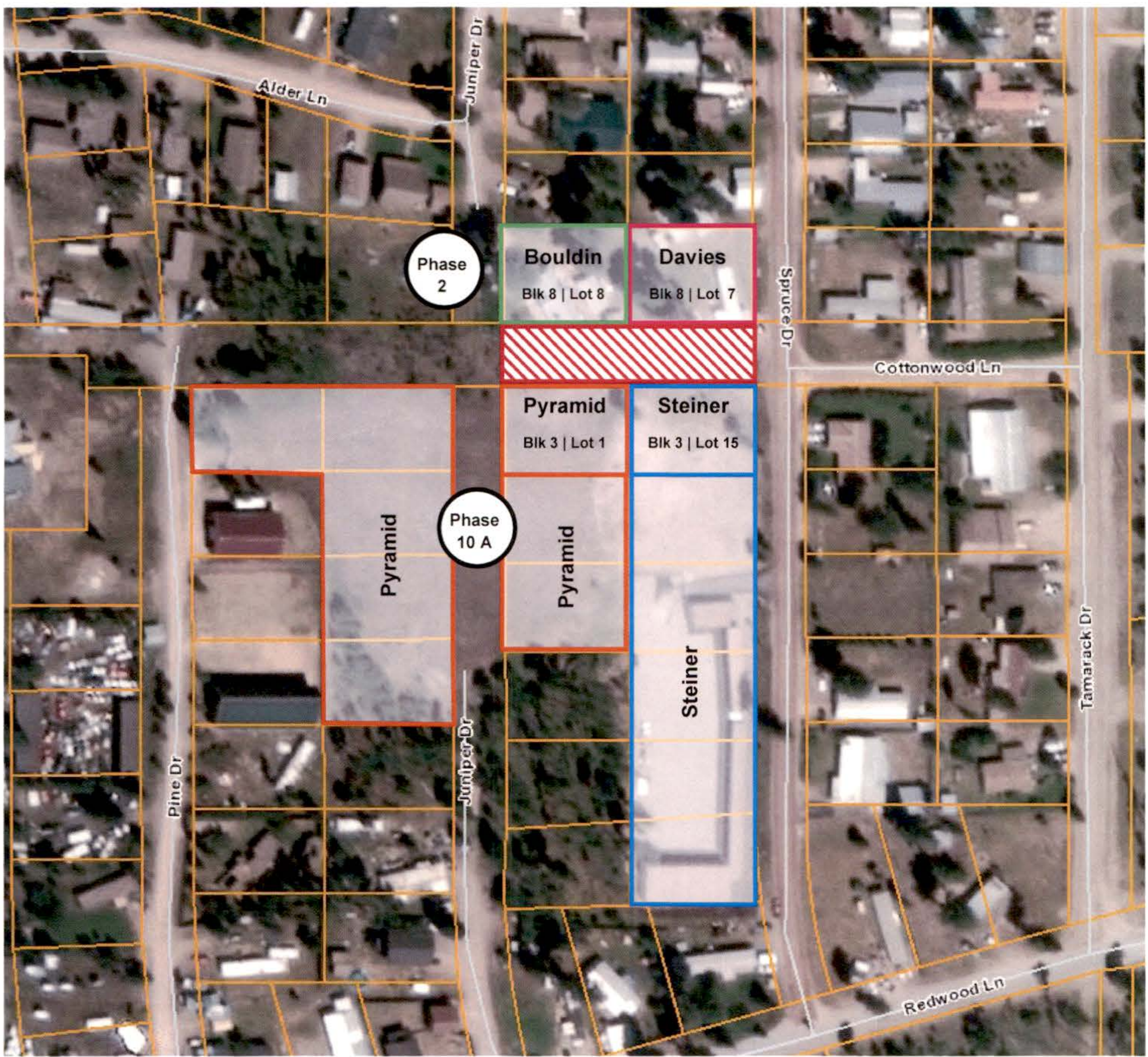
☐ Deficient: See Memorandum dated _____.

Surveyor: _____ Date: _____



Petition Addendum A

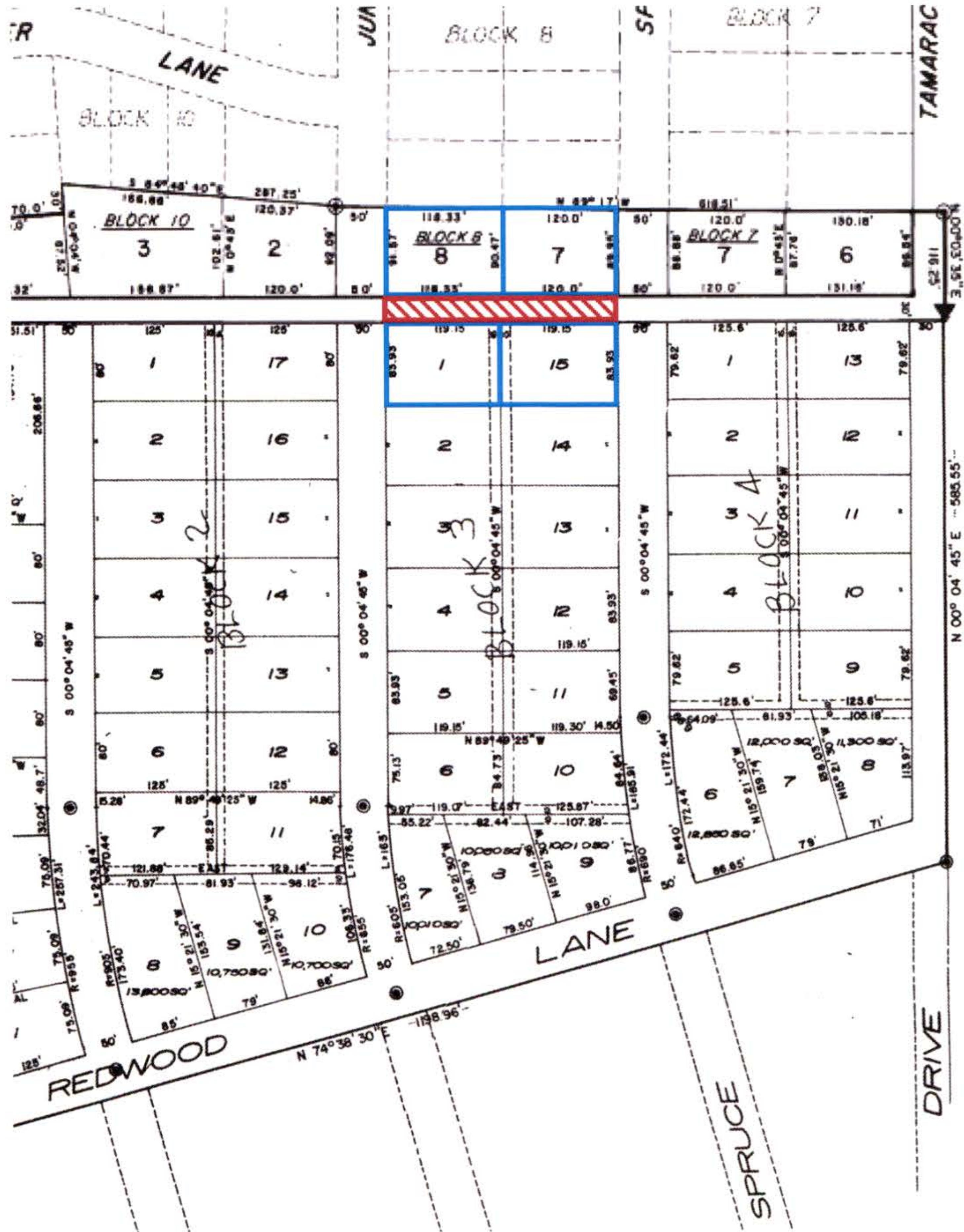
Proposed Abandonment 

Seeley Lake Homesites Phase 



Petition Addendum B

Affected Properties 
Proposed Abandonment 

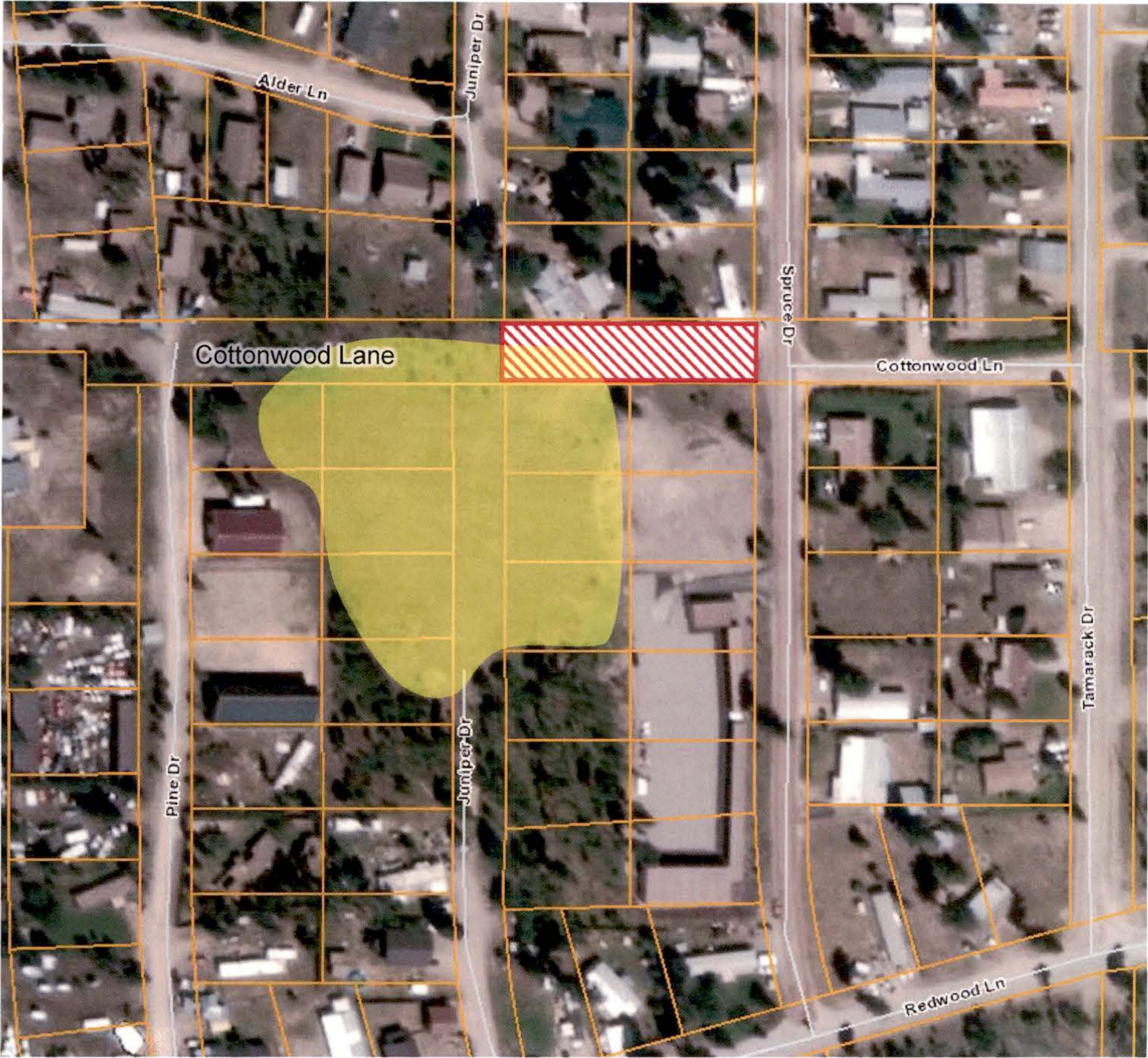


Petition Addendum C

Proposed
Abandonment



Approximate Area
of Landfill



NOTICE OF PUBLIC HEARING PETITION TO ABANDON A PUBLIC ROAD

NOTICE IS HEREBY GIVEN, that a public hearing will be held on the 12th day of May 2022 beginning at 2:00 p.m. in the Sophie Moiese Room, Courthouse Annex, 200 West Broadway, Missoula, Montana 59802, on a petition to abandon the following right-of-way:

A portion of Cottonwood Lane located in Section 3, Township 1 N, Range 15 W, beginning at Block 3, Lot 1 of Seeley Lake Homesites 10A and Block 8, Lot 8 of Seeley Lake Homesites 3 and ending at Block 3, Lot 15 of Seeley Lake Homesites #10A and Block 8, Lot 7 of Seeley Lake Homesites 3

The abandonment of this right-of-way is necessary and advantageous for the following reasons:


The portion of Cottonwood Lane described above has never been developed or used as a right-of-way or access by any adjoining property owner. It is located on the edge of a large sinkhole that is an active Class III landfill utilized by a local lumber mill. It has been classified as "unusable" by the Montana Department of Revenue. No Adjacent landowners use the property as access. It is undrivable in its current state. The only value it presents is in the potential increase in the size of the adjacent properties. Without significant engineering and fill, the road could not be developed and used as a public right-of-way due to the nature of the landfill material. All adjacent properties may be accessed via Juniper Drive or Spruce Drive.

(For complete legal description and additional information, see map and exhibits on file in the Clerk & Recorder's Office, 200 West Broadway, 1st floor, or go to www.missoulaproperty.us to view the full petition recorded as Book 1074 Page 677)

AND THAT all interested persons should dial 1-406-272-4824 Conference ID: 219 773 46# at the above mentioned time, to be heard for or against said petition. Written comments will be accepted by the Commissioner's Office, located at Missoula County Administration Building, 199 West Pine Street, Missoula, Montana 59802, prior to the hearing day.

BY ORDER of the Board of County Commissioners of Missoula County, Montana.




AS DEPUTY
Tyler Gernant
Clerk & Recorder/Treasurer
200 W. Broadway St.
Missoula, MT 59802
(406) 258-4752

Date: April 20, 2022

Publish Dates: April 24 & May 1, 2022