# COUNTY SURVEYOR'S REPORT ON PETITION FOR ABANDONMENT OF COUNTY ROAD OR STREET

DATE:

November 26, 2024

ROAD OR STREET(S): North Fork Lower Willow Creek Road

## LEGAL DOCUMENTS PERTAINING TO ABANDONMENT:

Commissioner Records Volume 10, pg. 615-1(1967), Commissioner Records Volume 1, pg. 39, Clerk and Recorder Records bk. 38, pg. 547, Certificate of Survey No. 588. Petition to vacate road.

# LEGAL DESCRIPTION OF COUNTY ROAD TO BE ABANDONED

That portion of the county road described in Commissioner Records Volume 10, pg. 615-1(1967) that is located within Parcel A of Certificate of Survey No. 588, in the S.W. ¼ sec. 1 and N.W. ¼ sec. 12, T. 9 N., R. 14 W., P.M.M., Granite County, Montana . See attached exhibit "A".

## **DISCUSSION:**

- 1.)Commissioner Scott Adler and I met on site on November 25, 2024 to view and discuss the proposed abandonment. A portion of the road is presently used privately by the existing land owner and is improved and gated. The existing landownder was present and adversarial.
- 2.) It is my opinion that when the lower willow creek reservoir was constructed the intent of bk. 38, pg. 547 was to reroute the existing county road around the newly constructed reservoir.
- 3) I have reviewed the existing county road maps available at the Clerk and Recorders' office and there is no location shown on this portion of county road.

#### **RECOMMENDATION:**

Since there are limited reasons to have public access to this area I would recommend abandonment with the stipulation that the Lower Willow Creek Irrigation District private easement will be modified to a permanent recorded easement upon vacation and abandonment of the above described county road.

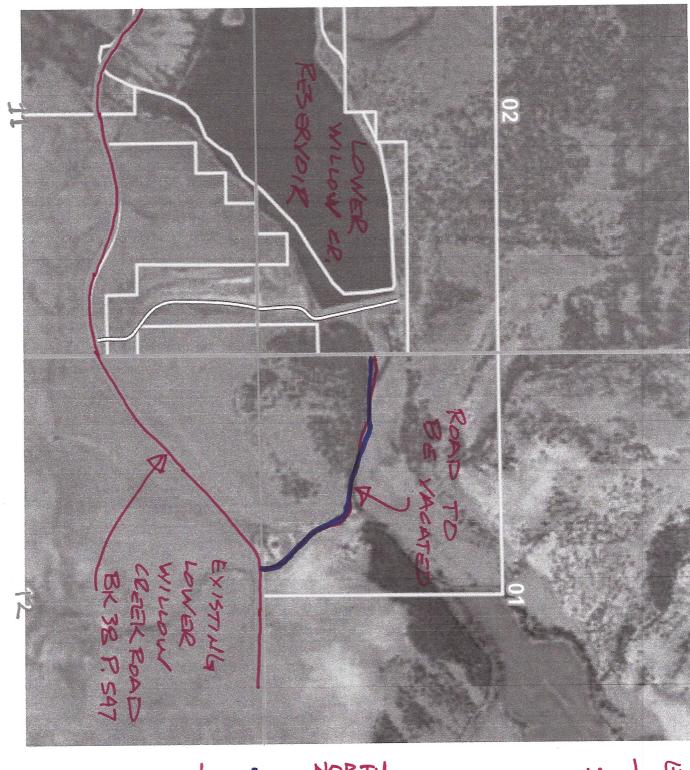
Sincerely,

Hans Bohrnsen

**Granite County Surveyor** 

Montana Professional Land Surveyor

License no. 12243 LS



T911. R.14W.

NORTH

BE VACATED

PRESENT

TRAVELED COUNTY

ROAD.