



RESOLUTION 2014 -144

**RESOLUTION ABANDONING A PORTION OF A COUNTY ROAD
KNOWN AS NORTH MEADOWS ROAD**

WHEREAS, the Lewis and Clark County Board of County Commissioners (Board) has the authority to abandon any part of a county road upon the petition in writing of all owners of lots on the street if it can be done without detriment to the public interest, pursuant to Section 7-14-2103(3), MCA; and

WHEREAS, the Amended Plat of Wirth-Brown Minor Subdivision established "the public access easements as shown on this plat"; said access easement was recorded on Document No. 583249/MS, Lewis and Clark County Clerk and Recorder; this document is attached as Exhibit "A"; and

WHEREAS, North Meadows Road was erroneously "extinguished" with the final plat of Bridge Creek Estates Subdivision and did not go through the proper abandonment process; this document (Document No. 3248734) is attached as Exhibit "B"; and

WHEREAS, said access easement is located in the NE1/4 of Section 17, T11N, R3W, P.M.M., Lewis and Clark County; a portion of the plat showing the location of the road is attached as Exhibit "C"; and

WHEREAS, the location of the proposed easement abandonment begins at the north boundary of the Ropers Loop right-of-way and extend northeast approximately 360 feet; a portion of the plat showing the location of the road is attached as Exhibit "C"; and

WHEREAS, said easement to be abandoned is approximately 360 feet in length and 50 feet in width and does not contain a physical road; and

WHEREAS, landowners petitioned the Lewis and Clark County Board of Commissioners to abandon said easement; and

WHEREAS, North Meadows Road provides access to Lots 1 and 2 of Wirth-Brown Subdivision, and a driveway easement will be retained to provide future access; and

WHEREAS, Lot 3 of Wirth-Brown Subdivision does not access North Meadows Road and uses two recorded access easement (Document No. 3248734 and Book M48, page 4422) for access; and

WHEREAS, having received a petition in writing of all owners of lots underlying the easement, the Board held a public hearing, published notice of the hearing, and considered at that hearing whether the abandonment, vacation or discontinuance of part of the public access easement could be done without detriment to the public interest; and

WHEREAS, the Board determined that the abandonment, vacation or discontinuance of this public access easement can be done without detriment to the public interest; and

NOW, THEREFORE, BE IT RESOLVED that the road known as North Meadows Road, located

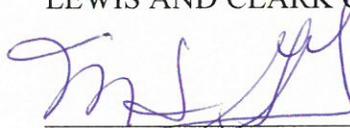
in the NE1/4 of Section 17, T11N, R3W, P.M.M., Lewis and Clark County, is hereby declared abandoned, vacated and discontinued, as shown on attached Exhibit "C".

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-described road will be discontinued as a county road and is not a maintenance obligation to the County.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this Resolution be referenced on the face of the Amended Plat of Lots 1 and 2 of Wirth-Brown Subdivision and Lot 23A of the Bridge Creek Estates Subdivision.

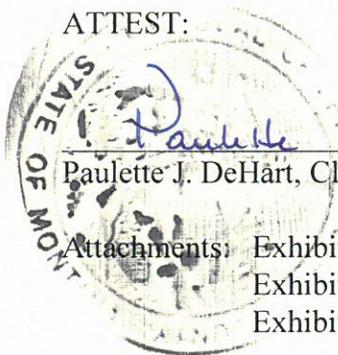
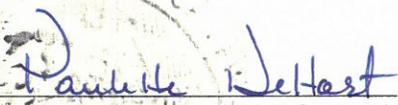
DATED this 16 day of, December 2014.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



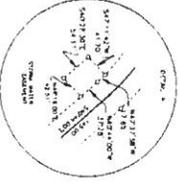
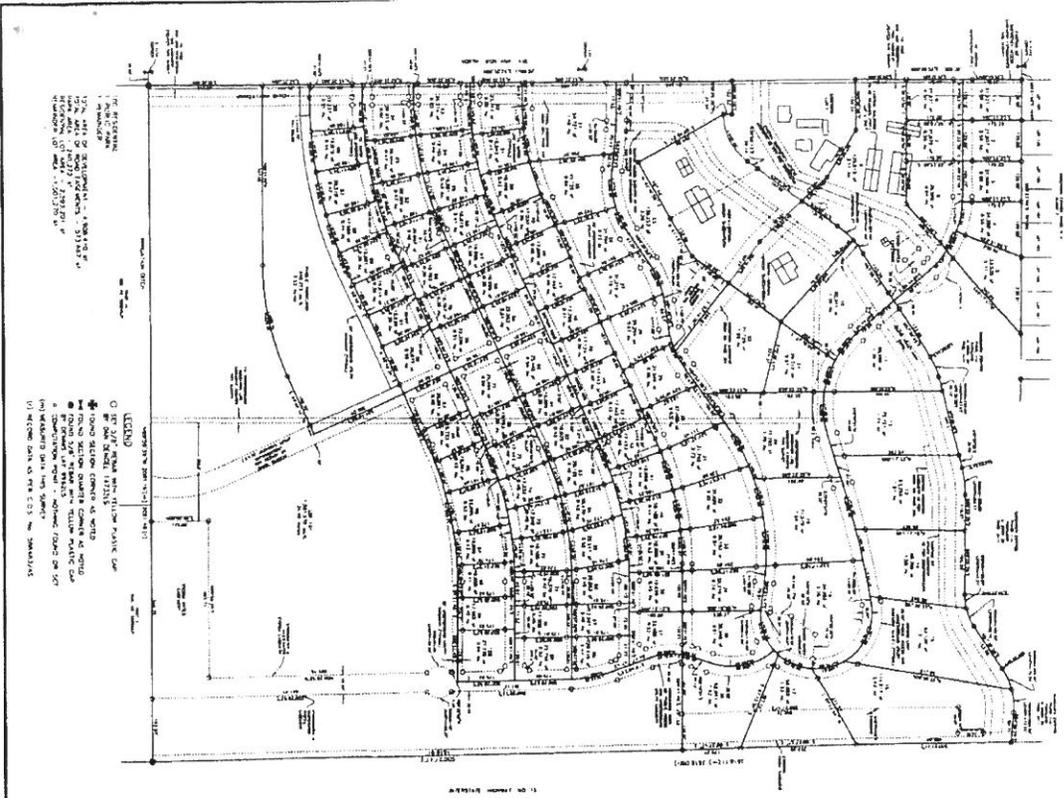
Susan Good Geise, Chair

ATTEST:



Paulette J. DeHart, Clerk of Board

Attachments: Exhibit "A"
Exhibit "B"
Exhibit "C"

BRIDGE CREEK ESTATES MAJOR SUBDIVISION



218270

1/4	Sec 1	R
17	11N	3W
BRIDEL SURVEYING 3000 N. 10TH ST. SUITE 100 DENVER, CO 80202 (303) 733-1111		

OWNER'S DECLARATION
 I, the undersigned, being the owner of the above described land, do hereby certify that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq., and that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq., and that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq.

OWNER'S NAME: [Signature]
ADDRESS: [Address]
DATE: [Date]

STATE OF COLORADO
 COUNTY OF [County Name]
 I, the undersigned, being the owner of the above described land, do hereby certify that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq., and that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq., and that the same is being offered for sale and subdivision in accordance with the provisions of the Colorado Subdivision Map Act, C.R.S. 31-1-101, et seq.

OWNER'S NAME: [Signature]
ADDRESS: [Address]
DATE: [Date]

Exhibit "B"

SUBJECT NOTES:

- (1) All existing easements, including easements for utility lines, shall remain in full force and effect until the expiration of the term of the easement or until the easement is otherwise terminated in accordance with the terms of the easement instrument.
- (2) The easements shown on this plan shall be subject to the terms and conditions of the easement instruments.
- (3) The easements shown on this plan shall be subject to the terms and conditions of the easement instruments.
- (4) The easements shown on this plan shall be subject to the terms and conditions of the easement instruments.
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- (10) The easements shown on this plan shall be subject to the terms and conditions of the easement instruments.

NOTE:

The area shown is a general description of the location of the easements and does not constitute a warranty of the accuracy of the location of the easements. The easements shown on this plan shall be subject to the terms and conditions of the easement instruments.

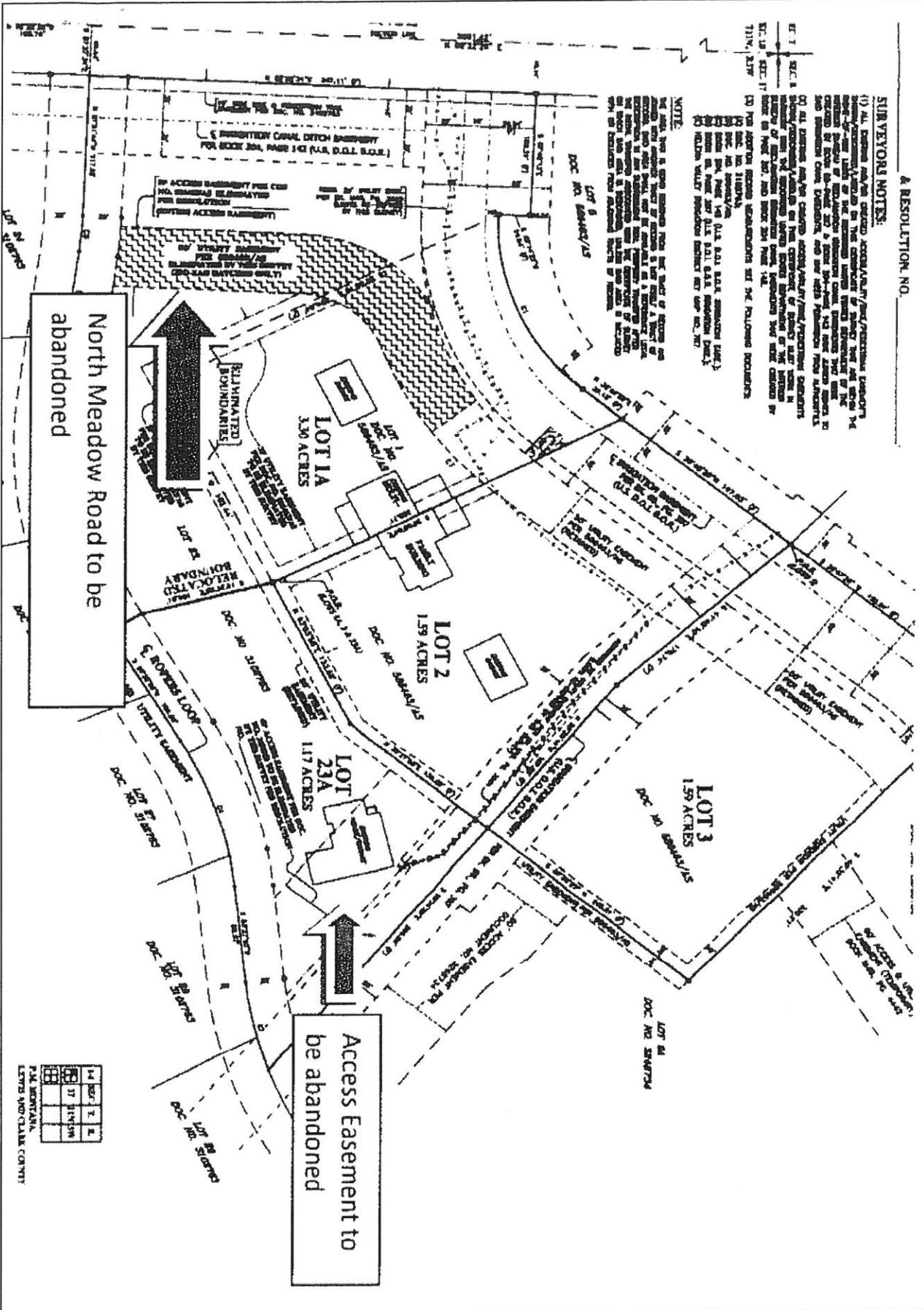


Exhibit "C"