

**RESOLUTION NO. 4-2017**

A RESOLUTION DECLARING THE EXISTENCE OF A COUNTY ROAD;  
SUCH ROAD BEING SPECIFICALLY DESCRIBED BELOW:

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, Sections 7-14-2601 through 7-14-2615, MCA, authorizes the Commissioner to establish, alter, or abandon a county road in accordance with applicable statutory procedure; and

WHEREAS the board is aware that a road exists in Fergus County, known as the **Box Elder Lane and changing name to Box Elder Road** which is more specifically described as follows:

**Traveling north on U.S. Highway 19 approximately 1304 feet north of mile marker 53 and directly west of the Blakeslee Road approach turn west onto: The point of beginning of a road currently known as Box Elder Lane. Turn an arc of 1114 feet or .21 mile west into Township 16 North, Range 23 East, Section 9. Continue straight west through Sections 9, 8 and 7, Township 16 North, Range 23 East for an approximate distance of 2.8 miles. Road veers southwest for approximately 634 feet and enters into Section 12, Township 16 North, Range 22 East. Then traveling near the southerly border of Section 12, Township 16 North, Range 22 East continue west for approximately 3009 feet or .57 mile then road turns gently north west for approximately 2376 feet or .45 mile to the common line between Section 12 and 11, Township 16 North, Range 22 East. Continue due west straight across Section 11, Township 16 North, Range 22 East for an approximate distance of 1 mile. Entering Section 10, Township 16 North, Range 22 East in the SE4SE4 continue due west for approximately 1636 feet**

or .31 miles then turn arcing southwest for approximately 422 feet or .08 mile. Then travel south exiting the SW4SW4 of Section 10, Township 16 North, Range 22 East and entering Section 15 NW4NE4 for an approximate distance of 3168' or .6 mile. Then turn west crossing into the SE4NW4, Section 15, Township 16 North, Range 22 East for an approximate distance of 792 feet or .15 mile. To the intersection of Fords Creek Road, Sumac Road and Box Elder Road. This is the end point of Box Elder Road for an approximate total distance of 43,530 feet or 6.54 miles.

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 petitions; 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 long been under the belief that the entire length of such road is a county road; and

WHEREAS, the 1999 Montana Legislature enacted subsections 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, after due notice, held a public hearing on February 10, 2017, to solicit public input as to the advisability of declaring the foregoing described road to be a county road; and after receiving such input, the Board believes that to declare such to be a county road would be in the public interest;

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 2-14-2101, Montana Code Annotated, the foregoing described **Box Elder Road** is hereby declared to be a public road and shall hereby continue to be used by the public.

PASSED AND APPROVED this 24<sup>th</sup> day of February, 2017.

BOARD OF COMMISSIONERS:

ABSENT  
CARL SEILSTAD

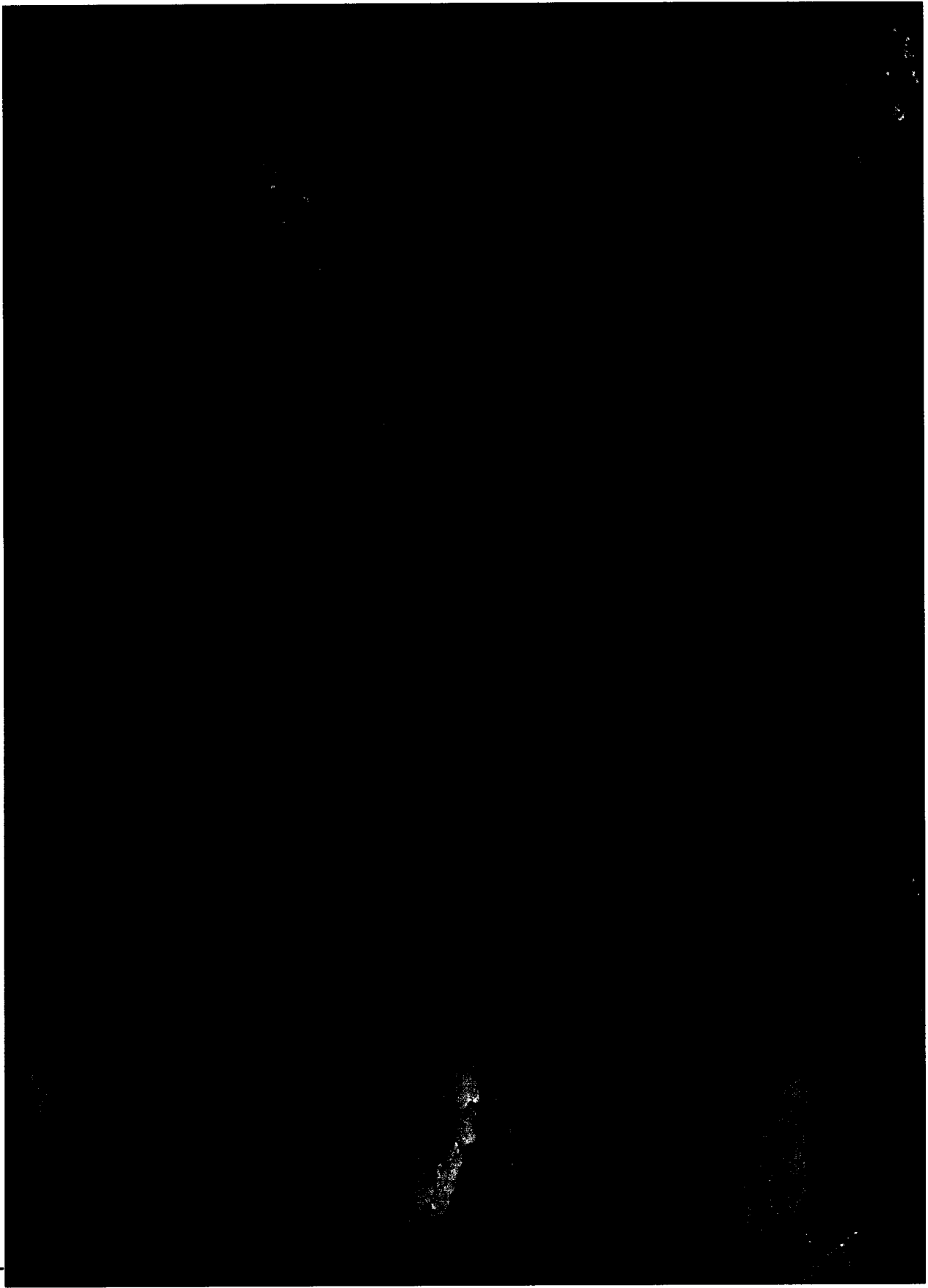
Sandy Young  
SANDY YOUNGBAUER

Ross Butcher  
ROSS BUTCHER

ATTEST:

Rana Wichman  
Rana Wichman, Clerk & Recorder

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33	34	35	36	31	32	33
3	T16N R22E 2	1	6	5 T16N R23E	4	3
10	11	12	7	8	9	10
15	14	13	18	BOX ELDER LN 17 SUMAC RD	16	15
22	23	24	19	20	21	22
27	26	25	30	29	28	27