



**Resolution 2022-26**

**RIVERSIDE DRIVE USE WITHIN YAAK RIVER TRACTS SUBDIVISION**

**THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY,  
MONTANA FINDS:**

Whereas the named subdivision “Yaak River Tracts” (Irregular Plat #1933 on file with the Lincoln County Clerk and Recorder) was platted in 1972 (attached).

Whereas the road named “Riverside Drive” within the platted subdivision was designed as primary access to the lots within the subdivision.

Whereas the right of way for this road was either never developed or not maintained and is not used as access for the majority of the lots within the subdivision.

**THEREFORE THE BOARD RESOLVES:**

Landowners within the “Yaak River Tracts” subdivision may use that portion of the county right of way known as “Riverside Drive” that is attached frontage to the record property owners lot(s) for enjoyment of their property until such a time that the ROW is needed for access to lots within the subdivision. This may include but is not limited to road maintenance and vegetation control. Usage of the right of way may not block access to lots within the subdivision and permanent structures may not be placed within the county right of way.

**THE BOARD FURTHER RESOLVES:**

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair

303644 BOOK: PF PERM/FILES PAGE: 14924 Pages: 3  
 STATE OF MONTANA LINCOLN COUNTY  
 RECORDED: 11/14/2022 8:44 KOI: RESOLUTION  
 ROBIN A. BENSON CLERK AND RECORDER  
 FEE: \$0.00 BY: *Michelle Byrd Deputy*  
 FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,



**LINCOLN COUNTY  
MONTANA**

of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

Marcia Boris  
Marcia Boris, County Attorney

Date presented to the Board Nov. 9, 2022 Approved () Disapproved (  ) Amended (  )

Adopted this 9th day of November 2022.

LINCOLN COUNTY BOARD OF COMMISSIONERS

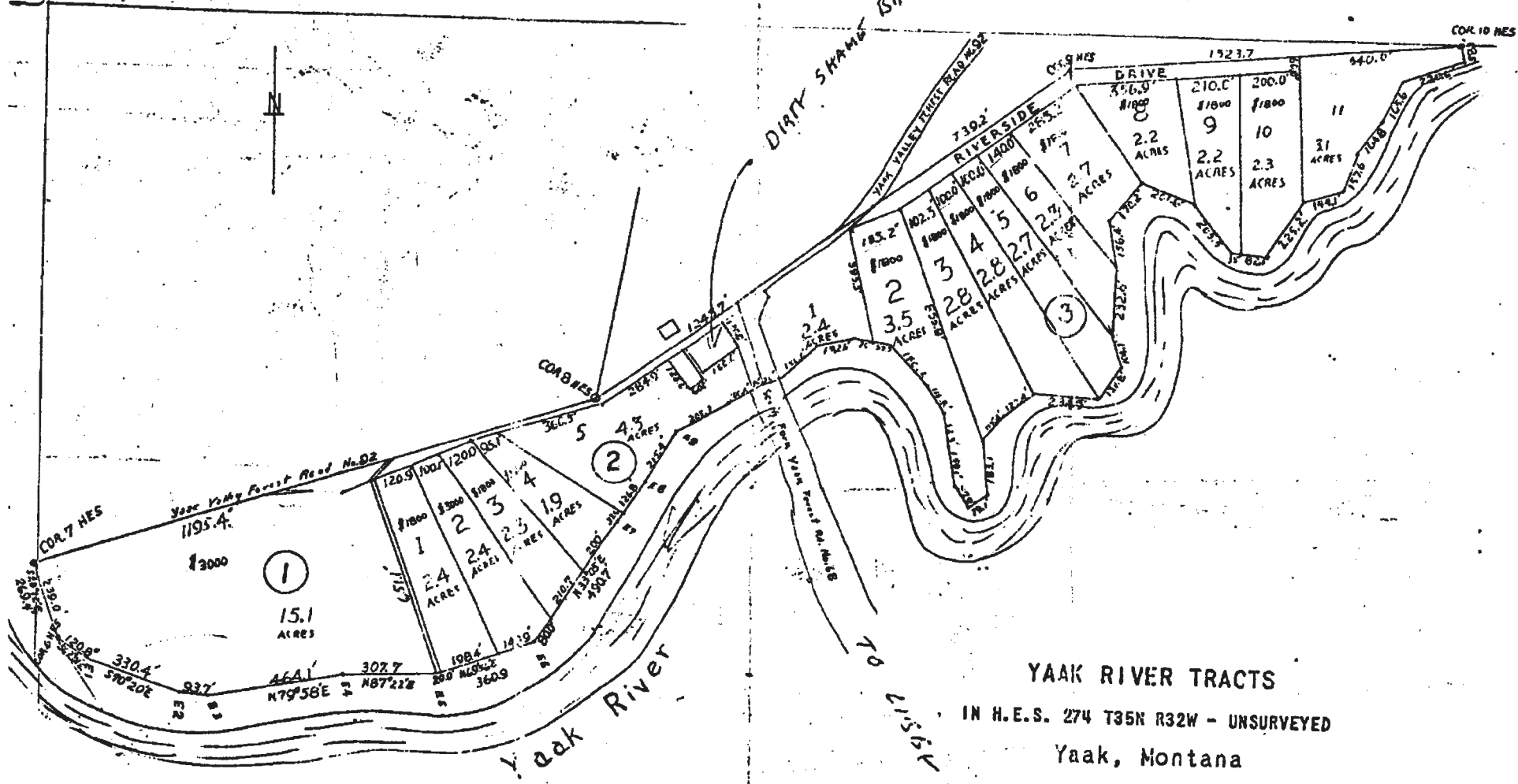
Jerry Bennett  
Jerry Bennett, Chair

ATTEST:

Robin A. Benson  
Robin Benson, Clerk of the Board



1933



**YAAK RIVER TRACTS**  
 IN H.E.S. 274 T35N R32W - UNSURVEYED  
 Yaak, Montana