



# LINCOLN COUNTY MONTANA

311295 BOOK: PF PERM/FILES PAGE: 15207 Pages: 3  
STATE OF MONTANA LINCOLN COUNTY  
RECORDED: 07/10/2024 11:02 KOI: RESOLUTION  
CORRINA BROWN CLERK AND RECORDER  
FEE: \$0.00 BY: *DeLisha Storkson deputy*  
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

## RESOLUTION 2024-17

### A Resolution To Abandon A Portion Of A County Road Between Lots 17 AND 21 In Westgate Business Addition

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

1. The Board of County Commissioners has the authority to abandon a county road, pursuant to MCA §7-14-2103(3); and
2. Per MCA §7-14-2601 a petition was recorded with the Clerk and Recorder on May 16, 2024, to abandon a portion of a county road, said property as being shown on attached Exhibit "A"; and
3. Pursuant to MCA §7-14-2603 at the May 22, 2024, commissioner meeting the Board of County Commissioners noted viewers were appointed to investigate the request; and
4. Per MCA §7-1-2121 a notice of public hearing on the proposed road abandonment was published on June 11, 2024, and June 21, 2024, in the Western News & posted on the county bulletin boards and website; and
5. A public hearing was held on June 26, 2024, in the Commissioner's Meeting Room for the purpose of hearing comments for or against the proposed road abandonment; and
6. Per Title 7, Chapter 14, Part 26 of the MCA the Board of County Commissioners determined the public interest will be more adequately served by the herein requested abandonment.

#### THE BOARD RESOLVES:

As of June 26, 2024, the portion of road described herein is abandoned and reverts to the adjoining landowner and is not an obligation of Lincoln County per MCA §7-14-2615.



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

## END OF RESOLUTION

Approved as to Form:

Marcia Boris, County Attorney

Date presented to the Board July 10th      Approved  Disapproved [ ] Amended [ ]

Adopted this 10<sup>th</sup> day of July, 2024.

LINCOLN COUNTY BOARD OF COMMISSIONERS



\_\_\_\_\_  
Josh Letcher, Chair

ATTEST:



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Corrina Brown, Clerk of the Board

