

Base Fee \$75.00
Mail/Pub \$50.00
Mileage @ \$.58 per mile _____
Total _____

**Petition for Discontinuance or Alteration of County Road to
the Board of County Commissioners, Flathead County, MT**

We, the undersigned, being residents and freeholders of Flathead County, Montana, taxable therein for road purposes, do hereby petition in writing, pursuant to M.C.A. Section 7-14-2601, et seq., the Board of County Commissioners of Flathead County, Montana, to discontinue and abandon or alter that certain public roadway in Flathead County, Montana, named and described as follows:

(LEGAL DESCRIPTION)

A map showing the location of the roadway proposed for abandonment or alteration is attached

For such purposes, we do hereby respectfully state to the Board of County Commissioners as follows:

- 1) Flathead County, Montana, is not divided into road districts and the whole of County constitutes and comprises one road district.
- 2) Petitioners are resident freeholders of Flathead County, Montana, taxable therein for road purposes;
- 3) The public roadway sought to be abandoned and discontinued or altered is within Flathead County and is not within a unincorporated town or town site;

4) Check one:

_____ As required by M.C.A. Section 7-14-2615(3), the county road which this petition requests to be abandoned does **not** provide access to any public land or water.

OR

_____ As required by M.C.A. Section 7-14-2615(3), the county road which this petition requests to be abandoned does provides access to public land or water in the _____ area but substantially similar or better access to that public land or water is still provided because:

5) Check one:

_____ As required by M.C.A. Section 7-14-2615(4), the county road which this petition requests to be abandoned does not provide access to any private land.

OR

_____ As required by M.C.A. Section 7-14-2615(4), the county road which this petition requests to be abandoned provides access to two or more landowners and all of the landowners to whom the county road provides access have affirmatively agreed to the abandonment by either signing this petition or by signing a letter to the Commissioners stating their agreement to the abandonment.

Wherefore, your Petitioners ask that this Petition be set for hearing as provided by law and that, upon hearing, the Board of County Commissioners make and enter into its order vacating and discontinuing or altering said portion of the public roadway above described.

DATED this _____ day of _____, 20 ____

Signature

Printed Name

Address

1)	_____	_____	_____
2)	_____	_____	_____
3)	_____	_____	_____
4)	_____	_____	_____
5)	_____	_____	_____
6)	_____	_____	_____
7)	_____	_____	_____
8)	_____	_____	_____
9)	_____	_____	_____
10)	_____	_____	_____
11)	_____	_____	_____
12)	_____	_____	_____

**TEN INDIVIDUAL SIGNATURES OF LANDOWNERS WITHIN THE COUNTY
(UNINCORPORATED TOWNS) ARE REQUIRED TO MAKE THIS PETITION VALID**

TITLE 7. LOCAL GOVERNMENT

CHAPTER 14. TRANSPORTATION

Part 26. Establishment, Alteration, and Abandonment of County Roads

Abandonment Or Vacation Of County Roads

7-14-2615. Abandonment or vacation of county roads. (1) All county roads once established must continue to be county roads until abandoned or vacated by:

- (a) operation of law;
- (b) judgment of a court of competent jurisdiction; or
- (c) the order of the board.

(2) An order to abandon a county road is not valid unless preceded by notice and public hearing.

(3) The board may not abandon a county road or right-of-way used to provide existing legal access to public land or waters, including access for public recreational use as defined in 23-2-301 and as permitted in 23-2-302, unless another public road or right-of-way provides substantially the same access.

(4) The board may not abandon a county road or right-of-way used to access private land if the access benefits two or more landowners unless all of the landowners agree to the abandonment.