

RESOLUTION 2019 - 35

RESOLUTION ESTABLISHING AND ABANDONING A SEGMENT OF ARGENTA DRIVE OF HOLMBERG VILLAGE ESTATES SUBDIVISION, PHASE VI

WHEREAS, the Lewis and Clark County Board of Commissioners (Commission) may discontinue a street or alley or any part of a street or alley in an unincorporated town or town site upon petition, pursuant to Section 7-14-2616, MCA; and

WHEREAS, on June 29, 2006, the Holmberg Village Estates Subdivision, Phase VI, COS# 3109840 was recorded, dedicating the streets therein to the public use and benefit forever; and

WHEREAS, Jarron and Dani Mitchell (Applicants) have petitioned to establish and subsequently abandon an unconstructed segment Argenta Drive, located within the Holmberg Village Estates Subdivision in Section 16, Township 10 N, Range 02 W, P.M.M., Lewis and Clark County, Montana; and

WHEREAS, details of the segment of Argenta Drive are as follows: an approximately 157' long and 60' wide segment between the boundaries of lots 48-22 and 48-21, within the Holmberg Village Estates subdivision-phase VI; and

WHEREAS, on December 13, 2016, the Commission held a public hearing regarding the petition to establish and subsequently abandon an unconstructed segment of Argenta Drive; and

WHEREAS, after the public hearing, the Commission granted preliminary conditional approval to establish the segment of Argenta Drive as a County Road Easement then subsequently abandon/ vacate that segment; and

WHEREAS, on January 4, 2018, extended the preliminary approval subject to the original conditions; and

WHEREAS, the Commission has determined that all conditions of the preliminary approval are met; and

WHEREAS, the Commission has determined that the discontinuance of the segment of Argenta Drive will not affect or impair the access of private landowners accessing the easements; and

WHEREAS, the Commission has determined that the discontinuance of the segment of Argenta Drive will not affect the public's access to public lands or waters; and

WHEREAS, the Commission has determined that the discontinuance of the segment of Argenta Drive can be done without detriment to the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners:

1. An approximately 157' long and 60' wide segment of Argenta Drive between the boundaries of lots 48-22 and 48-21, located within the Holmberg Village Estates Subdivision Phase VI in Section 16, Township 10 N, Range 02 W, P.M.M., Lewis and Clark County, Montana Lewis and Clark County, Montana, is hereby established.
2. An approximately 157' long and 60' wide segment of Argenta Drive between the boundaries of lots 48-22 and 48-21, located within the Holmberg Village Estates Subdivision Phase VI in Section 16, Township 10 N, Range 02 W, P.M.M., Lewis and Clark County, Montana Lewis and Clark County, Montana, is hereby abandoned.




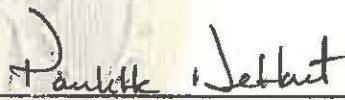
INTRODUCED at a Regular meeting of the Board of County Commissioners on May 2, 2019 by
Commission Member Jim McCormick.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 2nd Day
of May, 2019.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

Attest:



Paulette DeHart, Clerk of the Board