



## REQUEST FOR COMMISSION ACTION

---

### Action Requested

Petition to abandon a portion of that certain county road specifically described as:

Name of road if any: A portion of Lewis & Clark Drive and a portion of a petitioned county road referred to as the Lolo to Lolo Hot Springs Road.

And further described in the Road Book of the Missoula County Department of Public Works Surveying Division and shown on the attached Exhibit as: A portion of Lewis & Clark Drive and a portion of a petitioned county road referred to as the Lolo to Lolo Hot Springs Road.

Attached is a map showing the location of the properties that would be affected by the abandonment of Lewis & Clark Drive and the portion of the 1895 Lolo to Lolo Hot Springs road, and the portions proposed to be abandoned. Petitioners request the abandonment of the road from the east boundary of Tract 2 of COS 5520, through Parcels A&B of COS 2441, Tracts 1 and 2 of COS 2937, and through property owned by William M. and A. Ramona Holt to U.S. Highway 12.

The property owners have legal access for their properties to Highway 12. See attached copies of COS 2937, COS 5520 and COS 2441.

The exact location of Lewis & Clark Drive and the 1895 Lolo to Lolo Hot Springs road through these properties is unknown. According to Missoula County Public Works records, the Road Inventory states that Lewis & Clark Drive only extends 699 feet west of its intersection with Highway 93 South. That distance does not reach the portion of the road that is proposed for abandonment.

According to the records, a road was established by the County in June of 1895 as a "wagon road from Smith's ranch at (sic) mouth of Lolo Creek to the Lolo Hot Springs." See Road Plat Book A, page 141 and Commissioner's Journal, Book G pages 247 and 250 (April & June 1895) attached hereto. Apparently, part of this road is now known as Lewis & Clark Drive. See Surveyor's Note to attached COS 5520.

The abandonment of this county road is necessary and advantageous for the following reasons:

1. The road is not used by the public
2. The location of the road is unknown or unclear
3. The road is not maintained by Missoula County

The following landowners have been notified:

JENNIE BENTHAM  
JOHN DAVID BENTHAM  
PO BOX 267  
LOLO MT 59847

BRESNAN COMMUNICATIONS  
LLC  
1 MANHATTANVILLE RD  
PURCHASE NY 10577

ANN C DAVIS  
1532 CEDAR AVE  
MCLEAN VA 22101

KENNETH G COLBO  
JUDITH L COLBO  
621 MARI CT  
LOLO MT 59847

KENNETH G COLBO JR  
JUDITH L COLBO  
621 MARI CT  
LOLO MT 59847

JAMES S COWAN  
DENISE F COWAN  
PO BOX 907  
LOLO MT 59847

ANN H DAVIS  
1532 CEDAR AVE  
MCLEAN VA 22101

DICH LLC  
DRAWER 9  
LOLO MT 59847

DICH LLP  
DRAWER 9  
LOLO MT 59847

EAT #460 LLC  
PO BOX 4747  
MISSOULA MT 59806

JFJ PROPERTIES LLC  
17 GREENBRIER DR  
MISSOULA MT 59802

JAMES L FOURNIER  
BONNIE LOU COWAN FOURNIER  
11315 HIGHWAY 12  
LOLO MT 59847

SHANE HART  
7105 LOLO CREEK RD  
LOLO MT 59847

STANLEY C HENDRICKSEN  
PO BOX 267  
LOLO MT 59847

WILLIAM M HOLT  
A ROMONA HOLT  
PO BOX 129  
LOLO MT 59847

JOHN JACK JENKS  
17 GREENBRIER DR  
MISSOULA MT 59802

EUGENE W LANGE  
JUDY C LANGE  
PO BOX 1630  
LOLO MT 59847

SUSAN LAWRENCE  
33221 OCEAN RDG  
DANA POINT CA 92629

LOLO SCHOOL DISTRICT #7  
11395 US HIGHWAY 93 S  
LOLO MT 59847

AARON MADSEN  
655 MARI CT  
LOLO MT 59847

TERRY L MANSFIELD  
MARY L MANSFIELD  
PO BOX 213  
LOLO MT 59847

WILLIAM E MCCOOL III  
SANDRA L MCCOOL  
PO BOX 791  
LOLO MT 59847

FRANK MILLER  
PO BOX 730  
LOLO MT 59847

FRANK B MILLER  
PO BOX 730  
LOLO MT 59847

FRANK B MILLER JR  
PO BOX 730  
LOLO MT 59847

CHIEF BELTS

MISSOULA RURAL FIRE  
2521 SOUTH AVE W  
MISSOULA MT 59804

DIANA J MITCHELL  
7055 LEWIS CLARK HWY  
LOLO MT 59847

ROGER L SAVAGE  
614 SPANISH PEAKS DR  
MISSOULA MT 59803

ROGER L SAVAGE  
BONNIE J SAVAGE  
614 SPANISH PEAKS DR  
MISSOULA MT 59803

SCHOOL DISTRICT #7  
11395 US HIGHWAY 93 S  
LOLO MT 59847

TAMARA L SPADT  
RANDALL SPADT  
PO BOX 1044  
LOLO MT 59847

TABISH BROTHERS  
DISTRIBUTORS INC  
PO BOX 8488  
MISSOULA MT 59807

TAVARES FAMILY PARTNERSHIP  
3714 ILLINOIS BENCH RD  
STEVENSVILLE MT 59870

JOHN T VEIN  
KIMBERLY A VEIN  
233 CAPDEVILLA  
LOLO MT 59847

MARGE HILBERT ZAVETA  
PO BOX 1587

LOLO MT 59847

**Recommendation**

Please see Greg Robertson or James McCubbin for their recommendation.

---

**Fiscal Impact**

**\$ N/A**

---

**Submitted By:**

**Name:** Kim Cox

**Title:** Assistant Chief Deputy Clerk & Recorder / Elections

**Dept.:** Clerk & Recorder

**Ext.:** 3241

**DATE:** January 7, 2010

**Reviewed By:**

**Dept. Head:**

**Attachments for Commission Review:**

- 1) Petition
- 2) Map
- 3) Notice of Hearing
- 4) Certification of Signatures

**Commissioners Action:**

**(1) Consent Agenda; (2) Refer to Admin. Meeting; (3) Other: (specify)**

**Michele Landquist, Chair:** ( ) \_\_\_\_\_  
**Date/Initials:** \_\_\_\_\_

**Bill Carey:** ( ) \_\_\_\_\_  
**Date/Initials:** \_\_\_\_\_

**Jean Curtiss:** ( ) \_\_\_\_\_  
**Date/Initials:** \_\_\_\_\_