

To: Yellowstone County Board of County Commissioners

From: Board of Viewers

Date: July 07, 2026

Subject: Board of Viewers Report - Request for Abandonment of Certain Roads within Rockwell-Schauer Subdivision

Board of Viewers Inspection:

Field inspections to view this petition were conducted on different dates in May 2026 by the Board of Viewers. The following people were appointed by Resolution to the Board of Viewers for this petition:

Chris White	Yellowstone County Commissioner, Member (District 1)
Jeff Martin	Yellowstone County Clerk and Recorder
Lora Mattox	Transportation Planning Coordinator (City/County Planning)
Jay Anderson	Yellowstone County Deputy Public Works Director

Background:

Yellowstone County received a Road Abandonment Petition for the abandonment of a certain roads within Rockwell-Schauer Subdivision from a landowner. The roads petitioned for abandonment, names as platted in the Rockwell-Schauer Subdivision, include the portion of 35th Avenue not previously abandoned, 33rd Avenue in its entirety, the portion of Second Street not previously abandoned and a portion to remain dedicated to the public at 34th Avenue, and Fourth Street excluding portions on the eastern and western limits of the subdivision. The length of 35th Avenue to be abandoned is approximately 620-feet extending from Second Street to Highway 10 West. The length of 33rd Avenue to be abandoned is approximately 1,256-feet extending from Fourth Street to Highway 10 West. Second Street will be abandoned between 35th Avenue and 34th Avenue (approximately 265-feet) and between 34th Avenue and 33rd Avenue (approximately 265-feet). The length of Fourth Street to be abandoned is approximately 1,882-feet. Fourth Street will not be abandoned along its common boundary with Lot 12 of Decarlo Subdivision and Area A of Amended Tract 1B of Amended Certificate of Survey 3055 as the property owner did not consent to the petition. Fourth Street will not be abandoned along its common boundary with Schauer Park, which is a park owned by Yellowstone County. The petitioner, Steve Krum, owns Block 4, Lots 1-16, and Block 6, Lots 1-16. Achten owns Block 3, Lots 5-12, Duncan owns Block 2, Lots 1-2, 11-12. Loyning owns Block 1, Lots 1-12. McComish owns Block 3, Lots 1-4, and 13-16. Gordon owns Block 5, Lots 9-16. Tiefenthaler owns Block 5, Lots 1-8. Whiteley owns Tract 1 of Certificate of Survey 3920. Laurel Golf Club owns Tract 1B of Certificate of Survey 3055 Amended. There was not opposition to the abandonment by any of the abutting landowners and the petitioner collected more than the minimum required signatures of Yellowstone County property owners in support of the petition.

Findings:

1. Observations of the petitioned roads: The petitioned roads in the Rockwell-Schauer Subdivision have not been constructed. The roads have largely been fenced over or are currently used by the adjacent property owners.
2. Usage and Necessity: The petitioned roads are not currently being considered for improvement by the County. Portions of the roads were previously abandoned. The petitioned roads are not necessary to provide access to the adjacent properties. All properties involved would maintain access through other roads. The roads do not provide through connections or appear to provide such opportunity in the future.

Recommendations and Conditions of Approval:

After review and input from the Board of Viewers it is their recommendation to proceed with the proposed abandonment of a portion of 35th Avenue, 33rd Avenue in its entirety, a portion of Second Street, and a portion of Fourth Street. Based on the input and consideration of this Board and no opposition from the affected stakeholders this would be the appropriate action to take. The abandonment should only be approved and finalized with the following listed conditions:

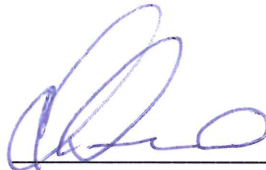
1. Submit and record an amended plat and certificate of survey to the Clerk and Recorders Office aggregating the desired abandonments into the existing Lots or Tracts as agreed to by the adjacent owners. All lots or tracts will need to have legal access.
2. Petitioner has one year to complete all conditions for the abandonment to be finalized.

Respectfully Submitted,

Board of Viewers

Chris White

Yellowstone County Commissioner



6/25/26

Date

Jeff Martin

Yellowstone County Clerk and Recorder



6/24/26

Date

Lora Mattox

Transportation Planning Coordinator (City/County)



6/22/26

Date

Jay Anderson

Yellowstone County Public Works Deputy Director



6/25/26

Date