

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 26-90

Resolution of Intent to Abandon Certain Roads in Rockwell-Schauer Subdivision

WHEREAS, pursuant to Sections 7-14-2101, 7-14-2102 and 7-14-2103 of the Montana Code Annotated, a board of county commissioners has the authority to manage county roads within the county. Pursuant to Section 7-14-2615 of the Montana Code Annotated, a board of county commissioners has the authority to abandon a county road after a public hearing.

WHEREAS, on September 25, 1961, Maizy Rockwell and Gertrude Schauer filed the Plat of the Rockwell-Schauer Subdivision that dedicated the roads in the subdivision to the public. The roads for the subdivision were not constructed when the plat was filed. Over the years only portions of the roads have been constructed. On September 4, 1973, the Yellowstone County Board of County Commissioners abandoned some of the roads in the subdivision. On March 2, 1984, the Board abandoned some of the roads in the subdivision.

WHEREAS, Steven Krum owns land in the Rockwell-Schauer Subdivision. On January 8, 2026, Krum submitted a petition to the Yellowstone County Board of County Commissioners, through the Yellowstone County Public Works Department, to abandon roads in the Rockwell-Schauer Subdivision. The petition indicates which roads he would like the Board to abandon, he would like the Board to abandon the roads because they have not been constructed and are not needed, who would receive the roads if the Board abandoned them and the affected landowners have consented to the abandonment. On May 12, 2026, the Board reviewed the petition and appointed a Board of Viewers to investigate the proposed abandonment. On July 07, 2026, the Board of Viewers submitted a report on the proposed abandonment. The Board of Viewers' Report recommended the Board abandon the roads with conditions. On July 7, 2026, the Board set a public hearing on the proposed abandonment for July 28, 2026. On July 10, July 17, 2026, the Yellowstone County Clerk and Recorder published notice of the public hearing in the *Yellowstone County News*. The Board also sent notice of the hearing to the landowners whose land abuts the proposed abandonment.

WHEREAS, on July 28, 2026 the Board held a public hearing on the proposed abandonment. The Board heard comments on the proposed abandonment and considered the Board of Viewers' recommendation and the comments. The Board determined that it would be in the best interest of the public to abandon the roads. The roads serve no purpose for the public. They have not been constructed. They do not provide access to anything.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners intends to abandon certain roads in the Rockwell-Schauer Subdivision as requested by Steve Krum and consented to by the affected landowners on the conditions Steve files an amended plat and certificate of survey to the Clerk and Records Office aggregating the desired abandonments into the existing Lots or Tracts as agreed to by the adjacent owners, that all lots or tracts have legal access, and that petitioner has

one year to fulfill these conditions. Once Krum complies with the conditions, the Board will pass a resolution that abandons the roads.

Passed and Adopted on the 28 day of July 2026.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Mark Morse, Chair

Michael J. Waters, Member

Chris White, Member

ATTEST:

Jeff Martin, Clerk and Recorder