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Charlotte Mills - Gallatin County, MT MISC

11/17/11

PLATTED

RESOLUTION

DESIGNATION OF CONTROLLED ACCESS HIGHWAY AND FACILITY

PE PROJECT ID: IM-MT 90-6(112)300

PROJECT No.: 5897

DESIGNATION: East Belgrade Interchange

Gallatin County, Montana

The State of Montana Transportation Commission, in regular meeting assembled, does hereby concur in the following findings and resolution:

THAT a state highway known as Montana Department of Transportation Highway Project IM-MT 90-6(112)300 has been approved for construction by the Federal Highway Administration of the United States Department of Transportation, and federal funds will be expended to aid the State of Montana in the construction of said highway;

THAT in order to facilitate the flow of traffic; preserve the public peace, health, and safety; for the promotion of the general welfare and efficient travel; and to otherwise facilitate implementation of the purposes and intents set forth in Mont. Code Ann. §§ 60-1-101 and 60-1-102, the Montana Department of Transportation has recommended that any and all rights and/or easements of access claimed by the owners or occupants of land abutting a portion of said Highway Project IM-MT 90-6(112)300 should be controlled and/or limited by the State by exercise of its police power, or if it be determined that the police power does not apply to any parcel involved in this project, then the same should be acquired by eminent domain;

THAT the purpose of controlling access for a portion of said Highway Project IM-MT 90-6(112)300 is to improve safety and efficiency by reducing vehicular conflicts;

THAT vehicular conflicts will be reduced by controlling and limiting the number and location of access points within the limits of a portion of said Highway Project IM-MT 90-6(112)300;

THAT this Commission has found and determined and does hereby find and determine that said Highway Project IM-MT 90-6(112)300, as shown on the right-of-way plans for said project and more specifically described on the "Description of Route" attached hereto and hereby made a part hereof, shall be designated as a "Controlled Access Highway and Facility";

THAT, pursuant to Montana Code Annotated § 60-5-103, this Commission has found and determined and does hereby find and determine that it is necessary and desirable that the owners or occupants of abutting land or other persons shall have no easement of access or only a limited easement of access, light, air, or view so as to prevent such portion of highway from becoming unsafe for or impeded by unrestricted access of traffic from intersection streets, alleys, public or private roads, or ways of passage. In the event it is hereafter determined that the project shall leave any abutting landowner without reasonable access, then such rights of or easements to access, light, air, or view shall be acquired by the state; and

THAT there shall be no direct access to, from, over or across the access control limits of said Controlled Access Highway and Facility, except as will be hereafter determined.

THAT this Resolution supercedes and replaces a portion of that resolution previously passed, adopted and executed by the Transportation Commission and recorded in Gallatin County.

THAT if it is found and determined that this Resolution conflicts with other Resolutions previously passed, adopted and executed by the Montana Transportation Commission, then this Resolution shall supercede and prevail over all previous Resolutions with respect to the areas of the Resolutions that are in conflict.

NOW THEREFORE, We, the undersigned, do hereby certify that this Resolution was

passed, adopted, and executed upon the favorable vote of at least three members of the State of Montana Transportation Commission at a meeting of said commission, held on the 17 day of April, 2011.

DATED this 17th day of November, 2011.

STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION

Tim Reardon, Director

STATE OF MONTANA
TRANSPORTATION COMMISSION

Kevin Howlett, Chairperson

ATTEST:

Lori Ryan, Commission Secretary

[COMMISSION SEAL]

STATE OF MONTANA)
):ss
Lewis and Clark COUNTY)

This instrument was acknowledged before me on the 17th day of November, 2011, by Tim Reardon as Director of the Montana Department of Transportation.

[NOTARIAL SEAL]

Notary Signature

DAVID L. OHLER
Notary Printed Name

Notary Public for the State of MONTANA
Residing at HELENA
My Commission Expires: JUNE 30, 2012

STATE OF MONTANA)
):ss
Lewis and Clark COUNTY)

This instrument was acknowledged before me on the 17th day of NOVEMBER, 2011, by Kevin Howlett as Chairperson of the Montana Transportation Commission.

[NOTARIAL SEAL]

Notary Signature

DAVID L. OIFER
Notary Printed Name

Notary Public for the State of MONTANA
Residing at HELENA
My Commission Expires: JUNE 30, 2012

Note: This Resolution may be amended or superceded by other Resolutions recorded after this one. Information concerning this and any subsequent resolutions can be obtained from the Montana Department of Transportation.

DESCRIPTION OF ROUTE

FOR

IM-MT 90-6(112)300 PE

E BELGRADE INTERCHANGE-NORTH

IN

GALLATIN COUNTY, MONTANA

A CONTROLLED ACCESS FACILITY

I-90

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Interstate 90 (I-90) in the NE¼SW¼ of Section 12, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana, and extends easterly along said centerline a distance of approximately 1.5 miles over and across Section 12, Township 1 South, Range 4 East; and Sections 7 and 18, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, to a point of ending on said centerline in NW¼NE¼ of said Section 18, as the route for said Project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

ALASKA ROAD

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Alaska Road South in the NE¼NE¼ of Section 13, Township 1 South, Range 4 East; and U.S. Government Lot 1 of Section 18, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, and extends northerly along said centerline a distance of approximately 1.0 mile over and across Section 13, Township 1 South, Range 4 East; Sections

18 and 7, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, to a point of ending on said centerline in U.S. Government Lot 2 of said Section 7 at its intersection with Secondary Highway 205 (S-205), as the route for said Project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

NORTHERN PACIFIC AVENUE

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Northern Pacific Avenue in the SE¼NE¼ of Section 12, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana, and extends southeasterly along said centerline a distance of approximately 0.2 mile over and across Section 12, Township 1 South, Range 4 East; and Section 7, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, to a point of ending on said centerline in U.S. Government Lot 2 of said Section 7, at its intersection with Alaska Road (U-707), as the route for said project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

U-605/S-205

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Urban Route 605 (U-605) in the NE¼NE¼ of Section 12, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana and extends southeasterly along said centerline, continuing beyond its intersection with Gallatin Field Road (U-610) at which point U-605 transitions to Secondary Highway 205 (S-205), a distance of approximately 0.7 mile over and across Section 12, Township 1 South, Range 4 East; and Section 7, Township 1 South, Range 5 East, P.M., M., Gallatin County, Montana, to a point of ending on said centerline in the

NE¼SW¼ of said Section 7, as the route for said project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

GALLATIN FIELD ROAD

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Gallatin Field Road (U-610) at its intersection with S-205, which said point is located in U.S. Government Lot 2 of Section 7, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, and extends northerly a distance of approximately 0.4 mile over and across Sections 7 and 6, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, to a point of ending in U.S. Government Lot 7 of said Section 6, as the route for said project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

ALASKA ROAD SOUTH

The route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Alaska Road South, which said point is located in the NE¼SW¼ of Section 12, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana, and extends southeasterly a distance of approximately 0.6 mile over and across Sections 12 and 13, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana, to a point of ending on said centerline in the NE¼NE¼ of said Section 13, at its intersection with Frank Road near the section line common to the SE¼SE¼ of said Section 12 and the NE¼NE¼ of said Section 13, as the route for said Project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.

FRANK ROAD

The Route for Montana Department of Transportation Project IM-MT 90-6(112)300 PE begins on the centerline of Frank Road just west of its intersection with Alaska Road South in the SE¼SE¼ of Section 12 and NE¼NE¼ of Section 13, Township 1 South, Range 4 East, P.M.,M., Gallatin County, Montana, and extends easterly approximately 0.2 mile over and across Sections 12 and 13, Township 1 South, Range 4 East; and Sections 7 and 18, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, to a point of ending on said centerline in U.S. Government Lot 1 of said Section 18, at its intersection with Alaska Road, near the section line common to U.S. Government Lot 4 of said Section 7 and U.S. Government Lot 1 of said Section 18, as the route for said Project IM-MT 90-6(112)300 PE has been located, surveyed, planned and designed by the Montana Department of Transportation.