

HON. HOWARD F. RECHT  
District Judge, Dept. No. 1  
Twenty-first Judicial District  
Ravalli County Courthouse  
205 Bedford Street, Suite A  
Hamilton, Montana 59840-2853  
Phone: (406) 802-7188

*Rec'd  
7/2/19*

FILED  
PAIGE TRAJTWEIN, CLERK

JUL 01 2019

*Paige Trajtwein*  
DEPUTY

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

IN THE MATTER OF THE ESTATE OF:

FRANCIS B. BESSENYEY,

Deceased.

Cause No. DP-12-92 / 21  
Department No. 1

ORDER FOR RESPONSE

Ilona Besseney, Personal Representative of the Estate of Francis B. Besseney, has petitioned the Court for a proposed partition of real property as part of the distribution of the Estate. Despite the fact that there are only three heirs, the Personal Representative seeks partition of the real property at issue into seven parcels. Pursuant to § 76-3-201(2), MCA, the governing body of Ravalli County is hereby notified of the proposed partition of real property.

IT IS HEREBY ORDERED that the governing body is directed to examine the proposed partition of land to determine whether or not the requirements of the Montana Subdivision and Platting Act apply to the division, pursuant to § 76-3-201(5), MCA, and issue comment on the petition for partition of property within 90 days of the date of this Order.

IT IS FURTHER ORDERED that if the governing body determines the method of disposition has not been adopted for the purpose of evading the Montana Subdivision and Platting Act, the governing body shall hold a public hearing on the proposed partition in accordance with the notice requirements of § 76-3-605, MCA, prior to issuing its comment.

ORDER

After submission of the public comment and the governing body's comment, the Court will consider the proposed partition.

IT IS FURTHER ORDERED that the governing body may establish reasonable fees for the examination of the proposed division of land and the public hearing to be paid by the petitioner, not to exceed \$200.

DATED this   1   day of July, 2019.

  
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HON. HOWARD F. RECHT, District Judge

I certify that I forwarded copies of  
this instrument to counsel of record  
*Paige Trautwein, Clerk*  
*July 02, 2019*  
\_\_\_\_\_  
Paige Trautwein, Clerk  
*Paige Trautwein*  
\_\_\_\_\_  
Deputy