

FINAL RESOLUTION AND ORDER  
RESOLUTION NO. 2012V-03  
RESCINDING RESOLUTION NO. 2012V-02

Whereas, on the 9<sup>th</sup> day of April, 2012, the Board of County Commissioners, Lincoln County, Kansas approved and adopted Final Resolution and Order Resolution 2012-V02, vacating a certain road;

Whereas, during the public comment portion of the road vacation hearing, all parties acquiesced that the south portion of N 180<sup>th</sup> Rd would not be closed.

Whereas, the description of the road was such that the south portion of N 180<sup>th</sup> Rd was included in the approved road vacation hearing.

Now on this 23rd day of April, 2012, at a duly constituted and regular meeting of the Board of County Commissioners, Lincoln County, Kansas, all members of said board being present, approve rescinding Resolution No. 2012V-02 and approving Resolution No. 2012V-03, which corrects the road description previously described in Resolution No. 2012V-02.

After due consideration, and after being duly advised in the premises, the board finds, that on the 26th day of March, 2012, the said board did unanimously make a preliminary resolution proposing to vacate a certain road, as in their judgment said road is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes said road has become practically impassable and the necessity for said road as a public utility does not justify the expenditure of the necessary funds to repair said road or put the same in condition for public travel; said road described as follows:

That road that begins 790 feet north of the SE Corner of Section 26, also being the intersection of N 180<sup>th</sup> Rd and E Teal Dr thence southwesterly 1900 feet to the north line of Section 35 thence southwesterly 720 feet into Section 35 thence west 500 feet to the west line of NE1/4 of Section 35 also being the east line of the NW1/4 thence north to the north line of Section 35 also being the south line of Section 26 thence along the north line of Section 35 also being the south line of Section 26 west to the southeast corner of the W1/4 SE1/4 of Section 26 also being the northeast corner of the W1/2 NW1/4 of Section 35, all being in Township 10 South Range 8 West..

The board further finds that due and legal notice of said proposed vacation has been given by publication as required by law, and the proof thereof has been duly filed with the County Clerk.

IT IS THEREFORE ORDERED, ALL MEMBERS VOTING IN THE AFFIRMATIVE: That the above described road, and every part hereof, should be vacated, and it is hereby vacated, as above described, and that the County Clerk enter the proceedings concerning said vacation upon the records, and that a copy thereof will be certified to the Register of Deeds, Lincoln County, Kansas.

BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, KANSAS

  
Steven R. Errebo, Chairman

  
Al Joe Wallace, Vice-Chairman

  
Perry L. Finch, Member

I hereby certify that I have carefully examined all of the proceedings of the Board of County Commissioners in connection with the foregoing order of vacation, and find that said proceedings have been conducted in accordance with the statutes in such cases made and fact to justify the foregoing order of vacation.

Dated: April 23, 2012



  
Dawn M Harlow, County Clerk

CC: County Road Supervisor  
Commissioners Journal



STATE OF KANSAS, LINCOLN COUNTY SS.  
Filed for record this 27 day of APRIL, A.D.  
2012 at 1:10 o'clock P.M. and duly  
recorded in Book 10 of Misc. Page 45  
Tami L. Kerth  
Register of Deeds  
Fee \$ N/C