

FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2005V-01

Now on this 16th day of May 2005, at a duly constituted and regular meeting of the BOARD OF COUNTY COMMISSIONERS, Lincoln County, Kansas, all members of said board being present, the matter of the vacation of a certain road comes on for final hearing and order before said board.

After due consideration, and after being duly advised in the premises, the board finds, that on the 25th day of April, 2005, the said board did unanimously make a preliminary resolution proposing to vacate a certain section line road, as in their judgement 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:

Beginning at the Northwest (NW) corner of the Southwest Quarter (SW1/4) of Section 10 running one and one-half miles east to the Northeast (NE) corner of the Southwest Quarter (SW1/4) of Section 11 all in Township 12S Range 7W. Said right-of-way being 40 feet.


and that said preliminary resolution is herewith adopted and made a part of this order by reference.


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 THEREFOR 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


Terry L Finch, Chairman


Steven R Errebo, Vice-Chairman


Al Joe Wallace, 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: May 16, 2005




Dawn M Harlow, County Clerk

CC: County Road Supervisor
Commissioners Journal



State of Kansas, Lincoln County, S. S.
This instrument was filed for record
at 8:05 o'clock A.M.

MAY 17 2005

RECORDING FEE N/C

and duly recorded in Book 4
of Misc on page 455
Tami L. Kerth Reg. of Deeds

Tami L. Kerth