

FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2006V-05

Now on this 27th day of November 2006, 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 6th day of November, 2006, the said board did unanimously make a preliminary resolution proposing to vacate certain roads located in Scott Township, 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 roads are described as follows:

Road 1:

That road beginning 1000 feet east of the southwest corner of Section 31 thence running northwesterly to the east-west half section line of Section 30 all in Township 10 Range 7, said right-of-way being 40 feet.

Road 2:

That road beginning 1300 feet north of the southeast corner of Section 6 also being the southwest corner Section 5 thence north to half section line thence east on the half section line of Section 5 to the northeast corner of the southwest quarter all in Township 10 Range 7, said right-of-way being 40 feet.

Road 3:

That road beginning at the southwest corner of the east half of the southeast quarter of Section 22 thence north on the half section line to the northwest corner of the east half of the southeast quarter thence northeasterly to south line of the north half of the northeast quarter of Section 22 in Township 10 Range 7, said right-of-way being 40 feet.

Road 4:

That road beginning at the southwest corner of the northwest quarter of Section 26 also being the southeast corner of the northeast quarter of Section 27 thence east 1180 feet, also beginning at the southwest corner of the northwest quarter of Section 26 also being the southeast corner of the northeast quarter of Section 27 thence northeasterly to the north section line of Section 26 thence northeasterly to the north line of the south half of the southeast quarter of Section 23 thence east to the east section line of Section 23 all in Township 10 Range 7, said right-of-way being 40 feet.

Road 5:

That road beginning at the southwest corner of the northwest quarter of Section 24 thence east on the half section line to the east section line of Section 24 in Township 10 Range 7, said right-of-way being 40 feet.

Road 6:

That road beginning at the northeast corner of Section 24 Township 10 Range 7 also being the northwest corner of Section 19 Township 10 Range 6 thence south on the section line to the southeast corner of the north half of Section 36 Township 10 Range 7 also being the southwest corner of the north half of Section 31 Township 10 Range 6, said right-of-way being 40 feet.

Road 7:


That road beginning at the southeast corner of Section 25 also being the northeast corner of Section 36 thence west 2,630 feet in Township 10 Range 7, 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 THEREFORE ORDERED, ALL MEMBERS VOTING IN THE AFFIRMATIVE: That the above described roads, and every part hereof, should be vacated, and 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

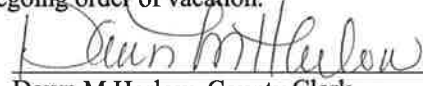


Perry L Finch, Member

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: November 27, 2006





Dawn M Harlow, County Clerk

CC: County Road Supervisor
Commissioners Journal