

SEQ CHAPTER 19-1 BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 06-34

A RESOLUTION AUTHORIZING A SPECIAL ASSESSMENT AGAINST THE PROPERTY OF ROBERT J. HOOTON FOR \$13,713.13 PLUS STATUTORY INTEREST FOR THE ABATEMENT OF A NUISANCE ON SAID PROPERTY, TO BE REGISTERED ON THE TAX ROLLS OF FRANKLIN COUNTY, KANSAS.

WHEREAS, K.S.A. 19-101 establishes every county in Kansas, including Franklin County, Kansas, as a body corporate and politic.

WHEREAS, K.S.A. 19-101a establishes Franklin County as having home rule powers, or the ability to transact all county business and perform all powers of local legislation and administration it deems appropriate.

WHEREAS, K.S.A. 19-101a(b) provides that home rule powers shall be exercised by resolution of the Board of County Commissioners.

WHEREAS, K.S.A. 65-3415a(d) mandates that a person or persons responsible for illegal dumping activity shall be responsible for corrective actions.

WHEREAS, in 2003, the Franklin County Board of County Commissioners cleaned up an illegal solid waste dump at the property described as:

Beginning at the Northwest Corner of Section Two (2), Township Eighteen (18), Range Nineteen (19), Thence East One Thousand Thirty feet (1,030'), thence South Three Hundred Seventy-One feet (371'), thence West Three Hundred Six feet (306'), thence South Three Hundred Thirty feet (330'), thence South 52 degrees West One Hundred Sixty feet (160'), thence South Four Hundred Twenty-Five feet (425'), thence South 51 degrees West Two Hundred Sixty-Five feet (265'), thence South One Thousand Two Hundred Fifty feet (1,250'), thence West Three Hundred Eighty feet (380'), thence North Two Thousand Six Hundred forty feet (2,640') to the point of beginning, containing 34 acres, more or less, in Franklin County, Kansas.

WHEREAS, Robert J. Hooton is the owner of the aforementioned property.

WHEREAS, said cleanup cost Franklin County, Kansas \$13,713.13.

WHEREAS, on December 16, 2003, judgment was entered against Robert J. Hooton in the amount of \$13,713.13, plus interest at the statutory rate for abating a nuisance on his property.

WHEREAS, the Franklin County Board of County Commissioners wishes to assess the charges of said cleanup, and the statutory interest imposed by the District Court, as a special

assessment against the property above described, and register said assessment on the tax rolls of Franklin County.

NOW BE IT THEREFORE RESOLVED

BY

THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KANSAS

That said judgment of \$13,713.13 plus interest at the statutory rate owed by Robert J. Hooton for the cost of abating a nuisance on his land will be registered on the tax rolls of Franklin County, Kansas as a special assessment against the property above described.

This Resolution shall be in full force and effect following its passage by the Board of County Commissioners and its subsequent publication in the official county newspaper.

WHEREUPON, the Board of County Commissioners of Franklin County, Kansas, passes and adopts this Resolution in regular session at its chambers in Ottawa, Franklin County, Kansas, this 24th day of May, 2006.

/s/ John E. Taylor
John E. Taylor, Chairman

APPROVED, received and recorded this 24th day of May, 2006

/s/ Shari Perry
Shari Perry, Franklin County Clerk