

BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 06-045

A RESOLUTION TO VACATE A CERTAIN ROAD IN FRANKLIN COUNTY, KANSAS

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of the North/South alley in Block 104 and Block 109 in the City of Peoria between Sycamore Street and Locust Street and vacate Hickory Street between Tennessee Drive also known as Ottawa Street and Tennessee Terrace in Sec. 12, Twp. 17S, Range 20E, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on June 3, 2006,

WHEREAS, notice of the proposed vacation was mailed by certified mail, return receipt requested, to all landowners of record as required by K.S.A. 68-102 notifying said landowners of the proposed vacation and of their right to protest said vacation; and,

WHEREAS, a hearing was held on June 28, 2006, for anyone wishing to protest the vacation of said particular road and alley; and,

WHEREAS, as a result of said hearing, the Franklin County Commission voted to vacate the portion of said road and alley above described.

NOW BE IT THEREFORE RESOLVED

BY

THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KANSAS

That the following road is not a public utility by reason of neglect, non-use, or inconvenience and that said road and alley has become practically impassable and the necessity for said road and alley as a public utility does not justify the expenditure of the necessary funds to repair said road and alley or put the same in condition for public travel and therefore said road and alley is hereby vacated:

The North/South alley in Block 104 and Block 109 in the City of Peoria between Sycamore Street and Locust Street and vacate Hickory Street between Tennessee Drive also known as Ottawa Street and Tennessee Terrace in Sec. 12, Twp. 17S, Range 20E, in Franklin County, Kansas.

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 28th day of June, 2006.

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

APPROVED, received and recorded this 28th day of June, 2006.

/s/ Shari Perry
Shari Perry, Franklin County Clerk