

**BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 05-07

A RESOLUTION TO VACATE A PORTION OF OHIO ROAD IN FRANKLIN COUNTY, KANSAS

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of a portion of Ohio Road between Nevada Terrace and Oregon Road, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on December 30, 2004, and

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 January 12, 2005, for anyone wishing to protest the vacation of said particular road; and,

WHEREAS, as a result of that hearing, the Franklin County Commission voted to vacate the road.

BE IT THEREFORE RESOLVED

BY

THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY:

That the following road is not a public utility by reason of neglect, non-use, or inconvenience and that 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 and therefore a portion of said road is hereby vacated as follows:

Beginning at the Southwest corner of Section 15, Township 17S, Range 20E, thence north one (1) mile to the Northwest corner of Section 15, Township 17S, Range 20E, Franklin County, Kansas. Said road currently known as 2500 to 2700 Ohio Road and located along the section line between Sections 15 and 16, Township 17S, Range 20E.

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 12th day of January, 2005.

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Chairman

APPROVED, received and recorded this 12th day of January, 2005.

/s/ Shari Perry
Shari Perry
Franklin County Clerk