

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

RESOLUTION NO. 05-80

A RESOLUTION TO VACATE ALLEYWAY IN BLOCK 28, IN THE TOWN OF LELOUP, KANSAS, (FORMERLY THE TOWN OF FERGUSON) FROM OAK STREET TO ELM STREET

WHEREAS, the Franklin County Commission authorized notice of a proposed vacation of a certain alleyway in the town of LeLoup, Kansas, (formerly the town of Ferguson), from Oak Street to Elm Street, and

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on July 28, 2005; 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. 68-102a notifying said landowners of the proposed vacation and of their right to protest said vacation; and,

WHEREAS, a hearing was held on August 8, 2005, for anyone wishing to protest a closing of the particular alleyway;

NOW BE IT THEREFORE RESOLVED

BY

THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KANSAS

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

The Alleyway located in Block 28, Lots 1 thru 28, inclusive, from Oak Street to Elm Street in the town of LeLoup, formerly the town of Ferguson, in Section 2, Township 16S, Range 20E, 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 8th day of August, 2005.

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

APPROVED, received and recorded this 8th day of August, 2005.

/s/ Shari Perry
Shari Perry, Franklin County Clerk