

BOARD OF COUNTY COMMISSIONERS OF  
FRANKLIN COUNTY, KANSAS

**RESOLUTION NO 10-28**

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

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of Delaware Road from Rock Creek north 1925 feet, a minimum maintenance road, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on June 26, 2010 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 intent to vacate a certain portion of the road, a minimum maintenance road and of their right to protest said vacation; and,

WHEREAS, a hearing was held on June 30, 2010, 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 a certain portion of 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:

Delaware Road beginning at the north line of Rock Creek Road, thence north 1925 feet in Sections 20 and 21, Township 17S, Range 18E.

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 7th day of July, 2010.

/s/ David J Hood

David J. Hood, Chairman

APPROVED, received and recorded this 7th day of July, 2010.

/s/ Shari Perry  
Shari Perry, Franklin County Clerk