

BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 09-50

A RESOLUTION TO VACATE A PORTION OF ELLIS ROAD IN FRANKLIN COUNTY, KANSAS AND REPLACING RESOLUTION 09-46

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of a portion of Ellis Road between Utah Road and Vermont Road, a minimum maintenance road, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on September 24, 2009 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 October 7, 2009, 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:

Beginning at the Section Corner common to Sections 19, 20, 29 & 30, Township 18S, Range 21E, thence east along the centerline of the existing road to a point on the Section line a distance of six hundred and sixty (660) feet east of the point of beginning.

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 and replaces Resolution 09-46.

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 18th day of November, 2009.

/s/ John E Taylor

John E. Taylor, Chairman

APPROVED, received and recorded this 18th day of November, 2009.

/s/ Shari Perry

Shari Perry, Franklin County Clerk