

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

RESOLUTION NO. 13-46

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

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of a portion of Kentucky Road from the north right of way line of K-68 Highway to the Marais des Cygnes River, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on August 17, 2013 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, and of their right to protest said vacation; and,

WHEREAS, a hearing was held on August 28, 2013, 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:

Kentucky Road from the north right of way line of K-68 Highway to the Marais des Cygnes River in Section 32 & 33, Township 16 South, Range 19 East

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 August, 2013.

/s/Colton M. Waymire
Colton M. Waymire, Vice-Chairman

APPROVED, received and recorded this 28th day of August, 2013.

/s/Janet Paddock
Janet Paddock, Franklin County Clerk