

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

**RESOLUTION NO. 13-49**

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

WHEREAS, the Franklin County Commission authorized notice of proposed vacation of a portion of Delaware Road from the south right of way line of Clark Road, south one mile, in Franklin County, Kansas; and,

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on September 7, 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 September 18, 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:

Delaware Road from the south right of way line of Clark Road, south one mile, situated in Section 8 and 9, Township 19, Range 18.

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 18th day of September, 2013.

/s/Steven W. Harris  
Steven W. Harris, Chairman

APPROVED, received and recorded this 18th day of September, 2013.

/s/Janet Paddock  
Janet Paddock, Franklin County Clerk

