

ORIGINAL

VACATION OF A PORTION OF 214<sup>th</sup> ROAD BETWEEN C ROAD  
AND THE CENTER OF CROSS CREEK  
RESOLUTION NO. 2013-22

**BE IT RESOLVED** that the Board of County Commissioners, pursuant to K.S.A. 68-102, may vacate a road when it is determined that such road is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes that such road has become practically impassable and the necessity for such road as a public utility does not justify the expenditure of the necessary funds to repair such road or put the same in condition for public travel.

**WHEREAS**, the Jackson County Commissioners had requested that a portion of 214<sup>th</sup> Road lying West of C Road to the center of Cross Creek in Jackson County, Kansas, which portion of 214<sup>th</sup> Road lies between Section 19, Township 8 South, Range 13 East of the 6<sup>th</sup> P.M. and Section 18, Township 8 South, Range 13 East of the 6<sup>th</sup> P.M., all in Jackson County, Kansas, be vacated.

**WHEREAS**, pursuant to K.S.A. 68-102a a notice was published one time in the Holton Recorder on the 13<sup>th</sup> day of November, 2013, and a copy of said publication was sent by certified mail to each owner of property adjoining the road, at the address where the owner's tax statement is sent. Proceedings for the award of damages, if any, to the property owners affected by such action, and any appeal therefrom, shall be made in the same manner as provided in K.S.A. 68-107, and amendment thereto.

**WHEREAS**, Eric Fritz, Jackson County Road and Bridge Co-Director, has viewed the location and has stated that the County has no need to retain a road right of way and that the road is not used by a public utility.

**WHEREAS**, a hearing was held at 10:00 a.m. on November 25, 2013, for the purpose of hearing objections to vacating the road and concerns and objections were heard.

**IT IS SO ORDERED**, that the following portion of 214<sup>th</sup> Road lying West of C Road to the center of Cross Creek in Jackson County, Kansas, which portion of 214<sup>th</sup> Road lies between Section 19, Township 8 South, Range 13 East of the 6<sup>th</sup> P.M. and Section 18, Township 8 South, Range 13 East of the 6<sup>th</sup> P.M., all in Jackson County, Kansas, be vacated, said portion of road described as follows, to-wit:

**A portion of 214<sup>th</sup> Road described as follows: Commencing at the Northeast corner of Section 19 and the Southeast corner of Section 18, Township 8 South, Range 13, East of the 6<sup>th</sup> P.M., and then proceeding West/Southwest approximately 832 feet to the center of Cross Creek, Jackson County, Kansas.**

Dated this 25<sup>th</sup> day of November, 2012.

Board of Jackson County Commissioners

*Ed Kathrens*  
\_\_\_\_\_  
Ed Kathrens, Chairman



STATE OF KANSAS, JACKSON COUNTY  
Tammy Moulden, Register of Deeds  
Book: 480 Page: 257-258  
Receipt #: 90399  
Pages Recorded: 2  
Recording Fee: Other  
*Tammy Moulden*  
Date Recorded: 11/25/2013 11:07:56 AM

DIRECT   
INDIRECT   
NUMERICAL

NOV 25 2013



*Janet Zwonitzer*  
Janet Zwonitzer, Member

Attest:

*Kathy Mick*  
Kathy Mick, Jackson County Clerk

*William Elmer*  
William Elmer, Member

cc: Jerry and JoAnn Nelson  
cc: ~~Jeff~~ White, Cole White, Lance White  
cc: Joshua Sudbeck  
cc: Gary and Judith Ackeret  
Jackson County Road and Bridge  
Jackson County Mapping  
Jackson County 911  
Jackson County Emergency Management

NELSON, JERRY D & JO ANN  
0431141800000007000  
149.89 Ac(c)

*Resolution  
2013.22  
Closed  
11-25-13*

Sudbeck, Joshua L  
0431141700000005000  
262.63 Ac(c)

C.R.D.

18

17

214TH RD

NELSON, JERRY D & JO ANN  
0431141900000002000  
10.7 Ac(c)

922

214TH RD

19

20

1

40 RW

C.R.D.

BLACKTHORN REAL ESTATE INVESTMENT LLC  
0431141900000001000  
301.19 Ac(c)

ACKERET, GARY & JUDITH ANN  
0431142000000002020  
78.61 Ac(c)

SCANNED

NOV 12 2013