

**ALTERATION OF A PORTION OF 334<sup>TH</sup> ROAD BETWEEN U ROAD AND V ROAD**  
**RESOLUTION NO. 2014-025**

**BE IT RESOLVED** that the Board of County Commissioners, pursuant to K.S.A. 68-102, may alter a road when it is determined that such road needs to be altered.

**WHEREAS**, the Jackson County Commissioners had requested that a portion of 334<sup>th</sup> Road between U Road and V Road in Jackson County, Kansas, which portion of 334<sup>th</sup> Road lies on the North Edge of the Northeast Quarter of Section 5, Township 5 South, Range 16 East of the 6<sup>th</sup> P.M., Jackson County, Kansas, and said 334<sup>th</sup> Road also lying between Jackson County, Kansas and Brown County, Kansas, be altered.

**WHEREAS**, pursuant to K.S.A. 68-102a a notice was published one time in the Holton Recorder on the 26<sup>th</sup> day of November, 2014, 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 determined it is necessary to have said road altered.

**WHEREAS**, a hearing was held at 1:00 p.m. on December 8, 2014, for the purpose of hearing objections to altering the road and concerns and objections were heard.

**IT IS SO ORDERED**, that the portion of 334<sup>th</sup> Road between U Road and V Road in Jackson County, Kansas, which portion of 334<sup>th</sup> Road lies on the North Edge of the Northeast Quarter of Section 5, Township 5 South, Range 16 East of the 6<sup>th</sup> P.M., Jackson County, Kansas, and said 334<sup>th</sup> Road also lying between Jackson County, Kansas and Brown County, Kansas, be altered, said portion of road described as follows, to-wit:

**A parcel of land in the Northeast Quarter of Section 5, Township 5 South, Range 16 East of the 6<sup>th</sup> P.M., Jackson County, Kansas and more particularly described as follows:**

**Beginning at the Northeast corner of the Northeast Quarter of said Section 5; thence South 00 degrees 07 minutes 55 seconds East along the East line of the Northeast Quarter of said Section 5 a distance of 430.63 feet; thence South 89 degrees 52 minutes 05 seconds West a distance of 25.00 feet; thence North 34 degrees 23 minutes 23 seconds West a distance of 99.61 feet; thence North 57 degrees 32 minutes 57 seconds West a distance of 235.44 feet; thence North 82 degrees 22 minutes 48 seconds West a distance of 418.99 feet; thence South 86 degrees 41 minutes 10 seconds West a distance of 218.84 feet; thence North 74 degrees 58 minutes 51**

seconds West a distance of 247.92 feet; thence North 67 degrees 09 minutes 37 seconds West a distance of 187.33 feet; thence South 89 degrees 54 minutes 03 seconds West a distance of 275.04 feet; thence North 00 degrees 05 minutes 57 seconds West a distance of 40.00 feet to the North line of the Northeast Quarter of said Section 5, thence North 89 degrees 54 minutes 03 seconds East along the North line of the Northeast Quarter of said Section 5 a distance of 1599.92 feet to the Point of Beginning, all in Jackson County, Kansas. Subject to rights-of-way, easements and restrictions of record.

Dated this 8<sup>th</sup> day of December, 2014.

**Board of Jackson County Commissioners**



William Elmer  
**William Elmer, Chairman**

Janet Zwonitzer  
**Janet Zwonitzer, Member**

**Attest:**

Kathy Mick  
**Kathy Mick, Jackson County Clerk**

Ed Kathrens  
**Ed Kathrens, Member**

cc: Marvin and Joyce Strube  
cc: Shelby & Brandy Rice  
cc: Bureau of Indian Affairs  
    %Antoinette Houle  
Jackson County Road and Bridge  
Jackson County Mapping  
Jackson County 911  
Jackson County Emergency Management

AFFIDAVIT OF PUBLICATION

THE STATE OF KANSAS, }  
JACKSON COUNTY } ss.

DAVID POWLS, being first duly sworn, Deposes and says "That he is  
The Publisher of

THE HOLTON  
RECORDER

EXHIBIT "A"

a Semi-Weekly Newspaper printed in the State of Kansas, and published  
in and of general circulation in Jackson County, Kansas, with a general  
paid circulation on a yearly basis in Jackson County, Kansas, and that said  
newspaper is not a trade, religious or fraternal publication.

Said newspaper is a Semi-Weekly published at least weekly 50 times a  
year; has been so published continuously and uninterruptedly in said county  
and state for a period of more than five years prior to the first publication  
of said notice; and has been admitted at the post office of Holton, Kansas  
in said County as second class matter.

That the attached notice is a true copy thereof and was published in the  
regular and entire issue of said newspaper for 1 consecutive weeks,  
the first publication thereof being made as aforesaid on the day of  
Nov. 26, 2014, with subsequent publications being made on  
the following dates:

\_\_\_\_\_, 20 \_\_\_\_\_, 20  
\_\_\_\_\_, 20 \_\_\_\_\_, 20  
\_\_\_\_\_, 20 \_\_\_\_\_, 20

Subscribed and sworn to before me this 28 day of November,

2014

David Powls  
Notary Public

My commission expires: 6-12-18

Printer's Fee \$ 74.75

Additional Copies \$ 0

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JACKSON

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distance of 99.61 feet; thence  
North 57 degrees 32 minutes  
57 seconds West a distance  
of 418.99 feet; thence South  
86 degrees 41 minutes 10 sec-  
onds West a distance of 218.84  
feet; thence North 74 degrees  
58 minutes 51 seconds West a  
distance of 247.92 feet; thence  
North 67 degrees 09 minutes  
37 seconds West a distance  
of 187.33 feet; thence South  
89 degrees 54 minutes 03 sec-  
onds East along the North line  
of the Northeast Quarter of said  
Section 5 a distance of 1599.92  
feet to the Point of Beginning,  
all in Jackson County, Kansas.  
Subject to rights-of-way, ease-  
ments and restrictions of rec-  
ord.

This action is taken pursuant to  
the provisions of and under the  
authority granted by K.S.A. 68-  
102 and 68-102a.

Any person affected by such  
alteration may make written ap-  
plication to the Board of Coun-  
ty Commissioners of Jackson  
County, Kansas, for damage to  
property caused by such vaca-  
tion pursuant to K.S.A. 68-107.

Dated this 24<sup>th</sup> day of Novem-  
ber, 2014.

Kathy Mick,  
Jackson County Clerk

L9411

NOTARY PUBLIC, State of Kansas  
CONNIE POWLS  
My Comm. Exp. 6-12-18

334TH RD  
JACKSON COUNTY

STRUBE, MARVIN E & JOYCE E  
043013050000001000  
238.1 Ac(c)

Rice, Shelby & Brandy J  
043012040000003000  
107.1 Ac(c)

BARTLOW, ROBERT D & SELMA P; TR  
043013060000001000  
377.3 Ac(c)

Bartlow, Robert D, Jr & Muriel M; TR  
043013050000003000  
158.1 Ac(c)

SMITH, DENNIS L & PAM F  
043013050000002010  
232.4 Ac(c)

Dean & Karen Ohlsen Farms, LLC  
043012040000005000  
134.9 Ac(c)

326TH RD

SMITH, DENNIS L & PAMELA F  
043013080000002000  
270.0 Ac(c)

Dean & Karen Ohlsen Farms, LLC  
043013080000001000  
313.7 Ac(c)

Dean & Karen Ohlsen Farms, LLC  
043012090000003000  
155.7 Ac(c)

334TH RD MISSION TWP

WHITING TWP

POWHATTAN TWP  
WHITING TWP

KICKAPOO INDIAN RESERVATION BOUNDARY

U RD

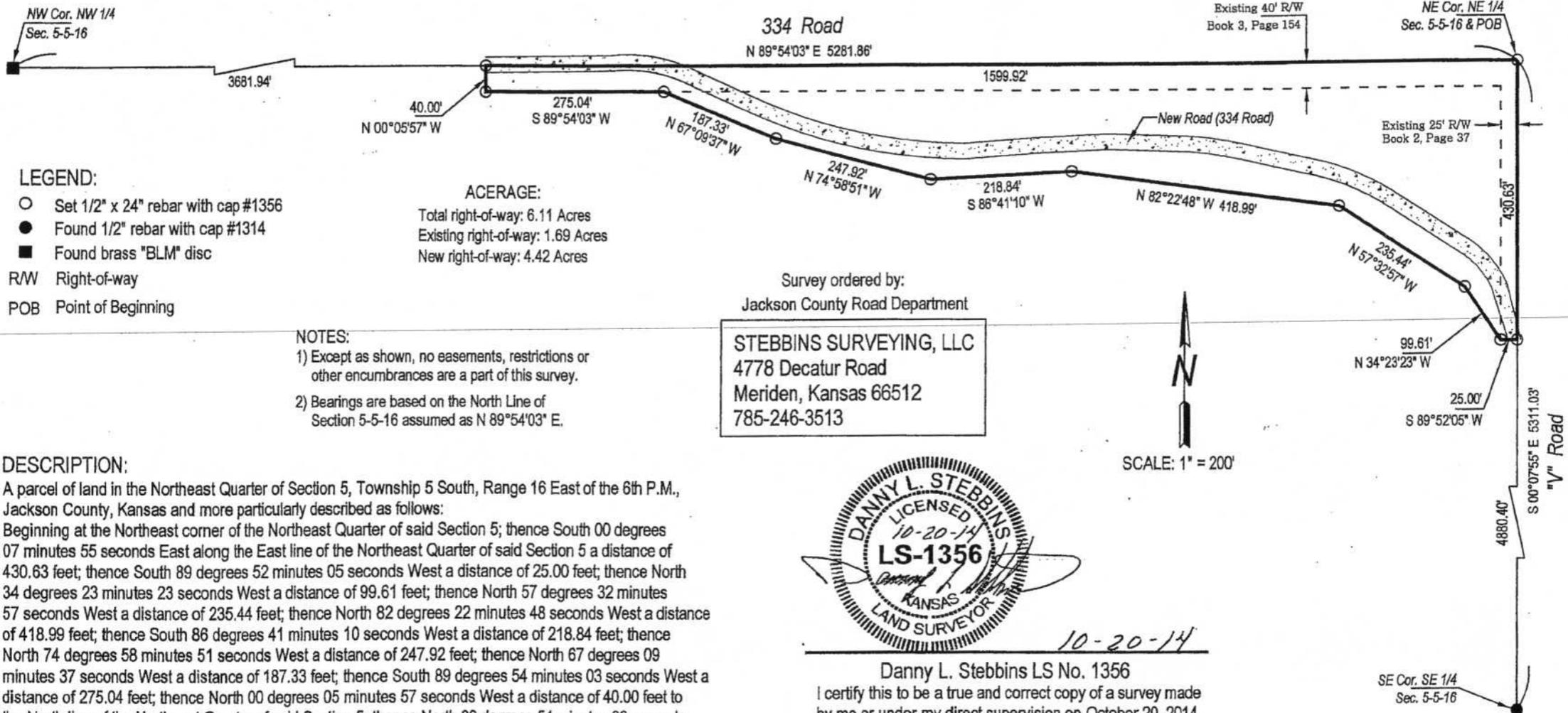
U RD

V R

# EXHIBIT "A"

## Right-of-Way for 334 Road

THIS SURVEY DOES NOT CERTIFY OWNERSHIP OR EASEMENTS



**LEGEND:**

- Set 1/2" x 24" rebar with cap #1356
- Found 1/2" rebar with cap #1314
- Found brass "BLM" disc
- R/W Right-of-way
- POB Point of Beginning

**ACERAGE:**

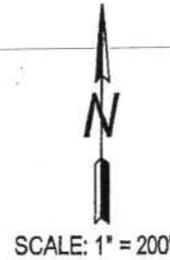
Total right-of-way: 6.11 Acres  
 Existing right-of-way: 1.69 Acres  
 New right-of-way: 4.42 Acres

**NOTES:**

- 1) Except as shown, no easements, restrictions or other encumbrances are a part of this survey.
- 2) Bearings are based on the North Line of Section 5-5-16 assumed as N 89°54'03" E.

Survey ordered by:  
 Jackson County Road Department

STEBBINS SURVEYING, LLC  
 4778 Decatur Road  
 Meriden, Kansas 66512  
 785-246-3513



**DESCRIPTION:**

A parcel of land in the Northeast Quarter of Section 5, Township 5 South, Range 16 East of the 6th P.M., Jackson County, Kansas and more particularly described as follows:  
 Beginning at the Northeast corner of the Northeast Quarter of said Section 5; thence South 00 degrees 07 minutes 55 seconds East along the East line of the Northeast Quarter of said Section 5 a distance of 430.63 feet; thence South 89 degrees 52 minutes 05 seconds West a distance of 25.00 feet; thence North 34 degrees 23 minutes 23 seconds West a distance of 99.61 feet; thence North 57 degrees 32 minutes 57 seconds West a distance of 235.44 feet; thence North 82 degrees 22 minutes 48 seconds West a distance of 418.99 feet; thence South 86 degrees 41 minutes 10 seconds West a distance of 218.84 feet; thence North 74 degrees 58 minutes 51 seconds West a distance of 247.92 feet; thence North 67 degrees 09 minutes 37 seconds West a distance of 187.33 feet; thence South 89 degrees 54 minutes 03 seconds West a distance of 275.04 feet; thence North 00 degrees 05 minutes 57 seconds West a distance of 40.00 feet to the North line of the Northeast Quarter of said Section 5; thence North 89 degrees 54 minutes 03 seconds East along the North line of the Northeast Quarter of said Section 5 a distance of 1599.92 feet to the Point of Beginning, all in Jackson County, Kansas. Subject to rights-of-way, easements and restrictions of record.



Danny L. Stebbins LS No. 1356  
 I certify this to be a true and correct copy of a survey made by me or under my direct supervision on October 20, 2014.  
 If the signature on the face of this drawing is not in BLUE INK it is not an original and may be subject to ALTERATION.