

ORIGINAL

VACATION OF A PORTION OF 214th ROAD BETWEEN C ROAD AND THE CENTER OF CROSS CREEK
RESOLUTION NO. 2013- 023

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 214th Road lying West of C Road to the center of Cross Creek in Jackson County, Kansas, which portion of 214th Road lies between Section 19, Township 7 South, Range 13 East of the 6th P.M. and Section 18, Township 7 South, Range 13 East of the 6th 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 13th 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.

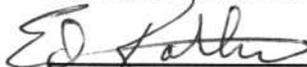
WHEREAS, a hearing was held at 10:00 a.m. on November 25, 2013, for the purpose of hearing objections to vacating the road and concerns and objections were heard.

IT IS SO ORDERED, that the following portion of 214th Road lying West of C Road to the center of Cross Creek in Jackson County, Kansas, which portion of 214th Road lies between Section 19, Township 7 South, Range 13 East of the 6th P.M. and Section 18, Township 7 South, Range 13 East of the 6th P.M., all in Jackson County, Kansas, be vacated, said portion of road described as follows, to-wit:

A portion of 214th Road described as follows: Commencing at the Northeast corner of Section 19 and the Southeast corner of Section 18, Township 7 South, Range 13, East of the 6th P.M., and then proceeding West/Southwest approximately 832 feet to the center of Cross Creek, Jackson County, Kansas.

Dated this 9th day of December, 2013.

Board of Jackson County Commissioners



Ed Kathrens, Chairman

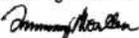


STATE OF KANSAS, JACKSON COUNTY
Tammy Moulden, Register of Deeds

Book: 481 Page: 131-132

Receipt #: 9094B
Pages Recorded: 2

Recording Fee: Other



Date Recorded: 12/20/2013 1:06:40 PM

DIRECT
INDIRECT
NUMERICAL





Janet Zwonitzer

Janet Zwonitzer, Member

Attest:

Kathy Mick

Kathy Mick, Jackson County Clerk

William Elmer

William Elmer, Member

- cc: Jerry and JoAnn Nelson
- cc: Jess 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