

CORRECTING
FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2008V-05

On the 28th day of April 2008, at a duly constituted and regular meeting of the BOARD OF COUNTY COMMISSIONERS, Lincoln County, Kansas, all members of said board being present, the matter of the vacation of a certain road comes on for final hearing and order before said board.

After due consideration, and after being duly advised in the premises, the board finds, that on the 14th day of April, 2008, the said board did unanimously make a preliminary resolution proposing to vacate certain roads located in Cedron Township, as in their judgement said road is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes 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; said roads are described as follows:

Road 1:

That road beginning at the SE corner of Section 34 also being the SW corner of Section 35, thence North 1/2 mile to the NE corner of the SE1/4 of Section 34, also being the NW corner of the SW1/4 Section 35, Township 10S Range 10W, said right-of-way being 40 feet.

Road 2:

That road beginning at the SW corner of Section 35 Township 10S Range 10W, ~~also being the NW corner of Section 2 Township 11S Range 10W~~, thence east 1/4 mile to the SE corner of the W1/2 SW1/4 Section 35 Township 10S Range 10W, ~~also being the NE corner of the W1/2 NW1/4 of Section 2 Township 11S Range 10W~~, said right-of-way being 40 feet. **That road beginning at the SW corner of Section 35 Township 10S Range 10W thence east 1/2 mile to the SE corner of the W1/2 SW1/4 Section 35 Township 10S Range 10W, also this right-of-way being in the NE1/4 of Section 3 Township 11S Range 10W, said right-of-way being 40 feet.*

and that said preliminary resolution is herewith adopted and made a part of this order by reference.

The board further finds that due and legal notice of said proposed vacation has been given by publication as required by law, and the proof thereof has been duly filed with the County Clerk.

IT IS THEREFORE ORDERED, ALL MEMBERS VOTING IN THE AFFIRMATIVE: That the above described roads, and every part hereof, should be vacated, and is hereby vacated, as above described, and that the County Clerk enter the proceedings concerning said vacation upon the records, and that a copy thereof will be certified to the Register of Deeds, Lincoln County, Kansas.

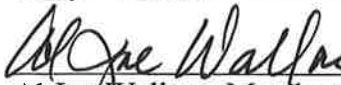
BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, KANSAS



Terry L Finch, Chairman



Steven R Errebo, Vice-Chairman



Al Joe Wallace, Member

**Correcting a portion of the road description for Road 2 as recorded in Book 7 of Misc. Page 59 filed May 8, 2008. The road is located on the correction line causing an error in a portion of the description. Landowner is the same for the affected sections. Correction approved and signed by the Board of Commissioners on July 14, 2008.*

I hereby certify that I have carefully examined all of the proceedings of the Board of County Commissioners in connection with the foregoing order of vacation, and find that said proceedings have been conducted in accordance with the statutes in such cases made and fact to justify the foregoing order of vacation.

Dated: July 14, 2008

CC: County Road Supervisor
Commissioners Journal




Dawn M Harlow, County Clerk