

FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2004V-01

Now on this 19th day of April 2004, 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 alley 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 5th day of April, 2004, the said board did unanimously make a preliminary resolution proposing to vacate a certain alley, as in their judgement said alley is not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes said alley has become practically impassable and the necessity for said alley as a public utility does not justify the expenditure of the necessary funds to repair said alley or put the same in condition for public travel; said alley described as follows:

That portion of the town site of Vesper, Kansas, per the recorded plot thereof, known as an alley lying between Lots 1 thru 12 in Block 1, said alley being 20 feet in width; and

That portion of the town site of Vesper, Kansas, per the recorded plot thereof, known as an alley lying between Lots 1 thru 9 in Block 3, said alley being 20 feet in width.

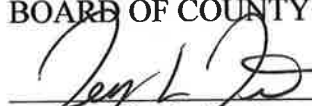
and that said preliminary resolution is herewith adopted and made a part of this order by reference.

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 THEREFOR ORDERED, ALL MEMBERS VOTING IN THE AFFIRMATIVE:
That the above described alley, and every part hereof, should be vacated, and it 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.

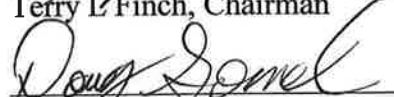
BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, KANSAS

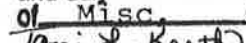
State of Kansas, Lincoln County, S. S.
This instrument was filed for record
at 3:55 o'clock P.M.


Terry L. Finch, Chairman


Dwight Heller, Vice-Chairman

APR 21 2004

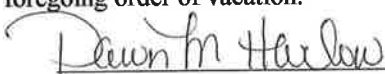

Doug Gomel, Member

and duly recorded in Book 3
of Misc. on page 493

Tami L. Kerth
Reg. of Deeds

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: April 19, 2004




Dawn M Harlow, County Clerk



CC: County Road Supervisor
Commissioners Journal

RECORDING FEE N/C