

FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2005V-02

Now on this 10th day of October 2005, 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 certain roads, alleys and platted lands 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 19th day of September, 2005, the said board did unanimously make a preliminary resolution, Resolution 2005R-03, proposing to vacate certain roads, alleys and platted lands, as in their judgement said roads alleys and platted lands are not a public utility by reason of neglect, nonuse, or inconvenience or from other cause or causes said roads, alleys and platted lands were never developed and the necessity for said roads and alleys as a public utility does not justify the expenditure of necessary funds to develop said roads and alleys for public travel; said roads, alleys and platted lands are as follows:

All that part of the Townsite of Westfall, Kansas lying in the NW1/4 of Section Seventeen (17), Township Thirteen (13) Range Six (6) West of the Sixth P.M., more particularly described as: Lots one (1) through seventeen (17), in Block four (4) and all of the alleys lying within these lots in Block four (4); Lots one (1) through nine (9), the West half of Lot ten (10), all of Lots sixteen (16), seventeen (17), eighteen (18), in Block five (5) and all the alleys lying within these lots in Block five (5); Lots one (1) through nine (9), the West half of Lot ten (10), the West half of Lot fifteen (15), all of Lots sixteen (16) and seventeen (17), in Block eight (8), and all of the alley's lying within these lots in Block eight (8); and Lots one (1) through seventeen (17) in Block nine (9), and all allies lying in Block nine (9). Also including the streets that border the above lots including that part of Jefferson Ave, Washington Ave, Cherry St and Mulberry St.

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 road, 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

Terry L Finch, Chairman

Steven R Errebo, Vice Chairman

Al Joe Wallace, Member



State of Kansas, Lincoln County, S. S.
This instrument was filed for record
at 10:45 o'clock AM
OCT 11 2005
and duly recorded in Book 4
of MISC on page 689
Tami L. Kerth Reg. of Deeds
Tami L. Kerth

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: October 10, 2005

Dawn M Harlow, County Clerk

CC: County Road Supervisor
Commissioners Journal



RECORDING FEE N/C