

Now on this 25th day of September 2006, 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.

FINAL RESOLUTION AND ORDER
RESOLUTION NO. 2006V-03

Now on this 25th day of September 2006, 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 11th day of September, 2006, the said board did unanimously make a preliminary resolution proposing to vacate a certain section line road, 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 road described as follows:

That road beginning 1,320 feet from the Northwest corner of Section 26, Township 10 South, Range 8 West, thence running South one mile to the South line of Section 26, said right-of-way being fifty feet.

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

IT IS THEREFORE ORDERED, ALL MEMBERS VOTING IN THE AFFIRMATIVE: 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 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.

Steven R Errebo, Chairman
BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, KANSAS

Steven R Errebo

Steven R Errebo, Chairman

Al Joe Wallace

Al Joe Wallace, Vice-Chairman

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.
Terry L Finch, Member

Dated: September 25, 2006
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: September 25, 2006



Dawn M Harlow

Dawn M Harlow, County Clerk

State of Kansas, Lincoln County, S. S.
This instrument was filed for record
at 9:45 o'clock A.M.

CC: County Road Supervisor
Commissioners Journal



SEP 28 2006

and duly recorded in Book 5
of Misc on page 308
Tami L. Kerth Reg. of Deeds

RECORDING FEE N/C

photocopied