

(Published in the official county newspaper on the ~~17~~17 day of December, 2012)

RESOLUTION NO. 13 - 2012

A RESOLUTION VACATING A ROAD AND AN ALLEY.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CHEROKEE COUNTY, KANSAS:**

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds that enacting this legislation would provide for the vacating of the following road in Cherokee County, Kansas: Nebraska Street between Highway 160 and Sandpiper Lane in Sherwin, Kansas.

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, upon due consideration of the matter finds that enacting this legislation would provide for the vacating of the following alley in Cherokee County, Kansas: the alley located between Nebraska Street and 63rd Street that is also between Highway 160 and Sandpiper Lane, all in Sherwin, Kansas.

WHEREAS, such road and alley are no longer a public utility by reason of neglect, nonuse, or inconvenience or from some other cause such road and alley have become practically impassable and the necessity for such road and alley as a public utility does not justify the expenditure of the necessary funds to repair such road and alley or put the same in condition for public travel and use.

WHEREAS, the Board of County Commissioners of Cherokee County, Kansas, meeting in regular session, this 17th day of December, 2012, does hereby resolve as follows:

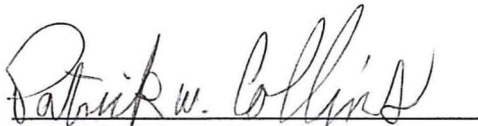
Section 1. Vacating of Road. The following road is hereby vacated: Nebraska Street between Highway 160 and Sandpiper Lane in Sherwin, Kansas.


Section 2. Vacating of Alley. The following alley is hereby vacated: the alley located between Nebraska Street and 63rd Street that is also between Highway 160 and Sandpiper Lane, all in Sherwin, Kansas.

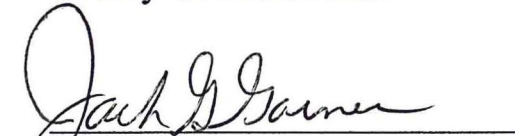
Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 4. Effective Date. This resolution shall take effect and be in full force from and after its passage and publication once in the official county newspaper.


Adopted this 17th day of December, 2012, by the BOARD OF COMMISSIONERS OF CHEROKEE COUNTY, KANSAS.


Patrick W. Collins
County Commissioner


Richard J. Hilderbrand
County Commissioner


Jack G. Garner
County Commissioner

ATTEST:


Crystal Gatewood
County Clerk of Cherokee County,
Kansas
Resolution No. 13 - 2012

Prepared by:
Kevin Cure, Attorney