

RESOLUTION NO. 03 - 2023

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS FOR
CHEROKEE COUNTY, KANSAS VACATING A PORTION OF ROAD IN ROSS
TOWNSHIP**

WHEREAS, pursuant K.S.A. 68-102(b), the power to vacate public roads within Cherokee County is vested in the Board of County Commissioners of the County of Cherokee, Kansas;

WHEREAS, The Board of County Commissioners of the County of Cherokee, Kansas has determined that the portion of the road is not a public utility because of neglect, nonuse, inconvenience, or from other cause or causes, the road has become practically impassable and the necessity of such road as a public road does not justify the expenditure of the necessary funds to repair such road or put the same in condition for public travel;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, meeting in regular session this 17th day of April, 2023, does hereby find and resolve as follows:

1. Notice of this hearing was published in the official County newspaper and notice via certified mail was sent to each owner of property adjoining this road, such notice provided all interested parties with ample opportunity to be present at this hearing to discuss the proposed vacation.
2. The following portion of roadway located and situated in the Ross Township in Cherokee County, Kansas, to wit:

The south three hundred and twenty-five feet (325') of NW 1st Street in Section Twenty-four (24) of Township Thirty-two (32), Range Twenty-three (23), Cherokee County, Kansas.

3. Upon the adoption of this Resolution, the property interest vacated hereby shall

revert to and vest in the owners of the real estate immediately abutting on each side of the vacated street in proportion to the frontage of such owners' abutting land subject to any public utility easement of record. The County Clerk shall record the vacation upon the transfer records of the County.

- 4. The Register of Deeds, County Clerk and Appraiser are directed to update the County's records to reflect the vacation of the above-described road.

BE IT FURTHER RESOLVED this resolution shall take effect and be in force immediately upon adoption.


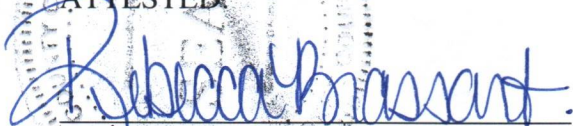
ADOPTED this 17th day of April, 2023.


BOARD OF COUNTY COMMISSIONERS


Cory Moates, Chair


Myra Carlisle Frazier, Commissioner


Lorie Johnson, Commissioner


ATTESTED

Rebecca Brassart, County Clerk

APPROVED AS TO FORM:

Nathan R. Coleman, County Attorney