

RESOLUTION NO. 2019 - R - 8

**A RESOLUTION VACATING A PORTION OF FAREWAY DRIVE**

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

**WHEREAS**, The Board of County Commissioners of the County of Pawnee, 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 PAWNEE COUNTY, KANSAS**, meeting in regular session this 30<sup>th</sup> day of September, 2019, 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 125.00 feet of Fareway Dr., a road platted in the Crawford Fareway Addition, Pawnee County, Kansas is hereby vacated:

Commencing on the Southwest (S/W) corner of Lot One (1), Block Two (2), in the Crawford Fareway Addition, Pawnee County, Kansas, according to the recorded Plat thereof being a part of Section Twenty-eight (28), Township Twenty-one (21) South, Range Sixteen (16) West of the 6<sup>th</sup> P.M., Pawnee County, Kansas, for a point of beginning; thence South for a distance of 60.00 feet to a point, thence East for a distance of 125.00 feet to a point; thence North for a distance of 60.00 feet to a point, thence West along the South line of said Lot One (1) to the place of beginning, in Pawnee 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 30<sup>th</sup> day of September, 2019.

BOARD OF COUNTY COMMISSIONERS

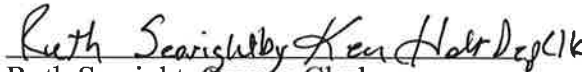


Deborah Lewis, Chair

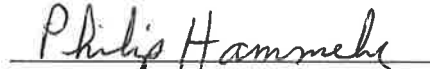
ATTESTED:







Bob Rein, Commissioner

  
Ruth Searight, County Clerk

APPROVED AS TO FORM:

  
Philip Hammeke, Commissioner

  
Douglas W. McNett, County Attorney

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