

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY KANSAS  
RESOLUTION NO. 2014-27

**A RESOLUTION TO VACATE A PORTION OF CERTAIN ROAD(S)**

**WHEREAS**, the Jefferson County Commission authorized notice of proposed vacation of a portion of certain road(s) in Jefferson County Kansas, described as follows:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887; and

**WHEREAS**, the Notice of Public Hearing was published in the official county newspaper on October 16, 2014; and

**WHEREAS**, a hearing was held on November 10, 2014 for anyone wishing to protest the vacation of said particular road(s); and

**WHEREAS**, as a result of that hearing, the Jefferson County Commissioners voted to vacate a certain portion of the road(s).

**BE IT THEREFORE RESOLVED** BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY KANSAS:

That the following road(s) is/are not a public utility by reason of neglect, non-use, or inconvenience and that said road(s) is/are impassable and the necessity for said road(s) as a public utility does not justify the expenditure of the necessary funds to repair said road(s) or put the same in condition for public travel and therefore portion(s) of said road(s) is/are vacated as follows:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887.

This Resolution shall be in full force and effect following its passage by the Board of County Commissioners and its subsequent publication in the official county newspaper.

WHEREUPON, the Board of County Commissioners of Jefferson County Kansas passes and adopts this resolution in regular session, at its chambers in Oskaloosa, Jefferson County, Kansas on this 10<sup>th</sup> day of November, 2014.


BOARD OF COUNTY COMMISSIONERS  
OF JEFFERSON COUNTY, KANSAS

  
Richard Malm, Chairman

  
Wayne Ledbetter, Vice-Chair

  
Lynn Luck, Member

APPROVED, received and recorded this 10<sup>th</sup> day of November, 2014.

  
Linda M. Buttron, County Clerk



BEFORE THE BOARD OF COUNTY COMMISSIONERS OF  
JEFFERSON COUNTY KANSAS

IN THE MATTER OF THE PETITION OF  
BOARD OF COUNTY COMMISSIONERS JEFFERSON COUNTY KANSAS

TO VACATE PART OF CERTAIN ROAD(S) DESCRIBED AS FOLLOWS:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887.

**ORDER VACATING A PART OF CERTAIN ROAD(S)**

The Jefferson County Board of County Commissioners met in regular session November 10, 2014. Commissioners Richard Malm, Wayne Ledbetter, and Lynn Luck were present.

Upon motion by Lynn Luck, seconded by Wayne Ledbetter, the Board upon its own motion made petition to vacate part of certain road(s) described as follows:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887.

After hearing all testimony necessary in order to fully understand the true nature of the petition and propriety of granting the same;

**THE BOARD OF COUNTY COMMISSIONERS HEREBY FIND:**

1. That the Board of County Commissioners pursuant to K.S.A. 68-102 has the authority to vacate roads within the county.
2. That due and legal notice has been given by publication as required by law.
3. The petitioners and the public will suffer no loss or inconvenience by vacating such road(s).
4. That said road(s) is/are not a public utility by reason of neglect, non-use, or inconvenience and that said road(s) is/are impassable and the necessity for said road(s) as a public utility does not justify the expenditure of the necessary funds to repair said road(s) or put the same in condition for public travel.
5. That the road(s) described as follows should be vacated:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887.

**IT IS THEREFORE ORDERED**, all three commissioners voting in the affirmative:

That the following described road/street, be vacated, to-wit:

The alley in Block 4 located in the original town of Dunavant, and that portion of Second Street in the original town of Dunavant running from 142<sup>nd</sup> St. to Jefferson Street, as shown on the original plat of the town of Dunavant, dated October 1, 1887.

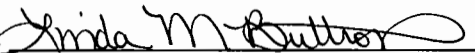
That the County Clerk enter the proceedings concerning said vacation upon the records at length; that she certify a copy thereof to the Register of Deeds of Jefferson County, Kansas and enter into the Jefferson County Road Book, all at the cost of the Petitioners.

**IT IS ORDERED THIS** 10<sup>th</sup> day of November, 2014.



Richard Malm, Chairman

Attest:



Linda M. Buttron, County Clerk

