

BOARD OF COUNTY COMMISSIONERS OF  
JEFFERSON COUNTY, KANSAS

RESOLUTION NO. 2011-021

A RESOLUTION TO VACATE A PORTION OF AN UNUSED UTILITY EASEMENT IN LAKE RIDGE ESTATES IN JEFFERSON COUNTY KANSAS DESCRIBED AS FOLLOWS:

A TEN FOOT UTILITY EASEMENT BETWEEN LOT 25 AND LOT 24 OVER THE FOLLOWING DESCRIBED REAL ESTATE:

LAKE RIDGE ESTATES, BLOCK Q, LOT 25, SECTION 24, TOWNSHIP 10, RANGE 017,  
JEFFERSON COUNTY , KANSAS

AND

LAKE RIDGE ESTATES, BLCOK Q, LOT 24, SECTION 24, TOWNSHIP 10, RANGE 017,  
JEFFERSON COUNTY, KANSAS.

WHEREAS, the Jefferson County Commission authorized notice of proposed vacation of a unused utility easement over portion of the above described real estate in Jefferson County Kansas; and

WHEREAS, the Notice of Public Hearing was published in the official county newspaper on August 18, 2011; and

WHEREAS, notice of the proposed vacation was hand delivered or sent by U.S. Mail, postage prepaid to all landowners of record as required by statute, notifying said landowners of the intent to vacate an unused utility easement and their right to protest said vacation; and,

WHEREAS, a hearing was held on September 19, 2011 for anyone wishing to protest the vacation of said particular utility easement and ,

WHEREAS, as a result of that hearing, the Jefferson County Commissioners voted to vacate the utility easement, above described.

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

That the following unused utility easement described as follows by reason of non-use should be vacated:

A Ten Foot Utility Easement Between Lot 25 and Lot 24 over the following described real estate:

Lake Ridge Estates, Block Q, Lot 25, Section 24, Township 10, Range 017, Jefferson County Kansas  
And

Lake Ridge Estates, Block Q, Lot 24, Section 24, Township 10, Range 017, Jefferson County Kansas.

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 chamber in Oskaloosa, Jefferson County, Kansas on this 26<sup>th</sup> day of September, 2011.

/S/ Richard Malm, Chairman

/S/ Lynn Luck, Vice Chair

/S/ Roy Dunnaway, Member

APPROVED, received and recorded this 26<sup>th</sup> day of September, 2011.

/S/ Linda M. Buttron, County Clerk

(seal)

BEFORE THE COUNTY COMMISSION OF  
JEFFERSON COUNTY, KANSAS

In the Matter of the  
Petition of April D.  
Harms to Vacate an Unused  
Utility Easement

**ORDER VACATING AN  
UNUSED UTILITY EASEMENT**

On the 19<sup>th</sup> day of September, 2011, the Petition for Vacation of an Unused Utility Easement came on for hearing before the Board of County Commissioners of Jefferson County, Kansas.

Benjamin Droge on behalf of Petitioner, April D. Harms, appears in person.

After examining the file, hearing the evidence and being duly advised in the premises, the Board of County Commissioners finds as follows:

1. Notice of the time and place of this hearing has been given as required by law; proof thereof has been filed and is approved.
2. No written objections have been filed with the County Clerk by an owner of land which adjoins the portion of the easement proposed to be vacated.
3. Written consents to the proposed vacation have been given by the adjourning landowner and by the Board of Directors of Lake Ridge Estates; both have been filed of record with the County Clerk.
4. Each and every allegation contained the Petition is true.
5. The public will suffer no loss or inconvenience by such vacation and no private rights will be injured or endangered by the proposed vacation.

WHEREFORE the Board of County Commissioners of Jefferson County, Kansas hereby orders and decrees as follows:

- A. The unused ten (10) foot utility easement between Lot 25 and Lot 24 in the following described real estate:  
“Lake Ridge Estates, Block Q, Lot 25, Section 24, Township 10, Range 017, Jefferson County, Kansas”  
And  
“Lake Ridge Estates, Block Q, Lot 24, Section 24, Township 10, Range 017, Jefferson County, Kansas”

Is hereby vacated.

- B. This Order shall be entered on the record of proceeding of this Board and a certified copy thereof recorded in the Office of the Register of Deeds of Jefferson County, Kansas.
- C. The costs of such proceedings, including publication and recording, shall be paid by Petitioner.

IT IS SO ORDERED.

/S/ Richard Malm, Chariman

/S/ Lynn Luck, Vice-Chair

/S/ Roy Dunnaway, Member

/S/ Linda M. Buttron, County Clerk

(seal)