

RESOLUTION NO. 35 - 2013

A RESOLUTION VACATING A STREET AND ALLEYS.

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 street and alleys in Cherokee County, Kansas. The street to be vacated is described as follows: Myers Street, specifically, only that portion of Myers Street that is located between Lot 5, in Block 1, and Lot 6, in Block 2, in the West Weir Subdivision, such street being bounded on its northern edge by North Main Street, which is also designated as KS-103, according to the recorded plat thereof, all in Cherokee County, Kansas. The alleys to be vacated are described as follows: the alleys that are located in Block 1 and Block 2, in the West Weir Subdivision, according to the recorded plat thereof, all in Cherokee County, Kansas.

WHEREAS, such street and alleys are no longer a public utility by reason of neglect, nonuse, or inconvenience or from some other cause such street and alleys have become practically impassable and the necessity for such street and alleys as a public utility does not justify the expenditure of the necessary funds to repair such street and alleys 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 16th day of December, 2013, does hereby resolve as follows:

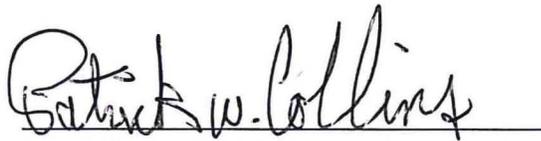
Section 1. Vacating of Street and Alleys. The following street is hereby vacated: Myers Street, specifically, only that portion of Myers Street that is located between Lot 5, in Block 1, and Lot 6, in Block 2, in the West Weir Subdivision, such street being bounded on its northern edge by North Main Street, which is also designated as KS-103, according to the recorded plat thereof, all in Cherokee County, Kansas. The following alleys are hereby vacated: the alleys that are

located in Block 1 and Block 2, in the West Weir Subdivision, according to the recorded plat thereof, all in Cherokee County, Kansas.

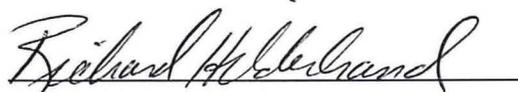
Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this resolution, or the application thereof to any circumstances, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this resolution.

Section 3. 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 16th day of December, 2013, by the Board of Commissioners of Cherokee County, Kansas.



Patrick W. Collins
County Commissioner



Richard J. Hilderbrand
County Commissioner



Charlie Napier
County Commissioner

ATTEST:



Rod Edmondson
County Clerk of Cherokee County,
Kansas
Resolution No. 35 - 2013

Prepared by:
Kevin Cure, Attorney