

**RESOLUTION NO. 15**

**A RESOLUTION VACATING A PORTION OF ROAD IN NEOSHO 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 PAWNEE COUNTY, KANSAS**, meeting in regular session this 4<sup>th</sup> day of October, 2021, 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 Neosho Township in Cherokee County, Kansas, to wit:

That portion of Black Jack Road which runs west from SW 90<sup>th</sup> Street dividing Sections Twenty-one (21) and Twenty-eight (28) of Township Thirty-four (34) South, Range Twenty-two (22) East, to the dead end which prevents Black Jack Road from connecting to SW 100<sup>th</sup> Street between Sections Twenty (20) and Twenty-nine (29) of Township Thirty-four (34) South, Range Twenty-two (22) East, Cherokee County, Kansas.

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

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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 4th day of October, 2021.

BOARD OF COUNTY COMMISSIONERS

ATTESTED:

Kyle R. Rennie  
Kyle Rennie, County Clerk

Cory Moates, Chair NOT Present

Myra Carlisle Frazier  
Myra Carlisle Frazier, Commissioner

APPROVED AS TO FORM:

Nathan R. Coleman  
Nathan R. Coleman, County Attorney

Lorie Johnson  
Lorie Johnson, Commissioner, Vice-Chair