

RESOLUTION NO. 1269

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ATCHISON COUNTY, KANSAS, ENACTING RESTRICTIONS ON ENTRY AND USE OF INDEPENDENCE CREEK LEWIS & CLARK HISTORIC SITE

WHEREAS, the taxpayers of Atchison County have invested in the improvements at the Independence Creek Lewis & Clark Historic Site located at 19917 314<sup>th</sup> Road, in Atchison, Atchison County, Kansas described as follows:

Tract 1

A tract of land located in the Northwest Quarter of Section 17, Township 5 South, Range 21 East of the 6<sup>th</sup> P.M. Atchison County, Kansas, described as follows: Commencing at the Northwest corner Of said Section 17, thence South 0 degrees 05'13" East along the West line of said Northwest Quarter 1149.25 feet to the True Point of Beginning said point being on the Atchison-Doniphan County Line; thence North 89 degrees 50'24" East along said County Line 1064.30 feet, thence South 33 degrees 11'29" West 229.76 feet to the centerline of Independence Creek as established on a survey by Troy Hayes, LS 1078, recorded in Book 2, Page 99, in the Register of Deeds Office in Atchison County, Kansas on August 1, 1990, thence along said established Independence Creek the following courses: North 34 degrees 28'45" West 115.56 feet, thence North 81 degrees 12'09" West 255.00 feet, thence South 87 degrees 32'54" West 327.30 feet, thence North 77 degrees 59'52" West 300.66 feet to the West line of said Northwest Quarter, thence leaving the said established centerline of Independence Creek North 0 degrees 05'13" West along the West line of said Northwest Quarter 6.52 feet to the POINT OF BEGINNING, containing 1.670 acres, and subject to any easements of record;

and,

Tract 2

A tract of land located in the Northeast Quarter of Section 18, Township 5 South, Range 21 East of the 6<sup>th</sup> P.M., Atchison County, Kansas, described as follows: Commencing at the Northeast corner of said Section 18, thence South 0 degrees 05'13" East along the East line of said Northeast Quarter 1149.25 feet to the True Point of Beginning, said point being on the Atchison-Doniphan County Line; thence South 0 degrees 05'13" East along the East line of said Northeast Quarter 6.52 feet to the centerline of Independence Creek as established by Troy Hayes, LS 1078, on a survey recorded in Book 2, Page 99 in the Atchison County Register of Deeds Office on August 1, 1990, thence North 77 degrees 59'52" West along said established Independence Creek 30.95 feet to the Atchison-Doniphan County Line, thence North 89 degrees 50'24" East along said County Line 30.27 feet to the POINT OF BEGINNING, containing 0.002 acre, and subject to any easements of record.

WHEREAS, it is necessary to limit the use of said area in order to protect said improvements.

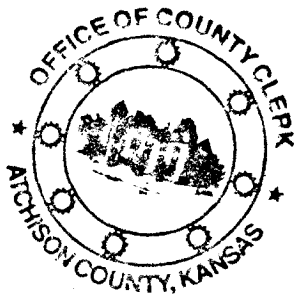
NOW, THEREFORE, BE IT RESOLVED;

It shall be unlawful for motorized vehicles, including any vehicle licensed to operate on public streets, roads and highways and motor bikes, go-carts, snowmobiles, ATV's and other motorized off-the-road vehicles to be operated on the trails or on the bridge at Independence Creek Lewis & Clark Historic Site.

BE IT FURTHER RESOLVED THAT it shall be unlawful for any person or motorized vehicle as described infra to be on the Independence Creek Lewis & Clark Historic Site from Sunset to Sunrise unless authorized in writing by the Atchison County Historical Society.

Criminal Penalty: Any person convicted of violating any of the provisions of this resolution shall be fined not less than Fifty and no/100 dollars (\$50.00) nor more than Five Hundred and no/100 (\$500.00) per violation and may be incarcerated up to ten (10) days in the county jail.

Executed this 9th day of August , 2006.



BOARD OF COUNTY COMMISSIONERS  
OF ATCHISON COUNTY, KANSAS

Floyd Oswald  
Floyd Oswald

Thomas Wagner  
Tom Wagner

George Ross, Jr.  
George Ross, Jr.

Pauline M. Lee  
Pauline M. Lee, County Clerk