

**BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 08-049

A RESOLUTION AMENDING THE
OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY, KANSAS

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Warren Nelson to rezone approximately 13.15 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract 1:

Beginning at a 5/8" rebar at the Southeast Corner of the Southwest Fractional Quarter of Section 26, Township 17 South, Range 18 East of the 6th P.M., Franklin County, Kansas; THENCE along the South line of said Southwest Quarter, South 89 degrees 37 minutes 47 seconds West, 263.97 feet to a 1/2" rebar; THENCE North 00 degrees 22 minutes 13 seconds West, 585.06 feet, to a 1/2" rebar; THENCE North 89 degrees 37 minutes 47 seconds East, 433.46 feet, to a 1/2" rebar; THENCE North 00 degrees 04 minutes 32 seconds West, 160.02 feet, to a 1/2" rebar; THENCE North 60 degrees 25 minutes 39 seconds East, 86.52 feet, to a 1/2" rebar; THENCE North 89 degrees 55 minutes 24 seconds East, 333.82 feet, to a 1/2" rebar on the East line of the West 575.57 feet of the Southeast Quarter of said Section 26; THENCE South 00 degrees 04 minutes 23 seconds East, 785.59 feet, to a 1/2" rebar at the Southeast Corner of the West 575.57 feet of said Southeast Fractional Quarter; THENCE along the South line of said Section 26, South 89 degrees 37 minutes 47 seconds West, 575.57 feet to the point of beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 13.15 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A. dated September 2008.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 28th day of May 2008, notice of public hearing for said Zoning Change Request; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on June 19th, 2008 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on June 19th, 2008 in regular session and by a unanimous vote of those members present, approved said Zoning Change request based upon certain findings of fact, whereby recommending that the Official Zoning District Map of Franklin County, Kansas be amended; and

WHEREAS, the Franklin County Board of County Commissioners, after duly reviewing the recommendation of the Planning Commission and considering all public comments and concerns regarding said Zoning Change, find that the rezoning of said property would not be detrimental to the surrounding properties and would be in compliance with the provisions of K.S.A. 12-753, the purpose and intent of the Franklin County Comprehensive Plan and the general welfare of the citizens of Franklin County.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does

hereby approve rezoning of the above described tract of land from an “A-1” Agriculture District to an “R-E” Residential Estate District and that the Official Zoning District Map of Franklin County, Kansas be amended to reflect the approved zoning change.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 5th day of November 2008. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S Farrell
Karen S. Farrell
Chair

Received and recorded this the 5th day of November 2008.

Shari Perry

/s/ Shari Perry

County Clerk