

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

RESOLUTION NO. 07-003

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 Medlen Homes, LLC., property owner of record, to rezone approximately 20 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

New Tract:

Commencing at a 5/8" rebar at the Southwest Corner of the Southwest Quarter of Section 21, Township 17 South, Range 19 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE North 02 degrees 05 minutes 17 seconds West for a distance of 1997.07 feet along the West line of said Southwest Quarter to a point on the Southerly right of way of Interstate I-35; THENCE North 87 degrees 54 minutes 43 seconds East for a distance of 20.00 feet along said right of way to a 1/2" rebar; THENCE North 11 degrees 02 minutes 43 seconds East for a distance of 154.00 feet along said right of way to a 1/2" rebar; THENCE North 00 degrees 35 minutes 41 seconds West for a distance of 502.26 feet along said right of way to a 1/2" rebar on the North line of said Southwest Quarter; THENCE North 00 degrees 34 minutes 14 seconds West for a distance of 77.88 feet, along said right of way to a 1/2" rebar, the POINT OF BEGINNING; THENCE North 00 degrees 34 minutes 14 seconds West for a distance of 420.22 feet, along said right of way to a 1/2" rebar; THENCE North 01 degrees 14 minutes 46 seconds East for a distance of 155.90 feet along said right of way to a 1/2" rebar; THENCE North 63 degrees 15 minutes 46 seconds East for a distance of 125.90 feet along said right of way to a 1/2" rebar; THENCE North 70 degrees 06 minutes 46 seconds East for a distance of 575.00 feet along said right of way to a 1/2" rebar; THENCE North 75 degrees 48 minutes 46 seconds East for a distance of 201.00 feet along said right of way to a 1/2" rebar; THENCE South 38 degrees 20 minutes 39 seconds East for a distance of 748.42 feet to a 1/2" rebar; THENCE South 02 degrees 05 minutes 17 seconds East for a distance of 243.09 feet to a 1/2" rebar; THENCE South 87 degrees 56 minutes 00 seconds West for a distance of 1321.25 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 20.00 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A., dated November, 2006.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 29th day of November 2006, 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 December 21st, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on December 21st, 2006 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 "A-2" Transitional Agriculture 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 8th day of January 2007. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S. Farrell
Karen S. Farrell
Commissioner District 1

/s/ John E. Taylor
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 8th day of January 2007.

Shari Perry

/s/ Shari Perry
County Clerk