

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

RESOLUTION NO. 07-010

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 James and Mary Braun, property owner of record, to rezone approximately 24.44 acres, described in Tract A, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 15.91 acres, described in Tract B, 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 A:

Beginning at a Franklin County aluminum disk at the Southwest Corner of the Southeast Quarter of Section 33, Township 15 South, Range 21 East of the 6th Principal Meridian, Franklin County Kansas; THENCE North 00 degrees 22 minutes 18 seconds West for a distance of 393.49 feet along the West line of said Southeast Quarter to a ½" rebar; THENCE South 86 degrees 38 minutes 45 seconds East for a distance of 166.13 feet to a ½" rebar; THENCE North 35 degrees 35 minutes 10 seconds East for a distance of 338.07 feet to a ½" rebar; THENCE North 83 degrees 45 minutes 30 seconds East for a distance of 586.09 feet to a ½" rebar; THENCE North 00 degrees 39 minutes 02 seconds East for a distance of 609.89 feet to a ½" rebar on the North line of the Southwest Quarter of said Southeast Quarter; THENCE North 89 degrees 47 minutes 40 seconds East for a distance of 366.95 feet to a ½" rebar at the Northeast Corner of the Southwest Quarter of said Southeast Quarter; THENCE South 00 degrees 11 minutes 09 seconds East for a distance of 1328.86 feet to a ½" rebar at the Southeast Corner of the Southwest Quarter of said Southeast Quarter; THENCE South 89 degrees 47 minutes 42 seconds West for a distance of 1320.83 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 24.44 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A. dates January 2007.

Tract B:

Commencing at a Franklin County aluminum disk at the Southwest Corner of the Southeast Quarter of Section 33, Township 15 South, Range 21 East of the 6th Principal Meridian, Franklin County Kansas; THENCE North 00 degrees 22 minutes 18 seconds West for a distance of 393.49 feet along the West line of said Southeast Quarter to a ½" rebar, the POINT OF BEGINNING; THENCE North 00 degrees 22 minutes 18 seconds West for a distance of 935.37 feet to a ½" rebar at the Northwest Corner of the Southwest Quarter of said Southeast Quarter; THENCE North 89 degrees 47 minutes 40 seconds East for a distance of 958.19 feet to a ½" rebar on the North line of the Southwest Quarter of said Southeast Quarter; THENCE South 00 degrees 39 minutes 02 seconds West for a distance of 609.89 feet to a ½" rebar; THENCE South 83 degrees 45 minutes 30 seconds West for a distance of 586.09 feet to a ½" rebar; THENCE South 35 degrees 35 minutes 10 seconds West for a distance of 338.07 feet to a ½" rebar; THENCE North 86 degrees 38 minutes 45 seconds West for a distance of 166.13 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 15.91 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A. dated January 2007.

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 tracts of land from an "A-1" Agriculture District to an "A-2" Transitional Agriculture District and 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 28th day of February 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 28th day of February 2007.

Shari Perry

/s/ Shari Perry

County Clerk