

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

RESOLUTION NO. 07-026

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 Kevin and Kimberly Froggatte, property owner of record, to rezone approximately 20.1 acres, described in Tract A from an A-2 (Transitional 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:

Lot 3, in Section 2, Township 16 South, Range 18 East, also described as all East of the Reserve Line in the Southwest Quarter of Section 2, Township 16 South, Range 18 East except the North 35 acres of Lot 3 in said Section 2, more particularly described as follows: Commencing at the Southeast Corner of the Southwest Quarter; THENCE on a bearing of North 00 degrees 00 minutes 00 seconds East along the East line of the Southwest Quarter 992.37 feet to the Point of Beginning; THENCE continuing on a bearing of North 00 degrees 00 minutes 00 seconds East along said East line of said Southwest Quarter 1642.49 feet to the Northeast Corner of said Southwest quarter; THENCE on a bearing of South 87 degrees 41 minutes 33 seconds West along the North line of said Southwest Quarter 941.17 feet to the East line of the Sac and Fox Trust Land; THENCE on a bearing of South 00 degrees 51 minutes 02 seconds East along the East line of the Sac and Fox Trust Land 1641.69 feet; THENCE on a bearing of North 87 degrees 41 minutes 33 seconds East parallel with the North line of said Southwest Quarter 916.79 feet to the Point of Beginning, all in Franklin County Kansas commonly known as 4104 Georgia Terrace, Pomona, KS 66076

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 March 2007, 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 April 19th, 2007 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on April 19th, 2007 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-2" Transitional 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 7th day of May 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 7th day of May 2007.

Shari Perry

/s/ Shari Perry

County Clerk