

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

RESOLUTION NO. 07-028

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 Rodney and Jennifer Stockard, property owner of record, to rezone approximately 30.32 acres from an R-3A (Single Family Residential Three Acre) District to an A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

Tract 1:

A portion of that land described in Deed Book 272, Page 184, being more particularly described as follows: at a ½" rebar at the Northeast Corner of the Southeast Quarter of Section 14, Township 18 South, Range 19 East of the 6th Principal Meridian, Franklin County Kansas; THENCE South 89 degrees 58 minutes 25 seconds West for a distance of 80.00 feet along the North line of said Southeast Quarter to a ½" rebar on the West line of Highway 59 Right of Way, the Point of Beginning; THENCE South 00 degrees 07 minutes 12 seconds East for a distance of 472.22 feet along said Right of Way to a ½" rebar; THENCE North 89 degrees 23 minutes 56 seconds West for a distance of 213.39 feet to a ½" rebar; THENCE South 00 degrees 09 minutes 42 seconds East for a distance of 825.82 feet to the centerline of Middle Creek; THENCE North 68 degrees 45 minutes 05 seconds West for a distance of 617.88 feet along said centerline; THENCE North 86 degrees 47 minutes 50 seconds West for a distance of 528.91 feet along said centerline to a point on the West line of the East Half of said Southeast Quarter (by agreement filed in Slide No. 286C in Franklin County Register of Deeds Office); THENCE North 06 degrees 11 minutes 28 seconds East for a distance of 40.00 feet to a ½" rebar; THENCE North 01 degrees 30 minutes 54 seconds East for a distance of 1002.51 feet to a ½" rebar at the Northwest Corner of the East Half of said Southeast Quarter (by said agreement); THENCE North 89 degrees 58 minutes 25 seconds East for a distance of 1283.20 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 30.32 acres, more or less, in Franklin County Kansas, as shown on survey by Taylor Design Group, P.A. dated April 2007.

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 tract of land from an "R-3A" Single Family Residential Three Acre 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 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

Abstained
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