

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

RESOLUTION NO. 07- 044

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 Orville Flager, property owner of record, to rezone approximately 22.12 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:

Tract 1:

Commencing at the Southwest Corner of the Southeast Quarter of Section 10, Township 17 South, Range 18 East of the Sixth P.M.; THENCE South 89 degrees 12 minutes 50 seconds East 758.37 feet on the South line of the Southeast Quarter to the TRUE POINT OF BEGINNING, being marked with a ½" iron bar; THENCE North 00 degrees 07 minutes 24 seconds East 1705.35 feet on a line parallel with the East line of the West Half of the Southeast Quarter, being marked with a ½" iron bar; THENCE South 89 degrees 50 minutes 58 seconds East 563.97 feet on and along an existing fence to the East line of the West Half of the Southeast Quarter, being marked with a ½" iron bar; THENCE South 00 degrees 07 minutes 24 seconds West 1711.61 feet on said East line of the West Half of said Southeast Quarter of Section 10, to the South line of the Southeast Quarter; THENCE North 89 degrees 12 minutes 50 seconds West 564.00 feet on said South line to the True Point of Beginning, containing 22.12 acres, more or less, all in Franklin County Kansas.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 31st day of May 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 June 21st, 2007 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on June 21st, 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 "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 11th day of July 2007. This action shall become effective upon publication in the official county newspaper.

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

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

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

Absent
John E. Taylor
Commissioner District 2

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

Received and recorded this the 11th day of July 2007.

Shari Perry

/s/ Shari Perry
County Clerk