

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

RESOLUTION NO. 07-077

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 Jerrald and Dee Anne Harnden, property owners of record, to rezone approximately 15.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to rezone approximately 25.68 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:

Beginning at the Southwest Corner of the Southwest Fractional Quarter of Section 19, Township 16 South, Range 21 East of the Sixth Principal Meridian; THENCE North 00 degrees 00 minutes 17 seconds East for a distance of 1797.21 feet along the West line of said Southwest Fractional Quarter to a ½" rebar, said rebar being the True Point of Beginning; THENCE South 89 degrees 36 minutes 04 seconds East for a distance of 984.31 feet parallel with the North line of said Southwest Fractional Quarter to a ½" rebar; THENCE South 00 degrees 07 minutes 07 seconds East for a distance of 663.81 feet parallel with the East line of said Southwest Fractional Quarter; THENCE North 89 degrees 36 minutes 04 seconds West for a distance of 984.31 feet parallel with the North line of said Southwest Fractional Quarter; THENCE North along the West line of said Fractional Quarter to the True Point of Beginning. Said tract contains 15.00 acres, more or less, in Franklin County Kansas.

Tract 2:

Beginning at the Southwest Corner of the Southwest Fractional Quarter of Section 19, Township 16 South, Range 21 East of the Sixth Principal Meridian; THENCE North 00 degrees 00 minutes 17 seconds East for a distance of 1797.21 feet along the West line of said Southwest Fractional Quarter to a ½" rebar, said rebar being 852.71 feet South of the Northwest Corner of said Southwest Fractional Quarter; THENCE South 89 degrees 36 minutes 04 seconds East for a distance of 984.31 feet parallel with the North line of said Southwest Fractional Quarter to a ½" rebar; THENCE South 00 degrees 07 minutes 07 seconds East for a distance of 1796.69 feet parallel with the East line of said Southwest Fractional Quarter to a ½" rebar on the South line of said Southwest Fractional Quarter to a ½" rebar on the South line of said Southwest Fractional Quarter; THENCE North 89 degrees 37 minutes 57 seconds West for a distance of 988.17 feet along the South line of said Southwest Fractional Quarter to the Point of beginning; EXCEPT: THENCE South 89 degrees 36 minutes 04 seconds East for a distance of 984.31 feet parallel with the North line of said Southwest Fractional Quarter to a ½" rebar; THENCE South 00 degrees 07 minutes 07 seconds East for a distance of 663.81 feet parallel with the East line of said Southwest Fractional Quarter; THENCE North 89 degrees 36 minutes 04 seconds West for a distance of 984.31 feet parallel with the North line of said Southwest Fractional Quarter; THENCE North along the West line of said Fractional Quarter to the True Point of Beginning. Said tract contains 15.00 acres, more or less, Together with and subject to covenants, easements and restrictions of record. Said property contains, with exception, 25.68 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A. dated March

2005.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 19th day of October 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 November 15th, 2007 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 15th, 2007 in regular session and by a majority vote of those members present, approved said Zoning Change to rezone approximately 10.00 acres with the existing house to "R-E" and the remaining tract to "A-2" 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 1 from an "A-1" Agriculture District to an "R-E" Residential Estate District and tract 2 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 12th day of December 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 12th day of December 2007.

Shari Perry

/s/ Shari Perry
County Clerk