

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

RESOLUTION NO. 06-016

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 Zoning Change from Mike and Patricia Wiseman, property owner of record, to rezone approximately 10.00 acres (Tract A) from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to rezone approximately 41.14 acres (Tract B) 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 A: Commencing at the Southwest Corner of the Southeast Quarter of Section 4, Township 17 South, Range 20 East of the Sixth P.M.; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 197.15 feet along the West line of the Southeast Quarter; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 720.48 feet along the West line of said Southeast Quarter to the True Point of Beginning; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 404.75 feet along the West line of the Southeast Quarter; THENCE North 88 degrees 40 minutes 42 seconds East for a distance of 1076.36 feet; THENCE South 03 degrees 05 minutes 55 seconds East for a distance of 404.78 feet; THENCE South 88 degrees 40 minutes 42 seconds West for a distance of 1077.18 feet to the True Point of Beginning, containing 10.00 acres, more or less, in Franklin County, Kansas.

Tract B: Commencing at the Southwest Corner of the Southeast Quarter of Section 4, Township 17 South, Range 20 East of the Sixth P.M.; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 197.15 feet along the West line of the Southeast Quarter to the True Point of Beginning; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 720.48 feet along the West line of said Southeast Quarter; THENCE North 88 degrees 40 minutes 42 seconds East for a distance of 1077.18 feet; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 404.78 feet; THENCE North 88 degrees 40 minutes 42 seconds East for a distance of 603 11 feet along to the South Rail Road right of way; THENCE South 03 degrees 05 minutes 56 seconds East for a distance of 1288.44 feet to the South line of said Southeast Quarter; THENCE South 88 degrees 48 minutes 56 seconds West for a distance of 1569.55 feet; THENCE North 02 degrees 58 minutes 59 seconds West for a distance of 197.15 feet; THENCE South 88 degrees 48 minutes 56 seconds West for a distance of 221.06 to the True Point of Beginning containing 41.14 acre, 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 28th day of December 2005, 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 January 19th, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on January 19th, 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 tract of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and 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 27th day of Feb ruary 2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
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 27th day of February 2006.

Shari Perry

/s/ Shari Perry
County Clerk