

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

RESOLUTION NO. 06-046

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 Laura Hare, property owner of record, to rezone approximately 9.97 acres (Tract A) from an "A-1" Agriculture District to a "R-E" Residential Estate District and to rezone 29.53 acres (Tract B) from an "A-1" Agriculture District to a "A-2" Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

A tract of land in the Northeast Quarter of the Southwest Quarter of Section 3, Township 18 South Range 21 East of the 6th P.M., being more particularly described as follows: Commencing at the Northeast Corner of said Southwest Quarter of said Section 3; THENCE South 01 degrees 05 minutes 45 seconds East 331.30 feet on said East line of the Southwest Quarter to the True Point of Beginning; THENCE South 01 degrees 05 minutes 45 seconds East 1000.09 feet on said East line to the Southeast Corner of the Northeast Quarter of the Southwest Quarter said Section 3; THENCE South 88 degrees 47 minutes 53 seconds West 437.17 feet on said South line of the Northeast Quarter of the Southwest Quarter; THENCE North 02 degrees 14 minutes 38 seconds West 577.67 feet; THENCE North 00 degrees 53 minutes 43 seconds East 141.60 feet; THENCE South 89 degrees 46 minutes 30 seconds West 50.32 feet; THENCE North 00 degrees 34 minutes 51 seconds East 497.48 feet to the True Point of Beginning, containing 9.97 acres, more or less, all in Franklin County Kansas.

Tract B:

The Northeast Quarter of the Southwest Quarter of Section 3, Township 18S, Range 21E except: a tract of land in the Northeast Quarter of the Southwest Quarter of Section 3, Township 18 South Range 21 East of the 6th P.M., being more particularly described as follows: Commencing at the Northeast Corner of said Southwest Quarter of said Section 3; THENCE South 01 degrees 05 minutes 45 seconds East 331.30 feet on said East line of the Southwest Quarter to the True Point of Beginning; THENCE South 01 degrees 05 minutes 45 seconds East 1000.09 feet on said East line to the Southeast Corner of the Northeast Quarter of the Southwest Quarter said Section 3; THENCE South 88 degrees 47 minutes 53 seconds West 437.17 feet on said South line of the Northeast Quarter of the Southwest Quarter; THENCE North 02 degrees 14 minutes 38 seconds West 577.67 feet; THENCE North 00 degrees 53 minutes 43 seconds East 141.60 feet; THENCE South 89 degrees 46 minutes 30 seconds West 50.32 feet; THENCE North 00 degrees 34 minutes 51 seconds East 497.48 feet to the True Point of Beginning, containing 9.97 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 21st day of July 2004, 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 August 19th, 2004 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 19th, 2004 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 5th day of July 2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1
/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ John E. Taylor
John E. Taylor
Commissioner District 2
/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 5th day of July 2006.

/s/ Shari Perry
Shari Perry
County Clerk