

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

RESOLUTION NO. 06-051

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 George Brockus, property owner of record, to rezone approximately 11.95 acres, Tract A, from an A-2 (Transitional Agriculture) District to an R-E (Residential Estate) District and to rezone approximately 15.00 acres, Tract B, from R-E (Residential Estate) District to A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Beginning at a ½" rebar at the Northwest Corner of the Northwest Quarter of Section 33, Township 18 South, Range 19 East of the 6th P.M.; THENCE North 87 degrees 59 minutes 33 seconds East for a distance of 1322.50 feet to a ½" rebar at the Northeast Corner of the West Half of said Northwest Quarter; THENCE South 02 degrees 07 minutes 50 seconds East for a distance of 393.70 feet along the East line of the West Half of said Northwest Quarter to a ½" rebar; THENCE South 87 degrees 59 minutes 33 seconds West for a distance of 1322.56 feet to a ½" rebar on the West line of said Northwest Quarter; THENCE North 02 degrees 07 minutes 14 seconds West for a distance of 393.70 feet to the POINT OF BEGINNING. Subject to covenants, easements and restrictions of record. Said property contains 11.95 acres, more or less, in Franklin County Kansas.

Tract B:

Commencing at the Northwest Corner of the West Half of the Northwest Quarter of Section 33, Township 18 South, Range 19 East of the 6th P.M.; THENCE South along the West line of said West Half on an assumed bearing of South 00 degrees 00 minutes 00 seconds East, a distance of 992.53 feet, to the Northwest Corner of the South 50 acres of said West Half, also being the TRUE POINT OF BEGINNING of land being described; THENCE continuing South 00 degrees 00 minutes 00 seconds East along said West line, a distance of 494.00 feet; THENCE South 89 degrees 52 minutes 04 seconds East a distance of 1322.73 feet to a point on the East line of said South 50 acres; THENCE North 00 degrees 00 minutes 42 seconds West along said East line a distance of 494.00 feet to the Northeast Corner of said 50 acres; THENCE North 89 degrees 52 minutes 04 seconds West along the North line of said South 50 acres a distance of 1322.63 feet to the POINT OF BEGINNING, containing 15.00 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 19th day of June 2006, 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 July 13th, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on July 13th, 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 tracts of land from an A-2 (Transitional Agriculture) District to an R-E (Residential Estate) District and from R-E (Residential Estate) District to A-2 (Transitional Agriculture) 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 2nd day of August 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 2nd day of August 2006.

Shari Perry

/s/ Shari Perry

County Clerk