

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

RESOLUTION NO. 06-052

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 Charles Duncan, property owner of record, to rezone approximately 20 acres, described in Tract "A", from an A-2 (Transitional Agriculture) District to an A-1 (Agriculture) District and to rezone approximately 10.00 acres, described in Tract "B", from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to rezone approximately 26.73 acres, described in Tract "C", 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:

A tract of land being part of Lot 4 and the West Half of the Northwest Quarter of Section 14, Township 16 South, Range 18 East of the 6th Principal Meridian, being more particularly described as follows: Beginning at the Northwest Corner of said Northwest Quarter; THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 1812.11 feet along the North line of said Northwest Quarter to the Northeast Corner of said Lot 4; THENCE South 00 degrees 29 minutes 34 seconds West for a distance of 1280.51 feet along the East line of said Lot 4 to the TRUE POINT OF BEGINNING; THENCE South 00 degrees 29 minutes 34 seconds West for a distance of 1340.00 feet along said East line to the Southeast Corner of said Lot 4; THENCE South 89 degrees 24 minutes 43 seconds West for a distance of 650.26 feet along the South line of said Northwest Quarter THENCE North 00 degrees 29 minutes 34 seconds East for a distance of 1340.00 feet; THENCE North 89 degrees 24 minutes 43 seconds East for a distance of 650.26 feet to the TRUE POINT OF BEGINNING, containing 20 acres, more or less, in Franklin County Kansas.

Tract B:

Commencing at a ½" rebar at the Northwest Corner of the Northwest Quarter of Section 14, Township 16 South, Range 18 East of the 6th Principal Meridian, Franklin County Kansas; THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 1472.38 feet along the North line of said Northwest Quarter to a ½" rebar, the POINT OF BEGINNING; THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 339.73 feet along said North line to a ½" rebar at the Northeast Corner of Lot 4 in said Northwest Quarter; THENCE South 00 degrees 29 minutes 34 seconds West for a distance of 1280.51 feet along the East line of said Lot 4 to a ½" rebar; THENCE South 89 degrees 24 minutes 43 seconds West for a distance of 339.77 feet; THENCE North 00 degrees 29 minutes 34 seconds East for a distance of 1284.00 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 10.00 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design group, P.A. dated May, 2006.

Tract C:

Commencing at a ½” rebar at the Northwest Corner of the Northwest Quarter of Section 14, Township 16 South, Range 18 East of the 6th Principal Meridian, Franklin County Kansas; THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 569.36 feet along the North line of said Northwest Quarter to a ½” rebar, the POINT OF BEGINNING; THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 903.02 feet along said North line to a ½” rebar; THENCE South 00 degrees 29 minutes 34 seconds West for a distance of 1284.00 feet; THENCE South 89 degrees 24 minutes 43 seconds West for a distance of 904.12 feet to a ½” rebar; THENCE North 00 degrees 32 minutes 08 seconds East for a distance of 1293.29 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 26.73 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P. A., dated May, 2006.

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 “A-1” Agriculture District and from an “A-1” Agriculture District to a “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 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

/s/ Donald C. Hay

Roy C. Dunn
Commissioner District 3

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