

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

RESOLUTION NO. 06-063

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 Robert and Betty Hamilton and David and Debora McDermott, property owners of record, to rezone approximately 35.69 acres, described in Tract "A", from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 4.9 acres, described in Tract "B", from an R-E (Residential Estate) District to an A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Beginning at the Northwest Corner of the East Half of the Northwest Quarter of Section 7, Township 18 South, Range 19 East; THENCE East 330 feet; THENCE South 2640 feet to the South line of the Northwest Quarter of said Section 7; THENCE West 330 feet to the Southwest Corner of the East Half of the Northwest Quarter of said Section 7; THENCE North 2640 feet to the North line of said Section 7; THENCE East 330 feet to the Point of Beginning; EXCEPT the North 660 feet, thereof, and containing, after deducting the exception noted, 15 acres, more or less, Franklin County Kansas. Also, Beginning at the Northeast Corner of the Northwest Quarter of Section 7, Township 18 South, Range 19 East of the Sixth P.M.; THENCE South 01 degrees 49 minutes 58 seconds East 1339.11 feet on the East line of the Northwest Quarter; THENCE North 88 degrees 56 minutes 02 seconds West 674.14 feet; THENCE North 01 degrees 46 minutes 09 seconds West 1338.32 feet to the North line of the Northwest Quarter; THENCE North 88 degrees 52 minutes 03 seconds East 672.65 feet to the Point of Beginning, containing 20.69 acres, more or less, all in Franklin County Kansas.

Tract B:

Beginning at the Northwest Corner of the East Half of the Northwest Quarter of Section 7, Township 18 South, Range 19 East; THENCE East 330 feet; THENCE South 660 feet; THENCE West 330 feet; THENCE North 660 feet to the Point of Beginning containing 4.9 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 23rd day of August 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 September 21st, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 21st, 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-1" Agriculture District to an "A-2" Transitional Agriculture District and from an "R-E" Residential Estate 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 11th day of October 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 11th day of October 2006.

/s/ Shari Perry
Shari Perry
County Clerk