

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

RESOLUTION NO. 06-082

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 Terence and Paula Lamb, property owner of record, to rezone approximately 20.12 acres, described in Tract "A", from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 10.04 acres, described in Tract "B", from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Commencing at a 5/8" rebar at the Northwest Corner of the Northeast Quarter of Section 14, Township 16 South, Range 19 East of the Sixth Principal Meridian, in Franklin County Kansas; THENCE North 89 degrees 53 minutes 09 seconds East for a distance of 660.00 feet along the North line of said Northeast Quarter to a 1/2" rebar at the POINT OF BEGINNING; THENCE continuing North 89 degrees 53 minutes 09 seconds East for a distance of 330.03 feet to a 1/2" rebar; THENCE South 00 degrees 19 minutes 12 seconds West for a distance of 1325.34 feet to a 1/2" rebar on the South line of the North Half of said Northeast Quarter; THENCE South 89 degrees 53 minutes 51 seconds West for a distance of 989.77 feet to a 1/2" rebar at the Southwest Corner of the North Half of said Northeast Quarter; THENCE North 00 degrees 18 minutes 31 seconds East for a distance of 665.14 feet along the West line of said Northeast Quarter to a 1/2" rebar; THENCE North 89 degrees 53 minutes 09 seconds East for a distance of 660.00 feet to a 1/2" rebar; THENCE North 00 degrees 18 minutes 31 seconds East for a distance of 660.00 feet to the POINT OF BEGINNING; Subject to covenants, easements and restrictions of record. Said property contains 20.12 acres, more or less in Franklin County Kansas according to the survey by Taylor Design Group, P.A. dated December 11, 2006.

Tract B:

Commencing at a 5/8" rebar at the Northwest Corner of the Northeast Quarter of Section 14, Township 16 South, Range 19 East of the Sixth Principal Meridian, in Franklin County Kansas; THENCE North 89 degrees 53 minutes 09 seconds East for a distance of 990.03 feet along the North line of said Northeast Quarter to a 1/2" rebar at the POINT OF BEGINNING; THENCE continuing North 89 degrees 53 minutes 09 seconds East for a distance of 330.00 feet to a 1/2" rebar at the Northeast Corner of the West Half of the North Half of said Northeast Quarter; THENCE South 00 degrees 19 minutes 12 seconds West for a distance of 1325.41 feet to a 1/2" rebar at the Southeast Corner of the West Half of the North Half of said Northeast Quarter; THENCE South 89 degrees 53 minutes 51 seconds West for a distance of 330.00 feet along the South line of said North Half to a 1/2" rebar; THENCE North 00 degrees 19 minutes 12 seconds East for a distance of 1325.34 feet to the POINT OF BEGINNING; Subject to covenants, easements and restrictions of record. Said property contains 10.04 acres, more or less, in Franklin County Kansas according to the survey by Taylor Design Group, P.A. dated December 11, 2006.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has

published in the official county newspaper on the 25th day of October 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 November 16th, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 16th, 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 "A-1" Agriculture District to a "R-E" Residential Estate 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 December 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 December 2006.

Shari Perry

/s/ Shari Perry

County Clerk