

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

RESOLUTION NO. 05-04

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 Edward Altic, property owner of record, to rezone approximately 7.28 acres from an "A-1" Agriculture District to a "R-E" Residential Estate District and to rezone approximately 33.03 acres from 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:

Commencing at a $\frac{3}{4}$ " rebar at the Southeast Corner of the Southeast Quarter of Section 30, Township 15 South, Range 18 East of the 6th Principal Meridian; THENCE North 00 degrees 03 minutes 15 seconds East for a distance of 633.83 feet along the East line of said Southeast Quarter to a $\frac{1}{2}$ " rebar, the POINT OF BEGINNING; THENCE North 89 degrees 59 minutes 12 seconds West for a distance of 459.89 feet parallel with the North line of the Southeast Quarter of said Southeast Quarter to a $\frac{1}{2}$ " rebar; THENCE North 00 degrees 03 minutes 15 seconds East for a distance of 689.30 feet parallel with said East line to a $\frac{1}{2}$ " rebar on the North line of the Southeast Quarter of said Southeast Quarter; THENCE South 89 degrees 59 minutes 12 seconds East for a distance of 459.89 feet to a $\frac{1}{2}$ " rebar at the Northeast Corner of the Southeast Quarter of said Southeast Quarter; THENCE South 00 degrees 03 minutes 15 seconds West for a distance of 689.30 feet along said East line to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 7.28 acres, more or less, in Franklin County, Kansas as shown on survey by Taylor Design Group, P.A. dated December, 2004.

Tract B:

Beginning at a $\frac{3}{4}$ " rebar at the Southeast Corner of the Southeast Quarter of Section 30, Township 15 South, Range 18 East of the 6th Principal Meridian; THENCE North 00 degrees 03 minutes 15 seconds East for a distance of 633.83 feet along the East line of said Southeast Quarter to a $\frac{1}{2}$ " rebar; THENCE North 89 degrees 59 minutes 12 seconds West for a distance of 459.89 feet parallel with the North line of the Southeast Quarter of said Southeast Quarter to a $\frac{1}{2}$ " rebar; THENCE North 00 degrees 03 minutes 15 seconds East for a distance of 689.30 feet parallel with said East line to a $\frac{1}{2}$ " rebar on the North line of the Southeast Quarter of said Southeast Quarter; THENCE North 89 degrees 59 minutes 12 seconds West for a distance of 866.64 feet to a $\frac{1}{2}$ " rebar at the Northwest Corner of the Southeast Quarter of said Southeast Quarter; THENCE South 00 degrees 05 minutes 53 seconds West for a distance of 1322.85 feet to a $\frac{1}{2}$ " rebar at the Southwest Corner of the Southeast Quarter of said Southeast Quarter; THENCE South 89 degrees 58 minutes 27 seconds East for a distance of 1327.53 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restriction of record. Said property contains 33.03 acres, more or less, in Franklin County, Kansas as shown on survey by Taylor Design Group, P.A. dated December 2004.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 29th day of September 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 October 21, 2004 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on October 21, 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 tracts of land from an "A-1" Agriculture District to a "R-E" Residential Estate District and from an "A-1" Agriculture District to a "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 10th day of January 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire ; /s/ John E. Taylor
Donald E. Waymire John E. Taylor
Commissioner District 1 Commissioner District 2;

/s/ Roy C. Dunn; /s/ Donald C. Hay
Roy C. DunnDonald C. Hay
Commissioner District 3#9; Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 10th day of January 2005.

/s/ Shari Perry
Shari Perry
County Clerk