

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

RESOLUTION NO. 05-45

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 Dennis Wray, property owner of record, to rezone approximately 10.00 acres from an "A-1" Agriculture District to a "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 Northeast Corner (NE) of the Southwest Quarter (SW ¼) of Section 23, Township 15 South, Range 18 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE South 00 degrees 20 minutes 04 seconds West for a distance of 892.64 feet along the East line of said Southwest Quarter (SW ¼) to a ½" rebar, the POINT OF BEGINNING; THENCE South 00 degrees 20 minutes 04 seconds West for a distance of 591.25 feet along said East line to a ½" rebar; THENCE North 89 degrees 54 minutes 22 seconds West for a distance of 736.79 feet to a ½" rebar; THENCE North 00 degrees 20 minutes 04 seconds West for a distance of 591.25 feet parallel with said East line to a ½" rebar; THENCE South 89 degrees 54 minutes 22 seconds East for a distance of 736.79 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, Franklin County, Kansas as shown on survey by Taylor Design Group, P.A. dated April, 2005.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 31st day of March 2005, 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 April 19th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on April 19th, 2005 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 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 9th day of May 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire 9; /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. Dunn Donald C. Hay

Commissioner District 3#9; Commissioner District 4

/s/ Donald R. Stottlemire

Donald R. Stottlemire

Commissioner District 5

Received and recorded this the 9th day of May 2005.

/s/ Shari Perry

Shari Perry
County Clerk