

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

RESOLUTION NO. 05-46

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 Robert Foster, property owner of record, to rezone approximately 15.00 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  $\frac{3}{4}$ " rebar at the Northeast Corner of the South Half of the Northeast Quarter of Section 2, Township 18 South, Range 18 East of the Sixth Principal Meridian, Franklin County, Kansas; THENCE South 89 degrees 59 minutes 12 seconds West for a distance of 356.23 feet along the North line of said South Half to a  $\frac{1}{2}$ " rebar; THENCE South 00 degrees 04 minutes 54 seconds West for a distance of 443.60 feet to a  $\frac{1}{2}$ " rebar; THENCE North 89 degrees 09 minutes 26 seconds West for a distance of 713.79 feet to a  $\frac{1}{2}$ " rebar; THENCE South 05 degrees 11 minutes 15 seconds East for a distance of 599.41 feet to a  $\frac{1}{2}$ " rebar on the North line of Old 50 Highway; THENCE along a curve to the left having a radius of 2343.47 feet and an arc length of 369.10 feet, being subtended by a chord of South 69 degrees 44 minutes 03 seconds West for a distance of 368.72 feet to a  $\frac{1}{2}$ " rebar on said North line; THENCE South 64 degrees 57 minutes 40 seconds West for a distance of 241.84 feet to a  $\frac{1}{2}$ " rebar on said North line; THENCE North 25 degrees 02 minutes 20 seconds West for a distance of 80.00 feet to a  $\frac{1}{2}$ " rebar on said North line; THENCE South 64 degrees 57 minutes 40 seconds West for a distance of 510.80 feet along said North line to a  $\frac{1}{2}$ " rebar, the POINT OF BEGINNING; THENCE North 00 degrees 40 minutes 58 seconds West for a distance of 725.64 feet to a  $\frac{1}{2}$ " REBAR; THENCE South 89 degrees 59 minutes 12 seconds West for a distance of 730.00 feet to a  $\frac{1}{2}$ " rebar on the East line of Sac and Fox Lands; THENCE South 00 degrees 40 minutes 58 seconds East for a distance of 1064.62 feet along said East line to a  $\frac{1}{2}$ " rebar on the North line of Old 50 Highway; THENCE North 64 degrees 57 minutes 40 seconds East for a distance of 801.26 feet along said North line to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 15.00 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A., dated March, 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