

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

RESOLUTION NO. 05-70

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 Ted Madl, property owner of record, to rezone approximately 19.81 acres from an "A-1" Agriculture District to a "R-E" Residential Estate District and to rezone approximately 35.23 acres from an "A-1" Agriculture District to an "A-2" Transitional Agriculture District

The property described below lies outside any incorporated city and is described as follows:

Tract 1:

A tract of land in the Northwest Quarter of Section 22, Township 15 South, Range 20 East of the 6th P. M., being more particularly described as follows: Commencing at the Northeast Corner of the Northwest Quarter of said Section 22; THENCE South 88 degrees 19 minutes 31 seconds West 415.25 feet on the North line of the Northwest Quarter to the True Point of Beginning; THENCE South 02 degrees 17 minutes 43 seconds East 745.43 feet; THENCE North 79 degrees 49 minutes 33 seconds West 214.38 feet; THENCE South 05 degrees 07 minutes 13 seconds West 544.31 feet; THENCE South 75 degrees 44 minutes 57 seconds East 202.73 feet; THENCE South 01 degrees 56 minutes 56 seconds West 363.80 feet; THENCE North 88 degrees 19 minutes 36 seconds East 527.42 feet to the East line of the Northwest Quarter; THENCE South 02 degrees 17 minutes 43 seconds East 971.21 feet on the East line of the Northwest Quarter to the Southeast Corner of the Northwest Quarter; THENCE South 88 degrees 29 minutes 22 seconds West 364.64 feet on the South line of the Northwest Quarter; THENCE North 02 degrees 17 minutes 43 seconds West 600.00 feet on a line parallel with the East line of the Northwest Quarter; THENCE South 88 degrees 29 minutes 22 seconds West 708.65 feet on a line parallel with the South line of the Northwest Quarter; THENCE North 02 degrees 17 minutes 43 seconds West 2028.80 feet on a line parallel with the East line of said Northwest Quarter to the North line of said Northwest Quarter; THENCE North 88 degrees 19 minutes 31 seconds East 658.00 feet to the TRUE POINT OF BEGINNING, containing 35.23 acres, more or less, including that part used for road right of way, all in Franklin County, Kansas.

Tract 2:

A tract of land in the Northwest Quarter of Section 22, Township 15 South, Range 20 East of the 6th P. M. being more particularly described as follows: Beginning at the Northeast Corner of the Northwest Quarter of said Section 22; THENCE South 02 degrees 17 minutes 43 seconds East 1660.66 feet on the East line of the Northwest Quarter; THENCE South 88 degrees 19 minutes 36 seconds West 527.42 feet; THENCE North 01 degrees 56 minutes 56 seconds East 363.80 feet; THENCE North 75 degrees 44 minutes 57 seconds West 202.73 feet; THENCE North 05 degrees 07 minutes 13 seconds East 544.31 feet; THENCE South 79 degrees 49 minutes 33 seconds East 214.38 feet; THENCE North 02 degrees 17 minutes 43 seconds West 745.43 feet to the North line of the Northwest Quarter; THENCE North 88 degrees 19 minutes 31 seconds East 415.25 feet to the Point of Beginning, containing 19.81 acres, more or less, including that part used for road right of way, 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 28th day of April 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 May 19th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on May 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 tract of land from an "A-1" Agriculture District to a "R-E" Residential Estate District and to rezone the above tract of land from an "A-1" Agriculture 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 6th day of July 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 6th day of June 2005.

/s/ Shari Perry

Shari Perry

County Clerk