

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

RESOLUTION NO. 05- 76

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 Eugene Wren, property owner of record, to rezone approximately 5 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:

Commencing at a 2" aluminum KDOT cap at the Northeast Corner of the Northwest Quarter of Section 35, Township 15 South, Range 19 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE South 00 degrees 00 minutes 01 seconds East for a distance of 2161.21 feet to a point on the East line of said Northwest Quarter, said point is 461.45 feet North of the Southeast Corner of said Northwest Quarter; THENCE South 89 degrees 59 minutes 59 seconds West for a distance of 60.00 feet to a ½" rebar on the West right of way line of Highway 59, the POINT OF BEGINNING. THENCE South 89 degrees 59 minutes 59 seconds West for a distance of 490.00 feet to a ½" rebar; THENCE North 00 degrees 00 minutes 01 seconds West for a distance of 100.60 feet to a ½" rebar; THENCE South 89 degrees 59 minutes 59 seconds West for a distance of 437.93 feet to a ½" rebar; THENCE North 00 degrees 00 minutes 01 seconds West for a distance of 236.00 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 458.19 feet to a ½" rebar; THENCE South 00 degrees 00 minutes 01 seconds East for a distance of 76.03 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 89.80 feet to a ½" rebar; THENCE South 00 degrees 00 minutes 01 seconds East for a distance of 41.28 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 67.64 feet to a ½" rebar; THENCE South 00 degrees 00 minutes 01 seconds East for a distance of 48.79 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 121.31 feet to a ½" rebar; THENCE North 00 degrees 00 minutes 01 seconds West for a distance of 42.50 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 88.00 feet to a ½" rebar; THENCE North 00 degrees 00 minutes 01 seconds West for a distance of 78.00 feet to a ½" rebar; THENCE North 89 degrees 59 minutes 59 seconds East for a distance of 103.00 feet to a ½" rebar on the West right of way of Highway 59; THENCE South 00 degrees 00 minutes 01 seconds East for a distance of 291.00 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restriction of record. Said property contains 5.00 acres, more or less, in Franklin County, Kansas as shown on survey by Taylor Design Group dated June, 2005.

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 May 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 July 14th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on July 14th, 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 1st day of August 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. Dunn Donald C. Hay
Commissioner District 3; Commissioner District 4

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

Received and recorded this the 1st day of August 2005.

/s/ Shari Perry
Shari Perry
County Clerk