

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

RESOLUTION NO. 05-90

**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 Sundstrom Farms, property owner of record, to rezone approximately 18.63 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 the Northwest Corner of the Southwest Quarter of Section 28, Township 16 South, Range 19 East of the Sixth P.M. THENCE North 90 degrees 00 minutes 00 seconds East 2649.57 feet measure (2649.48" Chaney) to a point on the North line of the South Half of said Section 28 to the True Point of Beginning, said point is in line with an existing fence line to the South, said fence line was used for a boundary line agreement between Vernon L. Stewart and the Sundstrom Farms recorded October 26, 1998 in Survey Book 1 page 185-187; THENCE South on said agreement line on a bearing of South 00 degrees 29 minutes 05 seconds East 1355.82 feet (measure – Chaney) to an existing old hedge post on the existing North line of the Burlington Northern Santa Fe Railroad right of way; THENCE North 79 degrees 27 minutes 06 seconds East 498.27 feet on said right of way; THENCE North 03 degrees 10 minutes 22 seconds East 846.20 feet; THENCE North 90 degrees 00 minutes 00 seconds East 293.63 feet; THENCE North 00 degrees 29 minutes 05 seconds West 419.67 feet to the North line of the Southeast Quarter; THENCE South 90 degrees 00 minutes 00 seconds West 838.23 feet to the TRUE POINT OF BEGINNING, containing 18.63 acres, more or less, 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 27th day of July 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 August 18th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 18th, 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 7th day of Septe

mber 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. 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 7th day of September 2005.

/s/ Shari Perry

Shari Perry

County Clerk