

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

RESOLUTION NO. 05-91

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 Dora Ann Lingo, property owner of record, to rezone approximately 19 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:

A tract of land in Section 19, Township 16 South, Range 19 East in the Sixth P.M., being more particularly described as follows: Commencing at the existing ½" iron bar at the Southwest corner of the Southwest Quarter of said Section 19; THENCE North 88 degrees 39 minutes 23 seconds East 1494.75 feet on said South line of Section 19 to the TRUE POINT OF BEGINNING, being marked with a ½" iron bar, THENCE North 01 degrees 17 minutes 08 seconds West 585.86 feet to a ½" iron bar; THENCE North 88 degrees 50 minutes 09 seconds East 743.88 feet to a ½" iron bar; THENCE South 01 degrees 17 minutes 08 seconds East 585.86 feet to the South line of Section 19 being marked with a ½" iron bar; THENCE South 88 degrees 53 minutes 16 seconds West 575.74 feet on said South line to a existing lime stone found on the West line of the Ottawa Indian Reservation Line; THENCE South 88 degrees 39 minutes 23 seconds West 168.14 feet to the TRUE POINT OF BEGINNING, containing 10 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 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 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 September 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#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