

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

RESOLUTION NO. 05-105

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 Aaron Higbie, property owner of record, to rezone approximately 8.10 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:

Beginning at a ½" rebar at the Northeast Corner of the Southeast Quarter of Section 13, Township 18 South, Range 18 East of the 6th Principal meridian, Franklin County, Kansas; THENCE South 00 degrees 10 minutes 24 seconds East for a distance of 1324.90 feet to a ½" rebar at the Southeast Corner of the North Half of said Southeast Quarter; THENCE South 89 degrees 59 minutes 03 seconds West for a distance of 258.76 feet along the South line of the North Half of said Southeast Quarter to a ½" rebar; THENCE North 00 degrees 49 minutes 55 seconds West for a distance of 1325.02 feet to a ½" rebar on the North line of said Southeast Quarter; THENCE North 89 degrees 58 minutes 52 seconds East for a distance of 273.99 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 8.10 acres, more or less, Franklin County, Kansas as shown on survey by Taylor Design Group, P.A. dated August 2005.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 23rd day of August 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 September 15th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 15th, 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 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 3rd day of October 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

Abstained#9; /s/ Donald C. Hay

Roy C. DunnDonald C. Hay

Commissioner District 3#9;

Commissioner District 4

Absent

Donald R. Stottlemire

Commissioner District 5
Received and recorded this the 3rd day of October 2005.
/s/ Shari Perry
Shari Perry
County Clerk