

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

RESOLUTION NO. 05-117

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 Karl and Mindy Mason, property owner of record, to rezone approximately 4.00 acres from an "R-E" Residential Estate District to an "R-3A" Single Family Residential Three Acre District. The property described below lies outside any incorporated city and is described as follows:

Commencing at a ½" rebar at the Southeast Corner of the Southeast Quarter of Section 3, Township 16 South, Range 21 East of the 6th Principal meridian, Franklin County, Kansas; THENCE North 88 degrees 21 minutes 07 seconds West for a distance of 1056.97 feet along the South line of said Southeast Quarter to a ½" rebar, the POINT OF BEGINNING; THENCE North 88 degrees 21 minutes 07 seconds West for a distance of 264.60 feet to a ½" rebar at the Southwest Corner of the Southeast Quarter of said Southeast Quarter; THENCE North 00 degrees 15 minutes 16 seconds East for a distance of 658.46 feet to a ½" rebar at the Northwest Corner of the South half of the Southeast Quarter of said Southeast Quarter; THENCE South 88 degrees 18 minutes 39 seconds East for a distance of 264.60 feet along the North line of the South Half of the Southeast Quarter to a ½" rebar; THENCE South 00 degrees 15 minutes 15 seconds West for a distance of 658.27 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 4.00 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A. dated October 2005.

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 October 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 November 17th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 17th, 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 "R-E" Residential Estate District to an "R-3A" Single Family Residential Three Acre 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 5th day of December 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1

/s/ John E. Taylor
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

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

Received and recorded this the 5th day of December 2005.

/s/ Shari Perry
Shari Perry
County Clerk