

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

RESOLUTION NO. 05-119

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 John and Sharon Johnson, property owner of record, to rezone Tract A, approximately 30.00 acres, from an A'-1" Agriculture District to an "A-2" Transitional Agriculture District and to rezone Tract B, approximately 5.00 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:

The Southwest Quarter of the Northwest Quarter of Section 13, Township 18 South, Range 18 East of the 6th P.M.; Except the following tract of land. A tract of land in the Southwest Quarter of the Northwest Quarter of Section 13, Township 18 South, Range 18 East of the 6th P.M.; Being more particularly described as follows: Beginning at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 13; THENCE South 89 degrees 58 minutes 53 seconds East 535.21 feet; THENCE South 00 degrees 45 minutes 26 seconds East 404.96 feet; THENCE South 89 degrees 54 minutes 49 seconds West 539.49 feet to the West line of the Northwest Quarter; THENCE North 00 degrees 09 minutes 06 seconds West 405.91 feet to the True Point of Beginning, containing 5.00 acres, more or less, all in Franklin County, Kansas. Including that part used for Road right of way.

Tract B:

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 13, Township 18 South, Range 18 East of the 6th P.M.; Being more particularly described as follows: Beginning at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 13; THENCE South 89 degrees 58 minutes 53 seconds East 535.21 feet; THENCE South 00 degrees 45 minutes 26 seconds East 404.96 feet; THENCE South 89 degrees 54 minutes 49 seconds West 539.49 feet to the West line of the Northwest Quarter; THENCE North 00 degrees 09 minutes 06 seconds West 405.91 feet to the True Point of Beginning, containing 5.00 acres, more or less, all in Franklin County, Kansas. Including that part used for Road right of way.

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 "A" of land from an "A-1" Agriculture District to a "R-E" Residential Estate District and the above described tract "B" of land from an "A-1" Agriculture District to an "A-2" Transitional Agriculture 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/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

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

/s/ John E. Taylor
John E. Taylor
Commissioner District 2
/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

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

/s/ Shari Perry
Shari Perry
County Clerk