

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

RESOLUTION NO. 19- 23

**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 from Hugh Bogle to rezone approximately 41.74 acres, described as Tract 1, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 17.94 acres, described as Tract 2, from an R-E (Residential Estate) District to an A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

Tract 1:

Commencing at the Northeast Corner of the South Half of the Northeast Quarter of Section 7, Township 19 South, Range 21 East of the Sixth Principal Meridian; THENCE Along the North line of the South Half of said Northeast Quarter South 89 degrees 21 minutes 51 seconds West for a distance of 419.81 feet to a ½" rebar in the centerline of Utah Road as now exists; THENCE along said centerline South 13 degrees 37 minutes 17 seconds West for a distance of 437.95 feet to a ½" rebar; THENCE along said centerline, along a non-tangent curve to the right having a radius of 475.00 feet and an arch length of 302.25 feet, being subtended by a chord of South 27 degrees 03 minutes 14 seconds West for a distance of 297.18 feet to a ½" rebar; THENCE along said centerline South 46 degrees 59 minutes 48 seconds West for a distance of 83.68 feet to a ½" rebar being the Point of Beginning; THENCE along said centerline South 46 degrees 59 minutes 48 seconds West for a distance of 32.16 feet to a ½" rebar; THENCE along said centerline, along a non-tangent curve to the left having a radius of 425.00 feet and an arc length of 218.77 feet being subtended by a chord of South 32 degrees 53 minutes 16 seconds West for a distance of 216.36 feet to a ½" rebar; THENCE along said centerline along a curve to the left having a radius of 288.60 feet and an arc length of 50.40 feet being subtended by a chord of South 13 degrees 08 minutes 20 seconds West for a distance of 50.34 feet to a ½" rebar; THENCE along said centerline South 08 degrees 08 minutes 09 seconds West for a distance of 329.93 feet to a ½" rebar on the South line of said Northeast Quarter; THENCE South 89 degrees 17 minutes 44 seconds West for a distance of 1709.16 feet to a ¾" rebar at the Southwest Corner of said Northeast Quarter; THENCE North 00 degrees 52 minutes 36 seconds West for a distance of 1323.06 feet to a ½" rebar at the Northwest Corner of the South Half of said Northeast Quarter; THENCE along the North line of the South Half of said Northeast Quarter North 89 degrees 21 minutes 51 seconds East for a distance of 1068.05 feet to a ½" rebar; THENCE South 00 degrees 52 minutes 36 seconds East 744.00 feet to a ½" rebar; THENCE North 89 degrees 21 minutes 51 seconds East 849.10 feet to the Point of Beginning containing 41.74 acres, more or less, in Franklin County Kansas.

Tract 2:

A tract of land in the South Half of the Northeast Quarter of Section 7, Township 19 South, Range 21 East of the Sixth Principal Meridian, being more particularly described as follows: Beginning at the Northeast Corner of the South Half of the Northeast Quarter of Section 7, Township 19 South, Range 21 East of the Sixth Principal Meridian; THENCE South 89 degrees 21 minutes 51 seconds West for a distance of 419.81 feet along the North line of the South Half of said Northeast Quarter to a point in the centerline of Utah Road as now exists, said point being the True Point of Beginning; THENCE South 13 degrees 37 minutes 17 seconds West for a distance of 437.95 feet along said centerline; THENCE along a curve to the right having a radius of 475.00 feet and an arc length of 302.25 feet being subtended by a chord of South 27 degrees 03 minutes 14 seconds West for a distance of 297.18 feet along said centerline; THENCE South 46 degrees 59 minutes 48 seconds West for a distance of 83.68 feet along said centerline; THENCE South 89 degrees 21 minutes 51 seconds West for a distance of 849.10 feet; THENCE North 00 degrees 52 minutes 36 seconds West for a distance of 744.00 feet to a point on the North line of the South Half of said Northeast Quarter; THENCE North 89 degrees 21 minutes 51 seconds East for a distance of 1160.00 feet along said North line to the True Point of Beginning, together with and subject to covenants, easement and restrictions of record, said tract containing approximately 17.94 acres, more or less, 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 July 23, 2019, notice of public hearing for said Rule Exception and Zoning Change Request; and

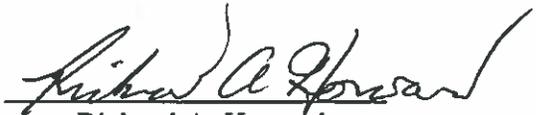
WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on August 15, 2019 regarding said Rule Exception and Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 15, 2019 in regular session and by a unanimous vote of those members present, approved said Rule Exception and 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 Rule Exception and Zoning Change, find that the rule exception and 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 the rezoning of the above described tracts of land from an "A-1" Agriculture District to an "A-2" Transitional Agriculture District and from an "R-E" Residential Estate 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 4th day of September, 2019. This action shall become effective upon publication in the official county newspaper.


Richard A. Howard
Chairman

Received and recorded this the 4th day of September, 2019.



FILED FOR RECORD
TIME 2:35 P.M.


Janet Paddock
County Clerk

Misc SEP 04 2019
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REGISTER OF DEEDS FRANKLIN CO., KS
INSTRUMENT # 2854

(Original compared with record)