

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

RESOLUTION NO. 11-01

A RESOLUTION AMENDING THE OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY,
KANSAS

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received a request for a Zone Change to rezone approximately 33.04 acres from an A-1 (Agriculture) District to an 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 the Southeast Quarter of Section 35, Township 15 South, Range 19 East of the 6th P.M., Franklin County Kansas, described as follows: Commencing at the Northwest Corner of said Quarter Section; THENCE on an assumed bearing of 88 degrees 14 minutes 49 seconds East, 536.55 feet along the North line of said Quarter Section to the POINT OF BEGINNING; FIRST COURSE, THENCE continuing North 88 14 minutes 49 seconds East, 155.93 feet along said North line to the Northeast Corner of a tract of land described in a deed recorded in Book 273, Page 350 in the Register of Deeds Office, Franklin County Kansas; SECOND COURSE, THENCE South 02 degrees 02 minutes 55 seconds East 688.68 feet along the East line of said tract to the Southeast Corner of said tract; THIRD COURSE, THENCE South 88 degrees 15 minutes 02 seconds West, 169.26 feet along the South line of said tract; FOURTH COURSE, THENCE North 02 degrees 20 minutes 06 seconds East, 462.74 feet; FIFTH COURSE, THENCE North 07 degrees 35 minutes 23 seconds West, 228.28 feet to the North line of said Quarter Section and the POINT OF BEGINNING. ALSO, (u) A tract of land in the Southeast Quarter of Section 35, Township 15 South, Range 19 East of the 6th P.M., Franklin County Kansas, described as follows: Commencing at the Northwest Corner of said Quarter Section; THENCE on an assumed bearing of South 02 degrees 02 minutes 52 seconds East, 688.63 feet along the West line of said Quarter Section to the South line of a parcel of land in a deed recorded in Book 273, Page 350 in the Register of Deeds Office, Franklin County Kansas; THENCE North 88 degrees 15 minutes 02 seconds East, 523.24 feet to the POINT OF BEGINNING; FIRST COURSE, THENCE South 02 degrees 20 minutes 06 seconds West, 489.84 feet; SECOND COURSE, THENCE South 07 degrees 54 minutes 20 seconds East, 147.84 feet to the North line of the South Half of said Quarter Section; THIRD COURSE, THENCE North 88 degrees 18 minutes 10 seconds East, 316.89 feet along said North line; FOURTH COURSE, THENCE North 29 degrees 14 minutes 23 seconds East, 8.53 feet; FIFTH COURSE, THENCE North 37 degrees 10 minutes 39 seconds East, 487.32 feet; SIXTH COURSE, THENCE North 14 degrees 11 minutes 58 seconds East, 222.67 feet; SEVENTH COURSE, THENCE North 00 degrees 00 minutes 00 seconds East 525.00 feet; EIGHTH COURSE, THENCE North 01 degrees 20 minutes 30 seconds West, 199.56 feet to the North line of said Quarter section; NINTH COURSE, THENCE South 88 degrees 15 minutes 22 seconds West, 520.96 feet along said North line to the Northwest Corner of said parcel of land recorded in Book 273, Page 350 in the Register of Deeds Office, Franklin County Kansas; TENTH COURSE, THENCE South 02 degrees 02 minutes 55 seconds East 688.76 feet along the West line of said parcel to the Southwest Corner of said parcel; ELEVENTH COURSE, THENCE South 88 degrees 15 minutes 02 seconds West, 169.26 feet along said South line to the POINT OF BEGINNING; The above described tract contains 16.08 acres, more or less.

Tract B:

A tract of land in the Northeast Quarter of Section 35, Township 15 South, Range 19 East of the 6th P.M., described as follows: Commencing at the Southwest Corner of said Quarter Section; THENCE on an assumed bearing of North 88 degrees 14 minutes 49 seconds East, 60.00 feet along the South line of said Quarter Section to the East right-of-way line of existing US-59 Highway as depicted on the Kansas Department of Transportation Right of Way plans for project 59-30 K-7889-01, dated 2007; THENCE North 02 degrees 01

minutes 19 seconds West 500.21 feet along said East line to the Southwest Corner of a tract of land described in a deed recorded in Book 270, Page 623 in the Register of Deeds Office, Franklin County, Kansas; THENCE North 88 degrees 15 minutes 38 seconds East 445.59 feet along the South line of said tract to the Easterly line of Access Control for US-59 Highway as shown on said plans and POINT OF BEGINNING; FIRST COURSE, THENCE continuing North 88 degrees 15 minutes 38 seconds East 713.80 feet along said South line to the Westerly right of way line of existing Stafford Road as shown on said plans; SECOND COURSE, THENCE North 01 degrees 20 minutes 30 seconds West 305.41 feet along said Westerly right of way line of said access road to the North line of said tract; THIRDS COURSE, THENCE South 88 degrees 14 minutes 40 seconds West 718.22 feet along said North line to said Easterly line of Access Control for US-59 Highway; FOURTH COURSE, THENCE South 01 degrees 47 minutes 57 seconds West 132.80 feet along said Easterly line of Access Control; FIFTH COURSE, THENCE South 05 degrees 13 minutes 03 seconds East, 172.97 feet along said Easterly line of Access Control to the South line of said tract and the POINT OF BEGINNING. The above described tract contains 5.05 acres, more or less.

Tract C:

A tract of land in the Northeast Quarter of Section 35, Township 15 South, Range 19 East of the 6th P.M. described as follows: Commencing at the Southwest corner of said Quarter Section; THENCE on an assumed bearing of North 88 degrees 14 minutes 49 seconds East 60.00 feet along the South line of said Quarter section to the East right-of-way line of existing US-59 Highway as depicted on Kansas Department of Transportation Right of Way Plans for project 59-30 K-7889-01, dated 2007; THENCE North 02 degrees 01 minutes 19 seconds West, 1110.38 feet along said East line to the Southwest Corner of a tract of land described in a deed recorded in Book 271, Page 411 in the Register of Deeds Office, Franklin County Kansas; THENCE North 88 degrees 14 minutes 02 seconds East, 465.17 feet along the South line of said tract to the Easterly line of Access Control for US-59 Highway as shown on said plans and the POINT OF BEGINNING; FIRST COURSE, THENCE continuing North 88 degrees 14 minutes 02 seconds East 701.47 feet along said South line to the Westerly right of way line of existing Stafford Access Road as shown on said plans; SECOND COURSE, THENCE North 01 degrees 20 minutes 30 seconds West 274.07 feet along the Westerly right of way line of said Access Road; THIRD COURSE; THENCE North 12 degrees 30 minutes 10 seconds East 32.57 feet along said Westerly right of way line to the North line of said tract; FOURTH COURSE, THENCE South 88 degrees 12 minutes 26 seconds West 663.10 feet along said North line to said Easterly line of Access Control; FIFTH COURSE, THENCE South 34 degrees 59 minutes 27 seconds West, 53.60 feet along said Easterly line of Access Control; SIXTH COURSE, THENCE South 01 degrees 47 minutes 57 seconds West 262.89 feet along said Easterly line of Access Control to the South line of said tract and the POINT OF BEGINNING. The above described tract contains 4.85 acres, more or less. ALSO, a tract of land in the Northeast Quarter of Section 35, Township 15 South, Range 19 East of the 6th P.M. described as follows: Commencing at the Southwest Corner of said Quarter Section; THENCE on an assumed bearing of North 88 degrees 14 minutes 49 seconds East 60.00 feet along the South line of said Quarter Section to the East right-of-way line of existing US-50 Highway as depicted on Kansas Department of Transportation Right of Way Plans for project 59-30 K-788-01, dated 2007; THENCE North 02 degrees 01 minutes 19 seconds West 1415.46 feet along said East line to the Southwest Corner of a tract of land described in a deed recorded in Book 271, Page 232 in the Register of Deeds Office, Franklin County Kansas; THENCE North 88 degrees 12 minutes 26 seconds East, 514.95 feet along the South line of said tract to the Easterly line of Access Control for US-59 Highway as shown on said plans and the POINT OF BEGINNING; FIRST COURSE, THENCE continuing North 88 degrees 12 minutes 26 seconds East 663.10 feet along said South line to the Westerly right-of-way line of existing Stafford Access Road as shown on said plans; SECOND COURSE, THENCE North 12 degrees 30 minutes 10 seconds East 206.77 feet along said Westerly line; THIRD COURSE, THENCE North 43 degrees 04 minutes 54 seconds East 147.41 feet along said Westerly line to the North line of said tract; FOURTH COURSE, THENCE South 88 degrees 15 minutes 35 seconds West, 762.24 feet along said North line to said Easterly line of Access Control; FIFTH COURSE, THENCE South 01 degrees 14 minutes 35 seconds West 248.69 feet along said Easterly line of Access Control; SIXTH COURSE, THENCE South 34 degrees 59 minutes 27 seconds West, 71.40 feet along said Easterly line of Access Control to the South line of said tract and the POINT OF BEGINNING. The above described tract contains 4.70 acres, more or less.

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 November 2010, 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 December 16th, 2010 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on December 16th, 2010 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 an "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 10th day of January 2011. This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor
Chairman

Received and recorded this the 10th day of January 2011.

Shari Perry

/s/ Shari Perry

County Clerk