

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

RESOLUTION NO. 11-37

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 Zone Change from Allen Carey to rezone approximately 11.03 acres, Tract A, from an A-1 (Agriculture) District to an R-E (Residential Estate) District and 6.87 acres, Tract B, from an A-1 (Agriculture) District to an R-E (Residential Estate) District and 25.99 acres, Tract C, from A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District.

The properties described below lie outside any incorporated city and are described as follows:

Tract A:

Commencing at the Northeast Corner of the Northeast Quarter of Section 23, Township 18 South, Range 20 East of the Sixth P.M.; THENCE South 88 degrees 28 minutes 08 seconds West 1666.10 feet on the North line of said Northeast Quarter to a ½" iron bar and the True Point of Beginning; THENCE South 00 degrees 36 minutes 22 seconds West 974.43 feet to a ½" iron bar; THENCE South 88 degrees 28 minutes 08 seconds West 475.37 feet to a ½" iron bar; THENCE North 01 degrees 30 minutes 19 seconds West 973.75 feet to the North line of the Northeast Quarter being marked with a ½" iron bar; THENCE North 88 degrees 28 minutes 08 seconds East 511.27 feet to the Point of Beginning containing 11.03 acres, more or less, all in Franklin County Kansas.

Tract B:

Commencing at the Northeast Corner of the Northeast Quarter of Section 23, Township 18 South, Range 20 East of the Sixth P.M.; THENCE South 88 degrees 28 minutes 08 seconds West 945.84 feet to the True Point of Beginning; THENCE South 01 degrees 33 minutes 48 seconds East 494.00 feet; THENCE North 88 degrees 28 minutes 08 seconds East 466.64 feet; THENCE North 01 degrees 33 minutes 48 seconds West 4.07 feet; THENCE North 88 degrees 31 minutes 17 seconds East 30.22 feet; THENCE South 28 degrees 40 minutes 22 seconds West 342.00 feet; THENCE South 59 degrees 10 minutes 31 seconds West 533.37 feet; THENCE South 87 degrees 35 minutes 01 seconds West 7.98 feet; THENCE North 01 degrees 33 minutes 48 seconds West 1046.62 feet to the North line of the Northeast Quarter; THENCE North 88 degrees 28 minutes 08 seconds East 148.64 feet to the Point of Beginning containing 6.87 acres more or less all in Franklin County Kansas

Tract C:

Commencing at the Northeast Corner of the Northeast Quarter of Section 23, Township 18 South, Range 20 East of the Sixth P.M.; THENCE South 88 degrees 28 minutes 08 seconds West 1094.48 feet to a ½" iron bar and the True Point of Beginning; THENCE South 01 degrees 33 minutes 48 seconds East 1046.62 feet to a ½" iron bar; THENCE South 03 degrees 43 minutes 39 seconds East 280.80 feet to a ½" iron bar; THENCE South 88 degrees 26 minutes 24 seconds West 1581.59 feet to the West line of the Northeast Quarter being marked with a ½" iron bar; THENCE North 01 degrees 30 minutes 19 seconds West 354.26 feet to a ½" iron bar; THENCE North 88 degrees 28 minutes 08 seconds East 962.12 feet to a ½" iron bar; THENCE North 00 degrees 36 minutes 22 seconds East 974.43 feet to the North line of the Northeast Quarter being marked with a ½" iron bar; THENCE North 88 degrees 28 minutes 08 seconds East 571.62 feet to the Point of Beginning, containing 25.99 acres more or less, all 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 24th day of August 2011, 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, 2011 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 15th, 2011 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 "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 October 2011  
This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor  
John E. Taylor  
Chairman

Received and recorded this the 5th day of October 2011.

Shari Perry

/s/ Shari Perry  
County Clerk