

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

RESOLUTION NO. 10-05

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 Jan Schaake to rezone approximately 41.60 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 Sixth Principal Meridian in Franklin County Kansas as described in Deed Book 245, page 614; Deed Book 276, page 317 & Deed Book 283, page 457. All being more particularly described as follows: Commencing at a ½” rebar at the Northeast Corner of the South 80 acres of the North Half of the East Fractional Half (Northeast Corner of the Southeast Quarter) of Section 35, Township 15 South, Range 19 East of the Sixth Principal Meridian in Franklin County Kansas; THENCE South 00 degrees 05 minutes 55 seconds West for a distance of 1328.49 feet to a ½” rebar at the Southeast Corner of the South 80 acres of the North Half of the East Fractional Half (Southeast Corner of the Southeast Quarter) of said Section 35; THENCE North 89 degrees 36 minutes 27 seconds West for a distance of 1641.28 feet along the South line of said Southeast Quarter to a ½” rebar on the East line of Highway 59 right-of-way; THENCE North 37 degrees 13 minutes 57 seconds East for a distance of 543.88 feet along said right-of-way to a ½” rebar; THENCE North 02 degrees 52 minutes 31 seconds East for a distance of 253.29 feet along said right-of-way to a ½” rebar on the North line of said Southeast Quarter; THENCE South 89 degrees 43 minutes 40 seconds East for a distance of 1300.66 feet to the Point of Beginning Subject to covenants, easements and restrictions of record. Said property contains 41.60 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 24th day of November 2009, 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 17th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on December 17th, 2009 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 13th day of January 2010. This action shall become effective upon publication in the official county newspaper.

/s/ David J Hood
David J. Hood
Chairman

Received and recorded this the 13th day of January 2010.

Shari Perry

/s/ Shari Perry

County Clerk