

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

RESOLUTION NO. 09-03

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 Denise Kost to rezone Tract 1, approximately 8.72 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to rezone Tract 2, approximately 34.69 acres from an A-1 (Agriculture) 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 a 5/8" rebar at the Southeast corner of the Southeast Quarter of Section 20, Township 17 South, Range 18 East of the 6th P.M., Franklin County Kansas; THENCE along the South line of said Southeast Quarter, North 90 degrees 00 minutes 00 seconds West, 720.87 feet to a 1/2" rebar in line with a division fence, being the point of beginning; THENCE along said fence, North 03 degrees 56 minutes 52 seconds West, 1136.92 feet to a 1/2" rebar; THENCE along said fence, South 87 degrees 20 minutes 57 seconds West, 104.29 feet to a point that falls in a 36" hedge tree; THENCE along said fence, South 50 degrees 29 minutes 45 seconds West, 106.82 feet to a 1/2" rebar; THENCE along said fence, South 32 degrees 21 minutes 00 seconds West 881.81 feet to a 1/2" rebar on said South line; THENCE along said South line, South 90 degrees 00 minutes 00 seconds East, 416.29 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 8.72 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A. dated October 2008.

Tract 2:

Beginning at a 5/8" rebar at the Southeast Corner of the Southeast Quarter of Section 20, Township 17 South, Range 18 East of the 6th P.M., Franklin County Kansas; THENCE along the South line of said Southeast Quarter, North 90 degrees 00 minutes 00 seconds West, 720.87 feet to a 1/2" rebar in line with a division fence; THENCE along said fence, North 03 degrees 56 minutes 52 seconds West 1136.92 feet to a 1/2" rebar; THENCE along said fence South 87 degrees 20 minutes 57 seconds West 104.29 feet to a point that falls in a 36" hedge tree; THENCE along said fence South 50 degrees 29 minutes 45 seconds West 106.82 feet to a 1/2" rebar; THENCE along said fence South 32 degrees 21 minutes 00 seconds West 213.56 feet to a 1/2" rebar; THENCE North 02 degrees 57 minutes 04 seconds East 771.16 feet to a 1/2" rebar; THENCE North 80 degrees 41 minutes 03 seconds East 245.61 feet to a 1/2" rebar; THENCE North 56 degrees 32 minutes 20 seconds East 104.60 feet to a 1/2" rebar; THENCE South 83 degrees 50 minutes 16 seconds East 196.96 feet to a 1/2" rebar; THENCE South 89 degrees 04 minutes 15 seconds East 543.62 feet to a 1/2" rebar on the East line of said Southeast Quarter; THENCE along said East line, South 00 degrees 17 minutes 24 seconds West 1718.67 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 34.69 acres more or less in Franklin County Kansas as shown on survey by Taylor Design Group P.A. dated October 2008.

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 2008, 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 18th, 2008 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on December 18th, 2008 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 1 of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and rezoning of the above described tract 2 of land from an "A-1" Agriculture District to an "A-2" Transitional Agriculture 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 7th day of January 2009. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S Farrell
Karen S. Farrell
Commissioner District 1

Received and recorded this the 7th day of January 2009.

Shari Perry

/s/ Shari Perry

County Clerk