

BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

BOOK 280 PAGE 80

RESOLUTION NO. 16- 25

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 Gary Wheeler to rezone approximately 10.00 acres, described as Tract #1, from an R-E (Residential Estate) District to an A-2 Transitional Agriculture District and to rezone approximately 46.00 acres, described as Tract #2, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District. The properties described below lies outside any incorporated city and is described as follows:

Tract 1:

Commencing at the Southwest corner of the Southeast Quarter of Section 30, Township 16 South, Range 21 East of the Sixth Principal Meridian, Franklin County Kansas; THENCE North 02 degrees 11 minutes 30 seconds West for a distance of 93.10 feet to a point on the North right of way line of Highway K-68; THENCE North 85 degrees 01 minutes 00 seconds East for a distance of 375.90 feet along said right of way line; THENCE South 88 degrees 41 minutes 00 seconds East for a distance of 247.12 feet along said right of way line to the True Point of Beginning; THENCE North 02 degrees 06 minutes 21 seconds West for a distance of 614.29 feet; THENCE North 88 degrees 20 minutes 00 seconds East for a distance of 700.00 feet to a point on the East line of the Southwest Quarter of said Southeast Quarter; THENCE South 02 degrees 06 minutes 23 seconds East for a distance of 608.68 feet along the East line of the Southwest Quarter of said Southeast Quarter to a point on the North right of way line of Highway K-68; THENCE South 84 degrees 22 minutes 00 seconds West for a distance of 347.30 feet along said right of way line; THENCE North 88 degrees 41 minutes 07 seconds West for a distance of 353.97 feet along said right of way line to the True Point of Beginning, Franklin County Kansas.

Tract 2:

The Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and the West Half (W ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 30, Township 16 South, Range 21 East EXCEPT a tract commencing at the Southwest corner of the Southeast Quarter of Section 30, Township 16 South, Range 21 East of the Sixth Principal Meridian, Franklin County Kansas; THENCE North 02 degrees 11 minutes 30 seconds West for a distance of 93.10 feet to a point on the North right of way line of Highway K-68; THENCE North 85 degrees 01 minutes 00 seconds East for a distance of 375.90 feet along said right of way line; THENCE South 88 degrees 41 minutes 00 seconds East for a distance of 247.12 feet along said right of way line to the True Point of Beginning; THENCE North 02 degrees 06 minutes 21 seconds West for a distance of 614.29 feet; THENCE North 88 degrees 20 minutes 00 seconds East for a distance of 700.00 feet to a point on the East line of the Southwest Quarter of said Southeast Quarter; THENCE South 02 degrees 06 minutes 23 seconds East for a distance of 608.68 feet along the East line of the Southwest Quarter of said Southeast Quarter to a point on the North right of way line of Highway K-68; THENCE South 84 degrees 22 minutes 00 seconds West for a distance of 347.30 feet along said right of way line; THENCE North 88 degrees 41 minutes 07 seconds West for a distance of 353.97 feet along said right of way line to the True Point of Beginning, Franklin County Kansas AND EXCEPT that part deeded to the Secretary of Transportation of the State of Kansas and recorded in deed book 227, page 571 of the records of 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 25th day of October, 2016, notice of public hearing for said Zoning Change Request; and

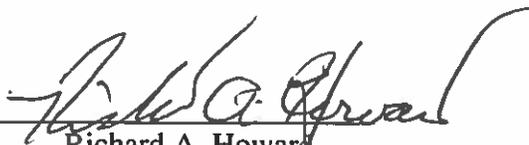
WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on November 17th, 2016 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 17th, 2016 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 the rezoning of the above described tracts of land from an "R-E" Residential Estate Zoning District to an "A-2" Transitional Agriculture Zoning District and from an "A-1" Agriculture Zoning District to an "A-2" Transitional Agriculture Zoning 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 7th day of December, 2016. This action shall become effective upon publication in the official county newspaper.


Richard A. Howard
Chairman

Received and recorded this the 7th day of December, 2016.




Janet Paddock
County Clerk

FILED FOR RECORD
TIME 10:40 A.M.

Misc. DEC 08 2016
Book 280 Page 80 §
REGISTER OF DEEDS FRANKLIN CO., KS
INSTRUMENT # 4178