

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 17- 20

A RESOLUTION ACCEPTING A LETTER OF WITHDRAWAL OF ZONE CHANGE #1611-1436 AND SPECIAL USE PERMIT #1611-1437 (BETTIS ASPHALT & CONSTRUCTION) FOR THE CONSTRUCTION AND OPERATION OF AN ASPHALT PLANT AND DECLARING ALL PREVIOUS APPROVALS, DENIALS AND MATTERS RELATED TO THE ZONE CHANGE AND SPECIAL USE PERMIT TO BE NULL AND VOID

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, The Franklin County Board of County Commissioners did adopt Resolution # 23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

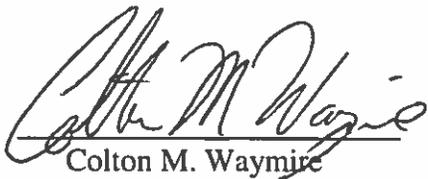
WHEREAS, the Franklin County Planning Commission did publish notice as required by K.S.A. 12-757 and Article 19, Section 19-5.03 of the County Zoning Regulations that a public hearing would be held to consider Zone Change #1611-1436 and Special Use Permit #1611-1437 (Bettis Asphalt & Construction); and

WHEREAS, the Planning Department did on March 27, 2017 receive a letter from Bettis Asphalt & Construction withdrawing their application for a Zone Change (Rezoning #1611-1436) and Special Use Permit (Special Use Permit #1611-1437) from further consideration.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby accept the Letter of Withdrawal of Zone Change #1611-1436 and Special Use Permit #1611-1437 submitted by Bettis Asphalt & Construction and further declares all previous approval, denial and related matters to be Null and Void for the property described below which lies outside any incorporated city and is described as follows:

A tract of land in the Northeast Quarter of Section 7, Township 17 South, Range 20 East of the 6<sup>th</sup> P.M., Franklin County Kansas, described as follows: BEGINNING at a point 2,214.2 feet West and 80.0 feet South of the Northeast corner of said Quarter Section; FIRST COURSE THENCE South 295.0 feet; SECOND COURSE THENCE East 728.4 feet to a point 375.0 feet South and 1,485.8 feet West of said Northeast Corner; THIRD COURSE THENCE Northwesterly 305.0 feet to a point 1564.2 feet West and 80.0 feet South of said Northeast Corner FOURTH COURSE THENCE Westerly 650.0 feet to the Place Of Beginning containing 4.67 acres, more or less. AND Beginning at the Northeast Corner of the Northeast Quarter of Section 7, Township 17 South, Range 20 East of the 6<sup>th</sup> P.M.; THENCE North 90 degrees 00 minutes 00 seconds West 2214.20 feet along the North line of said Quarter Section to the True Point of Beginning; THENCE South 00 degrees 00 minutes 00 seconds West 375.00 feet; THENCE North 90 degrees 00 minutes 00 seconds East 738.40 feet to a point on the West right-of-way line of Interstate Highway I-35; THENCE South 01 degrees 54 minutes 52 seconds West 312.56 feet along said right-of-way; THENCE along a curve to the right having a radius of 5579.58 feet (by deed) 5653.62 feet (by actual measurement) an arc length of 108.15 feet, with a chord which bears South 22 degrees 54 minutes 53 seconds West 108.15 feet along said right-of-way; THENCE leaving said right-of-way South 90 degrees 00 minutes 00 seconds West 745.85 feet; THENCE North 00 degrees 00 minutes 00 seconds East 787.00 feet to a point on the North line of said Quarter Section; THENCE North 90 degrees 00 minutes 00 seconds East 60.00 feet to the True Point of Beginning containing 7.96 acres, more or less, including road right-of-way as recorded, Franklin County Kansas.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 5<sup>th</sup> day of April, 2017. This action shall become effective upon publication in the official county newspaper.

  
Colton M. Waymire  
Chairman

Received and recorded this the 5<sup>th</sup> day of April, 2017.



  
Janet Paddock  
County Clerk

FILED FOR RECORD  
TIME 12:35 P.M.

*Miss.* APR 05 2017  
Book 281 Page 402  
REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 1084

(Original compared with record)