

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

RESOLUTION NO. 09-20

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 Cliff Cain to rezone approximately 31.7 acres from an R-E (Residential Estate) District to an A-2 (Transitional Agriculture) District. The property described below lies outside any incorporated city and is described as follows:

Tract:

All North and West of Highway 50-S (Formerly Highway K-33) in the West Half (W ½) of Section 22, Township 17 South, Range 19 East, EXCEPT the following portion theretofore conveyed to the Kansas City Power & Light Company; Beginning at a point of 1240 feet West of the Northeast Corner of the Northwest Quarter of Section 22; THENCE South 770 feet to a line establishing the north right-of-way line of U.S. Highway 50-S; THENCE in a Northeasterly direction along the right-of-way approximately 1060 feet until it intersects the North section line of Section 22; THENCE West approximately 730 feet to the Point of Beginning, containing 5.97 acres, more or less.

Except beginning at the Northwest Corner of Section 22, Township 17 South, Range 19 East; THENCE East 300 feet; THENCE South 2179 feet; THENCE South 45 degrees East 56 feet to the center of Highway 50; THENCE Southwest along the center line of said Highway to the West line of said Section 22; THENCE North 2606 feet, more or less, to the place of beginning containing 16-1/2 acres, more or less.

Except beginning 918 feet South and 628 feet East of the Northwest Corner of Section 22, Township 17 South, Range 19 East; THENCE North 44 degrees East 234 feet; THENCE South 27 degrees and 30 minutes East 400 feet to the center of Highway 50; THENCE Southwest along the center of said Highway 50, 210 feet; THENCE North 32 degrees West 405 feet to the Place of Beginning containing 2 acres;

Except beginning 1300 feet East and 900 feet South of the Northwest Corner of Section 22, Township 17 South, Range 19 East; THENCE South 38 degrees 30 minutes West 411 feet; THENCE North 27 degrees 30 minutes West 426 feet; THENCE Northeast to a point 426 feet North of beginning; THENCE South to beginning and containing 4 acres, more or less.

Except beginning at a point 918 feet South and 628 feet East and North 44 degrees East 234 feet of the Northeast Corner of Section 22, Township 17 South, Range 19 East; THENCE North 44 degrees East 234 feet; THENCE South 27 degrees 30 minutes East 371 feet to the center of Highway 50; THENCE Southwest along the center of said Highway 50, 234 feet; THENCE North 27 degrees 30 minutes West 400 feet to the Place of Beginning containing 2 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 25th day of February 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 March 19th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on March 19th, 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 "R-E" Residential Estate 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 8th day of April 2009.
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 8th day of April 2009.

Shari Perry

/s/ Shari Perry
County Clerk