

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

RESOLUTION NO. 09-49

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 Edward Ferguson rezone approximately 24 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District and to rezone approximately 10 acres from an R-E (Residential Estate) District to an A-2 (Transitional Agriculture) District and to rezone approximately 45 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District. The properties described below lie outside any incorporated city and is described as follows:

Beginning at the Southwest Corner of Section 30, Township 15 South, Range 20 East; THENCE North 1616.00 feet; THENCE East 1004 feet; THENCE South 1609.91 feet to the South line; THENCE West to the Point of Beginning containing 35 acres, more or less, all in Franklin County, Kansas.

Commencing at the Southwest Corner of the Southwest Fractional Quarter of Section 30, Township 15 South, Range 20 East; THENCE East 1008.39 feet to the Point of Beginning; THENCE North 1609.91 feet; THENCE East 789.63 feet; THENCE South 1604.63 feet to the South line of said Southwest Quarter; THENCE West 89.60 feet to the Point of Beginning containing 28.50 acres, more or less, all in Franklin County Kansas.

Beginning at the Southeast Corner of the Southwest Fractional Quarter of Section 30, Township 15 South, Range 20 East; THENCE West 783.00 feet; THENCE North 827.76 feet; THENCE East 783.00 feet to the East line of said Quarter Section; THENCE South 827.76 feet to the Point of Beginning containing 14.25 acres, more or less, all in Franklin County Kansas.

Commencing at the Northeast Corner of the Southwest Fractional Quarter of Section 30, Township 15 South, Range 20 East; THENCE West 330.00 feet to the Point of Beginning; THENCE South 700.00 feet; THENCE East 300.00 feet to the East line of said Quarter Section; THENCE South 1126.70 feet; THENCE West 783.00 feet; THENCE North 776.87 feet; THENCE East 123.00 feet; THENCE North 1049.31 feet to the North line of said Quarter Section; THENCE East 330.00 feet to the Point of Beginning containing 24.25 acres, more or less, all in Franklin County Kansas.

Commencing at the Northeast Corner of the Southwest Fractional Quarter of Section 30, Township 15 South, Range 20 East; THENCE West 660.00 feet to the Point of Beginning; THENCE South 1049.31 feet; THENCE West 646.64 feet; THENCE North 1043.67 feet to the North line of said Quarter Section; THENCE East 644.40 feet to the Point of Beginning containing 14.92 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 24th day of September 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 October 15th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on October 15th, 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 tracts of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and from "R-E" Residential Estate District to "A-2" Transitional Agriculture District and from "A-1" Agriculture District to "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 4th day of November 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 4th day of November 2009.

Shari Perry

/s/ Shari Perry
County Clerk