

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

RESOLUTION NO. 09-51

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 Harry Sundstrom and Lyle Sundstrom to rezone tract A, approximately 27.43 acres, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone tract B, approximately 5.00 acres, from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Commencing at the Northwest Corner of the Northeast Quarter of Section 2, Township 17 South, Range 17 East of the Sixth P.M.; THENCE North 88 degrees 25 minutes 21 seconds East 264.00 feet; THENCE South 00 degrees 35 minutes 06 seconds East 56.87 feet to the South right of way of K-68 Highway, being marked with a ½” iron bar and the True Point of Beginning; THENCE South 00 degrees 35 minutes 06 seconds East 1749.84 feet on said agreement line to the Northerly right of way of the Old Missouri Pacific Railroad right of way, being marked with a ½” iron bar; THENCE North 87 degrees 20 minutes 05 seconds West 686.56 feet on and along the Northerly said right of way being marked with a ½” iron bar; THENCE North 02 degrees 45 minutes 21 seconds West 1553.61 feet to the Southerly right of way of K-68 Highway, being marked with a ½” iron bar; THENCE North 70 degrees 28 minutes 50 seconds East 40.00 feet on said right of way to a 4” x 4” concrete right of way marker; THENCE on a curve with a radius of 2804.93 feet and a chord bearing of North 77 degrees 46 minutes 54 seconds East with a chord distance of 721.29 feet to the Point of Beginning containing 27.43 acres, more or less, all in Franklin County Kansas.

Tract B:

All that land lying North of K-68 Highway in the Northwest Quarter of Section 02, Township 17 South, Range 17 East of the Sixth P.M., containing 5.00 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 28th day of July 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 August 20th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 20th, 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 A of land from an "A-1" Agriculture District to an "A-2" Transitional Agriculture District and approve the rezoning of the above described tract B of land from an "A-1" Agriculture District to an "R-E" Residential Estate 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 18th 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 18th day of November 2009.

Shari Perry

/s/ Shari Perry

County Clerk