

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

FILED FOR RECORD  
TIME 8:30 A.M.

RESOLUTION NO. 14-30

OCT 28 2014

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Book 271 Page 294  
REGISTER OF DEEDS, FRANKLIN CO., KS ✓

A RESOLUTION AMENDING THE  
OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY, KANSAS

INSTRUMENT# 3613

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Linda Davis to 1408-1294 to rezone approximately 28.55 acres, described as Tract 1, from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District and to rezone approximately 17.85 acres, described as Tract 2, from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District. The properties described below lie outside any incorporated city and are described as follows:

TRACT 1:

Commencing at a 1/2"x3/4" square bar at the Northwest Corner of the Southwest Quarter of Section 24, Township 18 South, Range 17 East of the Sixth Principle Meridian, Franklin County, Kansas; THENCE South 88 degrees 21 minutes 18 seconds East for a distance of 2026.91 feet along the North line of said Southwest Quarter to a 1/2" rebar on the West right of way line of Old 50 Highway; THENCE along a curve to the right with a radius of 2814.90 feet, an arc length of 68 feet, a chord bearing of South 16 degrees 02 minutes 29 seconds West for a chord distance of 68.00 feet to a 1/2" rebar on the West right of way line of Old 50 Highway; THENCE South 16 degrees 44 minutes 00 seconds West for a distance of 737.05 feet along said right of way to a 1/2" rebar and the True Point of Beginning; THENCE South 16 degrees 44 minutes 00 seconds West for a distance of 595.95 feet; THENCE along a curve to the left with a radius of 11509.00 feet, an arc length of 575.45 feet, a chord bearing of South 15 degrees 18 minutes 04 seconds West for a chord distance of 575.39 feet along said right of way to a 1/2" rebar; THENCE South 13 degrees 52 minutes 07 seconds West for a distance of 796.60 feet to a 1/2" rebar on the South line of said Southwest Quarter; THENCE South 88 degrees 21 minutes 47 seconds West for a distance of 330.81 feet along said South line to a 1/2" rebar; THENCE North 01 degrees 54 minutes 42 seconds West for a distance of 1010.61 feet to a 1/2" rebar; THENCE South 88 degrees 21 minutes 47 seconds West for a distance of 27.24 feet to a 1/2" rebar; THENCE North 01 degrees 54 minutes 42 seconds West for a distance of 997.08 feet to a 1/2" rebar; THENCE North 86 degrees 24 minutes 05 seconds East for a distance of 382.35 feet to a 1/2" rebar; THENCE South 77 degrees 43 minutes 56 seconds East for a distance of 570.68 feet to the Point of Beginning, together with and subject to covenants, easements and restrictions of record. Said property contains 28.55 acres, more or less, Franklin County Kansas.

TRACT 2:

Commencing at a 1/2"x3/4" square bar at the Northwest Corner of the Southwest Quarter of Section 24, Township 18 South, Range 17 East of the Sixth Principle Meridian, Franklin County Kansas; THENCE South 88 degrees 21 minutes 18 seconds East for distance of 627.68 feet along the North line of said Southwest Quarter to a 1/2" rebar at the Point of Beginning; THENCE North 88 degrees 21 minutes 18 seconds East for a distance of 1399.23 feet along said North line to a 1/2" rebar on the West right of way line of Old 50 Highway; THENCE along a curve to the right with a radius of 2814.90 feet, an arc length of 68 feet, a chord bearing of South 16 degrees 02 minutes 29 seconds West for a chord distance of 68.00 feet to a 1/2" rebar on the West right of way line of Old Highway 50; THENCE South 16 degrees 44 minutes 00 seconds West for a distance of 737.05 feet along said right of way to a 1/2" rebar; THENCE North 77 degrees 43 minutes 56 seconds West 570.68 feet; THENCE South 86 degrees 24 minutes 05 seconds West 382.35 feet; THENCE South 87 degrees 36 minutes 03 seconds

West 108.14 feet; THENCE North 10 degrees 40 minutes 45 seconds West 649.54 feet to the Point of Beginning, together with and subject to covenants, easements and restrictions of record. Said property contains 17.85 acres, more or less, 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 28<sup>th</sup> day of August, 2014, notice of public hearing for said Zoning Change Request; and

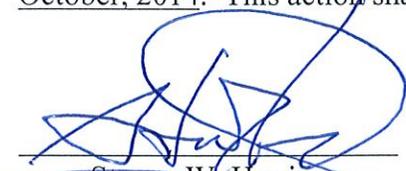
WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on September 18<sup>th</sup>, 2014 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 18<sup>th</sup>, 2014 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 new tracts of land from an "A-1" Agriculture Zoning District to an "A-2" Transitional Agriculture District and from an "A-1" Agriculture Zoning District to an "R-E" Residential Estate 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 8<sup>th</sup> day of October, 2014. This action shall become effective upon publication in the official county newspaper.

  
 Steven W. Harris  
 Chairman

Received and recorded this the 8<sup>th</sup> day of October, 2014.



  
 Janet Paddock  
 County Clerk