

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, MARION COUNTY, ss:

Melvin Honeyfield, being first duly sworn, deposes and says: That he is the publisher of the Marion County Record, a weekly newspaper printed in the State of Kansas, and published in Marion County, Kansas, with a general paid circulation on a weekly basis in Marion County, Kansas, and said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly newspaper published at least 50 times a year; has been published uninterruptedly in said county and state for a period of more than five years prior to this date and has been admitted at the post office of Marion in said County as second class newspaper.

That the attached notice is a true copy thereof and was published in the regular issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 24th day of August, 2011 with subsequent publications being made on the following dates:

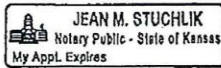
Melvin Honeyfield
Subscribed and sworn to before me this

24th day of August, 2011

Jean M. Stuchlik
Notary Public, Marion County, Kansas

My appointment expires: 11-20-12

PUBLICATION FEE: \$144.00



(Seal)

89° 54' 24" E for 132.00 feet to the true point of beginning; Thence S 04° 18' 00" W for 230.00 feet; thence S 06° 00' 00" W for 120.00 feet; thence S 03° 00' 00" E for 60.00 feet; thence S 38° 00' 00" E for 25.00 feet; thence S 81° 00' 00" E for 45.00 feet; thence N 89° 00' 00" E for 45.00 feet; thence N 71° 00' 00" E for 35.00 feet; thence N 45° 00' 00" E for 35.00 feet; thence N 26° 00' 00" E for 42.00 feet; thence N 13° 35' E for 46.00 feet; thence N 01° 00' 00" W for 50.00 feet; thence N 18° 00' 00" W for 50.00 feet; thence N 23° 00' 00" W for 55.00 feet; thence N 30° 00' 00" W for 60.00 feet; thence N 37° 00' 00" W for 50.00 feet; thence N 39° 08' 00" W for 100.00 feet; thence S 81° 00' 00" W for 5.00 feet to the true point of beginning, containing 1.34 acres.

2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:

- A. The placement of the cabins are subject to the review of the Kansas State Historical Society and Improvement District # 2.
- B. The placement of all structures shall be approved by the Board of County Commissioners before permits are issued.
- C. The placement of all structures shall be subject to the setback requirements for structures as shown in the Marion County Zoning Regulations.
- D. The applicants shall have prepared a survey of the actual property embodied within the lease, which shall be the basis for a site plan showing the location of all structures, and supporting infrastructure, for the development of the rental cabins; said survey and plans being filed in the Marion County Zoning office.
- E. Existing Utility Right-of-Ways are grandfathered.

The Marion County Zoning Administrator is hereby directed to have the Marion County Zoning District Maps amended to reflect the above said Conditional Use Permit.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Marion County, Kansas, this 22nd day of August, 2011.

Roger Fleming, Chairman, District 1
Dan Holub, Commissioner, District 2
Randy Dukes, Commissioner, District 3
Carol Maggard, County Clerk

(First published in the Marion County Record, Marion, Kansas, August 24, 2011); RESOLUTION NUMBER #11-18; A RESOLUTION APPROVING A CONDITIONAL RENTAL CABIN FACILITY ON PROPERTY LOCATED AT MARION COUNTY LAKE, MARION, KS. Case No. PC-11-02, requesting a Conditional Use Permit to permit construction of rental cabins at Marion County Lake in Marion County, Kansas; and WHEREAS, the Marion County Planning Commission conducted a public hearing on Case No. PC-11-02, following published notification in accordance with K.S.A. 12-741, et seq, as amended, on April 28, 2011; and WHEREAS, the Marion County Planning Commission has recommended that the Governing Body of Marion County, Kansas, deny the Conditional Use Permit as presented; and WHEREAS, the Marion County Board of County Commissioners has reviewed the record of said public hearing and, following due consideration, determined to overturn the recommendation of the Marion County Planning Commission; NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS, THAT: 1. The following described property is hereby granted a Conditional Use Permit to allow the construction of rental cabins at Marion County Lake in Marion County, Kansas, subject to the conditions and restrictions listed herein: A tract in the northeast quarter of section 16, township 20 south, range 4 east of the 6th p.m. partic-