

**AFFIDAVIT OF PUBLICATION**

STATE OF KANSAS, MARION COUNTY, ss:

Melvin Honeyfield, being first duly sworn, deposes and says: That he is the production manager of the Marion County Record, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Marion County, Kansas, with a general paid circulation on a weekly basis in Marion County, Kansas, and that 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 so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Marion in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the

**10<sup>th</sup> day of April, 2013**

with subsequent publications being made on the following dates:

*Melvin Honeyfield*

Subscribed and sworn to before me this

10<sup>th</sup> day of April, 2013

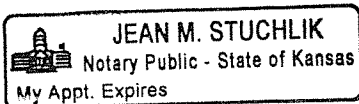
*Jean M. Stuchlik*  
Notary Public, Marion County, Kansas

My appointment expires: *11-20-16*

**PUBLICATION FEE: \$144.00**

Affidavit 5.00

(Seal)



(First published in the Marion County Record, Marion, Kansas, April 10, 2013)1t  
**RESOLUTION NUMBER 13-05**  
A RESOLUTION APPROVING AN AMENDED CONDITIONAL USE FOR EXPANSION OF THE QUARRY FOR HARSHMAN CONSTRUCTION LLC, ON PROPERTY LOCATED ON N/2 N/2 OF SW/4 SECTION 28, TOWNSHIP 19S, RANGE 4E OWNED BY K&S LAND LLC.  
WHEREAS, a public notice of above said proposed conditional use was properly given including publication in the official County newspaper of a public hearing on February 6, 2013; and  
WHEREAS, on the 28th day of March, 2013, the Marion County Planning Commission held a public hearing to consider the above said proposed amended conditional use; and  
WHEREAS, the Marion County Planning Commission has recommended approval of the amended conditional use permit; and  
WHEREAS, the Marion County Planning Commission has determined that the conditions include:  
1. Quarry operator continues to comply with all Federal, State, and local regulations; 2. The existing blasting program days and times still apply; 3. Dust is to be controlled by the operator in compliance with KDHE and EPA Standards; 4. The quarry operator shall provide a Certificate of Comprehensive Liability Insurance in the amount of \$2,000,000 to Marion County; 5. Restoration is to be performed in accordance with applicable Federal and State regulations, and; 6. If quarry intends to mine on the West 165' of the SW/4 the City of Marion will need address it.  
NOW THEREFORE BE IT RESOLVED that an amended conditional use is hereby approved for expansion of the rock quarry located:

N/2 N/2 OF SW/4 S28, T19, R04 EXC THE W 165' LESS ROW  
BE IT FURTHER RESOLVED, that it is hereby directed that the Marion County Zoning District Maps be amended to reflect above said conditional use.  
This Resolution is made by the Board of County Commissioners of Marion County, Kansas on this 8th day of April, 2013.  
Randy Dallke, Chairman, District 3  
Roger K. Fleming, Commissioner, District 1  
Dan Holub, Commissioner, District 2  
Attest:  
Tina Spencer, County Clerk