

ORDINANCE NO. 3830

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PRIVATE PROPERTY, EASEMENTS AND RIGHT-OF-WAY THEREIN, FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR THE CONSTRUCTION, IMPROVEMENT, REPAIR AND WIDENING OF EAST TRAIL STREET IN THE CITY OF DODGE CITY, FORD COUNTY, KANSAS; DESIGNATING THE LANDS REQUIRED FOR SUCH PURPOSES AND DIRECTING THE CITY ATTORNEY TO FILE A PETITION IN THE DISTRICT COURT OF FORD COUNTY, KANSAS, FOR ACQUISITION OF THE LANDS AND EASEMENTS THEREIN TAKEN AND PROVIDING FOR PAYMENT OF THE COST THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

SECTION 1: That it be and is hereby declared to be a public necessity to acquire by eminent domain proceedings for the purpose of public right-of-way for street improvements to East Trail Street in the City of Dodge City, Ford County, Kansas, the lands and easements hereinafter described in Section 2.

SECTION 2: That the descriptions of the lands and title necessary for the above-mentioned eminent domain action are as follows:

Clear and complete title, and other interests, for the use and purposes herein set forth in and to the described tracts identified in **Exhibit A** attached hereto and made part hereof.

SECTION 3: The City attorney is hereby authorized and directed to commence proceedings in eminent domain in the District Court of Ford County, Kansas for the appropriation of said lands and determination of the compensation to be awarded for the taking thereof.

SECTION 4: The costs of said acquisition, when ascertained, including all costs and expenses assessed by the court or incurred in furtherance of the City's exercise of its power of eminent domain, shall be paid from the general fund and the costs of this action shall be charged to the City of Dodge City.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage and publication once in the official city newspaper.

PASSED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY,
KANSAS IN REGULAR SESSION, AND APPROVED BY THE MAYOR, THIS
19th DAY OF May, 2025.

Debra Daniel Posner Vice Mayor

Jeffrey J. Reinert
JEFFERY J. REINERT, MAYOR

ATTEST:

Connie Marquez
CONNIE MARQUEZ, CITY CLERK

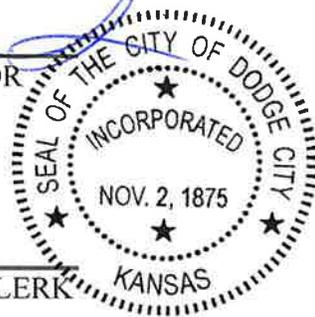


EXHIBIT A

(Exhibit Begins on Next Page)

DODGE CITY KS EAST TRAIL STREET RECONSTRUCT - TEMPORARY CONSTRUCTION EASEMENT #14
 OLSSON NO. 020-0007
 FEBRUARY 7, 2024

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

A TRACT OF LAND IN TRACT NO. 9, MCCAUSTLAND PLACE SUBDIVISION NO. 1, A SUBDIVISION OF LAND RECORDED IN BOOK B OF PLATS AT PAGE 44 1/2 IN THE FORD COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 26 SOUTH, RANGE 24 WEST OF THE 6TH PRINCIPAL MERIDIAN IN DODGE CITY, FORD COUNTY, KANSAS BEING BOUNDED AND DESCRIBED BY GREGORY CHAD WELLER L.S. 1417, OF OLSSON, INC., KSLs-114, ON FEBRUARY 7, 2024, FOR THE PURPOSE OF A TEMPORARY CONSTRUCTION EASEMENT, AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT NO. 9, ALSO BEING THE NORTHWEST CORNER OF TRACT NO. 8, OF SAID MCCAUSTLAND PLACE SUBDIVISION NO. 1, ALSO BEING A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF EAST TRAIL STREET AS NOW ESTABLISHED; THENCE, LEAVING SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 01°03'42" WEST, ON THE EAST LINE OF SAID TRACT NO. 9, ALSO BEING THE WEST LINE OF SAID TRACT NO. 8, A DISTANCE OF 7.64 FEET; THENCE, LEAVING SAID EAST LINE AND SAID WEST LINE, SOUTH 88°51'07" WEST, 30.42 FEET; THENCE NORTH 77°50'37" WEST, 25.00 FEET; THENCE SOUTH 24°25'12" WEST, 23.53 FEET; THENCE NORTH 77°51'24" WEST, 20.01 FEET; THENCE NORTH 03°22'18" EAST, 21.25 FEET; THENCE NORTH 77°50'37" WEST, 95.00 FEET, TO A POINT ON THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF MCCAUSTLAND ROAD 1, ESTABLISHED BY GENERAL WARRANTY DEED RECORDED SEPTEMBER 16, 1981 IN DEED BOOK 176 AT PAGES 105 TO 106 IN SAID FORD COUNTY REGISTER OF DEEDS OFFICE; THENCE NORTH 14°30'33" EAST, ON SAID EXISTING EASTERLY RIGHT-OF-WAY LINE ESTABLISHED BY SAID GENERAL WARRANTY DEED, 6.22 FEET TO THE INTERSECTION OF SAID EXISTING EASTERLY RIGHT-OF-WAY OF MCCAUSTLAND ROAD 1 AND SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF EAST TRAIL STREET, ESTABLISHED BY SAID GENERAL WARRANTY DEED; THENCE, SOUTH 83°44'36" EAST, ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, 32.01 FEET; THENCE, LEAVING SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 77°50'37" EAST, ON THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST TRAIL STREET, 102.91 FEET; THENCE, SOUTH 88°38'50" EAST, ON SAID PROPOSED SOUTHERLY RIGHT-OF-WAY LINE, 37.34 FEET TO A POINT ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE; THENCE, SOUTH 77°50'37" EAST, ON SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTH LINE OF SAID TRACT NO 9, A DISTANCE OF 4.70 FEET TO THE POINT OF BEGINNING. CONTAINING 2,091 SQUARE FEET OR 0.05 ACRES, MORE OR LESS.



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 DATE: Feb 7, 2024 3:57PM

PROJECT NO: 020-0007	TEMPORARY CONSTRUCTION EASEMENT #14 - DESCRIPTION		302 S. Fourth Street Suite 110 Manhattan, KS 66502 TEL 785.539.6900 www.olsson.com	EXHIBIT
DRAWN BY: GMJ	DODGE CITY KS EAST TRAIL STREET RECONSTRUCT			8 of 3
DATE: 2024-02-07	SEC. 31- T26S - R24W - DODGE CITY, FORD COUNTY, KANSAS			

DODGE CITY KS EAST TRAIL STREET RECONSTRUCT - R.O.W. #14
 OLSSON NO. 020-0007
 FEBRUARY 7, 2024

PERMANENT RIGHT-OF-WAY DESCRIPTION

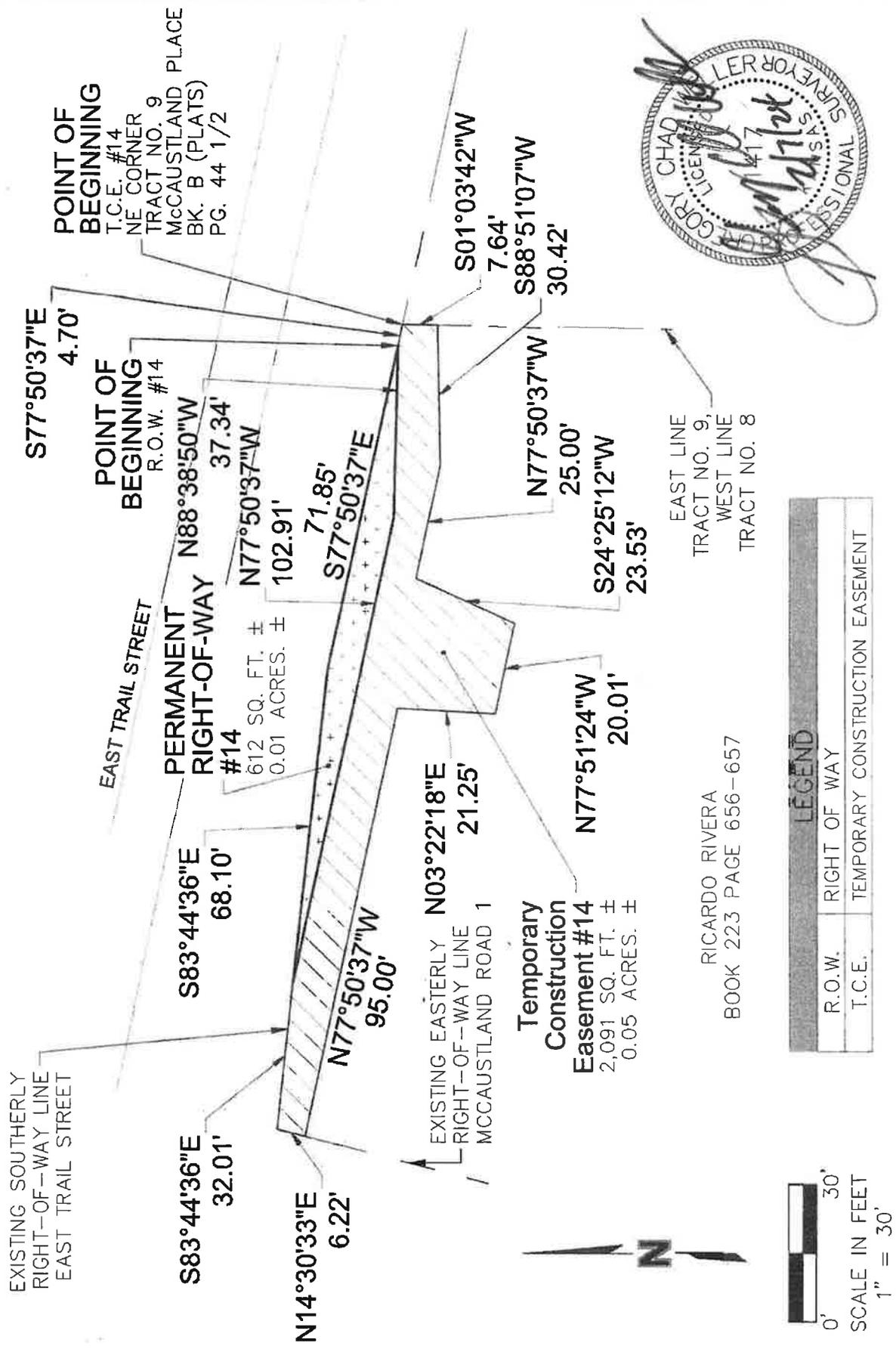
A TRACT OF LAND IN TRACT NO. 9, MCCAUSTLAND PLACE SUBDIVISION NO. 1, A SUBDIVISION OF LAND RECORDED IN BOOK B OF PLATS AT PAGE 44 1/2 IN THE FORD COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 26 SOUTH, RANGE 24 WEST OF THE 6TH PRINCIPAL MERIDIAN IN DODGE CITY, FORD COUNTY, KANSAS BEING BOUNDED AND DESCRIBED BY GREGORY CHAD WELLER L.S. 1417, OF OLSSON, INC., KSL5-114, ON FEBRUARY 7, 2024, FOR THE PURPOSE OF ROAD RIGHT-OF-WAY, AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT NO. 9, ALSO BEING THE NORTHWEST CORNER OF TRACT NO. 8, OF SAID MCCAUSTLAND PLACE SUBDIVISION NO. 1, ALSO BEING A POINT ON THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF EAST TRAIL STREET AS NOW ESTABLISHED; THENCE NORTH 77°50'37" WEST ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, ALSO BEING THE NORTH LINE OF SAID TRACT NO. 9, A DISTANCE OF 4.70 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE, LEAVING SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTH LINE, NORTH 88°38'50" WEST, 37.34 FEET; THENCE NORTH 77°50'37" WEST, 102.91 FEET, TO A POINT ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, ESTABLISHED BY GENERAL WARRANTY DEED RECORDED SEPTEMBER 16, 1981 IN DEED BOOK 176 AT PAGES 105 TO 106 IN SAID FORD COUNTY REGISTER OF DEEDS OFFICE; THENCE, ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE ESTABLISHED BY SAID DEED, SOUTH 83°44'36" EAST, 68.10 FEET; THENCE, SOUTH 77°50'37" EAST, ON SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, 71.85 FEET TO THE POINT OF BEGINNING. CONTAINING 612 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.



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 DATE: Feb 7, 2024 3:57PM
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PROJECT NO: 020-0007	PERMANENT ROW #14 - DESCRIPTION		302 S. Fourth Street Suite 110 Manhattan, KS 66502 TEL 785.539.8900 www.olsson.com	EXHIBIT
DRAWN BY: GMJ	DODGE CITY KS EAST TRAIL STREET RECONSTRUCT		1 of 3	
DATE: 2024-02-07	SEC. 31- T26S - R24W - DODGE CITY, FORD COUNTY, KANSAS			

EXISTING SOUTHERLY
RIGHT-OF-WAY LINE
EAST TRAIL STREET



POINT OF BEGINNING
T.C.E. #14
NE CORNER
TRACT NO. 9
MCCAUSTLAND PLACE
BK. B (PLATS)
PG. 44 1/2

POINT OF BEGINNING
R.O.W. #14

PERMANENT RIGHT-OF-WAY #14
612 SQ. FT. ±
0.01 ACRES. ±

Temporary Construction Easement #14
2,091 SQ. FT. ±
0.05 ACRES. ±

RICARDO RIVERA
BOOK 223 PAGE 656-657



LEGEND	
[Hatched Pattern]	R.O.W. RIGHT OF WAY
[Dotted Pattern]	T.C.E. TEMPORARY CONSTRUCTION EASEMENT

PROJECT NO: 020-0007	PERMANENT ROW #14 - TEMPORARY CONSTRUCTION EASEMENT #14 - EXHIBIT	EXHIBIT
DRAWN BY: GMJ	DODGE CITY KS EAST TRAIL STREET RECONSTRUCT	3 of 3
DATE: 2024-02-07	SEC. 31 - T26S - R24W - DODGE CITY, FORD COUNTY, KANSAS	

302 S. Fourth Street
1120
Manhattan, KS 66502
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