

public notice

IN THE DISTRICT COURT OF SHERMAN COUNTY, KANSAS
IN THE MATTER OF THE CONDEMNATION OF LAND FOR STATE HIGHWAY PURPOSES,
E. DEAN CARLSON, Secretary of Transportation of the State of Kansas, Plaintiff, Case No. 00-C-70 v.
Duane E. Harper and Sharon L. Harper, husband and wife, owner, 615 W. 12th Street, Goodland, Kansas 67735; First National Bank, mortgage interest holder, 202 E. 11th Street, Goodland, Kansas 67735; Richard E. Short and Sarah F. Short, husband and wife, owner, 408 W. 9th Street, Goodland, Kansas 67735; Michael L. Short, owner, 524 W. 17th Street, Goodland, Kansas 67735; Robert C. Short and Patsy Short, husband and wife, owner, Sharon Springs, Kansas 67758; Sheryl D. Davis, owner, address unknown; Andrew Warren, owner, HC 1, Box 60, Bird City, Kansas 67731; Delores Bursch, owner, HC 1, Box 60, Bird City, Kansas 67731; Gibson's Discount Center, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; G-Mark, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; Bank IV Kansas, N.A., mortgage interest holder, 619 Second Avenue, Dodge City, Kansas 67801; The CIT Group/Business Credit, Inc., mortgage interest holder, 10 S. LaSalle Street, Chicago, Illinois 60603; Sherman County, Kansas, tax lienholder, by serving Shelby Miller, Sherman County Treasurer, 103 Courthouse, 813 Broadway, Goodland, Kansas 67735; John R. Hendrich, Jr. and Kelly Hendrich, husband and wife, owner, 1720 N. Caldwell, Goodland, Kansas 67735; Bankwest, mortgage interest holder, 924 Main Street, Goodland, Kansas 67735; Julie Reitz and spouse, if any, owner, address unknown; Jon Berner and spouse, if any, owner, address unknown; Jamie Hendrich and spouse, if any, owner, address unknown; Alice Debrick and spouse, if any, owner; Betsy Janzen and spouse, if any, owner, address unknown; Oscar Ihrig, owner and Trustee of the Oscar Ihrig Trust, dated January 17, 1981, 6820 Highway 27, Goodland, Kansas 67735; Oscar Ihrig, owner and Trustee of the Leola Ihrig Trust, dated January 17, 1981, 6820 Highway 27, Goodland, Kansas 67735; Larry Ihrig, owner, 503 Arcade, Goodland, Kansas 67735; C. Jeanette Foust, owner, 222 Sycamore, Goodland, Kansas 67735; L. Lynn Ihrig, owner, 210 Aspen, Goodland, Kansas 67735; David R. Leonard and Lori A. Leonard, husband and wife, owner, 7650 Road 8, Goodland, Kansas 67735; Judy Althoff and spouse, if any, owner, 290 Magpie Way, Carson City, Nevada 89704; Leonard Farms, Inc., lessee, 7640 Road 8, Goodland, Kansas 67735; Farmlife Properties, L.L.C., owner, Box 15, Goodland, Kansas 67735; the unknown spouses of the defendants; the unknown guardians and trustees of such defendants as are minor or are in anywise under legal disability; the unknown officers, successors, trustees, creditors and assigns of such defendants as are existing, dissolved or dormant corporations, et. al.
Defendants.
PURSUANT TO CHAPTER 26 KANSAS STATUTES ANNOTATED
NOTICE OF PROCEEDING TO CONDEMN LAND FOR STATE HIGHWAY PURPOSES
The named defendants are hereby notified that E. Dean Carlson, Secretary of Transportation of the State of Kansas, filed a Petition in the District Court of Sherman County, Kansas, seeking the condemnation of certain lands and/or interest and/or rights therein described in the Petition. The Court has ordered that the Petition be considered by the Court on December 11, 2000 at 10:00 a.m. MST, in the Sherman County Courthouse, Goodland, Kansas.
E. DEAN CARLSON, Secretary of Transportation of the State of Kansas
MICHAEL B. REES
CHIEF COUNSEL
RUSSELL K. ASH, No. 07555
Staff Attorney
Office of Chief Counsel
Kansas Dept. of Transportation
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Attorney for Plaintiff
IN THE DISTRICT COURT OF SHERMAN COUNTY, KANSAS
IN THE MATTER OF THE CONDEMNATION OF LAND FOR STATE HIGHWAY PURPOSES,
E. DEAN CARLSON, Secretary of Transportation of the State of Kansas, Plaintiff, Case No. 00-C-70 v.
Duane E. Harper and Sharon L.

Harper, husband and wife, owner, 615 W. 12th Street, Goodland, Kansas 67735; First National Bank, mortgage interest holder, 202 E. 11th Street, Goodland, Kansas 67735; Richard E. Short and Sarah F. Short, husband and wife, owner, 408 W. 9th Street, Goodland, Kansas 67735; Michael L. Short, owner, 524 W. 17th Street, Goodland, Kansas 67735; Robert C. Short and Patsy Short, husband and wife, owner, Sharon Springs, Kansas 67758; Sheryl D. Davis, owner, address unknown; Andrew Warren, owner, HC1, Box 60, Bird City, Kansas 67731; Delores Bursch, owner, HC 1, Box 60, Bird City, Kansas 67731; Gibson's Discount Center, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; G-Mark, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; Bank IV Kansas, N.A., mortgage interest holder, 619 Second Avenue, Dodge City, Kansas 67801; The CIT Group/Business Credit, Inc., mortgage interest holder, 10 S. LaSalle Street, Chicago, Illinois 60603; Sherman County, Kansas, tax lienholder, by serving Shelby Miller, Sherman County Treasurer, 103 Courthouse, 813 Broadway, Goodland, Kansas 67735; John R. Hendrich, Jr. and Kelly Hendrich, husband and wife, owner, 1720 N. Caldwell, Goodland, Kansas 67735; Bankwest, mortgage interest holder, 924 Main Street, Goodland, Kansas 67735; Julie Reitz and spouse, if any, owner, address unknown; Jon Berner and spouse, if any, owner, address unknown; Jamie Hendrich and spouse, if any, owner, address unknown; Alice Debrick and spouse, if any, owner; Betsy Janzen and spouse, if any, owner, address unknown; the unknown spouses of the defendants; the unknown guardians and trustees of such defendants as are minor or are in anywise under legal disability; the unknown officers, successors, trustees, creditors and assigns of such defendants as are existing, dissolved or dormant corporations, et. al.
Defendants.
PURSUANT TO CHAPTER 26 KANSAS STATUTES ANNOTATED
PETITION
The plaintiff states:
1. That the plaintiff, E. Dean Carlson, Secretary of Transportation of the State of Kansas, is the duly appointed officer of the state with the power and authority pursuant to K.S.A. 68-404 and 68-406 to designate, construct, maintain, design, locate and establish highways in the State of Kansas.
2. That pursuant to K.S.A. 68-413, the plaintiff, in the name of the state, may acquire by the exercise of the right of eminent domain, title or easements to or upon lands, or interest or rights therein, and other property and rights necessary for the construction, improvement, maintenance or drainage of the state highway system.
3. That in order for the plaintiff to carry out his lawful powers and duties as stated herein, it is necessary for him to acquire, under K.S.A. 26-501, et seq., the following titles or easements to or upon lands, or interests or rights therein, and other property rights, in Sherman County, by the exercise of the right of eminent domain:
Tract 2
Duane E. Harper and Sharon L. Harper, husband and wife, owner, 615 W. 12th Street, Goodland, Kansas 67735; First National Bank, mortgage interest holder, 202 E. 11th Street, Goodland, Kansas 67735.
(a) ALL RIGHT OF ACCESS to and from the abutting public highway over and across a line in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: COMMENCING at the Southwest corner of said Quarter Section; thence on an assumed bearing of South 87 degrees 59 minutes 26 seconds East, 155.388 meters (509.80 feet) along the South line of said Quarter Section; thence North 02 degrees 00 minutes 34 seconds East, 23.021 meters (75.53 feet) to the Northerly right of way line of the existing highway and the POINT OF BEGINNING; FIRST COURSE, thence North 87 degrees 53 minutes 34 seconds West, 30.480 meters (100.00 feet) along said right of way line; SECOND COURSE, thence North 02 degrees 00 minutes 34 seconds East, 45.507 meters (149.30 feet).
Except and reserving, however, unto owners of abutting land, their heirs or assigns, the right of access to said highway for the purpose of an entrance over and across the following described course: Beginning at the end of said 'SECOND' course and extending South 02 degrees 00 minutes 34 seconds West, 23.706 meters (77.76 feet) which shall abut

upon and have access to a frontage road which will be connected to the highway only at such points as may be established by public authority.
(b) A TEMPORARY EASEMENT for the construction of an entrance over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at a point on the Northerly right of way of the existing highway, which point is North 73 degrees 28 minutes 13 seconds East, 163.893 meters (537.71 feet) from the Southwest corner of said Quarter Section, the South line of said Quarter Section having an assumed bearing of South 87 degrees 59 minutes 26 seconds East; FIRST COURSE, thence North 02 degrees 00 minutes 34 seconds East, 16.470 meters (54.04 feet) along said right of way line; SECOND COURSE, thence North 87 degrees 59 minutes 26 seconds West, 5.037 meters (16.53 feet); THIRD COURSE, thence South 02 degrees 39 minutes 11 seconds West, 16.412 meters (53.85 feet); FOURTH COURSE, thence South 87 degrees 20 minutes 49 seconds East, 5.222 meters (17.13 feet) to the point of beginning. The above described tract contains 0.008 hectare (0.02 acre), more or less.
This easement expires three (3) years after legal possession through condemnation or ninety (90) days after completion of the highway construction for which this easement is acquired, or whichever comes first.
Tract 3
Richard E. Short and Sarah F. Short, husband and wife, owner, 408 W. 9th Street, Goodland, Kansas 67735; Michael L. Short, owner, 524 W. 17th Street, Goodland, Kansas 67735; Robert C. Short and Patsy Short, husband and wife, owner, Sharon Springs, Kansas 67758; Sheryl D. Davis, owner, address unknown; First National Bank, mortgage interest holder, 202 E. 11th Street, Goodland, Kansas 67735.
(a) A PERMANENT EASEMENT for controlled access highway right of way and removal of borrow material over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at the Southwest corner of said Quarter Section; FIRST COURSE, thence on an assumed bearing of South 87 degrees 59 minutes 26 seconds East, 124.908 meters (409.80 feet) along the South line of said Quarter Section; SECOND COURSE, thence North 02 degrees 00 minutes 34 seconds East, 68.580 meters (225.00 feet); THIRD COURSE, thence North 87 degrees 59 minutes 13 seconds West, 32.072 meters (105.22 feet); FOURTH COURSE, thence South 01 degree 56 minutes 31 seconds West, 45.454 meters (149.13 feet) to the Northerly right of way line of the existing highway; FIFTH COURSE; thence North 87 degrees 53 minutes 34 seconds West, 83.481 meters (273.89 feet) along said Northerly right of way line to the Easterly right of way line of a public road; SIXTH COURSE, thence North 02 degrees 39 minutes 32 seconds East, 144.979 meters (475.65 feet) along said Easterly right of way line; SEVENTH COURSE, thence North 87 degrees 59 minutes 24 seconds West, 9.145 meters (30.00 feet) to the West line of said Quarter Section; EIGHTH COURSE, thence South 02 degrees 39 minutes 32 seconds West, 168.250 meters (552.00 feet) along said West line to the point of beginning. The above described tract contains 0.568 hectare (1.40 acres), which includes 0.422 hectare (1.04 acres) of existing right of way, resulting in an acquisition of 0.146 hectare (0.36 acre), more or less.
Lands abutting said highway shall have no right or easement of access thereto, provided, however, that the remaining lands shall abut upon and have access to said highway over and across the following described courses: All of said 'THIRD' course; Also beginning at the beginning of said 'FOURTH' course and extending South 01 degree 56 minutes 31 seconds West, 23.745 meters (77.90 feet).
(b) A PERMANENT EASEMENT for highway right of way and removal of borrow material over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: COMMENCING at the Southwest corner of said Quarter Section; thence on an assumed bearing of South 87 degrees 59 minutes 26 seconds East, 155.388 meters (509.80 feet) along the South line of said Quarter Section; thence North 02 degrees 00 minutes 34 seconds East, 168.238 meters (551.96 feet) to the POINT OF BEGINNING; FIRST COURSE, thence continuing North 02 degrees 00 minutes 34 seconds East, 15.252 meters (50.04 feet); SECOND COURSE, thence North 88 degrees 01 minute 23 seconds West, 20.720 meters (67.98 feet); THIRD COURSE, thence South 02 degrees 00 minutes 34 sec-

onds West, 15.240 meters (50.00 feet); FOURTH COURSE, thence South 87 degrees 59 minutes 24 seconds East, 20.720 meters (67.98 feet) to the point of beginning. The above described tract contains 0.032 hectare (0.08 acre), more or less.
(c) A TEMPORARY EASEMENT for the construction of an entrance over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at a point on the Northerly right of way of the existing highway, which point is North 68 degrees 11 minutes 43 seconds East, 169.849 meters (557.25 feet) from the Southwest corner of said Quarter Section, the South line of said Quarter Section having an assumed bearing of South 87 degrees 59 minutes 26 seconds East; FIRST COURSE, thence North 02 degrees 00 minutes 34 seconds East, 23.533 meters (77.21 feet) along said right of way line; SECOND COURSE, thence North 87 degrees 20 minutes 49 seconds West, 4.773 meters (15.66 feet); THIRD COURSE, thence South 02 degrees 39 minutes 11 seconds West, 23.588 meters (77.39 feet); FOURTH COURSE, thence South 87 degrees 59 minutes 26 seconds East, 5.037 meters (16.53 feet) to the point of beginning. The above described tract contains 0.012 hectare (0.03 acre), more or less.
This easement expires three (3) years after legal possession through condemnation or ninety (90) days after completion of the highway construction for which this easement is acquired, or whichever comes first.
(d) A TEMPORARY EASEMENT for highway construction over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at a point on the Easterly right of way of the existing highway, which point is North 07 degrees 16 minutes 30 seconds East, 113.619 meters (372.77 feet) from the Southwest corner of said Quarter Section, the South line of said Quarter Section having an assumed bearing of South 87 degrees 59 minutes 26 seconds East; FIRST COURSE, thence North 02 degrees 39 minutes 32 seconds East, 55.104 meters (180.79 feet) along said right of way line; SECOND COURSE, thence South 87 degrees 59 minutes 24 seconds East, 6.000 meters (19.69 feet); THIRD COURSE, thence South 02 degrees 39 minutes 30 seconds West, 55.172 meters (181.01 feet); FOURTH COURSE, thence North 87 degrees 20 minutes 19 seconds West, 6.000 meters (19.69 feet) to the point of beginning. The above described tract contains 0.033 hectare (0.08 acre), more or less.
This easement expires three (3) years after legal possession through condemnation or ninety (90) days after completion of the highway construction for which this easement is acquired, or whichever comes first.
Tract 4
Andrew Warren, owner, HC 1, Box 60, Bird City, Kansas 67731; Delores Bursch, owner, HC 1, Box 60, Bird City, Kansas 67731.
(a) A PERMANENT EASEMENT for controlled access highway right of way and removal of borrow material over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at a point on the West line of said Quarter Section 168.250 meters (552.00) North of the Southwest corner of said Quarter Section; FIRST COURSE, thence on an assumed bearing of North 02 degrees 39 minutes 32 seconds East, 15.240 meters (50.00 feet) along said West line; SECOND COURSE, thence South 87 degrees 59 minutes 26 seconds East, 15.145 meters (49.69 feet); THIRD COURSE, thence South 24 degrees 03 minutes 40 seconds West, 16.442 meters (53.94 feet); FOURTH COURSE, thence North 87 degrees 59 minutes 24 seconds West, 9.145 meters (30.00 feet) to the point of beginning. The above described tract contains 0.019 hectare (0.05 acre), which includes 0.014 hectare (0.04 acre) of existing right of way, resulting in an acquisition of 0.005 hectare (0.01 acre), more or less.
Lands abutting said highway shall have no right or easement of access thereto.
(b) A TEMPORARY EASEMENT for highway construction over and upon a tract of land in the Southwest Quarter of Section 19, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at a point on the Easterly right of way of the existing highway, which point is North 07 degrees 22 minutes 21 seconds East, 184.285 meters (604.61 feet) from the Southwest corner of said Quarter Section, the South line of said Quarter Section having an assumed bearing of South 87 degrees 59 minutes 26 seconds East; FIRST COURSE, thence South 24 degrees 03 minutes 40 seconds West, 16.442 meters (53.94 feet)

along said right of way line; SECOND COURSE, thence South 87 degrees 59 minutes 24 seconds East, 6.000 meters (19.69 feet); THIRD COURSE, thence North 02 degrees 39 minutes 37 seconds East, 15.240 meters (50.00 feet) to the point of beginning. The above described tract contains 0.005 hectare (0.01 acre), more or less.
This easement expires three (3) years after legal possession through condemnation or ninety (90) days after completion of the highway construction for which this easement is acquired, or whichever comes first.
Tract 6
Gibson's Discount Center, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; G-Mark, Inc., owner, 100 Chaffin Industrial Park, Dodge City, Kansas 67801; Bank IV Kansas, N.A., mortgage interest holder, 619 Second Avenue, Dodge City, Kansas 67801; The CIT Group/Business Credit, Inc., mortgage interest holder, 10 S. LaSalle Street, Chicago, Illinois 60603; Sherman County, Kansas, tax lienholder, by serving Shelby Miller, Sherman County Treasurer, 103 Courthouse, 813 Broadway, Goodland, Kansas 67735.
A TEMPORARY EASEMENT for the construction of an entrance over and upon a tract of land in the Northwest Quarter of Section 30, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING a point on the Southerly right of way line of the existing highway, which point is South 79 degrees 23 minutes 57 seconds East, 154.046 meters (505.40 feet) from the Northwest corner of said Quarter Section, the North line of said Quarter Section having an assumed bearing of South 87 degrees 59 minutes 26 seconds East; FIRST COURSE, thence South 87 degrees 55 minutes 04 seconds West, 22.892 meters (75.10 feet) along said right of way line; SECOND COURSE, thence South 01 degree 56 minutes 31 seconds West, 27.432 meters (90.00 feet); THIRD COURSE, thence North 87 degrees 55 minutes 04 seconds West, 22.959 meters (75.32 feet); FOURTH COURSE, thence North 02 degrees 04 minutes 56 seconds East, 27.432 meters (90.00 feet) to the point of beginning. The above described tract contains 0.063 hectare (0.16 acre), more or less.
This easement expires three (3) years after legal possession through condemnation or ninety (90) days after completion of the highway construction for which this easement is acquired, or whichever comes first.
Tract 7
John R. Hendrich, Jr. and Kelly Hendrich, husband and wife, owner, 1720 N. Caldwell, Goodland, Kansas 67735; Bankwest, mortgage interest holder, 924 Main Street, Goodland, Kansas 67735.
(a) A PERMANENT EASEMENT for controlled access highway right of way and removal of borrow material over and upon a tract of land in the Northwest Quarter of Section 7, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at the Northeast corner of said Quarter Section; FIRST COURSE, thence on an assumed bearing of South 02 degrees 26 minutes 02 seconds West, 247.713 meters (812.71 feet) along the East line of said Quarter Section; SECOND COURSE, thence North 87 degrees 34 minutes 02 seconds West, 15.242 meters (50.01 feet) to the Westerly right of way line of the existing public road; THIRD COURSE, thence North 04 degrees 42 minutes 21 seconds West, 73.732 meters (241.90 feet) along said right of way line; FOURTH COURSE, thence North 01 degree 13 minutes 58 seconds East, 10.000 meters (32.81 feet) along said right of way line; FIFTH COURSE, thence North 32 degrees 21 minutes 52 seconds West, 64.345 meters (211.11 feet); SIXTH COURSE, thence North 55 degrees 25 minutes 59 seconds West, 63.886 meters (209.60 feet) to the Easterly right of way line of the existing highway; SEVENTH COURSE, thence on a curve of 1185.662 meters (3889.97 feet) radius to the right, along said Easterly right of way line, an arc distance of 55.194 meters (181.08 feet) with a chord which bears South 31 degrees 39 minutes 59 seconds West, 55.189 meters (181.07 feet); EIGHTH COURSE, thence on a curve of 1185.662 meters (3889.97 feet) radius to the right, along said Easterly right of way line, an arc distance of 41.979 meters (137.73 feet) with a chord which bears South 34 degrees 00 minutes 51 seconds West, 41.977 meters (137.72 feet); NINTH COURSE, thence South 32 degrees 34 minutes 51 seconds West, 103.249 meters (338.74 feet); TENTH COURSE, thence South 46 degrees 23 minutes 41 seconds West, 155.413 meters (509.89 feet) to said Easterly right of way line; ELEVENTH COURSE, thence South 39 degrees 16 minutes 58 seconds West, 149.291 meters (489.80 feet) along said Easterly

right of way line; TWELFTH COURSE, thence South 54 degrees 13 minutes 58 seconds West, 107.564 meters (352.90 feet) along said Easterly right of way line; THIRTEENTH COURSE, thence South 47 degrees 22 minutes 58 seconds West, 365.761 meters (1200.00 feet) along said Easterly right of way line; FOURTEENTH COURSE, thence South 46 degrees 53 minutes 58 seconds West, 7.986 meters (26.20 feet) to the South line of said Quarter Section; FIFTEENTH COURSE, thence North 87 degrees 57 minutes 41 seconds West, 44.074 meters (144.60 feet) along said South line to the West line of said Quarter Section; SIXTEENTH COURSE, thence North 04 degrees 17 minutes 56 seconds East, 35.235 meters (115.60 feet) along said West line to the Westerly right of way line of the existing highway; SEVENTEENTH COURSE, thence North 47 degrees 19 minutes 58 seconds East, 318.010 meters (1043.34 feet) along said Westerly right of way line; EIGHTEENTH COURSE, thence North 38 degrees 19 minutes 57 seconds East, 123.292 meters (404.50 feet) along said Westerly right of way line; NINETEENTH COURSE, thence North 51 degrees 30 minutes 57 seconds East, 176.689 meters (579.69 feet) along said Westerly right of way line; TWENTIETH COURSE, thence North 38 degrees 35 minutes 57 seconds East, 159.630 meters (523.72 feet); TWENTY-FIRST COURSE, thence North 33 degrees 00 minutes 38 seconds East, 147.696 meters (484.57 feet); TWENTY-SECOND COURSE, thence North 20 degrees 09 minutes 02 seconds East, 42.835 meters (140.53 feet); TWENTY-THIRD COURSE, thence North 58 degrees 46 minutes 24 seconds West, 40.844 meters (134.00 feet); TWENTY-FOURTH COURSE, thence North 78 degrees 01 minutes 15 seconds West, 56.927 meters (186.77 feet); TWENTY-FIFTH COURSE, thence North 01 degree 55 minutes 47 seconds East, 9.144 meters (30.00 feet) to the North line of said Quarter Section; TWENTY-SIXTH COURSE, thence South 88 degrees 04 minutes 05 seconds East, 284.467 meters (933.29 feet) along said North line to the point of beginning. The above described tract contains 8.741 hectares (21.60 acres), which includes 6.967 hectares (17.22 acres) of existing right of way, resulting in an acquisition of 1.775 hectares (4.39 acres), more or less.
Lands abutting said highway shall have no right or easement of access thereto, provided, however, that the remaining lands shall abut upon and have access to said highway over and across the following described courses: ALL of said 'THIRD', 'FOURTH', 'TENTH', 'ELEVENTH', 'TWELFTH', 'THIRTEENTH', 'FOURTEENTH', 'SEVENTEENTH', 'EIGHTEENTH', 'NINETEENTH', and 'TWENTIETH' courses.
(b) A PERMANENT EASEMENT for controlled access highway right of way and removal of borrow material over and upon a tract of land in the Southeast Quarter of Section 6, Township 8 South, Range 39 West of the 6th P.M., described as follows: BEGINNING at the Southeast corner of said Quarter Section; FIRST COURSE, thence on an assumed bearing of North 02 degrees 34 minutes 02 seconds East, 808.155 meters (2651.43 feet) along the East line of said Quarter Section to the North line of said Quarter Section; SECOND COURSE, thence North 87 degrees 58 minutes 12 seconds West, 22.917 meters (75.19 feet) along said North line; THIRD COURSE, thence South 02 degrees 34 minutes 24 seconds West, 98.953 meters (324.65 feet); FOURTH COURSE, thence South 05 degrees 46 minutes 31 seconds West, 278.629 meters (914.14 feet); FIFTH COURSE, thence South 14 degrees 12 minutes 37 seconds West, 196.997 meters (646.31 feet); SIXTH COURSE, thence South 21 degrees 00 minutes 43 seconds West, 49.289 meters (161.71 feet); SEVENTH COURSE, thence South 21 degrees 49 minutes 12 seconds West, 123.016 meters (403.59 feet); EIGHTH COURSE, thence South 29 degrees 21 minutes 04 seconds West, 71.913 meters (235.94 feet); NINTH COURSE, thence North 89 degrees 45 minutes 13 seconds West, 117.810 meters (386.52 feet); TENTH COURSE, thence South 01 degree 55 minutes 47 seconds West, 9.144 meters (30.00 feet) to the South line of said Quarter Section; TENTH COURSE, thence South 88 degrees 04 minutes 05 seconds East, 284.467 meters (933.29 feet) along said South line to the point of beginning. The above described tract contains 5.167 hectares (12.77 acres), which includes 3.667 hectares (9.06 acres) of existing right of way, resulting in an acquisition of 1.499 hectares (3.71 acres), more or less.
Lands abutting said highway shall have no right or easement of access