

# Memo

To: City Commission  
From: Toby Dougherty, City Manager  
Date: 12-16-13  
Re: December 19, 2013 Work Session

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Please find the attached agenda and supporting documentation for the December 19, 2013 Work Session.

## Item 2 – Drought/Water Supply Update

The Commission was last updated on the water supply status at the June 20, 2013 Work Session. The current status and drought conditions will be presented Thursday evening.

## Item 3 – 2014 EAS Proposals for the Hays Regional Airport

As mentioned at the regular meeting last week, proposals are in for passenger service at the Hays Regional Airport. The most pressing issue we are dealing with is the gap between the Sky West bid and the Great Lakes bid. City staff will be working with the Department of Transportation in hopes of narrowing that gap. I would like to begin discussion with the City Commission about how we can make up the rest of the gap in funding. More information will be provided at the work session on Thursday.

## Item 4 (2014 Toilet Rebates) and Item 5 (2014 Urinal Rebates)

Please refer to the attached memorandum from Nick Willis, Stormwater/Water Conservation Superintendent, regarding the toilet and urinal rebate programs for 2014. Nick put a lot of effort into these programs, and they are very well crafted. These programs were part of the 2014 Budget. City staff would like to get Commission approval before moving forward with the programs. Nick will present the specifics of both programs at the work session on Thursday.

Item 6 – Pay Plan and Job Classification for 2014

This is a routine matter. Please refer to the memorandum from Erin Giebler, Human Resources Coordinator.

Item 7 – Scheduling Conflict – Work Session/Chamber Banquet Scheduled for February 6, 2014

This is a housekeeping item. City staff is simply making the Commission aware of a scheduling conflict. It is necessary to move the February 6, 2014 Work Session to Tuesday, February 4, 2014 to accommodate the Commissioners' attendance at the Chamber Banquet on February 6<sup>th</sup>.

Item 8 – 2013 Boundary Resolution

Again, this is a housekeeping item. Please refer to the attached memorandum from Brenda Kitchen, City Clerk. Whenever property is annexed into the city in a calendar year, the State Statutes require a new boundary resolution be adopted that reflects those annexed properties. There were three properties annexed into the city in 2013. The boundary resolution reflects those properties.

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**CITY OF HAYS  
CITY COMMISSION WORK SESSION  
THURSDAY, DECEMBER 19, 2013 – 6:30 P.M.  
AGENDA**

1. **ITEM FOR REVIEW: [December 5, 2013 Work Session Notes \(PAGE 1\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
2. **ITEM FOR REVIEW: Drought/Water Supply Update**  
PERSON RESPONSIBLE: Toby Dougherty, City Manager
3. **ITEM FOR REVIEW: 2014 EAS Proposals for the Hays Regional Airport**  
PERSON RESPONSIBLE: Toby Dougherty, City Manager
4. **ITEM FOR REVIEW: [2014 Toilet Rebates \(PAGE 5\)](#)**  
STAFF MEMBER RESPONSIBLE: Nick Willis, Stormwater/Water Conservation Superintendent
5. **ITEM FOR REVIEW: [2014 Urinal Rebates \(PAGE 17\)](#)**  
STAFF MEMBER RESPONSIBLE: Nick Willis, Stormwater/Water Conservation Superintendent
6. **ITEM FOR REVIEW: [2014 Job Classification and Pay Plan \(PAGE 27\)](#)**  
PERSON RESPONSIBLE: Paul Briseno, Assistant City Manager
7. **ITEM FOR REVIEW: Scheduling Conflict – Work Session/Chamber Banquet Scheduled for February 6, 2014**  
PERSON RESPONSIBLE: Toby Dougherty, City Manager
8. **ITEM FOR REVIEW: [2013 Boundary Resolution \(PAGE 35\)](#)**  
DEPARTMENT HEAD RESPONSIBLE: Kim Rupp, Director of Finance
9. **OTHER ITEMS FOR DISCUSSION**
10. **EXECUTIVE SESSION (IF REQUIRED)**
11. **ADJOURNMENT**

**ANY PERSON WITH A DISABILITY NEEDING SPECIAL ACCOMMODATIONS TO ATTEND THIS MEETING SHOULD CONTACT THE CITY MANAGER'S OFFICE 48 HOURS PRIOR TO THE SCHEDULED MEETING TIME. EVERY ATTEMPT WILL BE MADE TO ACCOMMODATE ANY REQUESTS FOR ASSISTANCE.**



City of Hays  
City Commission  
Work Session Notes  
December 5, 2013

Present: Kent Steward, Henry Schwaller IV, Eber Phelps, Shaun Musil, Ron Mellick, John Bird, Toby Dougherty

**November 21, 2013 Work Session Notes**

There were no corrections or additions to the minutes of the work session held on November 21, 2013; the minutes stand approved as presented.

**Joint Meeting – City of Hays/Hays Recreation Commission**

A joint meeting between the City of Hays and the Hays Recreation Commission (HRC) was held to review the 2013 Pool Season Financial Report, review current fees from other aquatic parks in Kansas, and review the 2013 Bickle-Schmidt Sports Complex Financial Report.

Roger Bixenman, HRC Superintendent, reported the Hays Aquatic Park showed a loss in revenue of \$40,842.30 for the 2013 season. Staff recommends approving the reimbursement request from the Hays Recreation Commission for an amount of \$20,421.15 which is one-half of the total loss for pool operations for the 2013 season. The current contract states that after financial reports are compiled as described in the agreement, any operating loss or surplus incurred by the contractor will be shared on a 50% City - 50% Contractor basis as long as the Contractor's portion of the loss does not exceed \$26,000. The attendance at the Hays Aquatic Park was down significantly due to weather conditions in 2013 with 46,270 patrons visiting the pool when compared to 58,999 in 2012. Likewise, the attendance at Wilson Pool dropped from 5,085 patrons in 2012 to 3,740 in 2013.

Jeff Boyle, Parks Director reviewed current fees from other aquatic parks in Kansas and will present a possible fee increase at the next work session.

The Bickle-Schmidt Sports Complex report from the HRC shows a total loss of \$21,884.47. The City's year to date expenditures (November 13, 2013) from the Bickle-Schmidt Sports Complex total \$168,896.14. Staff expects to end the year with total expenditures from the maintenance budget in the \$181,000-\$185,000 range. There is no reimbursement being requested by the Hays Recreation Commission for the Bickle-Schmidt Sports Complex.

At the December 12, 2013 Commission meeting Commissioners will be requested to approve the reimbursement request from the Hays Recreation Commission for one-half of the total contractual revenue loss for an amount of \$20,421.15 for pool operations for the 2013 season.

### **Concealed Carry in Municipal Buildings Update**

The Kansas Legislature passed House Bill (HB) 2052 and made it legal to carry concealed weapons within public buildings. The general rule of HB 2052 says that any state or municipal building must have "adequate security measures" in place to prevent any weapon from entering the building and properly post Attorney General approved signage if that state or municipal building desires to restrict the licensed concealed carry of handguns within its walls. HB 2052 does allow for a four year exemption from these requirements. This exemption would require the City of Hays to have a security plan for each building and provide "adequate security" for the occupants. City staff is recommending the four year exemption for 12 City owned buildings.

Police Chief Don Scheibler stated that it is the opinion of City staff that by allowing more guns into the building, it will increase the likelihood of an incident or accident occurring, or the occupants of the building being in danger. It was also stated that it is cost prohibitive to have adequate security measures in place to prevent any weapon from entering the City buildings.

Commissioner Mellick stated that basically the exemption is buying us four years to see what happens statewide.

Commissioners will be requested to authorize City staff to pursue a four year exemption from the requirements of HB 2052 for the 12 City owned buildings at the December 12, 2013 Commission meeting.

#### **41<sup>st</sup> Street Construction Award of Bid**

Since 2008, City staff has been working with the Kansas Department of Transportation (KDOT) on a project to reconstruct 41<sup>st</sup> Street from the US-183 By-pass to Hall Street. The project is being funded in part through the Federal Highway Administration Surface Transportation Program. The old roadway will be removed and replaced with three lanes of 8" concrete pavement complete with curb and gutter on both sides, new storm sewer pipe and inlets, a 10' wide concrete multi-use path along the north side, no sidewalk on the south side, and stormwater Best Management Practices improvements in two places.

Bids were recently opened at KDOT and APAC-Kansas, Inc. of Hays is the low bidder. KDOT has asked for a resolution committing the City's share of the funding in the amount of \$798,000 and authority to award the bid to APAC.

The Commissioners will be requested at the December 12, 2013 Commission meeting to approve a resolution authorizing the commitment of City funds and awarding a contract to APAC-Kansas, Inc. for the reconstruction of 41st Street. The City's share to be paid to KDOT is \$798,000 from the Capital Projects Fund.

#### **2014 Street Maintenance Program**

Each year City staff evaluates the condition of City streets and develops a maintenance program that is brought forward for Commission consideration. The Special Highway Budget includes \$598,352 in the budgeted projects line item for maintenance and repair projects. The plan presented by staff includes chip seal, polypatch, curb and brick repair, a small area of total reconstruction, as well as some funding for in-house asphalt and concrete patching and crack sealing. Upon direction, staff will solicit bids for work to be contracted out, and bring those bids back to the City Commission for final approval after the first of the year.

**2014 Statement of Legislative Priorities**

Annually, the Commission solidifies its priorities in order to communicate issues and goals with its elected legislators. Noted changes this year include an emphasis on water conservation planning and long-term source preservation as well as Fair Fares funding.

Commissioners will be requested to approve the 2014 Statement of Legislative Priorities for the City of Hays at the December 12, 2013 Commission meeting.

The work session was adjourned at 8:20 p.m.

Submitted by \_\_\_\_\_

Brenda Kitchen

# Commission Work Session Agenda

## Memo

**From:** Nicholas Willis, Stormwater/Water Conservation  
Superintendent

**Work Session:** December 19, 2013

**Subject:** 2014 Toilet Rebates

**Person(s)** Toby Dougherty, City Manager

**Responsible:** Bernie Kitten, Director of Utilities

### Summary

In the 2014 budget, City Commissioners allocated \$100,000 for a “Gravity Toilet Replacement Program.” This program is aimed primarily at indoor water usage in residences and hotels. Staff is making a recommendation to adopt a tiered rebate program, where the installation of more efficient toilets is eligible for a higher rebate.

### Background

Toilets still represent the biggest indoor water savings opportunity. Due to the relatively low cost of water for indoor usage and sewage disposal, this water savings opportunity is often not economically attractive to undertake for property owners. Utilities across the country have implemented efforts to eliminate inefficient and leaky toilets through various means, with the most common method being a rebate program. Staff also evaluated a program entailing direct installation but has decided not to pursue it at this time.

### Discussion

Toilets eligible for this program are gravity flush toilets, most commonly found in residential and lodging applications. Replacement toilets will all use 1.3 gallons per flush or lower and are required to meet Watersense specifications, which include performance testing. These toilets are generally very good and very rarely will users have to “double flush.”

More efficient toilets will be eligible for higher rebate amounts. The rebate will be structured as follows:

- 0.8 GPF - \$150
- 1.0 GPF - \$100
- 1.1 – 1.3 GPF - \$50

This variable rebate amount will encourage the installation of the most efficient toilets on the market, while also allowing some property owner flexibility for items such as style, color, etc. As toilets are long-lived, but also sometimes a critical aesthetic element in a bathroom, staff is seeking a balance between maximum water savings and maximum customer participation in this program. Staff has researched toilet prices and does not believe these rebates exceed the purchase price of any toilets on the market, but offer a very significant discount. Hays' rebates of \$110 per toilet in the early to mid 1990's covered a similar amount of the total purchase price of new toilets and the program is generally considered successful.

Total savings from this program in 2014 are estimated to be between 11 and 14 acre feet of water yearly (based upon installation of 1000 1.0 gallon/flush models). This is about two to three days of winter usage or the total annual usage of between 61 and 78 residences (based on 2012 usage).

No cap is proposed for the number of toilets a property owner may install under this program. City staff will be reaching out to owners of numerous gravity flush toilets in buildings such as motels and apartment complexes to inform them of this opportunity. Sample letters for hotel and apartment owners are included with this memorandum. Details of the approved toilet rebate program will also be made available to city water customers in the February edition of "Hays Matters." After details of the changes made to the showerhead program in 2012 were published in the newsletter, the number of participants spiked.

City staff also looked into a direct replacement program. Niagara Conservation, maker of the "Stealth" toilet, the most efficient on the market at 0.8 gallons per flush offers a direct-install program. Staff believes their toilets are of high quality and flush well, but is hesitant, at this time, to recommend going with a single company, as it does lock in higher costs for property owners wishing to do the work themselves. The program also limits owners wishing for various types and colors of toilets. Depending upon how the rebate program works in 2014, staff may look into direct installation in future years.

### **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City Staff.

### **Financial Consideration**

As detailed in the 2014 budget, \$100,000 has been allocated to toilet replacement efforts. Depending upon the popularity of this program, up to \$100,000 may be spent in 2014.

### **Options**

The City Commission has the following options available:

1. Direct city staff to proceed as detailed in the memorandum and supporting documentation
2. Give city staff further direction.

## **Recommendation**

City staff recommends proceeding as detailed herein.

## **Action Requested**

Direct city staff to proceed as recommended.

## **Supporting Documentation**

Attachment 1: City of Hays High Efficiency Gravity-flush Toilet Rebate Program Guidelines

Attachment 2: High Efficiency Toilet Rebate Program Application

Attachment 3: 2014 High Efficiency Gravity Toilet Rebate Program Flowsheet

Attachment 4: High Efficiency Gravity Toilet Frequently Asked Questions

Attachment 5: Sample letters for toilet rebate program

## **City of Hays High Efficiency Gravity-flush Toilet Rebate Program Fiscal and Calendar Year 2014**

### Guidelines

The high efficiency gravity-flush toilet rebate program is tiered for 2014, with the most efficient models receiving a higher rebate payment.

- 0.8 GPF - **\$150**
- 1.0 GPF - **\$100**
- 1.1 – 1.3 GPF - **\$50**

Toilets eligible for the rebate program must flush at or under 1.3 gallons per flush (GPF). The rebate program only applies to gravity flush toilets (i.e. tank-type toilets). Dual flush toilets are eligible for the program; the average flush volume will be used in determining rebate payment. To qualify for the rebate, newly installed toilets must be EPA WaterSense labeled. More information, including eligible models, can be found at <http://www.epa.gov/watersense/products/toilets.html>.

### Eligibility:

All properties served by the City's water system with existing toilets are eligible for rebates. Rebates are only available for the replacement of existing toilets. No rebates are available for expansions.

### Costs:

There is no cost to participate in this program. No permit is required for the installation of replacement toilets in existing locations.

### How to participate:

Select, purchase, and install a qualifying toilet. Completed rebate application and include the following required information:

- A copy of the sales receipt or invoice showing the date and place of sale, itemized description of purchase including models number(s).
- If the installation is performed by a contractor, include date of installation.

Return completed rebate application along with the required information to City Hall Finance Office, 1507 Main St. or mail to:

City of Hays Water Department  
Attn: Toilet Rebate  
P.O. Box 490  
Hays, KS 67601

### Payment:

Payment will be made to the owner of the property. A city staff member may inspect the fixture and installation for eligibility prior to issuance of rebate.

The amount of rebate paid to an individual property owner is not capped, with the exception of fund availability.

# City of Hays Water Department

## High Efficiency Toilet Rebate Program

Application 2014 - \_\_\_\_\_  
Valid until Dec. 31, 2014

**IMPORTANT:** Read all information on page 2 of this application.

1. Name: \_\_\_\_\_
2. Mailing Address: \_\_\_\_\_
3. City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
4. Telephone: \_\_\_\_\_
5. Address where toilet is installed: \_\_\_\_\_  
(If different than mailing address)
6. Toilet Manufacturer: \_\_\_\_\_
7. Model Number/Information/Specs: \_\_\_\_\_
8. Date Purchased: \_\_\_\_\_
9. Date Installed: \_\_\_\_\_

***I have read, understand, and agree to the terms and conditions as stated on the 2nd page of this application:***

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please attach a copy of the sales receipt, which should include purchase date and model number. Return the completed application to:**

City of Hays Water Department  
Attn: Toilet Rebate  
P.O. Box 490  
Hays, KS 67601  
OR

Return completed forms with required information to the City Hall Finance Office, 1507 Main St.  
For more information, call the Water Office at (785) 628-7300.

**OFFICIAL USE ONLY:**

APPLICATION:  Approved  Denied

INSPECTION:  Required  Waived

INSPECTED BY: \_\_\_\_\_ Date: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

REBATE APPROVED BY: \_\_\_\_\_ Date: \_\_\_\_\_

REBATE AMOUNT: \$ \_\_\_\_\_

PURCHASE ORDER #: \_\_\_\_\_

This program provides financial assistance to customers wishing to purchase water-conserving high efficiency toilets for their home or business. The City of Hays does not endorse or recommend specific brands, products or dealers. Selection and installation of the appliance is the sole responsibility of the applicant, as is determination of the adequacy and compatibility of their existing plumbing system. The City assumes no responsibility for any damage that may occur to an applicant's property as a result of participation in this rebate program. Due to circumstances beyond its control, the City cannot guarantee that the installation of the high efficiency toilet will result in lower utility costs.

## 2014 High Efficiency Gravity Toilet Rebate Program Flowsheet

### **Rebate Application -> Inspection -> Final Review -> Payment**

**Rebate Application:** Customer selects, purchases, and installs a qualifying toilet. Rebate forms will be available in the finance office at City Hall or at

[http://www.haysusa.com/html/water\\_conservation2.html](http://www.haysusa.com/html/water_conservation2.html). Completed rebate forms, including a copy of the sales receipt with date of purchase and model number, will be returned by the customer to City Hall or through mail-in via USPS.

**Inspection:** After initial review of the application, if there is confusion on whether a particular model meets program qualifications, a City staff member will contact the customer to setup an inspection of the installation. Inspection will verify that installed fixtures meet program specifications, as well as proper installation. Rebate applications may also be selected for inspection on a random basis.

**Review:** After inspection is completed or waived, the finalized rebate application is processed by the finance office and the rebate payment is sent.

## City of Hays High Efficiency Gravity-flush Toilet Rebate Program - Frequently Asked Questions

**Q: Where do I find which toilet models qualify for the rebate?**

A: WaterSense, the EPA's highly stringent standard of testing and endorsing water conserving products, has labeled over 1,700 toilet models that flush at or under 1.3 gallons per flush (GPF). A list of qualifying models can be found at <http://www.epa.gov/watersense/products/toilets.html>.

**Q: Can I install the toilet myself?**

A: Yes. The installation of replacement fixtures in existing locations does not require a plumbing permit.

**Q: Where can I find the rebate application?**

A: Rebate applications can be found at [http://www.haysusa.com/html/water\\_conservation2.html](http://www.haysusa.com/html/water_conservation2.html) or by visiting the Finance office in City Hall, 1507 Main St.

**Q: I found a WaterSense endorsed toilet that is less expensive than the rebate amount. Am I eligible for the full rebate amount?**

A: Yes.

**Q: What do I do with my old toilet after the new one is installed?**

A: Many older, two-piece gravity flush toilets will fit into the City provided poly carts for disposal. The county landfill will also accept them as construction waste for a nominal fee.

**Q: Are dual-flush toilets eligible for the rebate?**

A: Yes, dual flush toilets carrying the WaterSense label are eligible for the program. Rebate amount will be determined by the flush volume average (e.g. 1.0/1.6 GPF would equate to a \$50 rebate).

**Q: Are the various dual-flush conversions available on the market eligible for the rebate?**

A: No, dual-flush conversion kits are not eligible for the program.

**Q: Are the valve-flush type toilets in my commercial building eligible for the rebate?**

A: No, there is no rebate program in 2014 for the valve-flush type toilets found in many commercial and institutional facilities. The rebate only applies to gravity-flush tank-type toilets.

**Q: Is this rebate retroactive? I bought a new high efficiency toilet in October, am I eligible?**

A: No, the rebate is only available for new high efficiency toilets purchased on or after January 1, 2014.

**Q: Do I need to send receipts for the other parts used in the installation, such as wax rings, shut-off valves and toilet seats?**

A: No, but it is okay if they are on the receipt.

**Q: Is the rebate program available for expansions? I'm adding a bathroom to my home.**

A: No, the program is designed to phase out old, inefficient fixtures with new, high efficiency fixtures.

**Q: I put a water displacement device (e.g. brick, bag of water, etc.) in my toilet tank to lower the flush volume. Can I get a rebate?**

A: No.

## **Important Considerations Before You Purchase a Toilet** (courtesy of MaP Toilet Testing <http://www.map-testing.com>)

### **1. ROUGH-IN**

Know the rough-in dimension of your toilet installation. The distance from the flange bolts (that anchor your bowl to the floor, usually covered by small white caps) to the wall behind your toilet is known as the rough-in. In most homes, that dimension is either 10, 12, or 14 inches, with the most common in today's homes being 12 inches.

### **2. BOWL HEIGHT**

The distance from the floor to the top rim of the bowl (not including the toilet seat). In North America, that distance has traditionally been about 14 to 15 inches. However, the trend for many families today is to install bowls with a height of 16 to 18 inches. Manufacturers use terms such as "Comfort Height", "Chair Height", "ADA Height", or some other similar description. The added height makes getting on and off the bowl easier, especially for the elderly or infirm, but many other people have also discovered the benefit. Decide whether or not you want a toilet with a taller bowl.

### **3. ONE-PIECE vs. TWO-PIECE**

Two-piece toilets are the most common design found on the market today. They are typically less expensive and usually have a taller tank. One-piece toilets, on the other hand, are generally more expensive but they are often easier to clean and may provide a smoother, sleeker appearance. Decide on one-piece or two-piece.

### **4. FOOTPRINT**

If you are replacing an existing toilet that has a large footprint (i.e., the base covers a large floor area), consider the patching and repair to the floor that might be required if a bowl with a smaller footprint is chosen. This is especially an issue where tile covers the floor around the toilet. Will additional matching tile be required and will the appearance be satisfactory? Footprint dimensions of most new toilets may be found on the manufacturer's website.

### **5. WALL-PRINT**

Again, when you are replacing an older toilet that has a large tank AND the wall area that is hidden behind that tank is unfinished or unpainted, consider that the installation of a smaller tank (typical of many of today's toilet models) may leave those unpainted areas visible. As such, you may need to repaint a portion of the wall.

### **6. BOWL SHAPE**

Choosing the bowl design is another important factor. Bowls are typically designed with either a smaller, round-front bowl or a longer, elongated-front bowl. The round bowl is ideal for compact bathroom spaces. Elongated bowls have a longer rim dimension (as much as 2 inches longer). They are more comfortable for adult use and they help improve hygiene. Be sure to measure the dimensions of your existing bowl and consider the size of the toilet space in your bathroom before replacing a round-front model with an elongated model. There have been cases where door and drawers could not be opened when the old round-front bowl was replaced with an elongated model! Check manufacturer websites for the dimensions of bowls and tanks. Decide on a bowl shape.

## **7. WATER SHUT-OFF VALVE AND SUPPLY HOSE**

Check the condition of your existing shut-off valve that supplies water to the toilet and the supply hose connecting that valve with the toilet. If you need to replace the supply hose, consider one encased in stainless steel mesh for long-term durability. If the shut-off valve needs replacing, it may be necessary to call your plumber.

## **8. FLUSH HANDLE LOCATION**

Manufacturers place flush handles at various locations on the tank: right side, right front, left, side, left front, and at the top-center of the tank lid. You should determine if the handle's location is important.

## **9. OTHER FIT ISSUES**

Do you have a shelf installed directly above your toilet, such as the type occasionally found in older homes? If so, be sure to measure the distance from the floor to that shelf. Then consider that distance to be a limit upon the overall height of the combined bowl and tank you plan to purchase. It is important to leave sufficient room between the tank lid and the shelf such that the lid can be removed and the parts inside the tank can be accessed when required.

## **10. MaP SCORE**

If you want a toilet with the best flush performance, you should check out the MaP scores! Go to <http://www.map-testing.com/map-search.html> and do a search for just the right toilet to fit your needs. Remember that toilets with scores of 500 and above will provide you with excellent performance.

## **11. COLOR**

Generally, a colored toilet can be a disadvantage, particularly if choosing a trendy color requires you to also replace parts or all of the bathroom vanity, sink, and tub in order to maintain continuity. In addition, when it's time to sell your home, today's "popular" color may be tomorrow's albatross. We recommend sticking with white or off-white (sometimes referred to as biscuit, beige, or bone), all of which are commonly found in homes today.

## **12. COST**

Presumably, the toilet you choose will be installed and operating for at least 20 years. Don't attempt to save a few dollars on a toilet purchase when you are making an 'investment' in your home that will have lasting functionality and use.

Date

Apartment Bldg. Recipient

Title

Apartment Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 tank-type gravity toilet rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

Recent data suggests that up to 30% of the water consumption in residences is used in the restroom (EPA, 2013). By replacing just one existing 3.5 gallon per flush toilet with a 0.8 gallon per flush high-efficiency toilet, the water savings could be over 10,000 gallons annually, or a 75% reduction in consumption. These numbers were estimated using a 2-person household.

The program is offering tiered rebates toward the replacement of an existing fixture, with the most efficient models being eligible for a higher rebate. Qualifying replacement fixtures flush at or under 1.3 gallons per flush.

Water is a precious resource regardless of locale. The City of Hays can say something most cities cannot; we use less water per capita in 2013 than we did in 1993. The citizens of Hays should be commended for their water conservation efforts and their continued enthusiasm for conservation.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)

Date

Hotel Recipient

Title

Hotel Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 tank-type gravity toilet rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

Recent data suggests that up to 30% of the water consumption in hotels is used in the restroom (EPA, 2013). By replacing just one existing 3.5 gallon per flush toilet with a 0.8 gallon per flush high-efficiency toilet, the water savings could be 3,000 gallons annually, or a 75% reduction in consumption. These numbers were estimated using a 200 day/year single occupancy rate. More savings can be expected for higher occupancy rates and rooms with greater than single occupancy.

The program is offering tiered rebates toward the replacement of an existing fixture, with the most efficient models being eligible for a higher rebate. Qualifying replacement fixtures flush at or under 1.3 gallons per flush.

Water is a precious resource regardless of locale. The City of Hays can say something most cities cannot; we use less water per capita in 2013 than we did in 1993. The citizens of Hays should be commended for their water conservation efforts and their continued enthusiasm for conservation.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)



# Commission Work Session Agenda

## Memo

**From:** Nicholas Willis, Stormwater/Water Conservation  
Superintendent

**Work Session:** December 19, 2013

**Subject:** 2014 Urinal Rebates

**Person(s)** Toby Dougherty, City Manager  
**Responsible:** Bernie Kitten, Director of Utilities

### Summary

In the 2014 budget, City Commissioners allocated \$45,000 for urinal rebates. This program is aimed primarily at indoor water usage in commercial and office settings. Staff is making a recommendation to adopt a rebate program of \$300 per urinal replaced with a new high efficiency urinal.

### Background

Urinals are very long-lived and frequently used. New products have arrived on the market reducing water usage between 88% to 100%. In the recent city hall restroom remodel project, Zurn “The Pint” urinals were installed in the men’s restroom and are performing well. Staff seeks to encourage the installation of such highly efficient products throughout the City.

### Discussion

As detailed in the 2014 budget, all city water customers with urinals will be eligible to participate in this program. The permit application will be that of a standard plumbing permit and city inspectors will ensure all new installations are correctly installed. Permit fees will be waived for urinal replacement projects.

A rebate of \$300 will be paid for each replaced urinal. Replacement urinals must be Watersense labeled and flush at 0.13 gallons or lower. Waterless urinals are also eligible for this rebate. Most “pint” and waterless urinals make mention of their water savings to their users. Thus the installation of such fixtures leads to permanent water conservation advertising throughout the City.

Schools, restaurants and convenience stores will be contacted via letter to inform them of this program. Additionally, suppliers and plumbing contractors will be contacted via letter to inform them of the program. Copies of the proposed letters are attached. It is

believed that this outreach will result in contact with people owning or responsible for the bulk of the urinals within the City of Hays.

Staff will also attempt to leverage their relationship with Midwest Energy's demand side programs, as reductions in water and energy use go hand-in-hand. Additional marketing will be included in the Hays Matters newsletter in February.

Staff estimates that between 2.6 and 4.1 acre feet of water will be saved on an annual basis if the program funds are fully utilized and "pint" urinals are installed for replacement.

### **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City Staff.

### **Financial Consideration**

As detailed in the 2014 budget, \$45,000 has been allocated to toilet replacement efforts. Depending upon the popularity of this program, up to \$45,000 may be spent in 2014.

### **Options**

The City Commission has the following options available:

1. Direct city staff to proceed as detailed in the memorandum and supporting documentation
2. Give city staff further direction.

### **Recommendation**

City staff recommends proceeding as detailed herein.

### **Action Requested**

Direct city staff to proceed as recommended.

### **Supporting Documentation**

Attachment 1: City of Hays High Efficiency Urinal Rebate Program Guidelines

Attachment 2: High Efficiency Urinal Rebate Program Application

Attachment 3: 2014 High Efficiency Urinal Rebate Program Flowsheet

Attachment 4: Sample marketing letters

## Hays Urinal Rebate Program – Fiscal and Calendar Year 2014

### Eligibility:

All properties served by the City's water system with existing urinals are eligible for rebates. Rebates are only available for the replacement of existing urinals. No rebates are available for expansions.

All urinal installations must be completed by a licensed plumber and a city plumbing permit must be obtained.

Newly installed urinals must flush at 0.13 gallons or lower and be EPA WaterSense labeled. More information, including eligible models, can be found at <http://www.epa.gov/watersense/products>. A complete high efficiency urinal system, including a compatible fixture and flush valve, must be installed to be eligible for this program. Waterless urinal installations are also eligible for this rebate.

### Costs:

There is no cost to participate in this program. Fees for plumbing inspections on urinal installations are waived for participating properties. Note that fees for additional plumbing work still must be paid (as in the case of a complete remodel).

### How to participate:

Make an application for a plumbing permit for urinal replacement and properly install an eligible urinal. No invoices or receipts are required to be submitted.

### Payment:

Payment will be made to the owner of the property after a city inspector has ensured proper urinal installation. Payment for urinal replacement is \$300, regardless of cost to the owner. Automatic flush valve, etc., are not eligible for a higher rebate.

The amount of rebate paid to an individual property owner is not capped, with the exception of fund availability. If a property owner changed out 10 urinals, assuming sufficient funds are available, they would be paid a \$3,000 rebate.

City of Hays Water Department  
**High Efficiency Urinal Rebate Program**

Application 2014 - \_\_\_\_\_  
Valid until Dec. 31, 2014

1. Customer Name: \_\_\_\_\_

2. Mailing Address: \_\_\_\_\_

3. City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Telephone: \_\_\_\_\_

5. Address where urinal is installed: \_\_\_\_\_  
(If different than mailing address)

6. Urinal Manufacturer: \_\_\_\_\_

7. Model Information/Specifications: \_\_\_\_\_

8. Date(s) To Be Installed: \_\_\_\_\_

9. Number of urinals replaced: \_\_\_\_\_

***I have read, understand, and agree to the terms and conditions as stated on this application:***

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please attach a copy of the completed plumbing inspection report, and return the completed application to:**

City of Hays Water Department  
Urinal Rebate  
PO Box 490  
Hays, KS 67601  
For more information, call the Water Office at (785) 628-7300

OFFICIAL USE ONLY:

APPLICATION:  Approved  Denied

INSPECTED BY: \_\_\_\_\_ Date: \_\_\_\_\_

REBATE APPROVED BY: \_\_\_\_\_ Date: \_\_\_\_\_

REBATE AMOUNT: \$ \_\_\_\_\_

PURCHASE ORDER #: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

This program provides financial assistance to customers wishing to purchase water-conserving urinals for their home or business. The City of Hays does not endorse or recommend specific brands, products or dealers. Selection and installation of the appliance is the sole responsibility of the applicant, as is determination of the adequacy and compatibility of their existing plumbing system. The City assumes no responsibility for any damage that may occur to an applicant's property as a result of participation in this rebate program. Due to circumstances beyond its control, the City cannot guarantee that the installation of the high efficiency urinal will result in lower utility costs.

## 2014 Urinal Rebate Program Flowsheet

### **Permit Application -> Inspection -> Review -> Clerks Office**

**Permit Application:** During the plumbing permit application process, City staff will provide the Urinal rebate form to the contractor to be filled out as part of the application, with the anticipation that the contractor is aware of the program and will ask for it. The contractor, as part of the permit process, will need to know who will be receiving the rebate payment (i.e. who's paying the plumbing bill). When the application data is being entered, a new field or new permit designation in the permitting software will allow us to track the applicable permits as they're issued. We will hold the rebate applications (not sure about details on this) at PW until inspection and review are complete.

**Inspection:** Contractor will contact P.I.E. to set up the inspection. Inspection will verify that installed fixtures meet program specifications and note the number of inspected urinals. Upon completion of inspection report, the inspector will email the report to me for review.

**Review:** Upon receipt of the completed inspection report, I will fill out the "Office Use" portion of the rebate application, noting rebate amount and PO# before sending to the City Clerk office for rebate payment.

**Clerks Office:** Upon receipt of the completed rebate apps, the Clerks office will review the app and cut a check for the rebate amount to the "Customer Name" listed on the application and the check will be mailed to the customer address listed.

Date

Contractor/Supplier Recipient

Title

Contractor/Supplier Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 urinal rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

The program provides a \$300 rebate toward the replacement of an existing fixture. Qualifying replacement fixtures flush at or under 0.13 gallons per flush, nominally referred to as "pint" flush models. Waterless urinals are also eligible for the rebate. In regards to cost of the new units, City staff recently purchased several base-model "pint" retrofit urinals for installation in our facilities. The rebate being offered would have covered most, or in some cases, all of the cost of the new fixture.

Some manufacturers have made these retrofits easy to undertake with an oversized fixture footprint and a universal mounting bracket. To get complete urinal surface wash down and full trap water exchange, the complete high efficiency urinal system must be installed. If a 0.125 gallon flush valve were installed on a 1 gallon per flush fixture, neither of these criteria would be achieved and would result in poor performance and not qualify for the rebate.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)

Date

School Recipient

Title

School Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 urinal rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

Recent data suggests that up to 45% of the water consumption in school buildings is used in the restroom (EPA, 2013). By replacing just one existing 1 gallon per flush urinal with a 0.125 gallon per flush (nominally referred to as a “pint” flush) urinal, the water savings could be 50,000+ gallons annually. These numbers were estimated using 100 users during a typical school week.

The program provides a \$300 rebate toward the replacement of an existing fixture. Qualifying replacement fixtures flush at or under 0.13 gallons per flush. Waterless urinals are also eligible for the rebate. To qualify for the rebate, the existing fixture/flush valve assembly must be replaced with a qualifying high efficiency urinal system. If a pint flush valve were to be installed on a 1 gallon per flush fixture, adequate fixture cleaning would not be achieved and poor performance would result. In regards to cost of the new units, City staff recently purchased several base-model “pint” retrofit urinals for installation in our facilities. The rebate being offered would have covered most, or in some cases, all of the cost of the new fixture.

Water is a precious resource regardless of locale. The City of Hays can say something most cities cannot; we use less water per capita in 2013 than we did in 1993. The citizens of Hays should be commended for their water conservation efforts and their continued enthusiasm for conservation.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)

Date

Restaurant Recipient

Title

Restaurant Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 urinal rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

Recent data suggests that up to 30% of the water consumption in restaurants is used in the restroom (EPA, 2013). By replacing just one existing 1 gallon per flush urinal with a 0.125 gallon per flush (nominally referred to as a "pint" flush) urinal, the water savings could be 60,000+ gallons annually. These numbers were estimated using 200 customer uses per day.

The program provides a \$300 rebate toward the replacement of an existing fixture. Qualifying replacement fixtures flush at or under 0.13 gallons per flush. Waterless urinals are also eligible for the rebate. To qualify for the rebate, the existing fixture/flush valve assembly must be replaced with a qualifying high efficiency urinal system. If a pint flush valve were to be installed on a 1 gallon per flush fixture, adequate fixture cleaning would not be achieved and poor performance would result. In regards to cost of the new units, City staff recently purchased several base-model "pint" retrofit urinals for installation in our facilities. The rebate being offered would have covered most, or in some cases, all of the cost of the new fixture.

Water is a precious resource regardless of locale. The City of Hays can say something most cities cannot; we use less water per capita in 2013 than we did in 1993. The citizens of Hays should be commended for their water conservation efforts and their continued enthusiasm for conservation.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)

Date

C-Store Recipient

Title

C-Store Name

Address

Hays, KS 67601

Dear Recipient:

This letter is being sent to increase awareness and promote participation in the 2014 urinal rebate program being offered by the City of Hays. Enclosed with this letter are the workings of the rebate program, including eligibility and participation details.

Recent data suggests that up to 35% of the water consumption in commercial buildings is used in the restroom (EPA, 2013). By replacing just one existing 1 gallon per flush urinal with a 0.125 gallon per flush (nominally referred to as a "pint" flush) urinal, the water savings could be 60,000+ gallons annually. These numbers were estimated using 200 customer uses per day.

The program provides a \$300 rebate toward the replacement of an existing fixture. Qualifying replacement fixtures flush at or under 0.13 gallons per flush. Waterless urinals are also eligible for the rebate. To qualify for the rebate, the existing fixture/flush valve assembly must be replaced with a qualifying high efficiency urinal system. If a pint flush valve were to be installed on a 1 gallon per flush fixture, adequate fixture cleaning would not be achieved and poor performance would result. In regards to cost of the new units, City staff recently purchased several base-model "pint" retrofit urinals for installation in our facilities. The rebate being offered would have covered most, or in some cases, all of the cost of the new fixture.

Water is a precious resource regardless of locale. The City of Hays can say something most cities cannot; we use less water per capita in 2013 than we did in 1993. The citizens of Hays should be commended for their water conservation efforts and their continued enthusiasm for conservation.

If you have any questions about the program, please contact me at 785-628-7350 or [jriegel@haysusa.com](mailto:jriegel@haysusa.com).

Sincerely,

Jason Riegel

Water Conservation Specialist

City of Hays, KS

Enclosures (1)



# **Commission Work Session Agenda**

## **Memo**

**From:** Erin Giebler, Human Resource Coordinator

**Work Session:** December 19, 2013

**Subject:** 2014 Job Classification and Pay Plan

**Person(s) Responsible:** Paul Briseno, Assistant City Manager

### **Summary**

Each year city ordinance requires the adoption of a pay plan and job classification by resolution. The Commission approved 2014 budget contains these salary changes.

City staff recommends approval of the 2014 pay plan and job classification which includes a 1% merit increase for all employees while keeping they City's current pay ranges.

### **Background**

City Code Section 47-4 necessitates the adoption of a pay plan and job classification for city employees. In 2013 employees received a 3% pay adjustment and movement of 3% was made to the pay ranges. The 2014 budget contains the City's recommendation of a 1% merit increase.

### **Discussion**

City staff recommends a 1% merit increase for all employees upon a successful evaluation. Staff also recommends continuing the current pay ranges as they are now.

### **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City Staff.

### **Financial Consideration**

The total 1% merit impact on the 2014 budget is approximately \$97,500. This amount includes the General Fund portion of \$61,850, with \$16,900 attributed to the Enterprise and Miscellaneous Funds, as well as Benefits at \$18,750.

### **Options**

The City Commission has the following options:

1. The City Commission may approve the resolution adopting the pay plan and job classification plan for 2014.
2. The City Commission may choose not to approve the resolution.
3. The City Commission can provide staff with further guidance.

### **Recommendation**

Staff recommends adoption of the 2014 job classification and pay plan resolution that includes a 1% merit increase for all employees and keep the current pay ranges.

### **Action Requested**

Adopt the 2014 job classification and pay plan resolution that includes a 1% merit increase for all employees and keep the current pay ranges.

### **Supporting Documentation**

Resolution Amending Pay Plan  
2014 Job Classification  
2014 Salary Ranges

**Resolution No. 2013-\_\_\_\_\_**

**A RESOLUTION AMENDING THE PAY PLAN AND JOB CLASSIFICATION SCHEDULE FOR CITY EMPLOYEES, CREATED PURSUANT TO SECTION 2.52.040 OF THE HAYS CODE AND REPEALING ALL PREVIOUS RESOLUTIONS, MOTIONS OR ACTIONS IN CONFLICT THEREWITH.**

WHEREAS, The City Manager has submitted to the Governing Body the amended Pay Plan and Job Classification Schedule for payroll year 2014; and

WHEREAS, The Governing Body of the City of Hays is desirous of adopting the Pay Plan and Job Classification Schedule as submitted by the City Manager.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

SECTION 1. The Job Classification Schedule and Pay Plan, as provided for by Section 2.52.040 of the Hays Code, and as set out and referred to as the 2013 Job Classification Schedule and Pay Plan, is hereby adopted by reference as the official Pay Plan and Job Classification Schedule for the various classifications attached hereto and made a part of this Resolution.

SECTION 2. That the effective date of the Job Classification Schedule and Pay Plan for the covered employees of the City of Hays, Kansas, shall be December 22, 2013.

SECTION 3. That a copy of said Job Classification and Pay Plan for City employees shall be on file in the office of the City Manager, and the City Manager is authorized to administer and put into effect said Job Classification Schedule and Pay Plan.

SECTION 4. That all previous motions, resolutions, or actions in conflict with the referenced Job Classification Schedule and Pay Plan are hereby repealed.

PASSED BY THE CITY COMMISSION December 26, 2013.

\_\_\_\_\_  
Kent L. Steward  
Mayor

ATTEST:

\_\_\_\_\_  
Brenda Kitchen  
City Clerk

**2014 JOB CLASSIFICATIONS -- PAY PLAN POSITION RANGES**

**DEPARTMENT**

**PAY RANGE**

***ADMINISTRATIVE DEPARTMENT***

City Manager	
Assistant City Manager	HH
Executive Assistant	K
PT Receptionist	C

**Communications Center**

Communications Center Coordinator	EE
Communications Lead	I
Communications Officer	H

**Human Resources**

Human Resource Coordinator	EE
Administrative Assistant	G

**Information Technology**

Information Technology Coordinator	EE
GIS Specialist	AA
Information Technology Technician	L

***CITY CLERK/FINANCE DEPARTMENT***

Director of Finance	GG
City Clerk	CC
Accounting Specialist	J
Deputy City Clerk	F
Account Clerk II	F
Account Clerk I	E
Part-time Account Clerk	E

***CONVENTION & VISITORS BUREAU***

Director of the Convention & Visitors Bureau	GG
Convention Sales Manager	K
Tourism Sales Manager	K
Administrative Assistant	G
Part -Time Receptionist	C
Welcome Center PT Receptionist	
Bus Driver (part-time)	

***FIRE DEPARTMENT***

Fire Chief	GG
Deputy Fire Chief	DD
Fire Captain	AA
Fire Lieutenant	L
Firefighter	K
Administrative Assistant	G
Volunteer Firefighter	

***PARKS DEPARTMENT***

Director of Parks	GG
Parks Superintendent	CC
Parks Supervisor	AA
Athletic Facilities Foreman	K
Parks Technician	H
Cemetery Caretaker	F
Horticulturist	E
Maintenance Worker II	E
Maintenance Worker I	D
Administrative Assistant	G
Seasonal Maintenance Worker	

**Golf Division**

Golf Course Superintendent	CC
Golf Course Foreman	K
Golf Course Maintenance Worker II	E
Golf Course Maintenance Worker	D
Seasonal Maintenance Worker	

**Sports Complex Division**

Sports Complex Maintenance Worker II	E
Sports Complex Maintenance Worker	D
Seasonal Maintenance Worker	

***POLICE DEPARTMENT***

Chief of Police	GG
Assistant Chief of Police	DD
Police Lieutenant	CC
Police Detective	O
Police Investigator	M
Uniformed Police Investigator	M
School Resource Officer	M
Police Sergeant	O
Police Officer	L

Animal Control Officer	H
Administrative Assistant	G
Part Time Records Clerk	E
Part Time Police Officer	E

**Municipal Court**

Office Manager	K
Records Clerk	E

***PUBLIC WORKS DEPARTMENT***

Director of Public Works	GG
Assistant Director of Public Works	DD
Administrative Assistant	G
Part Time Receptionist	C

**Airport**

Airport Superintendent	CC
Airport Maintenance Operator	F
Seasonal Maintenance Worker	

**Planning, Inspection, Enforcement (P.I.E.) Division**

PIE Superintendent	CC
Inspector II	M
Inspector	L
Administrative Assistant	G
PT Code Enforcement Officer	C

**Service Division**

Service Division Superintendent	CC
Service Division Supervisor	AA
Service Division Foreman	K
Shop Foreman	K
Mechanic	H
Equipment Operator	H
Maintenance Worker II	E
Maintenance Worker I	D

**Solid Waste Division**

Solid Waste Superintendent	CC
Solid Waste Forman	K
Refuse Equipment Driver	G
Recycling Collector	D

**UTILITIES DEPARTMENT**

Director of Utilities	GG
Assistant Director of Utilities	DD
Utilities Superintendent	CC
Utilities Supervisor	AA
Equipment Operator	H
Plant Operator II	H
Plant Operator I	E
Maintenance Worker II	E
Maintenance Worker I	D
Administrative Assistant	G
Part Time Truck Driver	
Part Time Locate Worker	
Part Time Utilities Worker	

**Stormwater/Water Conservation Division**

Stormwater/Water Conservation Superintendent	CC
Water Conservation Specialist	L

**Positions Not Covered Under The Pay Plan**

City Manager and select part-time, seasonal, and volunteer personnel

## 2014 Pay Ranges

	<b>Min.</b>	<b>Max.</b>
<b>A</b>	1702	2775
<b>B</b>	1789	2915
<b>C</b>	1879	3060
<b>D</b>	1974	3216
<b>E</b>	2070	3373
<b>F</b>	2176	3546
<b>G</b>	2284	3722
<b>H</b>	2400	3912
<b>I</b>	2518	4106
<b>J</b>	2646	4314
<b>K</b>	2781	4531
<b>L</b>	2918	4754
<b>M</b>	3062	4990
<b>N</b>	3216	5243
<b>O</b>	3376	5503
<b>P</b>	3545	5779
<b>AA</b>	3725	6069
<b>BB</b>	3909	6372
<b>CC</b>	4104	6690
<b>DD</b>	4310	7025
<b>EE</b>	4525	7376
<b>FF</b>	4750	7745
<b>GG</b>	4989	8133
<b>HH</b>	5239	8538

# **Commission Work Session Agenda**

## **Memo**

**From:** Brenda Kitchen, City Clerk

**Work Session:** December 19, 2013

**Subject:** 2013 Boundary Resolution

**Person(s)  
Responsible:** Kim Rupp, Finance Director

### **Summary**

Whenever property is annexed into the city limits during a calendar year, Kansas statutes require cities to pass a resolution re-defining the entire boundary line of the city. A certified copy of the resolution is filed with the county clerk, the register of deeds, and the state transportation engineer.

### **Discussion**

The following ordinances annexed property into the city limits in 2013:

Ordinance No. 3859 – dk Ranch

Ordinance No. 3865 – Golden Belt Estates 5<sup>th</sup> Addition

Ordinance No. 3873 – 1101 East 43<sup>rd</sup> St.

City Attorney John Bird will prepare a new resolution re-defining the city limits and it will be presented to the Commissioners for approval at the December 26, 2013 Commission meeting.

### **Legal Consideration**

There are no known legal obstacles to proceeding as recommended by City Staff.

### **Options**

Option 1. - Approve the resolution re-defining the boundaries or corporate limits of the City of Hays, Kansas.

Option 2. - Not approve the resolution re-defining the boundaries or corporate limits of the City of Hays, Kansas.

### **Recommendation**

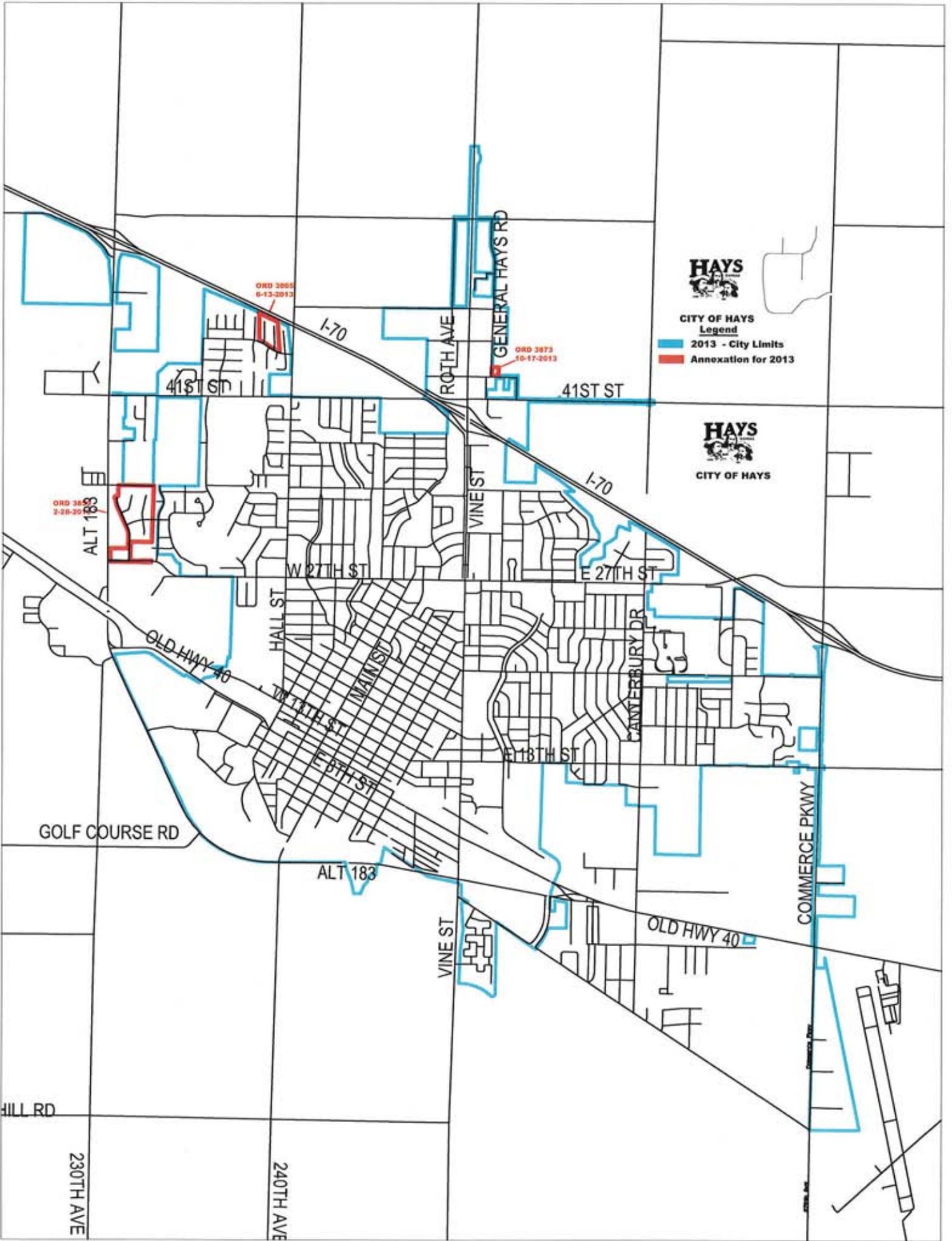
Staff recommends approval of Resolution No 2013-XXXX, which re-defines the boundaries or corporate limits of the City of Hays, Kansas

### **Action Requested**

Approve Resolution No. 2013-XXXX, which re-defines the boundaries or corporate limits of the City of Hays, Kansas.

### **Supporting Documentation**

Resolution No. 2013-XXXX  
Ordinance No 3859, 3565 and 3873  
City map showing annexed areas



**RESOLUTION No. 20132-\_\_\_\_\_**

**A RESOLUTION RE-DEFINING THE BOUNDARIES OR CORPORATE LIMITS OF THE CITY OF HAYS, KANSAS, AS REQUIRED BY SECTION 12-517 OF KANSAS STATUTES ANNOTATED.**

---

WHEREAS, the City of Hays, Kansas has added territory to said City; and

WHEREAS, K.S.A. 12-517 requires the City of Hays, Kansas, to declare by resolution the entire boundary of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

The boundary of the city is hereby fixed and defined as follows:

Beginning at a point 1,090.73 feet East and 235.00 feet North of the Southwest Corner of the Northwest Quarter (NW 1/4) of Section 27, Township 13 South, Range 18 West of the Sixth Principal Meridian, said point being on the East line of the Mart City First Addition to the City of Hays and 235.00 feet North of the Southeast Corner of said Mart City First Addition;

THENCE Northerly along the East line of said Mart City First Addition extended to the Southerly right of way line of Interstate 70, a distance of 1,078.05 feet; THENCE with an angle of 66 degrees 33 minutes 55 seconds to the left, along the South right of way line of Interstate 70, a distance of 28.75 feet; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right a distance of 240.00 feet to a point on the Northerly right of way line of Interstate 70; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right along the North right of way line of Interstate 70 a distance of 648.35 feet; THENCE with an angle of 119 degrees 44 minutes 30 seconds to the left, along a line perpendicular to the north line of the Northwest Quarter of Section 27, Township 13 South, Range 18 West, a distance of 1,417.67 feet to a point that is 50.00 feet south of the north line of Section 27; thence on an assumed bearing of South 89 degrees 10 minutes 14 seconds East, along a line parallel with and 50.00 feet south of the north line of the Northwest Quarter of Section 27, a distance of 926.15 feet to a point on the east line of said Northwest Quarter; thence South 89 degrees 09 minutes 58 seconds East, along a line that is parallel with and 50.00 feet south of the

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north line of the Northeast Quarter of Section 27, a distance of 2,575.37 feet; thence South 43 degrees 50 minutes 00 seconds East a distance of 28.12 feet; thence South 01 degrees 29 minutes 58 seconds West, parallel with and 50.00 feet west of the east line of said Section 27, a distance of 13.00 feet; thence South 89 degrees 09 minutes 58 seconds East a distance of 50.00 feet to a point on the east line of said Section 27, said point being 83.00 feet south of the northeast corner of Section 27; thence South 89 degrees 00 minutes 19 seconds East a distance of 50.00 feet; thence North 01 degrees 29 minutes 58 seconds East, parallel with and 50.00 feet east of the west line of the Northwest Quarter of Section 26, Township 13 South Range 18 West, a distance of 13.00 feet; thence North 46 degrees 14 minutes 49 seconds East a distance of 28.41 feet; thence South 89 degrees 00 minutes 19 seconds East, parallel with and 50.00 feet south of the north line of said Section 26, a distance of 71.00 feet; thence North 01 degrees 29 minutes 58 seconds East a distance of 50.00 feet to a point on the north line of said Section 26, said point being 141.01 feet east of the northwest corner of said Section 26; thence North 01 degrees 31 minutes 11 seconds East a distance of 50.00 feet; thence North 89 degrees 00 minutes 19 seconds West, parallel with and 50.00 feet north of the south line of the Southwest Quarter of Section 23, Township 13 South Range 18 West, a distance of 70.00 feet; thence North 43 degrees 44 minutes 34 seconds West a distance of 28.15 feet; thence North 01 degrees 31 minutes 11 seconds East, parallel with and 50.00 feet east of the west line of said Section 23, a distance of 6.50 feet; thence North 89 degrees 00 minutes 19 seconds West a distance of 50.00 feet to a point on the west line of said Section 23, said point being 76.50 feet north of the southwest corner of said Section 23; thence North 89 degrees 09 minutes 58 seconds West a distance of 50.00 feet; thence South 01 degrees 31 minutes 11 seconds West, parallel with and 50.00 feet west of the east line of the Southeast Quarter of Section 22, Township 13 South, Range 18 West, a distance of 6.50 feet; thence South 46 degrees 10 minutes 36 seconds West a distance of 28.45 feet; thence North 89 degrees 09 minutes 58 seconds West, parallel with and 50.00 feet north of the south line of said Southeast Quarter, a distance of 2550.15 feet; thence North 43 degrees 46 minutes 09 seconds West a distance of 35.11 feet to a point on the west line of said Southeast Quarter, said point being 75.00 feet north of the southwest corner of said Southeast Quarter; thence North 01 degrees 38 minutes 27 seconds East, along the east line of the Southwest Quarter of said Section 22, a distance of 29.01 feet; thence North 89 degrees 10 minutes 14 seconds West a distance of 35.00 feet; thence South 01 degrees 38 minutes 27 seconds West, parallel with and 35.00 feet west of the east line of said Southwest Quarter, a distance of 29.01

feet; thence South 46 degrees 14 minutes 07 seconds West a distance of 35.60 feet; thence North 89 degrees 10 minutes 14 seconds West, parallel with and 50.00 feet north of the south line of said Southwest Quarter, a distance of 867.55 feet to the southeast corner of Block 1 of Vernie's Addition to Ellis County; THENCE South 89 degrees 12 minutes 15 seconds West, along the South line of said Block 1 of Vernie's Addition, a distance of 315.50 feet to a point on the East right of way line of Sherman Avenue; THENCE North 00 degrees 47 minutes 45 seconds West, along said East right of way line, a distance of 664.93 feet to the intersection of said East right of way line with the North right of way line of 43rd Street; THENCE South 89 degrees 12 minutes 15 seconds West, along the North right of way line of 43rd Street, a distance of ~~764.91 feet; THENCE North 21 degrees 54 minutes 35 seconds West a distance of 16.08 feet to a point on the East right of way line of General Hays Road; THENCE on a bearing of North, along said East right of way line, a distance of 899.60 feet~~ 571.18 feet to a point on the south line and 71.00 feet east of the southwest corner of Lot 2, in Block 2 of the Marvin F. Braun Addition to Hays-Ellis County, Kansas; THENCE on a bearing of North, parallel with the west line of said Lot 2, a distance of 240.00 feet to a point on the south line of Lot 4, in Block 2 of said Addition; THENCE South 89 degrees 12 minutes 15 seconds West, along the south line of said Lot 4, a distance of 200.15 feet to a point on the East right of way line of General Hays Road; THENCE on a bearing of North, along said East right of way line, a distance of 674.60 feet to the Northwest corner of Lot 6 in Block 2 of the Marvin F. Braun Addition to Hays-Ellis County, Kansas; THENCE North 89 degrees 12 minutes 15 seconds East, along the North line of said Lot 6, a distance of 403.85 feet to the Northeast corner of said Lot 6; THENCE on a bearing of North a distance of 715.94 feet; THENCE North 00 degrees 01 minutes 39 seconds East a distance of 350.51 feet to the Southeast corner of Lot 6 in Block 3 of the North Hays Addition to Ellis County, Kansas; THENCE North 89 degrees 58 minutes 10 seconds West a distance of 385.69 feet; THENCE North 33 degrees 52 minutes 46 seconds West a distance of 14.61 feet to a point on the East right of way line of General Hays Road; THENCE North 00 degrees 03 minutes 50 seconds East along said East right of way line, a distance of 1277.79 feet; THENCE on a curve to the left, an arc distance of 333.80 feet, said curve having a radius of 835.00 feet, a central angle of 22 degrees 54 minutes 15.45 seconds, a chord bearing of North 11 degrees 23 minutes 18 seconds West, and a chord length of 331.58 feet; THENCE on a curve to the right, an arc distance of 305.81 feet, said curve having a radius of 765.00 feet, a central angle of 22 degrees 54 minutes 15.45 seconds, a chord bearing of North 11 degrees 23 minutes 18 seconds West, and a chord length of 303.78

feet; THENCE North 00 degrees 03 minutes 50 seconds East a distance of 618.95 feet; THENCE North 89 degrees 10 minutes 42 seconds East, along a line parallel with and 50.00 feet South of the North line of Section 22. Township 13 South, Range 18 West, a distance of 155.71 feet THENCE North 00 degrees 49 minutes 18 seconds West a distance of 50.00 feet to a point on the North line of said Section 22; THENCE continuing North 00 degrees 49 minutes 18 seconds West a distance of 40.00 feet; THENCE South 89 degrees 10 minutes 42 seconds West a distance of 349.06 feet; THENCE South 00 degrees 03 minutes 30 seconds East a distance of 10.00 feet; THENCE South 89 degrees 10 minutes 42 seconds West a distance of 179.03 feet to a point on the East right of way line of U.S. Highway 183; THENCE North 78 degrees 01 minutes 01 seconds West along said East right of way line, a distance of 113.87 feet; thence North 00 degrees 03 minutes 39 seconds West, along the east right of way line of Highway 183, a distance of 1519.42 feet; thence North 27 degrees 26 minutes 16 seconds East a distance of 129.58 feet; thence North 00 degrees 09 minutes 51 seconds West a distance of 147.64 feet; thence North 27 degrees 29 minutes 56 seconds West a distance of 129.26 feet; thence North 00 degrees 03 minutes 39 seconds West, along the east right of way line of Highway 183, a distance of 157.48 feet; thence South 89 degrees 50 minutes 09 seconds West a distance of 30.00 feet to a point on the west line of the Southwest Quarter of Section 15, Township 13 South, Range 18 West; THENCE South 89 degrees 50 minutes 09 seconds West a distance of 190.41 feet to a point on the West right of way line of U.S. Highway 183; THENCE South 00 degrees 08 minutes 59 seconds East, along said right of way, a distance of 2062.60 feet to the intersection of said West right of way with the North right of way of 55th Street; THENCE South 88 degrees 58 minutes 17 seconds West, along said north right of way, a distance of 445.08 feet; THENCE South 00 degrees 04 minutes 27 seconds East a distance of 50.01 feet to the intersection of the North line of Section 21, Township 13 South, Range 18 West, and the West right of way of Roth Avenue extended; THENCE continuing South 00 degrees 04 minutes 27 seconds East a distance of 50.01 feet to a point on the South right of way line of 55th Street; THENCE North 88 degrees 58 minutes 17 seconds East, along said South right of way, a distance of 1.69 feet; THENCE South 01 degrees 01 minutes 43 seconds East a distance of 47.00 feet; THENCE South 88 degrees 58 minutes 17 seconds West a distance of 2.47 feet; THENCE South 00 degrees 04 minutes 27 seconds East, along the West right of way of Roth Avenue, a distance of 2504.08 feet to a point on the North right of way line of 48th Street; THENCE continuing on the last described course a distance of 40.01 feet to a point on the north line of the Southeast Quarter of Section 21, Township 13 South, Range 18

West; THENCE westerly along said north line, a distance of 2,000.52 feet to the Northwest corner of said Southeast Quarter; THENCE southerly along the West Line of said Southeast Quarter a distance of 897.20 feet to a point on the North right of way line of 45th Street extended; THENCE easterly along said extended right of way line, said line also being the south line of the Roth 5th Addition to Ellis County, a distance of 1325.90 feet to the Northwest corner of the Roth Third Addition to the City of Hays; THENCE southerly along the west line of said Roth Third Addition, a distance of 1,391.52 feet; THENCE with an angle to the left of 60 degrees 47 minutes, a distance of 40.62 feet; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right a distance of 235.00 feet; THENCE with an angle of 143 degrees 40 minutes 05 seconds to the left a distance of 19.65 feet; THENCE with an angle of 53 degrees 41 minutes 19 seconds to the right a distance of 625.80 feet; THENCE with an angle of 15 degrees 12 minutes 41 seconds to the right a distance of 895.48 feet; THENCE with an angle of 22 degrees 02 minutes 09 seconds to the right a distance of 212.11 feet; THENCE with an angle of 86 degrees 58 minutes 22 seconds to the right a distance of 59.20 feet to the intersection of the south right-of-way line of Interstate 70 Highway and the west right-of-way line of U.S. 183 Highway; THENCE northwesterly along the south right-of-way line of Interstate 70 Highway, approximately 720 feet; THENCE southerly 408.46 feet to a point 622 feet west of the east line of Section 28; THENCE with an angle of 90N20'10" to the right, a distance of 1,992.73 feet; THENCE with an angle of 91N10'06" to the right, a distance of 1,012.75 feet to the northeast corner of the Northwest Quarter (NW/4) of Section 28; THENCE with an angle of 90N55'20" to the left along said north line, a distance of 2,630.14 feet to the Southeast Corner of Section Twenty (20); THENCE North along the East line of Section 20 a distance of 50.00 feet; THENCE West on a line 50.00 feet North of and parallel with the South line of said Section 20 a distance of 663.76 feet to the Southeast corner of the Golden Belt Estates First Addition to the City of Hays, Kansas; THENCE North 01 degrees 09 minutes 42 seconds East along the East line of said Addition a distance of 610.51 feet; THENCE North 89 degrees 58 minutes 38 seconds East a distance of 664.19 feet to a point on the East line of said Section 20, said point being 660.79 feet North of the Southeast corner of said Section 20; THENCE North 01 degrees 12 minutes 03 seconds East, along the East line of said Section 20 a distance of 354.98 feet to a point on the South right of way line of Interstate 70; THENCE North 88 degrees 47 minutes 57 seconds East along said Interstate 70 right of way, a distance of 33.00 feet; thence North 06 degrees 21 minutes 57 seconds West, along said Interstate 70 right of way, a distance of 1,053.16 feet; THENCE

North 65 degrees 13 minutes 54 seconds West, along said South right of way line, a distance of 321.32 feet; THENCE South 04 degrees 29 minutes 36 seconds East a distance of 871.38 feet to a point on the North right of way line of 45th Street; THENCE on a curve to the right, an arc distance of 356.41 feet, said curve having a radius of 965.00 feet, a central angle of 21 degrees 09 minutes 41 seconds, a chord bearing of North 62 degrees 39 minutes 53 seconds West, and a chord length of 354.38 feet; THENCE on a curve to the left, an arc distance of 338.64 feet, said curve having a radius of 1035.00 feet, a central angle of 18 degrees 44 minutes 48 seconds, a chord bearing of North 61 degrees 27 minutes 26 seconds West, and a chord length of 337.13 feet, to the Southeast corner of the Golden Belt Estates Third Addition to the City of Hays, Kansas; THENCE North 00 degrees 44 minutes 53 seconds West, along the east line of the said Golden Belt Estates Third Addition, a distance of 800.17 feet to the Northeast corner of said addition, said point being on the south right of way line of Interstate 70; THENCE North 65 degrees 13 minutes 54 seconds West, along the south right of way line of Interstate 70, a distance of 333.90 feet - 1,264.41 feet to the Northwest corner of said addition; THENCE continuing North 65 degrees 13 minutes 54 seconds West, along the south right of way line of Interstate 70, a distance of 113.65 feet to a point on the north line of the Southeast Quarter of said Section 20; THENCE North 68 degrees 03 minutes 03 seconds West, along the south right of way line of Interstate 70, a distance of 1,313.65 feet to a point on the west line of the Southeast Quarter of said Section 20; THENCE South 00 degrees 59 minutes 33 seconds West, along said west line, a distance of 493.00 feet to the Northwest Corner of the Southeast Quarter (SE 1/4) of said Section 20; THENCE on a bearing of South 01 degrees 02 minutes 46 seconds West along the West line of the Southeast Quarter (SE 1/4) of said Section 20 a distance of 1,695.17 feet to the Northeast corner of the King's Gate First Addition; THENCE North 89 degrees 58 minutes 07 seconds West along the North line of the King's Gate First Addition, a distance of 985.34 feet; THENCE with an angle of 41 degrees 32 minutes 00 seconds to the left a distance of 424.09 feet; THENCE with an angle of 47 degrees 35 minutes 30 seconds to the left a distance of 579.34 feet; THENCE West (33.00 feet North of and parallel with the South line of said Southwest quarter of Section 20) a distance of 1042.35 feet; THENCE North a distance of 27.00 feet; THENCE westerly a distance of 257.90 feet to a point 64.88 feet North of the South line of said Southwest quarter; THENCE South 64.88 feet to a point 53.55 feet East of the Southwest corner of said Southwest Quarter and on the South line of said Southwest Quarter of Section 20; THENCE on an assumed bearing of North 88 degrees 42 minutes 49 seconds East along the North line of the Northwest

quarter of Section 29, Township 13 South; Range 18 West a distance of 385.95 feet; THENCE on a bearing of South 00 degrees 14 minutes 26 seconds East a distance of 50.00 feet to the South right of way line of 41st Street and the Northwest Corner of Lot 5, Block 1 of the Second Replat of a Portion of Westridge Addition to Ellis County, Kansas; THENCE continuing on the last described course along the West line of Lots 4 and 5, Block 1 of said addition a distance of 610.01 feet to the Southwest Corner of Lot 4, Block 1 of said addition; THENCE on a bearing of South 88 degrees 42 minutes 55 seconds West along the North line of Lot 2, Block 1 of said addition, a distance of 45.35 feet to the Northwest Corner of said Lot 2; THENCE on a bearing of South 01 degrees 15 minutes 57 seconds East along the West line of said Lot 2 a distance of 290.90 feet to the North right of way line of 38th Street; THENCE on a bearing of North 88 degrees 42 minutes 49 seconds East along the North line of said 38th Street a distance of 9.91 feet; THENCE on a curve to the right having a radius of 50.00 feet, a chord bearing of South 75 degrees 31 minutes 06 seconds East, a chord length of 93.29 feet, an arc length of 120.25 feet to the South line of Lot 2, Block 1 of said addition; THENCE on a bearing of North 88 degrees 42 minutes 50 seconds East along the South line of Lot 2, Block 1 of said addition a distance of 230.00 feet to the West line of Lot 2, Block 2 of said addition; THENCE on a bearing of South 00 degrees 14 minutes 26 seconds East along the West line of Lot 2 and 3, Block 2 of said addition a distance of 312.39 feet to the North right of way line of 37th Street and the Southwest Corner of Lot 3, Block 2 of said addition; THENCE continuing on the last described course a distance of 30.00 feet to a point on the East-West sixteenth line of the Northwest Quarter of Section 29, township 13 South, Range 18 West; THENCE West along said sixteenth line a distance of 281.41 feet; thence South, parallel with the West line of said Northwest Quarter, a distance of 1,318.44 feet to a on the South line of said Northwest Quarter, said point being 445.36 feet East of the Southwest corner of said Northwest Quarter; ~~thence East, along the South line of said Northwest Quarter a distance of 878.45 feet to the South Quarter corner of said Northwest Quarter; thence North, along the North-South sixteenth line of said Northwest Quarter~~  
THENCE West along South line of said Northwest Quarter a distance of 131.79 feet to the Northwest corner of the dk ranch Addition to the City of Hays, Kansas; THENCE South 00 degrees 35 minutes 28 seconds West a distance of 316.96 feet; THENCE North 89 degrees 24 minutes 32 seconds West a distance of 55.00 feet; THENCE on a curve to the left, an arc distance of 142.01 feet, said curve having a radius of 50.00 feet, a central angle of 162 degrees 44 minutes 12 seconds, a chord length of 98.87 feet and a chord bearing of South 09 degrees 13 minutes

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22 seconds West; thence South 89 degrees 24 minutes 32 seconds East a distance of 55.00 feet; THENCE on a curve to the left, an arc distance of 224.31 feet, said curve having a radius of 540.00 feet, a central angle of 23 degrees 47 minutes 58 seconds, a chord length of 222.70 feet and a chord bearing of South 12 degrees 42 minutes 40 seconds East; THENCE South 24 degrees 36 minutes 40 seconds East a distance of 705.16 feet; THENCE on a curve to the right, an arc distance of 202.34 feet, said curve having a radius of 460.00 feet, a central angle of 25 degrees 12 minutes 08 seconds, a chord length of 200.71 feet and a chord bearing of South 12 degrees 00 minutes 36 seconds East; THENCE South 00 degrees 35 minutes 28 seconds West a distance of 365.79 feet; THENCE South 89 degrees 09 minutes 17 seconds West a distance of 518.77 feet to a point on the east right of way line of U.S. Highway 183 Alternate; THENCE South 00 degrees 50 minutes 43 seconds East, along said right of way, a distance of 209.59 feet; THENCE South 03 degrees 01 minutes 18 seconds East, along said right of way, a distance of 123.23 feet; THENCE South 02 degrees 53 minutes 57 seconds East, along said right of way, a distance of 63.17 feet; THENCE North 89 degrees 36 minutes 52 seconds East a distance of 1,186.31 feet to a point on the east line of the West Half of the Southwest Quarter of Section 29, Township 13 South, Range 18 West; THENCE North 00 degrees 35 minutes 28 seconds East, along the east line of said West Half of the Southwest Quarter, a distance of 40.17 feet; THENCE on a curve to the left, an arc distance of 10.44 feet, said curve having a radius of 525.00 feet, a central angle of 01 degrees 08 minutes 20 seconds, a chord length of 10.44 feet and a chord bearing of South 89 degrees 53 minutes 14 seconds West; THENCE South 88 degrees 48 minutes 15 seconds West a distance of 604.26 feet; THENCE North 00 degrees 35 minutes 28 seconds East a distance of 554.97 feet; THENCE North 89 degrees 37 minutes 13 seconds East a distance of 614.49 feet to a point on the east line of said West Half of the Southwest Quarter; THENCE North 00 degrees 35 minutes 28 seconds East, along the east line of said West Half of the Southwest Quarter, a distance of 1650.00 feet to the northeast corner of said West Half of the Southwest Quarter; thence North along the North-South sixteenth line of the Northwest Quarter of said Section 20, a distance of 1,288.36 feet to a point on the South right of way line of 37th Street; thence East along said right of way line a distance of 32.48 feet to the Southeast Corner of said Second Replat of a Portion of Westridge Addition; THENCE on a bearing of North 00 degrees 14 minutes 26 seconds West along the East line of said addition a distance of 1298.40 feet; THENCE East (50.00 feet South of and parallel with the North line of the Northwest quarter of Section 29, Township 13 South, Range 18 West) a distance of 1290.16 feet to the East line of said Northwest quarter of Section 29; THENCE

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Southerly along the East line of the Northwest quarter of said Section 29 a distance of 2586.30 feet to the Southeast corner of the Northwest quarter of said Section 29; THENCE west along the north line of the Southwest Quarter (SW/4) of Section 29, a distance of 1,117.29 feet to the Northeast Corner of Country Club Estates Sixth Addition to the City of Hays; THENCE continuing along the last described course along the North line of said Country Club Estates Sixth Addition a distance of 35.00 feet to the centerline of Columbine Drive; THENCE on a bearing of South 00 degrees 00 minutes 17 seconds West along the centerline of said Columbine Drive a distance of 70.00 feet; THENCE on a curve to the left along said centerline, having a radius of 300.00 feet, a chord bearing of South 15 degrees 59 minutes 10 seconds East, a chord length of 165.30 feet, an arc distance of 167.47 feet; THENCE on a curve to the right along said centerline having a radius of 300.00 feet, a chord bearing of South 00 degrees 03 minutes 16 seconds West, a chord length of 318.26 feet, an arc distance of 335.47 feet; THENCE on a bearing of South 32 degrees 05 minutes 23 seconds West along said centerline a distance of 73.79 feet; THENCE on a curve to the left along said centerline having a radius of 478.40 feet, a chord bearing of South 16 degrees 32 minutes 24 seconds West, a chord length of 256.49 feet, an arc distance of 259.67 feet; THENCE on a bearing of South 00 degrees 59 minutes 22 seconds West along said centerline a distance of 1078.73 feet; THENCE on a bearing of South 89 degrees 00 minutes 38 seconds East a distance of 35.00 feet to the East right of way line of said Columbine Drive; THENCE continuing on the last described course a distance of 401.70 feet; THENCE with an angle of 56 degrees 08 minutes 37 seconds to the right a distance of 237.37 feet; THENCE with an angle of 60 degrees 54 minutes 44 seconds to the left a distance of 22.88 feet; THENCE with an angle of 29 degrees 56 minutes 20 seconds to the right a distance of 125.00 feet; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right to the initial tangent of a curve to the left having a radius of 230.00 feet, an arc distance of 104.89 feet; THENCE Southerly tangent to said curve a distance of 275.38 feet to the South line of the Southwest Quarter (SW 1/4) of Section 29; THENCE with an angle of 90 degree 00 minutes 00 seconds to the left along said South line a distance of 1559.39 feet to a point 1560.00 feet West of the Northeast Corner of Section 32; THENCE southerly, a distance of approximately 2,127.50 feet to a point 1,579.00 feet west of the east line of Section 32 and 517.00 feet north of the south line of the Northeast Quarter (NE/4) of Section 32; THENCE westerly parallel with said south line, a distance of 16.00 feet; THENCE south parallel with the east line of Section 32, to the northerly line of 13th Street extended; THENCE northwesterly along the northerly line of 13th Street extended, to

intersect the center line of Big Creek; THENCE southerly along the center line of Big Creek to the point said center line intersects the south line of the Northeast Quarter (NE/4) of Section 32; THENCE west along said south line, to the point said south line intersects the northerly line of 12th Street extended; THENCE Southeasterly along said northerly line to intersect the center line of Big Creek; THENCE southerly along the center line of Big Creek to the point of intersection of the center line of Big Creek and the south right-of-way of the Union Pacific Railroad; THENCE on a bearing of North 59 degrees 00 minutes 39 seconds West along said South railroad right of way a distance of 450.33 feet; THENCE on a bearing of South 40 degrees 04 minutes 21 seconds West a distance of 60.76 feet to the South Old Highway 40 permanent easement line; THENCE on a bearing of North 59 degrees 00 minutes 39 seconds West along said South permanent easement line a distance of 1190.87 feet to the South Old Highway 40 right -of-way line; THENCE on a bearing of North 78 degrees 45 minutes 51 seconds West along said Highway right of way line a distance of 160.57 feet; THENCE on a bearing of South 82 degrees 45 minutes 43 seconds West along said Highway right of way line a distance of 908.23 feet to the easterly right of way line of U.S. Highway 183 Alternate; THENCE on a bearing of South 19 degrees 23 minutes 51 seconds East along the said Easterly highway right of way line a distance of 470.21 feet; THENCE on a bearing of South 27 degrees 57 minutes 37 seconds East along said Easterly right of way line a distance of 4329.40 feet; THENCE on a curve to the left having a radius of 2799.79 feet, a chord bearing of South 37 degrees 42 minutes 46 seconds East a chord length of 948.54 feet, an arc distance of 953.14 feet to the Westerly line of the Fort Hays Historical Park; THENCE on a bearing of South 36 degrees, 51 minutes 35 seconds West along said Westerly line of Fort Hays Historical Park Extended a distance of 65.31 feet to the centerline of U.S. Highway 183 Alternate; THENCE easterly, along said centerline, on a curve to the left, the initial tangent of which is at an angle of 84N27'20" to the left of the last described course and having a radius of 2,864.93 feet, an arc distance of 2,251.51 feet; THENCE east along said centerline, a distance of 2,259.45 feet, to the centerline of Big Creek; THENCE with an angle of 78N54'05" to the right along the centerline of Big Creek, a distance of 231.87 feet; THENCE with an angle of 10N14'48" to the left, a distance of 356.34 feet; THENCE with an angle of 8N59'39" to the right, a distance of 355.94 feet; THENCE with an angle of 77N43'02" to the left, a distance of 196.32 feet; THENCE with an angle of 66N31'34" to the left, a distance of 274.93 feet; THENCE with an angle of 27N53'22" to the right, a distance of 119.42 feet; THENCE with an angle of 36N55'29" to the left, a distance of 180.30 feet; THENCE with an

angle of 34N16'16" to the right, a distance of 107.51 feet; THENCE with an angle of 55N33'32" to the right, a distance of 131.00 feet, to the intersection of the centerline of Big Creek and the centerline of Montgomery Street Drainage Ditch; THENCE northerly with an angle of 98N29'47" to the left, a distance of 336.07 feet, to the intersection of the centerline of Montgomery Street Drainage Ditch and the centerline of U.S. Highway 183 Alternate; THENCE with an angle of 90N51'44" to the right along the centerline of U.S. Highway 183 Alternate, a distance of 100.00 feet; THENCE with an angle of 83N54'10" to the left, a distance of 494.84 feet to the northerly line of the Fort Hays Military Reservation; THENCE southeasterly with an angle of 109N51'00" to the right along the said Fort Hays Military Reservation line to the intersection of said reservation line and the south right-of-way line of U.S. Highway 183 Alternate; THENCE easterly along the south right-of-way line of U.S. Highway 183 Alternate, 942.15 feet; THENCE southeasterly, a distance of 108 feet; THENCE east perpendicular to the east line of Section 4, a distance of 30 feet; THENCE south along the east line of said Section 4, a distance of 361.52 feet to the north line of the Fort Hays Military Reservation; THENCE on an assumed bearing of South 56 degrees 54 minutes East along the said Fort Hays Military Reservation line a distance of 289.58 feet; THENCE South 34 degrees 18 minutes West a distance of 35.70 feet; THENCE North 87 degrees 25 minutes West, a distance of 112.00 feet; THENCE South 03 degrees 46 minutes East a distance of 784.50 feet along the East right of way line of U.S. 183 Highway; THENCE South 08 degrees 07 minutes West, a distance of 600.10 feet along said right of way; THENCE South 02 degrees 13 minutes West, a distance of 987.40 feet along said right of way; THENCE South 87 degrees 47 minutes East, a distance of 84.30 feet; THENCE on a curve of 1,241.35 feet radius to the right, an arc distance of 879.00 feet with a chord which bears South 67 degrees 30 minutes East, a chord length of 860.80 feet; THENCE South 47 degrees 12 minutes East, a distance of 104.91 feet; THENCE North 50 degrees 07 minutes East, a distance of 110.50 feet; THENCE North 01 degree 46 minutes East, a distance of 2,141.30 feet to a point on the Northerly line of the Fort Hays Military Reservation; THENCE North 56 degrees 54 minutes West, a distance of 816.18 feet; THENCE North parallel with the East line of Section 4, Township 14 South, Range 18 West, a distance of 32 feet; THENCE southeasterly parallel to the Fort Hays Military Reservation line, a distance of 1,981.92 feet to the west edge of Chetolah Creek right-of-way; THENCE south, along the west edge of Chetolah Creek right-of-way to the center line of Reservation Road; THENCE southeasterly along the center line of Reservation Road to the center line of Chetolah Creek; THENCE southeasterly on a line

perpendicular to the center line of Chetolah Creek a distance of 100.00 feet to a point on the east right-of-way of Chetolah Creek; THENCE northeasterly along the east Chetolah Creek right-of-way on an assumed bearing of North 41 degrees 40 minutes 00 seconds East a distance of 106.00 feet to a point of tangency; THENCE continuing along the east right-of-way line of Chetolah Creek on a curve to the left having a radius of 1414.1 feet, an arc distance of 436.73 feet to the intersection of the east right-of-way of Chetolah Creek and the east line of the Southeast Quarter of Section 3, Township 14 South, Range 18 West; THENCE continuing on the last described course along the east right-of-way line of Chetolah Creek on an arc distance of 182.94 feet to the Southwest corner of Lot 2, Block 1 of the Southridge Estates Addition; THENCE east along the south line of said Lot 2, a distance of 534.43 feet to the Southeast corner of said Lot 2; THENCE north along the east line of said Southridge Estates Addition, a distance of 755.51 feet to a point on the southerly right-of-way of the old U.S. Highway 40 Bypass; THENCE North 81 degrees 01 minutes 00 seconds West along said right-of-way a distance of 353.76 feet; THENCE south a distance of 318.44 feet; THENCE west a distance of 126.34 feet to a point on the east right-of-way of Chetolah Creek; THENCE north along the east Chetolah Creek right-of-way, a distance of 465.08 feet to a point of tangency; THENCE continuing on the east Chetolah Creek right-of-way on a curve to the right having a radius of 746.3 feet, an arc distance of 312.88 feet to a point of tangency; THENCE northeasterly along the east Chetolah Creek right-of-way, a distance of 376.00 feet to a point of tangency; THENCE continuing on the east Chetolah Creek right-of-way on a curve to the left having a radius of 325.90 feet, an arc distance of 472.33 feet to a point of tangency; THENCE northwesterly along the east Chetolah Creek right-of-way, a distance of 544.97 feet; THENCE at an angle of 58N45'34" to the right and parallel to the east line of the Northwest Quarter (NW/4) of Section 3, Township 14 South, Range 18 West, a distance of 2,452.18 feet to a point 50 feet south of the north line of the Northwest Quarter (NW/4) of Section 3; THENCE east parallel with the north line of the Northwest Quarter (NW/4) of Section 3, a distance of 262.56 feet; THENCE with an angle of 0N0'18" to the left, parallel with the north line of the Northeast Quarter (NE/4) of Section 3, a distance of 472.06 feet; THENCE with an angle of 90N00'00" to the right, a distance of 538.00 feet; THENCE with an angle of 90N00'00" to the left, a distance of 520.00 feet; THENCE with an angle of 90N00'00" to the right, a distance of 30.00 feet; THENCE with an angle of 90N00'00" to the left on a line parallel with the north line of Section 3, a distance of 1,255.00 feet; THENCE with an angle of 90N00'00" to the right, a distance of 581.91 feet; THENCE with an angle of

89°16'41" to the left, a distance of 383.05 feet to the east line of Section 3; THENCE with an angle of 90°00'00" to the right along the west line of Section 2, a distance of 28.17 feet; THENCE east parallel with the north line of Section 2, a distance of 475.00 feet; THENCE south parallel with the west line of Section 2, a distance of 1,413.25 feet; THENCE east, a distance of 1,320 feet; THENCE north parallel with the west line of Section 2, a distance of 2,649.26 feet to the north line of the Northwest Quarter (NW/4) of Section 2; THENCE east along said north line a distance of 852.79 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of Section 35, Township 13 South, Range 18 West of the Sixth Principal Meridian, Ellis County, Kansas; THENCE on an assumed bearing of North 00 degrees 04 minute 25 seconds East along the West line of said Southeast Quarter (SE 1/4) a distance of 33.00 feet to the Southwest Corner of the Tallgrass Addition to the City of Hays, Kansas; THENCE North 89 degrees 40 minutes 26 seconds East parallel with the South line of said Southeast Quarter (SE 1/4), a distance of 513.17 feet; THENCE North 00 degrees 19 minutes 34 seconds West perpendicular to the South line of said Southeast Quarter (SE 1/4), a distance of 17.00 feet; THENCE North 89 degrees 40 minutes 26 seconds East parallel with the South line of said Southeast Quarter (SE 1/4), a distance of 620.00 feet; THENCE South 00 degrees 19 minutes 34 seconds East perpendicular to the South line of said Southeast Quarter (SE 1/4), a distance of 17.00 feet to a point 33.00 feet North of the South line of said Southeast Quarter (SE 1/4); THENCE North 89 degrees 40 minutes 26 seconds East parallel with the South line of said Southeast Quarter (SE 1/4), a distance of 545.32 feet; THENCE North 00 degrees 14 minutes 22 seconds East parallel with the East line of said Southeast Quarter (SE 1/4), a distance of 125.00 feet; THENCE North 89 degrees 40 minutes 26 seconds East parallel with the South line of said Southeast Quarter (SE 1/4), a distance of 350.00 feet; THENCE North 00 degrees 14 minutes 22 seconds East parallel with the East line of said Southeast Quarter (SE 1/4), a distance of 991.92 feet; THENCE North 89 degrees 40 minutes 26 seconds East and parallel with the South line of said Southeast Quarter (SE 1/4), a distance of 539.54 feet to a point on the Commerce Parkway right of way; THENCE on an assumed bearing of South 01 degree 28 minutes 11 seconds West, a distance of 653.70 feet; THENCE westerly, parallel with the North right of way line of 13<sup>th</sup> Street, a distance of 539.54 feet; THENCE southerly, parallel with the West right of way line of Commerce Parkway, a distance of 440.00 feet to a point on the North right of way line of 13<sup>th</sup> Street; THENCE Easterly, along said 13<sup>th</sup> Street right of way, a distance of 286.37 feet; THENCE on a bearing of South 00 degrees 54 minutes 13 seconds West a distance of 17.000 meters (55.77 feet) to a point on the North line of Section

2, Township 13 South, Range 18 West which is 100.000 meters (328.08 feet) West of the Northeast Corner of said section as measured along the section line; THENCE on a bearing of South 00 degrees 54 minutes 13 seconds West a distance of 17.000 meters (55.77 feet); THENCE on a bearing of South 89 degrees 05 minutes 47 seconds East a distance of 76.848 meters (252.13 feet); THENCE on a bearing of South 01 degrees 24 minutes 51 seconds West a distance of 793.488 meters (2,603.30 feet) to the South line of the Northeast Quarter (NE 1/4) of said Section 2; THENCE on a bearing of South 03 degrees 37 minutes 31 seconds West a distance of 156.226 meters (512.55 feet); THENCE on a bearing of South 01 degrees 25 minutes 28 seconds West a distance of 250.000 meters (820.21 feet); THENCE on a bearing of South 01 degrees 09 minutes 08 seconds East a distance of 200.199 meters (656.82 feet); THENCE on a bearing of South 01 degrees 25 minutes 28 seconds West a distance of 59.458 meters (195.07 feet) to the North right of way line of the Union Pacific Railroad; THENCE continuing on the last described course a distance of 105.500 meters (346.13 feet) to the North edge of the Old Highway 40 pavement; THENCE on a bearing of South 79 degrees 34 minutes 02 seconds East along the said North edge of Old Highway 40 pavement a distance of 20.251 meters (66.44 feet) to the East line of said Section 2; THENCE on a bearing of South 79 degrees 33 minutes 49 seconds East along the said North edge of the Old Highway 40 pavement a distance of 20.249 meters (66.43 feet); THENCE on a bearing of North 01 degrees 25 minutes 28 seconds East a distance of 105.500 meters (346.13 feet) to the North right of way line of said Union Pacific Railroad; THENCE continuing on the last described course a distance of 157.876 meters (517.97 feet) to the South line of Angela Drive in Country Five Subdivision; THENCE on a bearing of South 88 degrees 34 minutes 30 seconds East along the South line of said Angela Drive a distance of 10.001 meters (32.81 feet); THENCE on a bearing of North 01 degrees 25 minutes 28 seconds East a distance of 4.816 meters (15.80 feet); THENCE South 88 degrees 34 minutes 32 seconds East a distance of 1085.00 feet; THENCE North 01 degrees 25 minutes 28 seconds East a distance 600.00 feet; THENCE North 88 degrees 34 minutes 32 seconds West a distance of 1101.40 feet to a point on the East Right of Way of Commerce Parkway; THENCE North 01 degrees 25 minutes 28 seconds East a distance of 333.16 feet to the Southwest corner of the Heart of America First Addition; THENCE South 89 degrees 17 minutes 17 seconds East, parallel with the north line of the Southwest Quarter of Section 1, Township 14 South, Range 18 West, a distance of 750.00 feet to the Southeast corner of said Heart of America First Addition; THENCE North 01 degrees 25 minutes 29 seconds East, parallel with the west line of said Southwest

Quarter a distance of 530.01 feet to the Northeast corner of said Addition; THENCE North 89 degrees 17 minutes 17 seconds West, parallel with the north line of said Southwest Quarter, a distance of 750.00 feet to a point on the East Commerce Parkway right of way, said point also being the Northwest corner of said Heart of America First Addition; THENCE North 01 degrees 25 minutes 29 seconds East along said East right of way, a distance of 208.71 feet to the South line of the Northwest Quarter (NW 1/4) of Section 1, Township 14 South, Range 18 West; THENCE on a bearing of South 89 degrees 17 minutes 17 seconds East along the South line of the Northwest Quarter (NW 1/4) of said Section 1 a distance of 4.000 meters (13.12 feet); THENCE on a bearing of North 01 degrees 24 minutes 51 seconds East a distance of 193.469 meters (634.74 feet); THENCE on a bearing of North 00 degrees 18 minutes 15 seconds West a distance of 200.090 meters (656.46 feet); THENCE on a bearing of North 01 degrees 24 minutes 51 seconds East a distance of 400.076 meters (1,312.58 feet); THENCE on a bearing of South 89 degrees 15 minutes 22 seconds East a distance of 27.197 meters (89.23 feet); THENCE on a bearing of North 00 degrees 44 minutes 38 seconds East a distance of 17.000 meters (55.77 feet) to the South line of Section 36, township 13 South, Range 18 West; THENCE continuing on the last described course a distance of 17.000 meters (55.77 feet); THENCE on a bearing of North 89 degrees 15 minutes 22 seconds West a distance of 24.783 meters (81.31 feet); THENCE on a bearing of North 01 degrees 28 minutes 11 seconds East a distance of 150.322 meters (493.18 feet); THENCE on a bearing of North 88 degrees 31 minutes 49 seconds West a distance of 5.000 meters (16.40 feet); THENCE on a bearing of North 01 degrees 28 minutes 11 seconds East a distance of 60.960 meters (200.00 feet); THENCE on a bearing of South 88 degrees 31 minutes 49 seconds East a distance of 5.000 meters (16.40 feet); THENCE on a bearing of North 01 degrees 28 minutes 11 seconds East a distance of 575.554 meters (1,880.30 feet) to a point on the South line of the Northwest Quarter (NW 1/4) of said Section 36; THENCE on a bearing of North 01 degrees 27 minutes 50 seconds East a distance of 41.914 meters (137.51 feet); THENCE on a bearing of North 06 degrees 21 minutes 47 seconds East a distance of 229.970 meters (754.49 feet); THENCE on a bearing of North 88 degrees 32 minutes 10 seconds West a distance of 44.641 meters (146.46 feet) to a point on the East line of the Northeast Quarter (NE 1/4) of Section 35, Township 13 South, Range 18 West; THENCE continuing on the last described course a distance of 73.619 meters (241.53 feet); THENCE on a bearing of South 53 degrees 27 minutes 23 seconds East a distance of 45.265 meters (148.51 feet); THENCE on a bearing of South 03 degrees 17 minutes 59 seconds East a distance of 183.514

meters (602.08 feet); THENCE on a bearing of South 01 degrees 27 minutes 50 seconds West a distance of 170.60 feet to a point that is 35.00 feet north of the south line and 70.00 feet west of the east line of the Northeast Quarter of Section 35, Township 13 South, Range 18 West; thence North 89 degrees 05 minutes 47 seconds West, parallel with and 35.00 feet north of the south line of said Northeast Quarter, a distance of 779.35 feet; thence North 30 degrees 54 minutes 13 seconds West a distance of 25.00 feet; thence North 89 degrees 05 minutes 47 seconds West, parallel with the south line of said Northeast Quarter, a distance of 95.00 feet; thence South 30 degrees 54 minutes 13 seconds West a distance of 25.00 feet; thence North 89 degrees 05 minutes 47 seconds West, parallel with and 35.00 feet north of the south line of said Northeast Quarter, a distance of 816.11 feet to the southeast corner of Lot 43, in Block B of the Tallgrass 2nd Addition to the City of Hays, Kansas; thence on an assumed bearing of North 00 degrees 14 minutes 10 seconds East, along the east line of said Tallgrass 2nd Addition, a distance of 2,144.73 feet to a point on the Southerly right of way line of Interstate 70 Highway; THENCE North 60 degrees 27 minutes 21 seconds West along said Southerly right of way line, 762.46 feet, to a point 80.00 feet South and 206.90 feet East of the Northwest Corner of said Northeast Quarter (NE 1/4) of Section 35; THENCE South 89 degrees 41 minutes 07 seconds West on a line parallel with the North line of said Northeast Quarter (NE 1/4) a distance of 206.90 feet to a point on the West line of said Northeast Quarter (NE 1/4), said point being 80.00 feet South of the Northwest Corner of said Northeast Quarter (NE 1/4); THENCE South 00 degrees 04 minutes 15 seconds West along the West line of said Northeast Quarter (NE 1/4) a distance of 904.53 feet to the Northeast Corner of Vo-Tech Addition to the City of Hays; THENCE West parallel with the South line of said Northwest quarter a distance of 2442.84 feet; THENCE North along a line parallel with the West line of said Northwest quarter a distance of 210.00 feet; THENCE West along a line parallel with the South line of said Northwest quarter a distance of 210.00 feet to a point on the West line of said Northwest quarter Section 35; THENCE North along the West line of said Northwest quarter a distance of 540.49 feet to a point 239.00 feet South of the Southwest corner of Section 26, Township 13 South, Range 18 West; THENCE East parallel with the South line of said Section 26 a distance of 222.00 feet; THENCE North parallel with the West line of Section 35, Township 13 South, Range 18 West a distance of 239.00 feet to the North line of said Section; THENCE East along the South line of said Section 26 a distance of 256.00 feet; THENCE north parallel with the west line of Section 26, a distance of 269.00 feet; THENCE east parallel with the south line of Section 26, a distance of 508.00 feet; THENCE north

parallel with the west line of Section 26, a distance of 710.57 feet to the south right-of-way line of Interstate 70 Highway; THENCE with an angle of 60N53'40" to the left along said south right-of-way line, a distance of 1,127.62 feet to the east line of Section 27; THENCE continuing on the last described course along said south right-of-way line, a distance of 277.83 feet; THENCE with an angle of 4N17'21" to the left, a distance of 243.12 feet; THENCE with an angle of 116N24'08" to the left, on a bearing of South 01 degrees 33 minutes 29 seconds West a distance of 235.04 feet; THENCE on an assumed bearing of North 70 degrees 11 minutes 18 seconds West a distance of 340.10 feet; THENCE South 28 degrees 00 minutes 15 seconds West a distance of 105.05 feet; THENCE South 07 degrees 07 minutes 46 seconds West a distance of 237.03 feet; THENCE South 51 degrees 56 minutes 38 seconds West a distance of 197.12 feet; THENCE South 61 degrees 40 minutes 20 seconds West a distance of 179.48 feet; THENCE South 33 degrees 18 minutes 13 seconds West a distance of 60.06 feet; THENCE South 02 degrees 38 minutes 17 seconds East a distance of 320.00 feet; THENCE South 60 degrees 28 minutes 42 seconds West a distance of 125.00 feet; THENCE South 83 degrees 01 minutes 01 seconds West a distance of 250.00 feet; THENCE South 22 degrees 01 minutes 23 seconds West a distance of 256.15 feet; THENCE South 89 degrees 28 minutes 28 seconds West a distance of 232.78 feet; THENCE South 00 degrees 42 minutes 17 seconds East a distance of 336.19 feet; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right 100.00 feet North of and parallel with the South line of Section 27 a distance of 15.15 feet to the East line of Hays Plaza Third Addition; THENCE north with an angle of 90N00'00" to the right, a distance of 680.00 feet; THENCE with an angle of 51N45' to the right, a distance of 677.12 feet; THENCE with an angle of 49N30' to the left, a distance of 216.35 feet; THENCE with an angle of 36N15'31" to the left, a distance of 338.10 feet; THENCE with an angle of 20N06'08" to the right, a distance of 240.98 feet; THENCE with an angle of 34N15'28" to the left, a distance of 1,080.00 feet to the north line of the Southeast Quarter (SE/4) of Section 27; THENCE with an angle of 138 degrees 10 minutes 00 seconds to the right along the North line of the Southeast Quarter (SE 1/4) of Section 27 a distance of 292.46 feet to the Southerly right of way line of Interstate 70; THENCE with an angle of 144 degrees 17 minutes 20 seconds left along said Southerly right of way a distance of 625.42 feet; THENCE with an angle of 04 degrees 52 minutes 19 seconds left along said South right of way a distance of 276.22 feet to the West line of Sundance Addition; THENCE continuing on the last described course along the Southerly right of way line of Interstate 70 a distance of 483.35 feet;

THENCE with an angle of 120 degrees 50 minutes 30 seconds left along a line parallel with and 415.00 feet West of the West line of Hays Sundance Addition, a distance of 519.41 feet; THENCE with an angle of 90 degrees 00 minutes 00 seconds to the right along a line parallel with and 235.00 feet North of the South line of the Northwest Quarter (NW 1/4) of said Section 27 a distance of 905.38 feet to a point on the East line of Mart City First Addition and the point of beginning.

Plus the following tracts of land:

Beginning at a point on the north line of Section Twelve (12), Township Fourteen (14) South, Range Eighteen (18) West and 30.0 feet east of the Northwest Corner; THENCE on a bearing of South 00N00'00" East a distance of 621.66 feet; THENCE on a bearing of North 89N59'59" East a distance of 303 feet; THENCE on a bearing of North 00N00'00" West a distance of 300.0 feet; THENCE on a bearing of North 89N59'59" East a distance of 8.09 feet; THENCE on a bearing of South 13N13'31" East a distance of 5072.84 feet to a point on the south line of said Section Twelve (12); THENCE on a bearing of South 89N15'58" West along the south line of said Section Twelve (12) a distance of 1501.76 feet to the Southwest Corner of said Section Twelve (12); THENCE West along the south line of said Section Eleven (11) a distance of 30.0 feet; THENCE on a bearing of North 00N00'01" West to a point on the north right-of-way line of Reservation Road; THENCE on a bearing of North 58N16' West along the north right-of-way line of Reservation Road a distance of 23.5 feet; THENCE on a bearing of North 00N00'01" West to a point on the north line of said Section Eleven (11); THENCE continuing on the same bearing in said Section Two (2) a distance of 37.4 feet to a point on the south right-of-way line of Old Highway 40; THENCE on a bearing of South 80N57'52" East along said south highway right-of-way line a distance of 50.63 feet to a point on the east line of said Section Two (2); THENCE continuing on the same bearing along the said highway right-of-way line in said Section One (1) a distance of 30.38 feet; THENCE on a bearing of South 00N00'01" East a distance of 23.56 feet to a point on the south line of said Section One (1) and the Point of Beginning;

A tract of land in the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) and the West Half of the Northwest Quarter (W 2, NW 1/4) of Section 20, Township 13 South, Range 18 West of the Sixth Principal Meridian, Ellis County, Kansas, described as follows:

Beginning at a point 49.25 feet East of the Southwest Corner of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) of Section 20, Township 13 South, Range 18 West; THENCE on an assumed bearing of North 02 degrees 59 minutes 26 seconds East along the East line of U.S. Highway 183 Alternate a distance of 615.09 feet; THENCE on a bearing of North 89 degrees 58 minutes 45 seconds East a distance of 428.46 feet to the East line of B&M Development Company Addition to Ellis County, Kansas; THENCE on a bearing of North 01 degrees 20 minutes 34 seconds East along the East line of said addition a distance of 739.11 feet to the Southwest corner of Lot 4, Block 2, of the Frontier City Addition; THENCE South 89 degrees 58 minutes 45 seconds West, along the South line of said Lot 4, a distance of 403.50 feet to the southwest corner of said Lot 4, said point being on the East right of way line of U.S. Highway 183 Alternate; THENCE North 03 degrees 22 minutes 08 seconds East, along said East right of way line, a distance of 175.21 feet; THENCE North 00 degrees 35 minutes 21 seconds West, along said East right of way line, a distance of 123.77 feet to the intersection of said East right of way line with the South right of way line of Frontier Road; THENCE North 00 degrees 35 minutes 21 seconds West along the East right of way line of U.S. Highway 183 Alternate a distance of 60.04 feet; THENCE North 00 degrees 37 minutes 19 seconds West along said East right of way line a distance of 160.50 feet; THENCE North 05 degrees 34 minutes 09 seconds East along said East right of way line a distance of 416.19 feet; THENCE North 09 degrees 21 minutes 20 seconds West along said East right of way line, a distance of 50.88 feet; THENCE North 06 degrees 04 minutes 31 seconds East along said East right of way line a distance of 295.82 feet; THENCE North 23 degrees 17 minutes 29 seconds East along said East right of way line a distance of 191.58 feet to a point on the South right of way line of Interstate 70; THENCE South 78 degrees 57 minutes 22 seconds East along said South right of way line a distance of 461.89 feet; THENCE South 64 degrees 44 minutes 49 seconds East along said South right of way line a distance of 704.87 feet to a point on the East line of the West Half of the Northwest Quarter (W 2, NW 1/4) of said Section 20; THENCE South 01 degrees 15 minutes 04 seconds West along said East line a distance of 736.06 feet; THENCE continuing on the last described course a distance of 60.00 feet to a point on the South right of way line of Frontier Road; THENCE continuing on the last described course a distance of 1634.04 feet along said East line of the West Half of the West Half (W 2, W 2) of Section 20 to the Southeast Corner of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) of said Section 20; THENCE North 89 degrees 26

minutes 32 seconds West a distance of 1263.71 feet along the South line of the Northwest Quarter of the Southwest Quarter (NW 1/4, SW 1/4) of said Section 20 to the point of beginning;

All of the Northeast Quarter of Section Nineteen (NE/4, Sec. 19), Township Thirteen (13) South, Range Eighteen (18) West of the Sixth Principal Meridian, Ellis County, Kansas lying South of U.S. Interstate Highway 70 and West of U.S. Highway 183 Alternate more particularly described as follows:

Beginning at the Northwest Corner of said Northeast Quarter (NE 1/4) of Section 19; THENCE South on a bearing of South 01 degrees 17 minutes 26 seconds West, along the West line of said Northeast Quarter (NE 1/4) of Section 19, a distance of 2641.13 feet to the Southwest Corner of said Northeast Quarter (NE 1/4) of Section 19; THENCE East on a bearing of South 89 degrees 15 minutes 39 seconds East, along the South line of said Northeast Quarter (NE 1/4) of Section 19, a distance of 2576.90 feet to the West right of way line of U.S. Highway 183 Alternate; THENCE North on a bearing of North 02 degrees 03 minutes 11 seconds East, along said U.S. Highway 183 Alternate right of way, a distance of 212 feet; THENCE continuing North on a bearing of North 01 degrees 13 minutes 11 seconds East, along said U.S. Highway 183 Alternate right of way, a distance of 181 feet; THENCE continuing Northerly on a bearing of North 05 degrees 00 minutes 49 seconds West, along U.S. Interstate Highway 70 right of way, a distance of 824 feet; THENCE continuing North on a bearing of North 01 degrees 10 minutes 11 seconds East, along said Interstate 70 right of way, a distance of 100 feet; THENCE Northwesterly on a bearing of North 30 degrees 48 minutes 49 seconds West along U.S. Interstate Highway 70 right of way, a distance of 415 feet; THENCE Northwesterly on a bearing of North 46 degrees 14 minutes 49 seconds West, along U.S. Interstate Highway 70 right of way, a distance of 633 feet; THENCE Northwesterly on a bearing of North 66 degrees 43 minutes 49 seconds West along U.S. Interstate Highway 70 right of way, a distance of 1419 feet to the North line of said Northeast Quarter (NE 1/4) of Section 19; THENCE West on a bearing of North 89 degrees 17 minutes 49 seconds West, along the North line of said Northeast Quarter (NE 1/4) of Section 19, a distance of 485.29 feet to the Northwest Corner of said Northeast Quarter (NE 1/4) of Section 19 and the point of beginning. Said tract contains 130.38 acres more or less.

A tract of land in the Southeast Quarter of Section 2, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County,

Kansas, described as follows:

Commencing at the southeast corner of said Section 2; THENCE on an assumed bearing of West, along the south line of said Section 2, a distance of 1800.00 feet; THENCE on a bearing of North a distance of 125.00 feet to the point of beginning of the land to be described; THENCE on a bearing of West a distance of 306.00 feet; THENCE North 09 degrees 20 minutes 48 seconds East, along a line perpendicular to the centerline of the Union Pacific Railroad, a distance of 247.01 feet to a point on the south Right of Way line of Old Highway 40; THENCE South 80 degrees 39 minutes 12 seconds East, along the south Right of Way line of Old Highway 40, a distance of 301.94 feet; THENCE South 09 degrees 20 minutes 48 seconds West, along a line perpendicular to the centerline of the Union Pacific Railroad, a distance of 197.31 feet to the point of beginning. This tract contains 1.540 acres.

That part of the Northeast Quarter of Section 2, Township 14 South, Range 18 West, of the 6<sup>th</sup> Principal Meridian, Ellis County, Kansas, described as follows:

All of Lots 15, 17 and 19, Block 9, and the North Half of the vacated alley along the south side of said lots, and except for the North 17 feet of said Lots for R/W, all in the George Phillip Addition to the City of Hays.

Except the following Tracts:

That part of the Southwest Quarter of Section 20, Township 13 South, Range 18 West, of the 6<sup>th</sup> Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the Southeast corner of said Southwest Quarter; THENCE on an assumed bearing of North 01 degrees 02 minutes 46 seconds East, along the East line of said Southwest Quarter, a distance of 50.00 feet to the point of beginning of the land to be described; thence continuing North 01 degrees 02 minutes 46 seconds East, along the East line of said Southwest Quarter, a distance of 189.50 feet; THENCE North 89 degrees 58 minutes 07 seconds West, parallel with the South line of said Southwest Quarter, a distance of 239.50 feet; THENCE South 01 degrees 02 minutes 46 seconds West, parallel with the East line of said Southwest Quarter, a distance of 189.50 feet; THENCE South 89 degrees 58 minutes 07 seconds East, parallel with and 50.00 feet northerly of the South line of said Southwest Quarter, a distance of 239.50 feet to the point of

beginning.

That part of the Southwest Quarter of Section 35, Township 13 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at northeast corner of said Southwest Quarter; thence South 01 degrees 18 minutes 23 seconds West, along the east line of said Southwest Quarter, a distance of 224.00 feet, said point being the northeast corner of the Golden Belt Eighth Addition; thence North 89 degrees 06 minutes 19 seconds West, parallel with the north line of said Southwest Quarter, and along the north line of the Golden Belt Eighth Addition, a distance of 40.00 feet to the point of beginning of the land to be described; thence continuing along the north line of the Golden Belt Eight, Seventh and Sixth Additions, parallel with the north line of said Southwest Quarter, a distance of 1,858.86 feet; thence with an angle of 90 degrees 18 minutes 32 seconds to the right, a distance of 189.00 feet to a point that is 35.00 feet south of the north line of said Southwest Quarter; thence South 89 degrees 06 minutes 19 seconds East, parallel with and 35.00 feet south of the north line of said Southwest Quarter, a distance of 1097.45 feet; thence South 29 degrees 06 minutes 19 seconds East a distance of 25.00 feet; thence South 89 degrees 06 minutes 19 seconds East, parallel with the north line of said Southwest Quarter, a distance of 95.00 feet; thence North 29 degrees 06 minutes 19 seconds West a distance of 25.00 feet; thence South 89 degrees 06 minutes 19 seconds East, parallel with and 35.00 feet south of the north line of said Southwest Quarter, a distance of 666.99 feet; thence South 01 degrees 18 minutes 23 seconds West, parallel with and 40.00 feet west of the east line of said Southwest Quarter, a distance of 189.00 feet to the point of beginning. This tract contains 7.32 acres.

That part of the Southwest Quarter of Section 22, Township 13 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the Southwest corner of said Southwest Quarter; THENCE on an assumed bearing of North 89 degrees 12 minutes 15 seconds East, along the South line of said Section 22, a distance of 492.00 feet to the intersection of said South line of Section 22 with the East right of way line of General Hays Road extended from the North; THENCE North 00 degrees 47 minutes 45 seconds West, along said East right of way line, a distance of 70.00 feet to the point of beginning of the land to be described; THENCE continuing on the land described course a distance of 200.00 feet; THENCE on a

bearing of North a distance of 20.00 feet to the Southwest corner of Lot 1 in Block 1 of the Marvin F. Braun Addition to Ellis County, Kansas; THENCE North 89 degrees 12 minutes 15 seconds East a distance of 259.21 feet to the Southeast corner of Lot 2 in Block 1 of said Marvin F. Braun Addition; THENCE on a bearing of North a distance of 324.96 feet to the Northeast corner of said Lot 2, said point being on the South right of way line of 43rd Street; THENCE North 89 degrees 12 minutes 15 seconds East, along said South right of way line, a distance of 245.46 feet to the Northwest corner of Lot 5 in Block 1 of said Marvin F. Braun Addition; THENCE on a bearing of South a distance of 324.96 feet to the Southwest corner of said Lot 5; THENCE North 89 degrees 12 minutes 15 seconds East, along the South line of said Lot 5, a distance of 142.73 feet to a point 20.00 feet East of the Southeast corner of said Lot 5; THENCE on a bearing of North a distance of 324.96 feet to a point on the South right of way line of 43rd Street, said point being 20.00 feet East of the Northeast corner of said Lot 5; THENCE North 89 degrees 12 minutes 15 seconds East, along said South right of way line, a distance of 187.80 feet to the intersection of said South right of way line with the West right of way line of Sherman Avenue; THENCE South 00 degrees 47 minutes 45 seconds East, along said West right of way line, a distance of 564.94 feet to the intersection of said West right of way line with the North right of way line of 41st Street; THENCE South 89 degrees 12 minutes 15 seconds West, along said North right of way line a distance of 457.00 feet to the Southwest corner of the East 41st Street First Addition to Ellis County, Kansas; THENCE South 00 degrees 47 minutes 45 seconds East a distance of 20.00 feet; THENCE South 89 degrees 12 minutes 15 seconds West, along a line parallel with and 30.00 feet North of the South line of said Section 22, a distance of 83.00 feet; THENCE North 00 degrees 47 minutes 45 seconds West a distance of 10.00 feet; THENCE South 89 degrees 12 minutes 15 seconds West, along a line parallel with and 40.00 feet North of the South line of said Section 22, a distance of 270.00 feet; THENCE North 45 degrees 47 minutes 45 seconds West a distance of 42.43 feet to the point of beginning. This tract contains 9.038 acres.

That part of the Northeast Quarter of Section 21, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

All of Lots 1 thru 15, in Block 1, of the North Hays Addition to Ellis County, Kansas. This tract contains 22.804 acres.

That part of the Northwest Quarter of Section 22, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County,

Kansas, described as follows:

That part of Lot 1 that lies south of a line that is parallel and 50 feet south of the north line of said Northwest Quarter, and all of Lots 2 thru 6, all in Block 2, of the North Hays Addition to Ellis County, Kansas. This tract contains 16.617 acres.

That part of the Northwest Quarter of Section 22, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

All of Lots 8 thru 11, in Block 2, of the North Hays Addition to Ellis County, Kansas. This tract contains 6.980 acres.

The City of Hays contains ~~5,196.811~~5,249.016 -acres or ~~8.120202~~ square miles, more or less.

ADOPTED by the Commission on December ~~\_\_\_\_, 2013.27, 2012.~~

~~TROY HICKMAN~~  
KENT L. STEWARD  
Mayor

ATTEST:

DORIS WINGBRENDA KITCHEN  
City Clerk

**ORDINANCE NO. 3859**

**AN ORDINANCE ANNEXING LAND TO THE CITY OF HAYS, KANSAS.**

**COPY**

**WHEREAS**, the following described land adjoins the City of Hays, Kansas,

**WHEREAS**, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

**WHEREAS**, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

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

**Section 1.** Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

That part of the West Half of the Southwest Quarter of Section 29, Township 13 South, Range 18 West of the 6<sup>th</sup> Principal Meridian, Ellis County, Kansas, described as follows:



Plats U  
Direct CA  
In Direct CA  
Numerical RH  
Checked \_\_\_\_\_

Commencing at the northwest corner of said Southwest Quarter, thence on an assumed bearing of North 89 degrees 37 minutes 13 seconds East, along the north line of said Southwest Quarter, a distance of 313.57 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 37 minutes 13 seconds East, along the north line of said Southwest Quarter, a distance of 1,010.00 feet to the northeast corner of the said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the Southwest Quarter, a distance of 1650.00 feet; thence South 89 degrees 37 minutes 13 seconds West a distance of 614.49 feet; thence South 00 degrees 35 minutes 28 seconds West a distance of 554.97 feet; thence North 88 degrees 48 minutes 15 seconds East a distance of 604.26 feet; thence on a curve to the right, an arc distance of 10.44 feet, said curve having a radius of 525.00 feet, a central angle of 01 degrees 08 minutes 20 seconds, a chord length of 10.44 feet and a chord bearing of North 89 degrees 53 minutes 14 seconds East to a point on the east line of said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the Southwest Quarter, a distance of 40.17 feet; thence South 89 degrees 36 minutes 52 seconds West a distance of 1,186.31 feet to a point on the east right of way line of U.S. Highway 183 Alternate; thence North 02 degrees 53 minutes 57 seconds West, along said right of way, a distance of 63.17 feet; thence North 03 degrees 01 minutes 18 seconds West, along said right of way, a distance of 123.23 feet; thence North 00 degrees 50 minutes 43 seconds West, along said right of way, a distance of 209.59 feet; thence North 89 degrees 09 minutes 17 seconds East a distance of 518.77 feet; thence North 00 degrees 35 minutes 28 seconds East a distance of 365.79 feet; thence on a curve to the left, an arc distance of 202.34 feet, said curve having a radius of 460.00 feet, a central angle of 25 degrees 12 minutes 08 seconds, a chord length of 200.71 feet and a chord bearing of North 12 degrees 00 minutes 36 seconds West; thence North 24 degrees 36 minutes 40 seconds West a distance of 705.16 feet; thence on a curve to the right, an arc distance of 224.31 feet, said curve having a radius

City of Hays

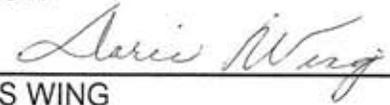
of 540.00 feet, a central angle of 23 degrees 47 minutes 58 seconds, a chord length of 222.70 feet and a chord bearing of North 12 degrees 42 minutes 40 seconds West; thence on a curve to the right, an arc distance of 142.01 feet, said curve having a radius of 50.00 feet, a central angle of 162 degrees 44 minutes 12 seconds, a chord length of 98.87 feet and a chord bearing of North 09 degrees 13 minutes 22 seconds East; thence South 89 degrees 24 minutes 32 seconds East a distance of 55.00 feet; thence North 00 degrees 35 minutes 28 seconds East a distance of 316.96 feet to the point of beginning. Said tract contains 40.168 acres.

**Section 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Hays, Kansas, this 28<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
TROY HICKMAN  
Mayor

ATTEST:

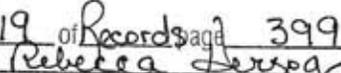
  
\_\_\_\_\_  
DORIS WING  
City Clerk

(seal)



STATE OF KANSAS }  
ELLIS COUNTY }  
This instrument was filed for record  
12:45 o'clock P M recorded in

MAR 05 2013

819 of Records page 399  
  
Fees none Register of Deeds

BOOK 819 PAGE 400

**PETITION FOR ANNEXATION**

A tract of land situated in the West Half (W/2) of the Southwest Quarter (SW/4) of Section Twenty-nine (29), Township Thirteen (13) South, Range Eighteen (18) West of the 6<sup>th</sup> P.M., Ellis County, Kansas:

(See attached Exhibit "A" for complete legal description)

That David Krein, Trustee of the Lester and Gladys Confer Trust dated January 7, 2005 is the owner in fee simple of the above described real estate.

That the undersigned is the Agent for the owner and hereby petitions the City of Hays, Ellis County, Kansas to annex the above described real estate.

By: *Thomas M. Wasinger*  
Thomas M. Wasinger, Agent

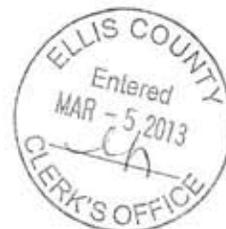


STATE OF KANSAS }  
ELLIS COUNTY }  
This instrument was filed for record  
12:45 o'clock P M recorded in

MAR 05 2013

819 of Records page 401  
Rebecca Lopez  
Fees 12.00 Register of Deeds

LA  
CA  
Direct LA  
In Direct LA  
Numerical RH  
Checked ✓



BOOK 819 PAGE 401

*City of Hays*

That part of the West Half of the Southwest Quarter of Section 29, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the northwest corner of said Southwest Quarter, thence on an assumed bearing of North 89 degrees 37 minutes 13 seconds East, along the north line of said Southwest Quarter, a distance of 313.57 feet to the point of beginning of the land to be described; thence continuing North 89 degrees 37 minutes 13 seconds East, along the north line of said Southwest Quarter, a distance of 1,010.00 feet to the northeast corner of the said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the Southwest Quarter, a distance of 1650.00 feet; thence South 89 degrees 37 minutes 13 seconds West a distance of 614.49 feet; thence South 00 degrees 35 minutes 28 seconds West a distance of 554.97 feet; thence North 88 degrees 48 minutes 15 seconds East a distance of 604.26 feet; thence on a curve to the right, an arc distance of 10.44 feet, said curve having a radius of 525.00 feet, a central angle of 01 degrees 08 minutes 20 seconds, a chord length of 10.44 feet and a chord bearing of North 89 degrees 53 minutes 14 seconds East to a point on the east line of said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the Southwest Quarter, a distance of 40.17 feet; thence South 89 degrees 36 minutes 52 seconds West a distance of 1,186.31 feet to a point on the east right of way line of US. Highway 183 Alternate; thence North 02 degrees 53 minutes 57 seconds West, along said right of way, a distance of 63.17 feet; thence North 03 degrees 01 minutes 18 seconds West, along said right of way, a distance of 123.23 feet; thence North 00 degrees 50 minutes 43 seconds West, along said right of way, a distance of 209.59 feet; thence North 89 degrees 09 minutes 17 seconds East a distance of 518.77 feet; thence North 00 degrees 35 minutes 28 seconds East a distance of 365.79 feet; thence on a curve to the left, an arc distance of 202.34 feet, said curve having a radius of 460.00 feet, a central angle of 25 degrees 12 minutes 08 seconds, a chord length of 200.71 feet and a chord bearing of North 12 degrees 00 minutes 36 seconds West; thence North 24 degrees 36 minutes 40 seconds West a distance of 705.16 feet; thence on a curve to the right, an arc distance of 224.31 feet, said curve having a radius of 540.00 feet, a central angle of 23 degrees 47 minutes 58 seconds, a chord length of 222.70 feet and a chord bearing of North 12 degrees 42 minutes 40 seconds West; thence on a curve to the right, an arc distance of 142.01 feet, said curve having a radius of 50.00 feet, a central angle of 162 degrees 44 minutes 12 seconds, a chord length of 98.87 feet and a chord bearing of North 09 degrees 13 minutes 22 seconds East; thence South 89 degrees 24 minutes 32 seconds East a distance of 55.00 feet; thence North 00 degrees 35 minutes 28 seconds East a distance of 316.96 feet to the point of beginning.

**AFFIDAVIT OF PUBLICATION**

State of Kansas, Ellis County, ss:

Mary Karst

being first duly sworn, deposes and says:

That he/she is Advertising Manager

of THE HAYS DAILY NEWS, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Ellis County, Kansas, with a general paid circulation on a yearly basis in Ellis County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

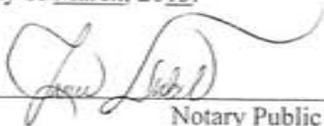
Said newspaper is published daily, except Saturday, is published at least weekly 50 times a year; has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Hays 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 day, the first publication thereof being made as aforesaid on the 4th day of March, 2013, with subsequent publications being made on the following dates:

\_\_\_\_, 20\_\_ \_\_\_\_\_, 20\_\_  
\_\_\_\_, 20\_\_ \_\_\_\_\_, 20\_\_  
\_\_\_\_, 20\_\_ \_\_\_\_\_, 20\_\_

Mary Karst

Subscribed and sworn to before me this 4th day of March, 2013.



Notary Public

My Appointment expires 5-28-13

Printer's Fee..... \$163.20

Additional copies..... \$ \_\_\_\_\_

Total Fee..... \$163.20

(Published in The Hays Daily News March 4, 2013)

**ORDINANCE NO. 3859  
AN ORDINANCE ANNEXING  
LAND TO THE CITY OF HAYS,  
KANSAS.**

**WHEREAS**, the following described land adjoins the City of Hays, Kansas,

**WHEREAS**, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

**WHEREAS**, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

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

**Section 1.** Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

That part of the West Half of the Southwest Quarter of Section 29, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, North 89 degrees 53 minutes 14 seconds East, along the north line of said Southwest Quarter, a distance of 1,010.00 feet to the northeast corner of the said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the Southwest Quarter, a distance of 1650.00 feet; thence South 89 degrees 37 minutes 13 seconds West a distance of 614.49 feet; thence South 00 degrees 35 minutes 28 seconds West a distance of 554.97 feet; thence North 88 degrees 48 minutes 15 seconds East a distance of 604.26 feet; thence on a curve to the right, an arc distance of 10.44 feet, said curve having a radius of 525.00 feet, a central angle of 01 degrees 08 minutes 20 seconds, a chord length of 10.44 feet and a chord bearing of North 89 degrees 53 minutes 14 seconds East to a point on the east line of said West Half of the Southwest Quarter; thence South 00 degrees 35 minutes 28 seconds West, along the east line of said West Half of the

February, 2013.  
ATTEST:  
DORIS WING  
City Clerk  
(seal)

TROY HICKMAN  
Mayor

 5 28 13

Golden Belt Est. 3<sup>rd</sup> Add.



**ORDINANCE NO. 3865**

Register of Deeds: *Rebecca Herzog*

Date Recorded: 6/14/2013 3:50:00 PM

**AN ORDINANCE ANNEXING LAND TO THE CITY OF HAYS, KANSAS.**



**COPY**

WHEREAS, the following described land adjoins the City of Hays, Kansas,

WHEREAS, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

WHEREAS, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

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

**Section 1.** Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

That part of the Southeast Quarter of Section 20, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows: ✓

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of North 90 degrees 00 minutes 00 seconds West, along the south line of said Southeast Quarter, a distance of 1,327.46 feet, to the southeast corner of the 41<sup>st</sup> Street Plaza First Addition; thence North 01 degrees 07 minutes 28 seconds East, along the east boundary of the 41<sup>st</sup> Street Plaza First, Second, Third, Fourth and Fifth Additions, a distance of 1710.37 feet to the northeast corner of the 41<sup>st</sup> Street Plaza Fifth Addition, said point being on the north right of way line of 45<sup>th</sup> Street; thence South 88 degrees 57 minutes 14 seconds East, along said 45<sup>th</sup> Street right of way, a distance of 10.00 feet; thence continuing along said 45<sup>th</sup> Street right of way, on a curve to the right, an arc distance of 327.38 feet, said curve having a radius of 1035.00 feet, a central angle of 18 degrees 07 minutes 23 seconds, a chord bearing of South 79 degrees 53 minutes 32 seconds East, and a chord distance of 326.02 feet to the southeast corner of the Golden Belt Estates Third Addition, and the point of beginning of the land to be described; thence North 00 degrees 44 minutes 53 seconds West a distance of 800.17 feet to a point on the south right of way line of Interstate 70; thence South 65 degrees 13 minutes 54 seconds East, along said right of way, a distance of 609.19 feet; thence South 04 degrees 29 minutes 36 seconds East a distance of 871.38 feet to a point on the north right of way line of 45<sup>th</sup> Street; thence along said right of way on a curve to the right, an arc distance of 356.41 feet, said curve having a radius of 965.00 feet, a central angle of 21 degrees 09 minutes 41 seconds, a chord bearing North 62 degrees 39 minutes 53 seconds West, and a chord distance of 354.38 feet; thence on a curve to the left, an arc distance of 338.64 feet, said curve having a radius of 1035.00 feet, a central angle of 18 degrees 44 minutes 48 seconds, a chord bearing of North 61 degrees 27 minutes 26 seconds West, and a chord distance of 337.13 feet to the point of beginning. This tract contains 10.935 acres;

Photo 4  
Direct PS  
In Direct PS  
Numerical RH  
Checked ✓

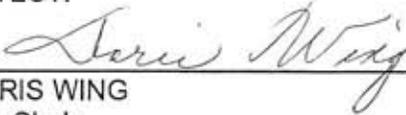
**Section 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Hays, Kansas, this 13<sup>th</sup> day of June, 2013.

*City of Hays*

  
KENT L. STEWARD  
Mayor

ATTEST:

  
DORIS WING  
City Clerk

(seal)



**AFFIDAVIT OF PUBLICATION**

State of Kansas, Ellis County, ss:

Mary Karst

being first duly sworn, deposes and says:

That he/she is Advertising Manager of THE HAYS DAILY NEWS, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Ellis County, Kansas, with a general paid circulation on a yearly basis in Ellis County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published daily, except Saturday, is published at least weekly 50 times a year; has been so published continuously and uninterrupted 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 Hays 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 day, the first publication thereof being made as aforesaid on the 18th day of June, 2013, with subsequent publications being made on the following dates:

\_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_

Mary Karst

Subscribed and sworn to before me this 18th day of June, 2013.

[Signature]  
Notary Public

My Appointment expires 5-28-17  
Printer's Fee.....\$142.80  
Additional copies.....\$ \_\_\_\_\_  
Total Fee.....\$142.80

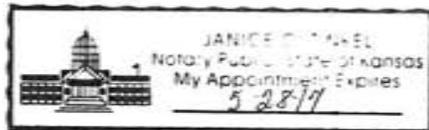
**ORDINANCE NO. 3865  
AN ORDINANCE ANNEXING  
LAND TO THE CITY OF HAYS,**  
1035.00 feet, a central angle  
of 18 degrees 07 minutes 23  
seconds, a chord bearing of  
South 79 degrees 53 min-  
utes 32 seconds East, and  
a chord distance of 326.02  
feet to the southeast corner  
of the Golden Belt Estates  
Third Addition, and the point  
of beginning of the land to  
be described; thence North  
00 degrees 44 minutes 53  
seconds West a distance  
of 800.17 feet to a point on  
the south right of way line of  
Interstate 70; thence South  
65 degrees 13 minutes 54  
seconds East, along said  
right of way, a distance of  
609.19 feet; thence South  
04 degrees 29 minutes 36  
seconds East a distance of  
871.38 feet to a point on the  
north right of way line of 45th  
Street; thence along said  
right of way on a curve to  
the right, an arc distance of  
356.41 feet, said curve hav-  
ing a radius of 965.00 feet, a  
central angle of 21 degrees  
09 minutes 41 seconds, a  
chord bearing North 62 de-  
grees 39 minutes 53 sec-  
onds West, and a chord dis-  
tance of 354.38 feet; thence  
on a curve to the left, an arc  
distance of 338.64 feet, said  
curve having a radius of  
1035.00 feet, a central angle  
of 18 degrees 44 minutes 48  
seconds, a chord bearing of  
North 61 degrees 27 min-  
utes 26 seconds West, and  
a chord distance of 337.13  
feet to the point of beginning.  
This tract contains 10.935  
acres;

**Section 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Hays, Kansas, this 13th day of June, 2013.

KENT L. STEWARD  
Mayor

ATTEST:  
DORIS WING  
City Clerk  
(seal)



**ORDINANCE NO. 3873**

**AN ORDINANCE ANNEXING LAND TO THE CITY OF HAYS, KANSAS.**

**WHEREAS**, the following described land adjoins the City of Hays, Kansas,

**WHEREAS**, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

**WHEREAS**, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

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

**Section 1.** Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

That part of the Southeast Quarter of Section 22, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows: ✓

Lot Three (3) and the West 71.00 feet of Lot Two (2), all in Block Two (2) of the Marvin F. Braun Addition to the City of Hays. ✓

Photo PS  
Direct PS  
In Direct PS  
Numerical RH  
Checked ✓

**Section 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Hays, Kansas, this 10<sup>th</sup> day of October, 2013.

Henry Schwaller, IV  
HENRY SCHWALLER, IV  
Vice Mayor

ATTEST:

Brenda Kitchen  
BRENDA KITCHEN  
City Clerk

(seal)

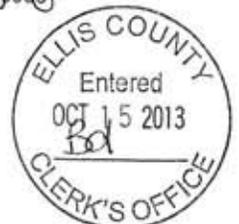


STATE OF KANSAS }  
ELLIS COUNTY }  
This instrument was filed for record  
2:08 o'clock P.M. recorded in



OCT 15 2013

836 of Records page 829  
Rebecca Surgen  
Fees none Register of Deeds



City of Hays

**AFFIDAVIT OF PUBLICATION**

State of Kansas, Ellis County, ss:

Mary Karst

being first duly sworn, deposes and says:

That he/she is Advertising Manager of THE HAYS DAILY NEWS, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Ellis County, Kansas, with a general paid circulation on a yearly basis in Ellis County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published daily, except Saturday, is published at least weekly 50 times a year; has been so published continuously and uninterrupted 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 Hays 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 day, the first publication thereof being made as aforesaid on the 14th day of October, 2013, with subsequent publications being made on the following dates:

\_\_\_\_ 20\_\_ \_\_\_\_ 20\_\_  
\_\_\_\_ 20\_\_ \_\_\_\_ 20\_\_  
\_\_\_\_ 20\_\_ \_\_\_\_ 20\_\_

Mary Karst

Subscribed and sworn to before me this 14th day of October, 2013.

[Signature]  
Notary Public

My Appointment expires 5-28-17  
Printer's Fee..... \$65.00  
Additional copies..... \$ \_\_\_\_  
Total Fee..... \$65.00

(Published in The Hays Daily News October 14, 2013)

**ORDINANCE NO. 3873  
AN ORDINANCE ANNEXING  
LAND TO THE CITY OF HAYS,  
KANSAS.**

**WHEREAS**, the following described land adjoins the City of Hays, Kansas,

**WHEREAS**, written consent for annexation of the following described land, signed by all of the owners thereof, has been filed with the City of Hays, Kansas, pursuant to K.S.A. 12-520; and

**WHEREAS**, the governing body of the City of Hays, Kansas finds it advisable to annex such land.

**NOW, THEREFORE, BE IT  
ORDAINED BY THE GOVERN-  
ING BODY OF THE CITY OF  
HAYS, KANSAS:**

**Section 1.** Pursuant to K.S.A. 12-520(a)(7) the following described land is hereby annexed and made part of the City of Hays, Kansas:

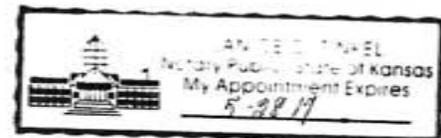
That part of the Southeast Quarter of Section 22, Township 13 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows:  
Lot Three (3) and the West 71.00 feet of Lot Two (2), all in Block Two (2) of the Marvin F. Braun Addition to the City of Hays.

**Section 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Hays, Kansas, this 10<sup>th</sup> day of October, 2013.

Henry Schwaller, IV  
Vice Mayor  
ATTEST:

Brenda Kitchen  
City Clerk  
(seal)



E 45TH ST

GENERAL HAYS RD

COIT LAMBERTSON

E 43RD ST

E 43RD S

Alley

GENERAL HAYS RD

E 41ST ST

E 41ST ST

