

PUBLIC NOTICE

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IN THE DISTRICT COURT OF BROWN COUNTY, KANSAS  
CIVIL DEPARTMENT

GRAIN BELT EXPRESS LLC,  
Plaintiff,  
v.  
SHAWN P. LOYD, a/k/a SHAWN LOYD, et al.,  
Defendants.

Case No. BR-2024-CV-000021

Pursuant to K.S.A. 26-501, *et seq.*

TITLE TO REAL ESTATE  
INVOLVED

NOTICE OF APPRAISERS’ HEARING AND VIEWING

Notice is hereby given that the undersigned appraisers, appointed by the Court, will, in accordance with the Instructions of the Court and the provisions of the Kansas Eminent Domain Procedure Act, K.S.A. 26-501 *et seq.* , hold a public hearing on August 19, 2025 at 9:00 a.m., beginning with a viewing at the subject properties at 1935 Jackrabbitt Road, Hiawatha, Kansas 66434, that is located at the Northwest corner of 190th Street and Jackrabbitt Road, south line of 200 th Street, east line of Horned Owl Road, Hiawatha, Kansas 66434, which may thereafter be continued or adjourned without further notice from day-to-day and from place-to-place until the same is concluded with respect to the properties described in Plaintiff’s Verified Petition for Condemnation. The hearing will take place immediately following the viewing in the Small Courtroom at the Brown County Courthouse, 601 Oregon Street, 3rd Floor, Hiawatha, Kansas 66434.

At the hearing, any party may appear in person or by an attorney and may present either oral or written testimony. The appraisers will hear evidence and testimony on all matters pertaining to their appraisal of compensation and the assessment of damages for the taking of the lands or interests therein sought to be taken by the Plaintiff as described in Plaintiff’s Verified Petition for Condemnation regarding the tracts of land described below.

Prepared for and Submitted by the Court-Appointed Appraisers:

/s/ *Dan Hermes*  
/s/ *Samuel Schuetz*  
/s/ *Randy Fee*

Real Property Interests to be Acquired:

The following “Property Interests”:

rights to develop, permit, construct, reconstruct, repair, improve, alter, replace, operate, use, inspect, maintain and remove a transmission line, which transmission line may include poles, towers and structures, such wires and cables as Grain Belt shall from time to time suspend therefrom, foundations, footings, attachments, anchors, ground connections, communications devices (the communication devices Plaintiff seeks to install are for internal communication purposes only and are necessary for the operation and safety of the Project), and other equipment, accessories, access roads and appurtenances, as Grain Belt may deem necessary or desirable in connection therewith and to study or inspect in preparation therefor, including survey, soil sampling, geotechnical evaluation, environmental tests, archeological assessments, and transmission and interconnection studies. The permanent right-of-way may be used for the transmission of electrical energy and for communication purposes (the communication devices Plaintiff seeks to install are for internal communication purposes only and are necessary for the operation and safety of the Project), whether existing now or in the future in order to facilitate the delivery of electrical energy. The easement rights include the non-exclusive right of ingress and egress over the Easement Property (defined in the Verified Petition for Condemnation) itself in order to obtain access to the permanent right-of-way, and over the Defendant’s property adjacent to the Easement Property and lying between public or private roads. Grain Belt shall, without being liable for damages, have the right from time to time, including after the initial construction of the transmission line, to clear the Easement Property of any improvements or other structures to the extent that they interfere with Grain Belt’s use of the Easement Property as described herein, except fences (provided Grain Belt shall at all times have access through any such fence by means of a gate); control, cut down, trim and remove trees and underbrush from the Easement Property; and cut down and trim any tree encroaching upon the Easement Property or the transmission line that in the reasonable opinion of Grain Belt may interfere with the safety, proper operation and/or maintenance of the transmission line. In exercising its rights of ingress and egress Grain Belt shall, whenever practicable, use existing roads or lanes, and shall repair any damage caused by its use thereof. The acceptance of this easement by Grain Belt Express LLC, shall obligate it to pay any damages which may be caused to lands, crops or fences by reasons of the erection, maintenance, operation, removal or replacement of said transmission line and structures.

KS-BR-031.000-ROW

In the “Subject Property” legally defined as :

A PORTION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, BROWN COUNTY, KANSAS, DESCRIBED BY STEPHEN I MARINO II, PS 1380, ON MAY 10, 2023, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE COINCIDENT WITH THE WEST LINE OF SAID NORTHWEST QUARTER, SOUTH 01 DEGREES 31 MINUTES 21 SECONDS EAST, A DISTANCE OF 157.26 FEET TO **THE POINT OF BEGINNING**;

**THENCE** , DEPARTING SAID WEST LINE, SOUTH 80 DEGREES 27 MINUTES 49 SECONDS EAST, A DISTANCE OF 2693.53 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER;

**THENCE** , COINCIDENT WITH SAID EAST LINE, SOUTH 01 DEGREES 32 MINUTES 16 SECONDS EAST, A DISTANCE OF 152.85 FEET;

**THENCE** , DEPARTING SAID EAST LINE, NORTH 80 DEGREES 27 MINUTES 49 SECONDS WEST, A DISTANCE OF 2693.57 FEET TO SAID WEST LINE;

**THENCE**, COINCIDENT WITH SAID WEST LINE, NORTH 01 DEGREES 31 MINUTES 21 SECONDS WEST, A DISTANCE OF 152.84 FEET **THE POINT OF BEGINNING**.

SAID PARCEL CONTAINING 404.033 SQUARE FEET OR 9.276 ACRES, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD 83 (2011), NORTH ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.

Fee Simple Owners:

Shawn P. Loyd  
409 Miami Street  
Hiawatha, KS 66434

Robin E. Loyd  
409 Miami Street  
Hiawatha, KS 66434

Further, service by Court to attorney of record.

Other Lienholders of Record:

The Farmers State Bank  
412 W. Commercial Street  
Fairview, KS 66425

Wolf River Watershed Joint District No. 66  
121 Parsons St.  
Robinson, KS 66532

KS-BR-032.000-ROW

In the “Subject Property” legally defined as :

A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, BROWN COUNTY, KANSAS, DESCRIBED BY STEPHEN I MARINO II, PS 1380, ON MAY 27, 2022, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE COINCIDENT WITH THE WEST LINE OF SAID NORTHEAST QUARTER, SOUTH 01 DEGREES 32 MINUTES 16 SECONDS EAST, A DISTANCE OF 668.03 FEET TO **THE POINT OF BEGINNING**;

**THENCE** , DEPARTING SAID WEST LINE, SOUTH 80 DEGREES 27 MINUTES 49 SECONDS EAST, A DISTANCE OF 2583.48 FEET;

**THENCE** , SOUTH 83 DEGREES 04 MINUTES 19 SECONDS EAST, A DISTANCE OF 114.55 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER;

**THENCE** , COINCIDENT WITH SAID EAST LINE, SOUTH 01 DEGREES 23 MINUTES 00 SECONDS EAST, A DISTANCE OF 151.59 FEET;

**THENCE** , DEPARTING SAID EAST LINE, NORTH 83 DEGREES 04 MINUTES 19 SECONDS WEST, A DISTANCE OF 139.88 FEET; THENCE, NORTH 80 DEGREES 27 MINUTES 49 SECONDS WEST, A DISTANCE OF 2557.54 FEET TO SAID WEST LINE;

**THENCE** , COINCIDENT WITH SAID WEST LINE, NORTH 01 DEGREES 32 MINUTES 16 SECONDS WEST, A DISTANCE OF 152.85 FEET **THE POINT OF BEGINNING** .

SAID PARCEL CONTAINING 404.659 SQUARE FEET OR 9.290 ACRES, MORE OR LESS.

BASIS OF BEARINGS: ALL BEARINGS HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD 83 (2011), NORTH ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.

Fee Simple Owners:

Shawn P. Loyd  
409 Miami Street  
Hiawatha, KS 66434

Robin E. Loyd  
409 Miami Street  
Hiawatha, KS 66434

Further, service by Court to attorney of record.

Other Lienholders of Record:

The Farmers State Bank  
412 W. Commercial Street  
Fairview, KS 66425

Dated: June 24, 2025

Respectfully submitted,

POLSINELLI PC

By: /s/ *Seth C. Wright*  
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ATTORNEYS FOR PLAINTIFF

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