

**68-506b. Same; validation of certain acts of cities; letting of contracts; change of route; eminent domain.** Where any city of the state, a part of whose boundary is formed by a state line between this and any other state, has heretofore begun proceedings by resolution, ordinance or otherwise, whereby the board of county commissioners of the county in which such city is located has undertaken, under the provisions of K.S.A. 68-506, and amendments thereto, and such resolution has been adopted by the board of county commissioners, whereby such city has been declared a benefit district, and such road through such city has been declared a public utility, such proceedings shall not by reason of the passage of this act be invalidated or set aside. Such action and the proceedings taken thereunder are hereby ratified, confirmed and validated. It is the duty of the board of county commissioners in conjunction with the governing body of such city, subject to the approval of the secretary of transportation, to proceed with the work, or to advertise for and let contracts in the manner provided for by law in other cases for the construction of other highways, so as to connect the roads so constructed to the city limits on either side of such city.

Where it has become necessary to leave the route heretofore or hereafter proposed to be used as a portion of the road or street connecting such highways at the city limits, in order to eliminate steam or electric grade crossings, or any other dangerous places on such highways, or to conform to the requirements of the Kansas department of agriculture or the United States bureau of public roads to obtain federal aid upon such road, or any part thereof, the county engineer and board of county commissioners, in conjunction with the governing body of such city, shall change the route so as to eliminate such dangerous crossings, or other dangerous places. The governing body of such city shall proceed to designate or acquire by purchase or donation a right-of-way for such street along the route over which such road may be relocated. Where the right-of-way for such purpose cannot be obtained by donation or purchase the city council is hereby authorized to condemn a right-of-way for such purpose in the manner provided for by article 2, chapter 26 of the Kansas Statutes Annotated, relating to the opening, widening or extending any street, insofar as the same is applicable.

**History:** L. 1925, ch. 211, § 3; L. 1975, ch. 427, § 118; L. 2004, ch. 101, § 174; July 1.