

# Undocumented Right of Way

and Other Nightmares

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# Undocumented Right of Way

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# The National Old Trails Road to California

(PART 1)



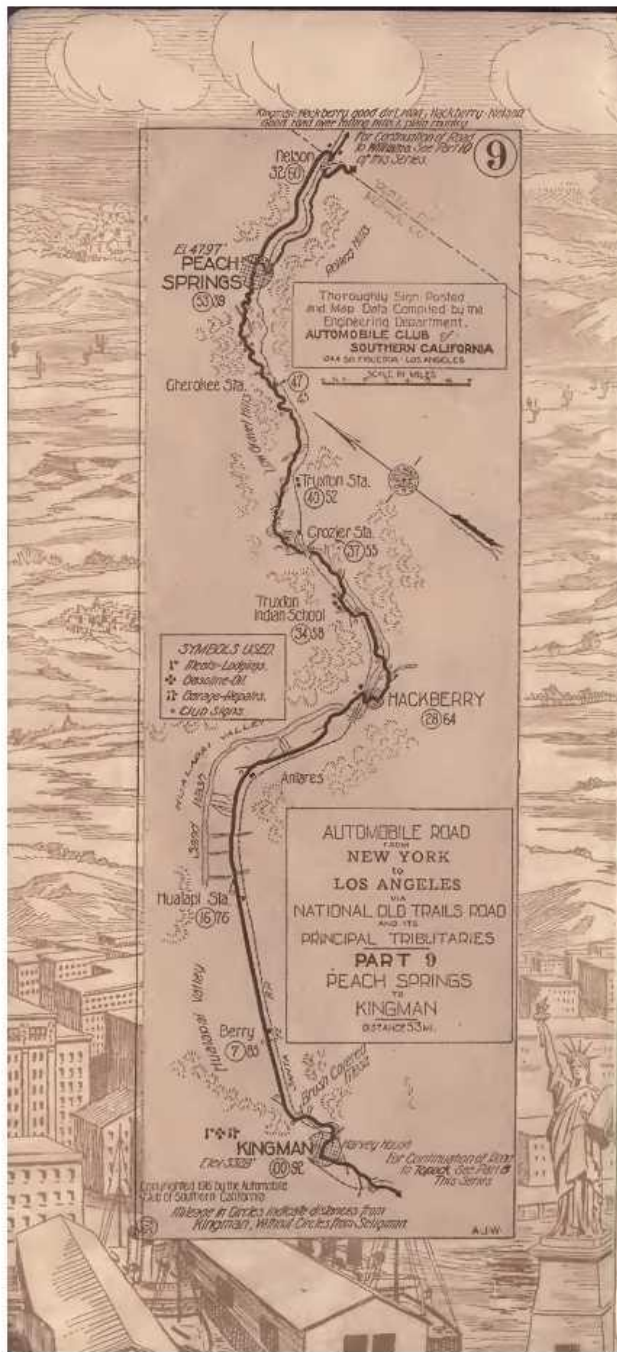
ALL YEAR ROUTE TO CALIFORNIA

ROAD COMPLETELY SIGNED AND  
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OF  
SOUTHERN CALIFORNIA**

LOS ANGELES, CAL.

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# THE NATIONAL OLD TRAILS ROAD

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The annual report of the president of the Auto Club of Southern California may set at rest the claim of the various auto roads across the continent as it shows that of the 10,000 machines entering the state, 4000 of them traveled over the National Old Trails Road. The nearest competitor was the Midland, which carried 1200. The other routes only brought in a few people. This dissipates the claim of the Lincoln highway that it was the most popular route to the coast, as it only had 800 machines using that trail during the year.

The National Old Trails Road has everything that appeals to the autoist—the scenery, good roads, water, nearness to railroad in event of breakdown, and climatic conditions. More scenery is to be found along this route than on all the other routes combined. It is 250 miles shorter than any of the other routes, has less sand to contend with and every mile of its length is a pleasure to the tourist. With a few millions spent on it through eastern Arizona, New Mexico, Colorado and Kansas the road would be one of the best traveled sections of the United States.

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## NATIONAL OLD TRAILS HIGHWAY POPULAR WITH TOURISTS THIS YEAR

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The ever increasing popularity of the National Old Trails Highway and route is being attested daily by the numbers of tourists using it east and west.

Last Sunday saw 10 automobiles pass through Kingman to the east and that many more came and departed to the west.

This route is not only the best roadway but it has the most scenic and natural wonders, mile for mile, than any other route in the United States and our people are fast coming to realize this and in consequence this route is getting the travel that it richly deserves.

## Too Much Power For This Bob Cat

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Spread out near the top of a high tension power pole, six miles north of Kingman, is the body of a bob cat, with one paw on the iron cross arm and the other reaching up over the heavily charged wires. It had apparently seen some large bird sitting on the top of the pole and climbed up to catch it when contact with the wire caused instant death. Like people it was reaching out after the unattainable that lost bobby cat its life, and in death, high up on that power pole it offers warning to the public that these high tension wires are not to be trifled with.

## TRAVEL OLD TRAILS HIGHWAY INCREASING

That the Santa Fe Old Trails Highway is becoming more popular each year with the travelling public is evidenced by the fact that last summer more than 9000 cars passed over it. Last Sunday alone 100 cars went through Kingman, practically all of them purchasing supplies from the local garages.

To show the importance of automobile travel over the National Old Trails Road we would call the attention of the interested people to the statement recently sent out by the secretary of the National Parks Highway association that autoists who visited the parks this year spent the sum of \$9,000,000 on their trips. This estimate is based on about 30,000 visitors, each spending \$15 per day, which is not a high allowance. As nearly that number have passed over the Old Trails Road this year it will be noted that some money was left in the towns through northern Arizona.

This calls our attention to the fact that one of the necessities of Kingman at the present time is a suitable parking ground for automobile tourists. Every town of any importance along the National Old Trails Road has provided a suitable place for the campers and for the parking of their machines.

Even if only a small amount of money was spent by these people Kingman owes it to the traveling public to supply a good camping grounds and the necessary water and lights to make the visitors welcome.

The impressions of the town the visitors take away, counts as well as the money they spend while here. We

## HALLOWE'EN DANCE BY THE CATHOLIC LADIES

Next Friday night will come what it is expected will be the biggest dance of the year so far, given by the ladies of the Catholic Church. Judging from dances given by these ladies heretofore, it will be a dandy.

The Elk's Hall has been rented for the occasion and the Rose Tree Orchestra will furnish the music.

Pie and coffee will be served "between acts."

## ELKS AND K. P.'S BALL GAME ARMISTICE DAY

It is evident that Kingman is going to have a fast and furious baseball game on Armistice Day.

The Elks have challenged the K. P.'s to a game "catch as catch can, no holds barred" and the latter lodge accepted the challenge with great gusto.

The committees appointed by the respective lodges have gotten together and a big time is planned. One point was particularly made clear: that there will be no hard feelings evidenced by any of the players, as the game is to promote good fellowship and good sportsmanship, rather than to hinder it.

## DANCING PARTY

Mr. and Mrs. E. F. Robinson entertained at their home Tuesday evening, everyone present having a very delightful time. There were about

# Article 2, Section 17



Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches, on or across the lands of others for mining, agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation **having first been made**, paid into court for the owner, secured by bond as may be fixed by the court, or paid into the state treasury for the owner on such terms and conditions as the legislature may provide, and no right of way shall be appropriated to the use of any corporation other than municipal, **until full compensation therefore be first made in money**, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.



# AEPCO v. DJL 2007 LLC, et al.



Decided 5-9-2019

Division 1, Judge Cattani

Private entities (and maybe anyone) with the right of eminent domain cannot be liable for inverse condemnation because there can be no “constitutional taking” until just compensation is paid after a trial??????

# Appraisal Considerations



- Before Condition
- Date of Value
- Larger Parcel
- Highest and Best Use
- Severance Damages
- Just Compensation