

CHAPTER 78  
HOUSE BILL No. 2698°

AN ACT authorizing the secretary of state to grant an easement to the city of Ogden in Riley county, Kansas.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. The secretary of state is hereby authorized and directed to grant a permanent sanitary sewer easement to the city of Ogden on a tract of land owned by the state of Kansas in the following described real property:

A tract of land lying 40 feet on each side of a line located in the northwest quarter of section 18, township 11 south, range 7 east of the 6th P.M. in Riley county, Kansas, said line more particularly described as follows:

Commencing at the Northwest corner of said section 18; Thence along the north line of the northwest quarter of said section 18 S.89°17'55"E. 1021.61 feet (S.89°17'55"E. being an assumed bearing); Thence S.0°42'05"W. 2068.78 feet to the point of beginning, being on the westerly line of "the state of Kansas" tract as described on page 766 of book 483 at the Riley county register of deeds; thence S.55°49'16"E. to the west or left normal high water line of the Kansas river, being the point of terminus.

For the purpose of construction and maintenance of the outfall pipe and a concrete headwall for the Ogden wastewater treatment facility, such easement shall be conditioned on such facility assuming full responsibility for the use of such easement and holding the state of Kansas harmless therefore. Such easement shall terminate if the land is no longer used for the purpose for which the easement was granted.

(b) The deed conveying the easement described under subsection (a) shall be approved by the attorney general and shall be executed by the secretary of state. The deed for the conveyance may be warranty deed or by quitclaim deed as determined to be in the best interest of the state by the attorney general in consultation with the secretary of state.

(c) In the event that the secretary of state determines that the legal description of the parcel described by this section is incorrect, the secretary of state may convey the easement utilizing the correct legal description but the deed conveying the easement shall be subject to the approval of the attorney general.

(d) The conveyance of the easement authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or K.S.A. 2009 Supp. 75-6609 or 75-6610, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 6, 2010.

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