

## 2023 Kansas Statutes

**76-477. Exchange of real property in Riley county between board of regents and Kansas state university foundation; approval by attorney general; property described.** (a) The state board of regents, for and on behalf of Kansas state university of agriculture and applied science, is hereby authorized to exchange and convey the real property described in subsection (b) to the Kansas state university foundation in consideration for which the Kansas state university foundation is hereby authorized to exchange and convey the real property described in subsection (c) to Kansas state university of agriculture and applied science. The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and secretary, and shall be delivered upon receipt of a good and sufficient warranty deed from the Kansas state university foundation to the real property described in subsection (c). Before such real property is exchanged and conveyed, the attorney general shall approve the instruments of conveyance of the state board of regents to the Kansas state university foundation and the instruments of conveyance of the Kansas state university foundation to Kansas state university of agriculture and applied science and shall approve the title to the real property exchanged and conveyed by the Kansas state university foundation.

(b) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey the following described real property to the Kansas state university foundation:

(1) A tract of land in lot 7 of section 18, township 10 south, range 8 east, Riley county, Kansas, described as follows: Beginning at a point 5 chains west of the northeast corner of lot 7, in section 18, township 10 south, range 8 east, running thence east 60 feet, thence south 150 feet, thence west 60 feet, thence north 150 feet, to place of beginning, city, county and state aforesaid.

(2) A tract of land described as follows: The south 1/2 of the northeast quarter, of section 2, township 10 south, range 7 east of the sixth principal meridian, Riley county, Kansas, subject to easement of record to the Kansas power and light company and containing 80 acres, more or less.

(3) A tract of land lying in Riley county, Kansas, in the southeast quarter of section 12, township 10 south, range 7 east of the sixth principal meridian and described as follows: Beginning at a point that is 390 feet south of the northwest corner of the southeast quarter of section 12, township 10 south, range 7 east and on the west line of the southeast quarter; thence south 930 feet on the west line of the southeast quarter section; thence east 660 feet parallel to the north line of the southeast quarter section; thence north 930 feet parallel to the west line of the southeast quarter section; thence west 660 feet parallel to the north line of the southeast quarter section to the point of beginning, and containing 14.09 acres, more or less.

(4) A tract of land lying in Riley county, Kansas, in the southwest quarter of section 12, township 10 south, range 7 east of the sixth principal meridian and described as follows: Beginning at a point that is 945.50 feet east of the northwest corner of the southwest quarter of section 12, township 10 south, range 7 east and on the north line of the southwest quarter; thence east 496.42 feet on the north line of the southwest quarter; thence south 516.55 feet parallel to the west line of the southwest quarter; thence west 130.67 feet parallel to the north line of the southwest quarter; thence south 803.45 feet parallel to the west line of the southwest quarter; thence west 365.52 feet parallel to the north line of the said southwest quarter; thence north 1320 feet parallel to the west line of the southwest quarter; and containing 12.63 acres, more or less.

(5) A tract of land in lot 20 of section 7, township 10 south, range 8 east of the sixth principal meridian, described as follows: Beginning at the northeast corner of lot 20; thence west 400.7 feet along the north line of lot 20; thence south 432.6 feet parallel to the east line of lot 20; thence east 164.7 feet parallel to the north line of lot 20; thence north 7 feet; thence east 236 feet to a point on the east line of lot 20, that is 425.6 feet south of the point of beginning; thence north to the point of beginning, containing 3.94 acres, more or less, all in Riley county, Kansas.

(6) A tract of land in the northwest quarter of the southwest quarter of section 36,

township 9 south, range 7 east, described as follows: Beginning at a point on the quarter section line 14.63 chains east of the west half of section corner of section 36; thence south 4.35 chains; thence east 2 chains; thence north 4.35 chains to the quarter section line; thence west 2 chains to place of beginning, all in Riley county, Kansas.

(7) A tract of land composed of all that part of the following described real estate lying north of the township road, to wit: The southwest quarter and the southwest quarter of the southeast quarter of section 8, township 10, range 7 east of the sixth principal meridian, Riley county, Kansas. Also the north half of the northwest quarter of section 17, township 10, range 7 east of the sixth principal meridian, Riley county, Kansas.

Also a tract of land in section 8, township 10, range 7 east, Riley county, Kansas, described as follows: Beginning at the southwest corner of the northwest quarter of section 8; thence north on section line 3 chains; thence east 36 chains; thence north to the left bank of Wildcat creek; thence in a southeasterly direction along left bank of Wildcat creek to the quarter section line running north and south in section 8; thence south on the quarter section line 3 1/2 chains to southeast corner of the northwest quarter of section 8; thence west on quarter section line 40 chains to point of beginning.

(8) Lot 3 of section 21, and the west half of the northwest quarter of section 27, township 10 south, range 7 east; part of lots 2 and 3 in section 27, township 10 south, range 7 east of the sixth principal meridian, described as follows: Beginning at a point on the quarter section line that is 1400 feet east of the southwest corner of the northwest quarter of section 27, township 10, range 7 east; thence north 200 feet; thence east 465 feet, more or less to a point on the north side of U.S. highway No. 40; thence northeast along the north side of said highway 413.22 feet to a cement post monument; thence north 100 feet to a buried cement monument; thence east 68.3 feet; thence north 140 feet, more or less, to the north side of the abandoned right-of-way of the Manhattan city and interurban railway company; thence east 60 feet, more or less, to a stone; thence north 1212 feet; thence north 54°57' west 90 feet, thence north 70°58' west 110.22 feet; thence north 528 feet; thence north 60° west 347.3 feet; thence west on the section line 524 feet, more or less, to the northwest corner of lot 2; thence south 2640 feet to the southwest corner of lot 3; thence east 80 feet to the point of beginning; and that part of lot 5 of section 28, township 10 south, range 7 east of the sixth principal meridian, described as follows: Beginning at a point on the east line of lot 5, that is 639 feet, more or less, north of the southeast corner of lot 5; thence southwesterly making an angle of 81°56', 1323 feet along the center line of the abandoned right-of-way of the Manhattan city and interurban railway company to a point on the west line of lot 5, marked with an iron pipe at the fence line, said point being 453.3 feet north of the southwest corner of lot 5; thence north along the west line of lot 5, 78 feet, more or less, to the south side of Eureka lake according to the government survey of said lake designated on the government survey as "Silver Lake"; thence easterly and northerly along the boundary of said lake as indicated by said government survey and plat to a point which is the eastern tip of Silver Lake, said point being also 282.48 feet south of the north line of lot 5, and being 389.4 feet west of the east line of lot 5, and from said point; thence north a distance of 282.48 feet to the north line of lot 5; thence east along said line 389.4 feet to the east line of lot 5; thence south along said east line to the point of beginning; all east of the sixth principal meridian, excepting therefrom that tract of land deeded by C. A. Neuber and Margaret A. E. Neuber, husband and wife, to William R. Gates by warranty deed, dated April 10, 1947, described as follows: A tract of land in section 27, township 10, range 7 east, more particularly described as follows: Beginning at a triangular concrete fence post standing in the west right-of-way of U.S. highway No. 40, the post being 456.49 feet, more or less, north and 421.1 feet, more or less, west of the center of section 27, township 10, range 7 east, thence southwesterly along the west right-of-way of U.S. highway No. 40, 38.75 feet; thence north 270.2 feet, more or less; thence east 98.3 feet; thence south 141 feet, more or less; thence west 68.3 feet to a limestone 12 inches under surface; thence south 100 feet to the point of beginning, containing .397 acres, more or less. The entire above described tract contains 171 acres, more or less, located entirely within Riley county, Kansas.

EXCEPTING the following described tract, to wit: Part of the northwest quarter of section 27, township 10 south, range 7 east of the sixth principal meridian, described as follows: Beginning at a point on west line of U.S. highway No. 40, which is north  $51^{\circ}47'$  east 896.6 feet from intersection of west line of said highway and south line of said northwest quarter, said intersection being 113 feet west of west line of union pacific railroad right-of-way; thence west 57 feet 4 inches; thence north 141 feet to north line of right-of-way of the Manhattan city and interurban railway; thence northeasterly along north line of said interurban right-of-way 244 feet; thence southeasterly 44 feet to a point on west line of U.S. highway No. 40 which is 244 feet northeasterly of point of beginning; thence southwesterly along west line of U.S. highway No. 40 to point of beginning, containing approximately .93 of an acre. Also all that part of the west half of section 27, township 10 south, range 7 east of the sixth principal meridian, described as follows: Beginning at a cement monument in west line of east half of section 27, township 10 south, range 7 east, as established by county surveyor Ross by survey made in December, 1909, said cement monument being 64 feet due north of center of union pacific track on said 1/2 section line as established by above mentioned survey; thence north 968 feet along said 1/2 section line to a cement monument; thence northwest 80.5 feet making a northwest angle of  $54^{\circ}57'$  with said 1/2 section line to a cement monument; thence south 66 feet from and parallel to said 1/2 section line to a cement monument on north right-of-way of union pacific railroad; thence northeast 84.3 feet along north side of said right-of-way to place of beginning, containing 1 1/2 acres, more or less, all in Riley county, Kansas. EXCEPTING therefrom the right-of-way of the Manhattan city and interurban railway company. Also all that part of section 27, township 10 south, range 7 east of the sixth principal meridian, described as follows: From a cement monument which stands .66 feet west of east line of west half of section 27, township 10 south, range 7 east, as surveyed by county surveyor Ross in December, 1909, and 64 feet due north of the union pacific track, measure north 124 feet parallel to and 66 feet from said 1/2 section line to north line of Manhattan city and interurban right-of-way for the point of beginning; thence continued north 942.5 feet on last named course to a cement monument; thence northwest 276.7 feet making a northwest angle of  $54^{\circ}57'$  with last named course; thence south 1165.5 feet parallel to and 292.5 feet from said 1/2 section line to north line of Manhattan city and interurban right-of-way; thence east along said north line of Manhattan city and interurban right-of-way to the point of beginning, and containing 5.5 acres, more or less, all in Riley county, Kansas.

LESS: A tract of land in the northeast quarter of section 28, township 10 south, range 7 east, in Riley county, Kansas, more particularly described as follows: Beginning at a point that is 814 feet north and 25 feet west of the east quarter corner of section 28; thence south  $81^{\circ}7'$  west a distance of 250 feet; thence north  $0^{\circ}16'$  west a distance of 158.51 feet; thence north  $73^{\circ}8'$  east a distance of 258.88 feet; thence east a distance of 5 feet to a point, said point being 20 feet west of the east line of section 28; thence south a distance of 107.44 feet; thence west a distance of 5 feet to a point, said point being 25 feet west of the east line of section 28; thence south a distance of 87.56 feet to the point of beginning, and containing 1 acre, more or less.

ALSO LESS: A tract of land in the northeast quarter of section 28, township 10 south, range 7 east, in Riley county, Kansas, described as follows: From an iron bar marking the east quarter corner of said section 28, proceed north 639 feet, more or less, along the east line of section 28; thence south  $81^{\circ}56'$  west a distance of 25.25 feet to a point; said point being the point of beginning; thence south  $81^{\circ}56'$  west a distance of 250.00 feet; thence north  $0^{\circ}10'$  east a distance of 175.00 feet; thence north  $81^{\circ}7'$  east a distance of 250.00 feet to a point, said point being 25 feet west of the east line of section 28; thence south a distance of 178.54 feet to the point of beginning, and containing 1.0 acres, more or less.

ALSO LESS: A tract of land in the northwest quarter of section 27, township 10 south, range 7 east, in Riley county, Kansas, described as follows: From an iron bar marking the west quarter corner of said section 27, proceed east 2425.5 feet; thence north 846.6 feet; thence north  $53^{\circ}50'$  east a distance of 104.4 feet to a point, said point being the point of beginning; thence north  $36^{\circ}10'$  west a distance of 208.7 feet; thence north  $53^{\circ}50'$  east a distance of 267.7 feet, more or less, to a point on the east line of the northwest quarter of said section 27; thence south along said east line a

distance of 295.7 feet, more or less, to a point on the northerly right-of-way line of Highway K-18; thence south 53°50' west along said right-of-way line a distance of 93.2 feet; thence north 36°10' west a distance of 30 feet to the point of beginning, and containing 1 acre, more or less.

ALSO LESS: A tract of land in the northwest quarter of section 27, township 10 south, range 7 east in Riley county, Kansas, described as follows: Beginning at a point that is 638.12 feet north and 25.00 feet east of the west quarter corner of said section 27, thence east 248.91 feet; thence north 350.00 feet; thence west 273.91 feet to the west line of said section 27; thence south along said west line of section 27 a distance of 85.56 feet; thence east 25.00 feet; thence south 263.44 feet to the point of beginning, and containing 2.0 acres, more or less.

ALSO LESS: A tract of land in the northwest quarter of section 27, township 10 south, range 7 east of the sixth principal meridian, in Riley county, Kansas, described as follows: From an iron bar marking the west quarter corner of section 27, township 10 south, range 7 east, proceed east 848.9 feet along the quarter section line to the point of beginning, thence east 477.9 feet, thence north 30.0 feet, thence east 6.8 feet, thence northeast 91.9 feet to a point 1400.0 feet east and 85.5 feet north of the west quarter corner of said section 27; thence north 114.5 feet, thence east 200.6 feet, thence northeast 722.3 feet, more or less, to a point 450.8 feet west and 619.7 feet north of the center of said section 27, thence north 77.8 feet, thence east 98.3 feet, thence north 61°56' east a distance of 74.6 feet, thence north 45°52' east a distance of 133.3 feet, thence north 36°10' west a distance of 281.0 feet, thence south 53°50' west a distance of 1777.9 feet, more or less, to the point of beginning, and containing 10.0 acres, more or less.

(c) In accordance with the provisions of this section, Kansas state university of agriculture and applied science is hereby authorized to accept title to the following described real property conveyed to said university by the Kansas state university foundation:

(1) A tract of land composed of the north half of the southeast quarter of section 36, township 9 south, range 7 east, except the west 93.14 rods of said tract (or the west 46.57 acres thereof).

(2) A tract of land composed of lots 5, 6 and 7 and the southeast quarter of the southeast quarter, all in section 27, township 10 south, range 7 east of the sixth principal meridian, Riley county, Kansas.

(3) A tract of land composed of all of lots 4, 15 and 16 in section 31, township 9 south, range 8 east: Also part of lot 5 in section 31, township 9 south, range 8 east, described as follows: Beginning at a point in the middle of the state road on north line of said lot 5 that is 13.40 chains west of northeast corner of said lot 5, thence southeasterly along middle of said state road to a point on south line of said lot 5 that is 3.94 chains west of southeast corner thereof, thence west to southwest corner of said lot 5, thence north to northwest corner of said lot 5, thence east to point of beginning.

Also all of lots 14 and 17, except that part of lot 14 lying northeast of the public road, all in section 31, township 9 south, range 8 east of the sixth principal meridian, Riley county, Kansas, and also except that part of lot 14 described as follows: Beginning at a point on the east side of lot 14, section 31, township 9 south, range 8 east of the sixth principal meridian, said point being 1450.0 feet north of southeast corner of lot 17 in said section 31; thence west 430.4 feet; thence north 640.0 feet; thence east 177.2 feet to the west right-of-way line of Kansas highway No. K-13; thence south 22°41' east along said highway right-of-way line 657.3 feet to the east side of said lot 14; thence south 33.3 feet to point of beginning, and containing 4.56 acres, more or less, in Riley county, Kansas.

(4) A tract of land composed of part of lot number 3 in section 31, township 9 south, range 8 east, described as follows: Beginning at the northwest corner of such section 31, running thence south 11.56 chains to a point in the middle of a county road running in a southwesterly direction; thence along the middle of such county road in a northeasterly direction 14.09 chains to a point in the middle of the Manhattan and Irving state road; thence north 24° west along the middle of said state road to the north line of said section 31; thence west along said section line to the place of beginning.

SUBJECT TO presently existing highway right-of-way, easements, conditions, and restrictions of record.

Also all of the southeast quarter of section 25, township 9 south, range 7 east, excepting about 13 acres lying in the northeast quarter of said southeast quarter of said section 25 and lying northeast of the Manhattan and Irving state road; and also excepting a part of said southeast quarter of said section 25 described as follows: Beginning at a point on the north line of said southeast quarter of said section 25, where the center line of the Manhattan and Irving state road intersects said line, thence south  $41^{\circ}13'$  east 900.8 feet along the center line of said road, thence south  $48^{\circ}47'$  west 300 feet to an iron pipe, thence south  $25^{\circ}6'$  west 570 feet to an iron pipe, thence north  $62^{\circ}31'$  west 419.3 feet to an iron pipe, thence north  $12^{\circ}54'$  west 1139.9 feet to an iron pipe on the north line of said southeast quarter, thence north  $80^{\circ}9'$  east 509.1 feet along said line to the place of beginning.

Also all that part of the southwest quarter of the northeast quarter of section 25, township 9 south, range 7 east, that lies south and west of the center line of the state road as the same was located and existing May 5, 1880.

SUBJECT TO presently existing highway right-of-way, easements, conditions and restrictions of record.

Also that part of the southwest quarter of section 30, township 9 south, range 8 east, described as follows: Beginning at the southwest corner of said section 30; thence east along the south line of said section 30 to a point in the middle of the Manhattan and Irving state road; thence north  $24^{\circ}$  west along the middle of said state road to the west line of said section 30; thence south along said section line to the place of beginning.

SUBJECT TO lease agreement with Manhattan cable TV services, inc. as recorded in book 384 page 105, in the office of the register of deeds of Riley county, Kansas, and to presently existing highway right-of-way, easements, conditions and restrictions of record.

Also all that part of the northeast quarter of section 36, township 9 south, range 7 east, lying north and west of the county road running in a southwesterly direction through said section 36, described as follows: Beginning at the northeast corner of said section 36, running thence south 11.56 chains to a point in the middle of said county road; thence south  $64^{\circ}$  west 15 chains to the east bank of a ravine; thence south  $62^{\circ}$  west 30 chains to a point on the quarter section line 7.50 chains north of the southwest corner thereof; thence north 32.50 chains to the north line of said section 36; thence east along said north line 40 chains to the place of beginning.

LESS: A tract of land lying in Riley county, Kansas, parts of lots 5, 14 and 17 all in section 31, township 9 south, range 8 east of the sixth principal meridian and described as follows: Beginning at the southeast corner of lot 17 in section 31, township 9 south, range 8 east; thence west 680.0 feet along south line of lot 17; thence 2090.0 feet north; thence northwesterly parallel to the west right-of-way line of Kansas highway No. K-13 to a point on the north line of lots 4 and 5; thence east along north line of lot 5 to the west right-of-way line of Kansas highway No. K-13; thence southeasterly along said highway west right-of-way line to a point 1483.3 feet north of southeast corner of lot 17; thence south to the point of beginning and containing 48.56 acres, more or less, except that part of lot 14 described as follows: Beginning at a point on the east side of lot 14, section 31, township 9 south, range 8 east of the sixth principal meridian, said point being 1450.0 feet north of southeast corner of lot 17 in said section 31; thence west 430.4 feet; thence north 640.0 feet; thence east 177.2 feet to the west right-of-way line of Kansas highway No. K-13; thence south  $22^{\circ}41'$  east along said highway right-of-way line 657.3 feet to the east side of said lot 14; thence south 33.3 feet to point of beginning and containing 4.56 acres, more or less.

**History:** L. 1982, ch. 377, § 1; July 1.