

2021 Kansas Statutes

82a-204. Payment for new channel; survey, appraisal, and sale of old channel; application of proceeds.

For the purpose of acquiring the new channel, the secretary of state shall cause the land in the corresponding abandoned channel to be surveyed by a surveyor, selected by him or her, and shall thereafter sell and convey the same, or any part thereof, by grant or patent. Any such survey and appropriate field notes, maps, records or other papers relating thereto shall be filed with the register of the state land office. Such land shall, if possible, be sold at the best price obtainable, to be agreed upon between the secretary of state, and any person desiring to buy the same. If it is not possible for such prospective purchaser and the secretary of state to agree upon a price, then the land shall be sold by the secretary of state as one tract, or in different tracts, under an appraisal made by three disinterested persons residing in the county or counties where such abandoned channel is located. Such appraisers shall be appointed by the secretary of state. The sale price shall be not less than three-fourths of the appraised value, and in no case shall such land be sold for less than the cost of surveying, appraising and selling the same. The proceeds arising from the sale shall be applied as follows: First, to the payment of all expenses necessarily incurred in surveying, appraising and selling the same. Second, to purchase the fee title to the bed of the new channel. Third, the balance, if any, to be remitted to the state treasurer and deposited in the state treasury to the credit of the state general fund.

History: L. 1927, ch. 341, § 4; L. 1974, ch. 364, § 33; L. 1978, ch. 430, § 9; April 1.