

HOUSE BILL No. 2626

By Representative Bergkamp

1-30

1 AN ACT concerning cemeteries; authorizing the disorganization of the
2 Clearwater cemetery district; conveying certain real property and
3 transferring assets and other property of such district.
4

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

6 Section 1. (a) The board of trustees of the Clearwater cemetery
7 district located in Sedgwick county is authorized to disorganize such
8 cemetery district by adoption of a resolution of disorganization. Such
9 resolution shall be adopted by a unanimous vote of the trustees and shall
10 include a plan of disorganization. The plan of disorganization shall provide
11 for the transfer of all property of such district, including any real property
12 and improvements thereon, any permanent maintenance fund and all other
13 moneys, investments and assets, to the city of Clearwater, the Ninnescah
14 township and the Ohio township, all located in Sedgwick county.

15 (b) Upon the conveyance of the cemetery district's real property
16 pursuant to subsection (a), title to that property located within the
17 boundaries of each of the city of Clearwater, the Ninnescah township and
18 the Ohio township shall vest in such municipality, respectively, in
19 accordance with the plan of disorganization.

20 (c) The cemetery district's permanent maintenance fund, if any,
21 together with any investments then outstanding, and all books, records,
22 papers and other property of such district shall be transferred to the
23 treasurers of the city of Clearwater, the Ninnescah township and the Ohio
24 township in accordance with the plan of disorganization.

25 (d) Upon the transfer of all property pursuant to this section, the
26 governing body of each municipality receiving any portion of such
27 property shall care for and maintain those cemetery plots located within
28 such municipality's boundaries. Such care and maintenance shall be paid
29 for from any moneys or other property received by such municipality
30 pursuant to the plan of disorganization, including, but not limited to, the
31 principal and income from any permanent maintenance fund. If such
32 moneys and property are insufficient to properly care for and maintain
33 such cemetery plots, then such municipality shall use the funds of such
34 municipality for such care and maintenance. The principal and income
35 from any permanent maintenance fund received by a municipality pursuant
36 to the plan of disorganization may be deposited in any appropriate fund of

1 such municipality or invested in accordance with K.S.A. 17-1311, and
2 amendments thereto, but shall be used exclusively for the care and
3 maintenance of such cemetery plots.

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