

75-5131. Sale of certain property in Cherokee county; procedure. (a) The secretary of revenue is hereby authorized to sell the following described state property located in Cherokee county, Kansas, to-wit:

(1) A tract of land in Government Lot 4 of Section 13, Township 34, South, Range 25 East, described as follows: Beginning at the intersection of the Northwesterly right-of-way line of U.S. Highway 66 and the West line of said Lot; thence Northeasterly along said right-of-way line 315.5 feet; thence West to a point on the West line of said Lot 193.7 feet North of the place of beginning; thence South 193.7 feet along said West line to the place of beginning; this tract contains 0.57 acre, more or less; and

(2) a tract of land in Lots 4 and 3 of Section 13, Township 34 South, Range 25 East, described as follows: Beginning at a point on the West line, 796.3 feet North of the Southwest corner of said Lot 4; First Course, thence North along said West line, 128.7 feet; Second Course, thence Northeast at an angle of 53 degrees 45 minutes to the right, 269.6 feet; Third Course, thence Southeasterly at right angles, 170.0 feet; Fourth Course, thence Northeasterly at right angles, 491.6 feet; Fifth Course, thence East, 147.1 feet to an angle of 37 degrees 44 minutes to the right to the Northwesterly right-of-way line of Highway U.S. 66; Sixth Course, thence Southwesterly along said right-of-way line, 752.7 feet; Seventh Course, thence West, 254.5 feet to the place of beginning; this tract contains, 2.76 acres, more or less.

(b) Both such tracts of land shall be sold together and not separately. Before any such sale shall be made, the interest in such real estate shall be appraised by three disinterested persons, acquainted with land values in the county where such real estate is located and appointed as provided in K.S.A. 75-3043a. Such appraisal shall be in writing and filed with the secretary, and the cost of the appraisal shall be paid from the proceeds of the sale. Thereafter, the secretary shall solicit sealed bids for such real estate by public notice inserted in one publication in a newspaper of general circulation in the county where such real estate land is situated, and authorized by law to publish legal notices.

The sale shall be made to the highest responsible bidder who submits a bid within thirty days after publication of such notice, except that in no case shall such real estate be sold for less than the appraised value thereof. The secretary may reject any and all bids, and, in any case, new bids may be called for as in the first instance. When a bid has been accepted, the acceptance thereof shall be made a part of the records of the secretary. Upon acceptance of any such bid, a deed conveying such real estate shall be approved by the attorney general and shall be executed by the secretary, and duly acknowledged by the secretary before any officer authorized by law to take acknowledgments. The deed shall contain a recital that all proceedings for the conveyance of such real estate were made in compliance with this section, and said recital shall be prima facie evidence that such proceedings were had in the manner and form recited. When such real estate is sold, the proceeds thereof, after deduction of the expenses of the sale and the cost of the appraisal of the real estate, shall be deposited in the state treasury and credited to the state general fund.

History: L. 1980, ch. 256, § 2; April 11.