

**82a-215. Easement for construction of diversion works along Kansas river for city of Topeka; conditions; authorization.** (a) The secretary of state is hereby authorized and directed to grant an easement to the city of Topeka, Kansas, on a tract of land owned by the state of Kansas along the south and north banks of the Kansas river described as follows: Commencing at the southwest corner of the northwest quarter of section 26, township 11 south, range 15 east of the 6th p.m.; thence on a line  $89^{\circ}59'28''$  along the south line of the northwest quarter, a distance of 1305.42 feet to the southeast corner of government survey lot 4; thence on a line  $31^{\circ}25'19''$ , a distance of 2,475.90 feet to the point of beginning; thence on a line  $254^{\circ}45'25''$  a distance of 861.04 feet; thence on a line  $311^{\circ}43'22''$ , a distance of 1,277.83 feet; thence on a line  $78^{\circ}43'22''$ , a distance of 1,809.23 feet; thence on a line  $169^{\circ}23'29''$ , a distance of 963.02 feet; thence on a line  $259^{\circ}23'29''$ , a distance of 170.00 feet to the point of beginning. Less that part of the above described tract lying northerly of the northerly high bank of the Kansas river and less that part of such tract lying southerly of the southerly high bank of the Kansas river.

(b) Such easement shall be conditioned on the city of Topeka assuming full responsibility for the use of such easement and holding the state of Kansas harmless therefor. Such easement shall terminate if the land is no longer used for the purpose for which the easement was granted.

(c) The city of Topeka, Kansas, is hereby authorized to acquire the easement described in subsection (a) and to use such easement for the purpose of locating, constructing, maintaining and operating diversion works for the appropriation of water and to assume full responsibility for such use and hold the state of Kansas harmless therefor.

**History:** L. 1987, ch. 399, § 1; L. 1987, ch. 329, § 1; May 28.