

2021 Kansas Statutes

26-506. Eminent domain procedure; view of lands by appraisers; hearings, procedure; notice, sufficiency.

(a) *Notice, time, place and manner of hearing.* The appraisers shall, after having been sworn, and instructed by the judge, make an appraisal and assessment of damages, by actual view of the lands to be taken and of the tracts of which the lands are a part, and by hearing of oral or written testimony from the plaintiff and each interested party as named in K.S.A. 26-502, and amendments thereto, appearing in person or by an attorney. Such testimony shall be given at a public hearing held in the county where the action is pending at a time and place fixed by the appraisers. Notice of the hearing shall be mailed at least 14 days in advance thereof to the plaintiff and to each party named in the petition if their address is known or can with reasonable diligence be ascertained, and by one publication in a newspaper of general circulation in each county where the lands are situated at least 14 days in advance of the hearing. In case of failure to meet on the day designated in the notice, the appraisers may meet on the following day without further notice. In case of failure to meet on either of such days, a new notice shall be required. A hearing begun pursuant to proper notice may be continued or adjourned from day to day and from place to place until the hearing with respect to all properties involved in the action has been concluded.

(b) *Form of notice.* The notice of hearing shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

History: L. 1963, ch. 234, § 6; L. 2003, ch. 106, § 1; L. 2006, ch. 62, § 6; L. 2010, ch. 135, § 42; July 1.