

2021 Kansas Statutes

60-707. Attached property retained or repossessed by defendant; bond. Bond, conditions, discharge of attachment. When property of the defendant found in the defendant's possession or in the possession of any other person shall be attached, the defendant, or such other person, may retain or regain the possession thereof at any time before final judgment or sale of such property under the order of the court, by giving a bond with one or more sufficient sureties in an amount which is: (1) Equal to the amount of the plaintiff's claim and probable court costs as shown in the order of attachment or (2) equal to the amount of the appraisal of the property as determined pursuant to subsection (b) of K.S.A. 60-706, or (3) in such lesser amount as may be ordered by the court. The person giving the bond shall have the option of giving bond in an amount prescribed by clause (1) or (2) of this section. The conditions of the bond shall be that the property, or the value thereof, as the case may be, shall be available to apply on any judgment rendered in the action at such time as the court shall order. The sufficiency of the said bond shall be determined by the officer levying the attachment.

Upon the filing of the bond the attachment in such action shall be discharged and restitution made of any property taken under it.

History: L. 1963, ch. 303, 60-707; L. 1977, ch. 202, § 5; April 18.