

HOUSE BILL No. 2522

By Committee on Utilities

3-14

9 AN ACT concerning cities; relating to annexation; amending K.S.A. 12-
10 519 and repealing the existing section.

11

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

13 Section 1. K.S.A. 12-519 is hereby amended to read as follows: 12-
14 519. As used in this act:

15 (a) "Tract" means a single unit of real property under one ownership,
16 outside the corporate limits of a city, which may be platted or unplatted,
17 title to which is publicly or privately held by an owner as defined by
18 subsection (c).

19 (b) "Land" means a part of a tract or one or more tracts.

20 (c) "Owner" means the one who has record title to a tract. In the
21 event two or more persons have record title to a tract, "owner" shall be
22 defined as follows:

23 (1) If joint tenants, "owner" means a majority of the number of joint
24 tenants; (2) if tenants in common, "owner" means both a majority of the
25 number of tenants in common and the holders of a majority of the un-
26 divided interests in the tract; (3) if the tract is held by a life tenant and a
27 remainderman, "owner" means the life tenant; (4) if the tract is held by
28 a tenant under a recorded lease providing for a lease term of 10 years or
29 longer and a remainderman, "owner" means both such tenant and re-
30 mainderman; (5) if one holds title to the surface and another holds title
31 to the minerals, "owner" means *both* the surface title holder *and the*
32 *holder of title to the minerals.*

33 (d) "Adjoins" means to lie upon or touch (1) the city boundary line;
34 or (2) a highway, railway or watercourse which lies upon the city boundary
35 line and separates such city and the land sought to be annexed by only
36 the width of such highway, railway or watercourse.

37 (e) "Platted" means a tract or tracts mapped or drawn to scale, show-
38 ing a division or divisions thereof, which map or drawing is filed in the
39 office of the register of deeds by the owner of such tract.

40 (f) "Land devoted to agricultural use" means land which is devoted
41 to the production of plants, animals or horticultural products, including
42 but not limited to: Forages; grains and feed crops; dairy animals and dairy
43 products; poultry and poultry products; beef cattle, sheep, swine and

1 horses; bees and apiary products; trees and forest products; fruits, nuts
2 and berries; vegetables; or nursery, floral, ornamental and greenhouse
3 products. Land devoted to agricultural use shall not include those lands
4 which are used for recreational purposes, suburban residential acreages,
5 rural home sites or farm home sites and yard plots whose primary function
6 is for residential or recreational purposes even though such properties
7 may produce or maintain some of those plants or animals listed in the
8 foregoing definition.

9 (g) "Watercourse" means a natural or manmade course where water
10 may flow on a regular or intermittent basis; a watercourse shall not include
11 a natural or manmade lake, pond or other impoundment of five or more
12 acres of surface area.

13 Sec. 2. K.S.A. 12-519 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its
15 publication in the statute book.