

*As Amended by Senate Committee*

*Session of 2011*

**SENATE BILL No. 112**

By Committee on Federal and State Affairs

2-7

1 AN ACT concerning land surveyors; amending K.S.A. 19-1407, 19-  
2 1411, 19-1412, 19-1413, 19-1416, 19-1417, 19-1420, 19-1422, 19-  
3 1423, 19-1426, 19-1430, 24-106, 24-802, 25-101, 42-358, 58-2001,  
4 58-2002, 58-2003, 58-2004, 58-2005, 58-2011, **58-3102**, 68-104,  
5 68-131, 68-1407 and 79-409 and K.S.A. 2010 Supp. 68-1402 and  
6 repealing the existing sections; also repealing K.S.A. 19-1403, 19-  
7 1421, 19-1432 and 68-108.

8

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

10 New Section 1. (a) The board of county commissioners of each  
11 county shall appoint a land surveyor, whose official title shall be county  
12 surveyor. The county surveyor may appoint deputy county surveyors,  
13 and each deputy may perform the duties devolved upon the county  
14 surveyor by law. The county surveyor shall be a land surveyor,  
15 licensed pursuant to article 70 of chapter 74 of the Kansas Statutes  
16 Annotated, and amendments thereto. The county surveyor may be a  
17 full-time or part-time county employee, or a contract employee, as  
18 determined appropriate by the board of county commissioners. A land  
19 surveyor may be a county surveyor in more than one county.

20 (b) For purposes of this section and article 14 of chapter 19 of the  
21 Kansas Statutes Annotated, and amendments thereto, the term "land  
22 surveyor" shall have the same meaning ascribed thereto in K.S.A. 74-  
23 7003, and amendments thereto.

24 New Sec. 2. (a) Whenever a land surveyor performs a survey  
25 that results in a new legal description or creates a new tract of land, a  
26 survey plat shall be recorded with the register of deeds in the county  
27 where the survey was located within 90 days after completion of the  
28 survey. The survey plat shall be certified with the seal and signature of  
29 a land surveyor. The land surveyor who signed and sealed the survey  
30 plat shall be responsible for recording the survey.

31 (b) Except for subdivision plats, the board of county  
32 commissioners may, by resolution, designate an alternative county  
33 office for the filing of survey plats for archival purposes. If a county

1 office other than the register of deeds is designated for the filing of  
2 survey plats, then that office shall maintain an index of all surveys by  
3 section, township and range, and surveys of platted lots shall be  
4 indexed by subdivision. The cost of filing the survey plat at the  
5 alternate county office shall not exceed the cost of recording the same  
6 or similar documents at the register of deeds.

7 Sec. 3. K.S.A. 19-1407 is hereby amended to read as follows: 19-  
8 1407. The county surveyor shall keep records to show the following:

9 ~~(1) All surveys;~~

10 ~~(2) (a) A plat of each boundary survey showing all course lengths~~  
11 ~~and angles of deflection, to a scale of not less than four (4) inches to the~~  
12 ~~mile, and showing a directional arrow, a location legend and such other~~  
13 ~~data as will properly identify the plat made by the county surveyor;~~  
14 ~~which shall be in accordance with Kansas law in effect at the time such~~  
15 ~~survey is made;~~

16 ~~(3) (b) a full set of field notes, setting forth the chainage distance~~  
17 ~~and direction of all courses, and recording the stations of all permanent~~  
18 ~~fences and boundaries and of such existing landmarks as will allow a~~  
19 ~~complete study of the property, from such record;~~

20 ~~(4) (c) a description of all corners found or set with a tie-in to at~~  
21 ~~least three (3) permanent markers or witnesses also described, together~~  
22 ~~with their direction and distance from a stone or corner. reference~~  
23 ~~reports prepared by the county surveyor; such surveyor's deputies and~~  
24 ~~other land surveyors pursuant to K.S.A. 58-2011, and amendments~~  
25 ~~thereto.~~

26 Sec. 4. K.S.A. 19-1411 is hereby amended to read as follows: 19-  
27 1411. In establishing the center corner of all sections closing on a  
28 parallel or base line, the ~~county land~~ surveyor ~~or his deputy~~ shall  
29 commence at the quarter-section corner on the south boundary of the  
30 section, and run a line north, parallel to the east boundary of ~~said such~~  
31 section; and at ~~forty~~ 40 chains from the quarter-section corner on the  
32 south boundary, ~~or place of commencement, said county such land~~  
33 surveyor ~~or his deputy~~ shall permanently establish the center corner of  
34 the section; and at the point where the said north line produced  
35 intersects the parallel or base line, which must be just ~~forty~~ 40 chains  
36 west of northeast corner of the section, ~~said county such land~~ surveyor  
37 ~~or his deputy~~ must permanently establish the quarter-section corner on  
38 the north boundary of the section.

39 Sec. 5. K.S.A. 19-1412 is hereby amended to read as follows: 19-

1 1412. In re-establishing missing corners, where no bearing or witness  
 2 tree or trees can be found, the ~~county land~~ surveyor or ~~his deputy~~ shall  
 3 establish ~~said~~ the missing corners in accordance with the government  
 4 surveys. Where government surveys cannot be accurately followed,  
 5 missing corners shall be established by proportionate measurement or  
 6 existing landmarks supplemented with other location data, monuments,  
 7 ~~chainage, distances and the stone of monuments~~ for the corners shall be  
 8 replaced according to the best calculations of the ~~county land~~ surveyor,  
 9 taking into account all the data, and, if necessary, replacing the  
 10 proportionate measurement requirement.

11 Sec. 6. K.S.A. 19-1413 is hereby amended to read as follows: 19-  
 12 1413. (a) If any county surveyor or ~~his such surveyor's~~ deputy shall  
 13 be molested, or prevented from doing or performing any of ~~his or their~~  
 14 ~~such surveyor's~~ official duties, by means of threats or improper  
 15 interference of any person or persons, such surveyor shall call on the  
 16 sheriff of the county, who shall accompany ~~him~~ ~~such surveyor~~ and  
 17 remove all force; .

18 (b) ~~and the person or persons thus~~ Threatening or improperly  
 19 interfering with any county surveyor or ~~his such surveyor's~~ deputy,  
 20 ~~while performing his or their during the performance of such~~  
 21 ~~surveyor's~~ official duties, shall be a class A nonperson misdemeanor,  
 22 and on conviction thereof be fined in a sum not exceeding one hundred  
 23 dollars, and moreover shall be liable for all damages to any person by  
 24 the hindrance of the county surveyor or ~~his such surveyor's~~ deputy, and  
 25 also for all the expenses that may accrue in consequence of the  
 26 attendance of the sheriff.

27 Sec. 7. K.S.A. 19-1416 is hereby amended to read as follows: 19-  
 28 1416. ~~That~~ It shall not be necessary for the county surveyor to take an  
 29 oath or affirmation before commencing ~~his such surveyor's~~ duties to  
 30 survey roads, except as is provided by law, when ~~he takes his such~~  
 31 ~~surveyor takes~~ oath of office, ~~as is provided in Laws of 1913, chapter~~  
 32 ~~157, section 1.~~

33 Sec. 8. K.S.A. 19-1417 is hereby amended to read as follows: 19-  
 34 1417. It shall be the duty of each county surveyor to employ  
 35 disinterested persons to act as ~~chainmen; and he may appoint markers,~~  
 36 ~~flagmen and rodmen; and such surveyor's assistants.~~ The expenses of  
 37 ~~the chainmen, markers, flagmen and rodmen such assistants~~ shall be  
 38 paid in advance, if required by the county surveyor or ~~his deputy~~, by the  
 39 party on whose application the survey may be made, and the money so

1 advanced shall be accounted for by the *county* surveyor and the amount  
2 expended to be taxed on the bill of cost. Any ~~chairman, marker or~~  
3 ~~flagman appointed as aforesaid~~ *appointed assistant* shall receive, for  
4 each day that ~~he~~ *such assistant* may be actually *be* employed in  
5 performing the work, the prevailing wages for like services within the  
6 area, as determined by the board of county commissioners.

7 Sec. 9. K.S.A. 19-1420 is hereby amended to read as follows: 19-  
8 1420. Upon the establishment of any road, the county surveyor shall  
9 enter the plat and field notes thereof upon the official road record of the  
10 county. ~~He~~ *The county surveyor* shall, when ordered by the board of  
11 county commissioners, make out a complete description of all or any  
12 part of the real estate of ~~his~~ *such* county, to be made out and entered in  
13 proper rolls furnished by the county clerk for such purpose. ~~The county~~  
14 ~~surveyor shall, when ordered by the county commissioners, make~~  
15 ~~complete surveys, plans, specifications and estimates for all bridges,~~  
16 ~~culverts, roads, ditches, or other public works to be constructed under~~  
17 ~~the authority of the board of county commissioners, and shall report the~~  
18 ~~same with his recommendations thereon, and when so ordered he shall~~  
19 ~~superintend the construction of such work, and make reports on the~~  
20 ~~progress of the same to the board of county commissioners as often as~~  
21 ~~they may require: Provided, That the board of county commissioners~~  
22 ~~may employ a civil engineer or architect to act alone or in conjunction~~  
23 ~~with the county surveyor in making plans, specifications and estimates~~  
24 ~~for any bridge, culvert, road, ditch or other public work to be~~  
25 ~~constructed by the county, and in superintending the construction of the~~  
26 ~~same.~~

27 Sec. 10. K.S.A. 19-1422 is hereby amended to read as follows: 19-  
28 1422. In the resurvey of land surveyed under the authority of the  
29 United States, the ~~county~~ *land* surveyor shall observe the following  
30 rules ~~to wit:~~

31 *First*, Section and quarter-section corners, and all other corners  
32 established by the government survey, must stand as the true corners.

33 *Second*, They must be re-established at the identical spot where the  
34 original corner was located by the government surveyor, when this can  
35 be determined.

36 *Third*, When this cannot be done, then said corners must be re-  
37 established in accordance with the provisions of ~~section~~ *K.S.A. 19-1412*  
38 ~~of the General Statutes of 1949, as amended. , and amendments~~  
39 *thereto.*

1       Sec. 11. K.S.A. 19-1423 is hereby amended to read as follows: 19-  
2 1423. (a) Whenever the owner or owners of one or more tracts of  
3 land shall desire to permanently establish the corners and boundaries  
4 thereof, such owner or owners shall notify the county surveyor to make  
5 a survey thereof and establish such corners and boundaries, and shall  
6 furnish to the county surveyor the name or names and address or  
7 addresses of all persons residing in the county and elsewhere, so far as  
8 known, who may be affected by such survey. The county surveyor shall  
9 cause a notice in writing to be served on each person who may be  
10 affected by the survey, or their agent or agents residing in such county,  
11 stating the time when the *county* surveyor will begin the survey, and the  
12 lines or corners to be established, which notice shall be delivered to the  
13 person or left at their usual place of residence, at least six days prior to  
14 the day set for the survey.

15       (b) *Notice may be served* upon the landowners who may be  
16 affected by the survey, and who do not reside in the county, ~~notice may~~  
17 ~~be served~~ by publication in a newspaper published in the county, if  
18 there is one, once in each week for three consecutive weeks, the last  
19 publication to be made at least three days prior to the day set for  
20 beginning the survey, and in case no newspaper is published in the  
21 county, then in some newspaper published in the state which has  
22 general circulation in the county, or such notice may be served by  
23 mailing, by registered mail, postage prepaid, with return receipt  
24 requested, addressed to such person at their usual place of residence  
25 with proper post-office address. In all cases where all the landowners  
26 interested shall consent in writing, the county surveyor may, at such  
27 time as may be agreed upon, proceed to establish such corners and  
28 boundaries without serving notice as required by this section. Proof of  
29 service of notice as herein provided shall be made and entered of record  
30 in the office of the county surveyor, *and retained for a period of one*  
31 *year.*

32       (c) All costs incurred by the county surveyor in conducting such  
33 survey and proceedings for establishing the corners and boundaries of  
34 any tract or tracts of land requested by the owner of such property shall  
35 be paid by the party or parties requesting such survey. All costs  
36 incurred by the county surveyor in conducting surveys and proceedings  
37 for establishing the corners and boundaries of tracts of land which are  
38 authorized and directed by the board of county commissioners shall be  
39 paid from funds of the county available for such purpose.

1       Sec. 12. K.S.A. 19-1426 is hereby amended to read as follows: 19-  
2 1426. (a) Upon the filing of the report of each survey, any person  
3 interested in ~~the same~~ *such report* can at any time within 30 days  
4 thereafter appeal to the district court, by filing with the county surveyor  
5 a notice of such person's intention to appeal and by giving a bond, to be  
6 approved by the judge of the district court, conditioned for the payment  
7 of costs of the appeal if the report of the county surveyor is affirmed by  
8 the court. Upon the filing of such notice and bond the county surveyor  
9 shall certify the appeal to the clerk of the district court, and shall file  
10 with the clerk a certified copy of the report appealed from, including  
11 the affidavits, if any, filed therewith. The court shall hear and determine  
12 the appeal, and enter an order of judgment approving or rejecting the  
13 report, or modifying or amending the report, or may refer the report  
14 back to the *county* surveyor to correct the survey and report in  
15 conformity with the decree of the court, or may, for good cause shown,  
16 set aside the report and appoint one or more *land* surveyors, who shall  
17 proceed at the time mentioned in the order of the court, to survey and  
18 determine the corners and boundaries of the land in question, and shall  
19 report the same to the court for further action.

20       (b) The corners and boundaries established in any survey made in  
21 pursuance of an agreement, or in any survey where no appeal is taken  
22 from the *county* surveyor's report, and such corners and boundaries as  
23 are established by the decree of the court, shall be held and considered  
24 as permanently established, and shall not thereafter be changed. When  
25 any report of a survey made in pursuance of an agreement, or of legal  
26 notice, or by the order of court, becomes final, it shall be the duty of the  
27 county surveyor to record the report in the records of permanent  
28 surveys. The county surveyor shall also make a certified record of such  
29 survey on paper of the same size as the record of permanent surveys,  
30 suitable for binding, and shall file the record in the office of register of  
31 deeds.

32       Sec. 13. K.S.A. 19-1430 is hereby amended to read as follows: 19-  
33 1430. ~~When he shall find or be notified that, by reason of the wearing,~~  
34 ~~washing or blowing of the land below its usual surface, a cornerstone~~  
35 ~~or monument is in danger a United States public land survey corner or~~  
36 ~~section center corner monument located in a street or road:~~

37       (a) ~~Is at risk of being displaced or destroyed, it shall be the duty of~~  
38 ~~the township trustee on township roads, the county surveyor on county~~  
39 ~~roads, and of persons, firms or corporations on their property, to at once~~

1 ~~fill in around such cornerstone or monument in such manner as to make~~  
2 ~~it secure; and further, when a cornerstone or monument ;~~

3 (b) ~~projects above the usual grade of a roadbed enough to be in~~  
4 ~~danger of being displaced by travel, by road graders, or by other means,~~  
5 ~~or if by reason of intended cuts or fills the cornerstone or monument is~~  
6 ~~likely to be displaced or destroyed or covered to a depth exceeding two~~  
7 ~~(2) feet or covered with ;~~

8 (c) ~~is at risk of coverage by concrete, asphalt or other permanent~~  
9 ~~type surfacing, and such cornerstone or monument has not at least two~~  
10 ~~(2) duly recorded witness monuments, the county surveyor shall be~~  
11 ~~given notice, served in person or by certified mail, of such fact,~~  
12 ~~together with the location of such cornerstone or monument.; or~~

13 (d) ~~is at risk that fill will cover the corner monument more than~~  
14 ~~two feet, the agency responsible for maintaining the road shall preserve~~  
15 ~~the corner monument by employing a land surveyor to comply with the~~  
16 ~~provisions of K.S.A. 58-2011, and amendments thereto.~~

17 *The cost of the preservation or reestablishment of the corner*  
18 *monument shall be paid by the agency responsible for maintaining the*  
19 *road, or if such corner monument is located on private property, by the*  
20 *landowner.*

21 Sec. 14. K.S.A. 24-106 is hereby amended to read as follows: 24-  
22 106. ~~Owners of land~~ *Landowners* may drain ~~the same~~ *their land* in the  
23 general course of natural drainage, by constructing open or covered  
24 drains, into any natural depression, draw, or ravine, on ~~his~~ *such*  
25 *landowner's* own land, whereby the water will be carried by ~~said~~ *such*  
26 depression, draw, or ravine into some natural watercourse, or into any  
27 drain upon a public highway, for the purpose of securing proper  
28 drainage to such land, ~~and he~~ . *Such landowner* shall not be liable in  
29 damages therefor to any person or persons or corporation: ~~Provided,~~  
30 ~~That owners of land~~ , *provided that* in constructing an outlet to a drain  
31 upon any public road, *the landowner* shall leave the road in as good a  
32 condition as it was before the drain was constructed; . The question as  
33 to such condition ~~to~~ *shall* be determined by the board of county  
34 commissioners and the county engineer ~~in counties having a county~~  
35 ~~engineer, and in other counties the county surveyor.~~ .

36 Sec. 15. K.S.A. 24-802 is hereby amended to read as follows: 24-  
37 802. Whenever a petition is presented to the board of county  
38 commissioners of the county in which a levee is proposed to be  
39 constructed, signed by the owners of a majority of the acreage on which

1 such levee or any portion of it is proposed to be constructed, or which  
2 will be benefited by the construction of such levee, specifying  
3 substantially the place of beginning, the general course and termination  
4 of such levee, accompanied by a bond, with surety approved by the  
5 clerk of such board, payable to the state of Kansas, conditioned that the  
6 petitioners will pay all costs and expenses accruing in the proceedings  
7 in case said levee be not finally located and allowed, the board of  
8 county commissioners shall with such assistance as may be required of  
9 the county ~~surveyor or~~ engineer, determine whether or not to institute  
10 proceedings and exercise the power of eminent domain in accordance  
11 with K.S.A. 26-501 to 26-516, inclusive, *and amendments thereto*.

12 Sec. 16. K.S.A. 25-101 is hereby amended to read as follows: 25-  
13 101. (a) On the Tuesday succeeding the first Monday in November of  
14 each even-numbered year, there shall be held a general election to elect  
15 officers as follows:

16 (1) At each alternate election, prior to the year in which the term  
17 of office of the president and vice-president of the United States will  
18 expire, there shall be elected the electors of president and vice-  
19 president of the United States to which the state may be entitled at the  
20 time of such election;

21 (2) at each such election, when the term of a United States senator  
22 for this state shall expire during the next year, there shall be elected a  
23 United States senator;

24 (3) at each such election there shall be elected the representatives  
25 in congress to which the state may be entitled at the time of such  
26 election;

27 (4) at each alternate election, prior to the year in which their  
28 regular terms of office will expire, there shall be elected a governor,  
29 lieutenant governor, secretary of state, attorney general, state treasurer  
30 and state commissioner of insurance;

31 (5) at each such election there shall be elected such members of  
32 the state board of education as provided by law;

33 (6) at each such election, when, in a judicial district in which  
34 judges of the district court are elected, the term of any district judge  
35 expires during the next year, or a vacancy in a district judgeship has  
36 been filled by appointment more than 30 days prior to the election,  
37 there shall be elected a district judge of such judicial district;

38 (7) at each such election, when, in a judicial district in which  
39 judges of the district court are elected, the term of any district



1 magistrate judge expires during the next year, or a vacancy in a district  
2 magistrate judgeship has been filled by appointment more than 30 days  
3 prior to the election, there shall be elected a district magistrate judge of  
4 such judicial district;

5 (8) at each alternate election, prior to the year in which the regular  
6 term of office of state senators shall expire, there shall be elected a state  
7 senator in each state senatorial district;

8 (9) at each election there shall be elected a representative from  
9 each state representative district;

10 (10) at each alternate election there shall be elected, in each  
11 county, a county clerk, county treasurer, register of deeds, county or  
12 district attorney, sheriff and such other officers as provided by law; *and*  
13 ~~at each alternate election, in counties that may by law be entitled to~~  
14 ~~elect such officer, there shall be elected a county surveyor;~~

15 (11) at each election, when the term of county commissioner in  
16 any district in any county shall expire during the next year, there shall  
17 be elected from such district a county commissioner.

18 (b) This section shall apply to the filling of vacancies only so far  
19 as is consistent with the provisions of law relating thereto.

20 Sec. 17. K.S.A. 42-358 is hereby amended to read as follows: 42-  
21 358. (a) Whenever the ~~owners of land~~ *landowners* within any  
22 proposed irrigation district, who shall be residents of the county in  
23 which ~~said~~ *such* proposed irrigation district is located, shall desire the  
24 erection of such district as provided for in K.S.A. 42-357, *and*  
25 *amendments thereto, they such landowners* shall cause to be presented  
26 to the board of county commissioners of such county a petition signed  
27 by not less than ~~three-fourths~~ <sup>3/4</sup> of the ~~owners of land~~ *landowners*  
28 within ~~said~~ *such* proposed district who are residents of such county,  
29 which petition shall define the boundaries of ~~said~~ *such* irrigation  
30 district, and shall ask for the erection of such district. Such petition  
31 shall be accompanied by an outlined map or plat showing the tracts of  
32 territory to be erected into such district, together with the numbers of  
33 sections and parts of the sections of land to compose such irrigation  
34 district; and ~~said~~ *such* map or plat shall contain a drawing and profile of  
35 the proposed main ditch to the source of supply, and of all other ditches  
36 and laterals proposed to be constructed or purchased for the purpose of  
37 irrigating said described lands in ~~said~~ *such* proposed district.

38 (b) ~~And said~~ *Such* petition shall be accompanied by an estimate, to  
39 be made by the county engineer of such county, ~~if such engineer be~~

1 ~~then in the employ of such county, and if not, by the county surveyor,~~  
 2 of the probable cost of ~~the building of said~~ *the* main ditch, ditches and  
 3 laterals and all other works necessary to be built in order to furnish a  
 4 sufficient supply of water to irrigate the lands in ~~said~~ *such* proposed  
 5 district; or the costs of reconstruction and repair of such ditches,  
 6 laterals and other works in case it is proposed to purchase the same; and  
 7 at any time after the filing of such petition the county commissioners  
 8 may, on the written application of any ~~ten~~ *10* of such petitioners, order  
 9 such county engineer ~~or surveyor~~ to make the estimates herein provided  
 10 for, and ~~he~~ *such county engineer* shall receive ~~for his work and labor~~  
 11 such reasonable compensation as such board of commissioners shall  
 12 allow *for such work performed.*

13 Sec. 18. K.S.A. 58-2001 is hereby amended to read as follows: 58-  
 14 2001. (a) All *exterior* corners in the boundary of a subdivision of land  
 15 shall be monumented prior to recording of the plat submitted for  
 16 recording after the effective date of this section. ~~This monument~~ *The*  
 17 *monuments* shall be a metallic bar or ~~tube set rigidly in a concrete base-~~  
 18 *pipe which is in accordance with Kansas law at the time the survey is*  
 19 *made.*

20 (b) *As used in article 20 of chapter 58 of the Kansas Statutes*  
 21 *Annotated, and amendments thereto:*

22 (1) *"Condominium plat" means a type of subdivision plat for*  
 23 *condominiums as required by K.S.A. 58-3115, and amendments thereto.*

24 (2) *"Subdivision plat" means a type of survey plat that creates*  
 25 *lots, tracts, units or other parcels of land, that is acknowledged by the*  
 26 *landowner and which requires acceptance by a city or county*  
 27 *governing body.*

28 (3) *"Survey plat" means a drawing prepared by a land surveyor*  
 29 *that graphically depicts the details of a survey and the location of the*  
 30 *monuments.*

31 (4) *"Townhouse plat" means a type of subdivision plat for*  
 32 *townhouses as required by K.S.A. 58-3707, and amendments thereto.*

33 Sec. 19. K.S.A. 58-2002 is hereby amended to read as follows: 58-  
 34 2002. Where any ~~section corner, quarter section corner~~ *United States*  
 35 *public land survey corner* or section center is involved in the control  
 36 establishing the location of a subdivision boundary *or other property*  
 37 *boundary, said point* ~~such corners~~ shall be ~~clearly~~ *monumented and*  
 38 ~~labeled~~ *before it is being used in the subdivision control of the survey.*

39 Sec. 20. K.S.A. 58-2003 is hereby amended to read as follows: 58-

1 2003. When any ~~section corner, quarter section corner~~ *United States*  
 2 *public land survey corner* or section center is ~~set or reset~~ *monumented*  
 3 *or remonumented* by a *land* surveyor, and when any such corner is  
 4 located by a *land* surveyor in the course of carrying out a ~~public~~ survey,  
 5 there shall be recorded, in the manner provided by K.S.A. 58-2011, and  
 6 amendments thereto, reference measurements from permanent, visible  
 7 objects to the location of the ~~point corner~~ as ~~set, reset~~ *monumented,*  
 8 *remonumented* or located. These reference objects shall be described  
 9 clearly. ~~In lieu of reference measurements from visible objects, such~~  
 10 ~~reference measurements may be made from triangulation stations~~  
 11 ~~maintained by the national ocean service/national geodetic survey or by~~  
 12 ~~utilizing the state plane coordinate system prescribed by K.S.A. 58-~~  
 13 ~~20a01 et seq., and amendments thereto.~~

14 Sec. 21. K.S.A. 58-2004 is hereby amended to read as follows: 58-  
 15 2004. The following information shall be submitted ~~to the county~~  
 16 ~~surveyor~~ with all ~~survey plats for subdivisions of land~~ *that are*  
 17 *required to be reviewed by the county surveyor:*

18 (a) ~~Exterior boundary~~ *Survey plat showing: (1) Theory of location*  
 19 *used for the exterior boundary; (2) locations of the monuments, (2) ;*  
 20 *and (3) bearings and distances between the monuments, (3) closure*  
 21 *calculations. .*

22 (b) ~~All horizontal lot calculations and street calculations. Closure~~  
 23 ~~calculations of the exterior boundary and interior lots and parcels, or~~  
 24 ~~equivalent electronic data files acceptable to the county surveyor.~~

25 (c) *Corner reference reports prepared by the land surveyor as*  
 26 *required by K.S.A. 58-2003 and 58-2011, and amendments thereto, less*  
 27 *than one year prior to the date such reports are submitted to the county*  
 28 *surveyor.*

29 Sec. 22. K.S.A. 58-2005 is hereby amended to read as follows: 58-  
 30 2005. (a) Before a subdivision plat, or ~~survey plat of survey may~~  
 31 ~~required to be recorded pursuant to section 2, and amendments thereto,~~  
 32 ~~can be recorded, it shall be reviewed by the county surveyor or a land~~  
 33 ~~surveyor designated by the county. If the county does not have a~~  
 34 ~~designated county surveyor, the county engineer shall review the plat if~~  
 35 ~~the county engineer also is a registered land surveyor. In the absence of~~  
 36 ~~both a county surveyor and a county engineer who is a registered land~~  
 37 ~~surveyor the plat shall be reviewed by a registered land surveyor~~  
 38 ~~designated by the county. All cost for plat review and approval shall be~~  
 39 ~~charged back to the applicant for plat approval. The county shall be~~

1 responsible for the enforcement of this act. The county surveyor or  
2 ~~county engineer~~ *other land surveyor designated by the county* shall  
3 certify that such plat meets all the requirements of this act. ~~If any such~~  
4 ~~plat is required to be submitted to any planning commission for review~~  
5 ~~and approval or disapproval, such review and approval duly certified~~  
6 ~~upon the face of such plat shall not constitute full compliance with the~~  
7 ~~review required in this section unless reviewed by the county surveyor~~  
8 ~~or county engineer.~~

9 (b) (1) *The survey plat shall be reviewed for: (A) Closure of the*  
10 *exterior boundary; (B) monumentation of the exterior boundary and*  
11 *United States public land survey corners; (C) legal description; and*  
12 *(D) compliance with K.S.A. 58-2011, and amendments thereto.*

13 (2) *A townhouse plat shall be reviewed in accordance with*  
14 *paragraph (1), and shall also be reviewed for compliance with K.S.A.*  
15 *58-3707, and amendments thereto.*

16 (3) *A condominium plat shall be reviewed in accordance with*  
17 *paragraph (1), and shall also be reviewed for compliance with K.S.A.*  
18 *58-3115, and amendments thereto.*

19 (4) *The board of county commissioners may, by resolution, adopt*  
20 *additional review requirements, including, but not limited to, review of*  
21 *proposed new tracts for compliance with zoning ordinances and*  
22 *regulations.*

23 (c) *Costs for the plat review and approval may be charged to the*  
24 *applicant for plat approval. All costs charged pursuant to this section*  
25 *shall be based on actual costs of the review and approval as approved*  
26 *by the board of county commissioners. There shall be no charge to the*  
27 *applicant for the completion of a deficiency correction verification. If*  
28 *new deficiencies are identified on an amended plat, and were not*  
29 *present on the initial plat, then the cost of the additional review may be*  
30 *charged to the applicant, provided, such charge does not exceed the*  
31 *charge for the initial review.*

32 (d) *If a survey plat is required to be reviewed, the register of deeds*  
33 *for such county may:*

34 (1) *Accept a survey plat for recordation only after the county*  
35 *surveyor, or such surveyor's designee, signs the face of the plat; or*

36 (2) *accept the survey plat, filing fee and review fee prior to review,*  
37 *then deliver the plat along with the review fee to the county surveyor or*  
38 *such surveyor's designee. The county surveyor, or such surveyor's*  
39 *designee, shall return the plat to the register of deeds, or to the*

- 1 *submitting land surveyor, if necessary, upon completion of the review.*
- 2 *(e) The county surveyor, or such surveyor's designee, shall*  
3 *complete any initial plat review and deliver such plat to the submitting*  
4 *land surveyor or the register of deeds, as the case may be, no later than*  
5 *eight business days after such plat was submitted for review. During*  
6 *the initial review of a plat, the county surveyor, or such surveyor's*  
7 *designee, shall identify deficiencies related to those items described in*  
8 *subsection (b), if applicable. The county surveyor, or such surveyor's*  
9 *designee, shall complete any amended plat review and deliver such*  
10 *amended plat and the deficiency correction verification to the*  
11 *submitting land surveyor or the register of deeds, as the case may be,*  
12 *no later than three business days after such amended plat was*  
13 *submitted for review.*
- 14 *(f) Except for subdivision plats, townhouse plats and*  
15 *condominium plats, the board of county commissioners may, by*  
16 *resolution, waive the requirement for review of survey plats prior to*  
17 *recording with the register of deeds.*
- 18 Sec. 23. K.S.A. 58-2011 is hereby amended to read as follows: 58-  
19 2011. (a) Whenever a survey originates from a United States public  
20 land survey corner or any related accessory, the land surveyor shall file  
21 ~~a copy of the report of the completed survey and references to the~~  
22 *reference report for each corner or accessory with the secretary of the*  
23 *state historical society and with the county surveyor for the county or*  
24 *counties in which the survey corner exists. If there is no county*  
25 *surveyor of such county, such reference report shall be filed with the*  
26 *county engineer. If there is no county engineer, such report shall be*  
27 *filed in the office of the county road department. Reports filed with the*  
28 *secretary of the state historical society may be filed and retrieved using*  
29 *electronic technologies if authorized by the secretary. Such report shall*  
30 *be filed within 30 days of the date the references are made. At the time*  
31 *of filing such report with the secretary of the state historical society, the*  
32 *land surveyor shall pay a filing fee in an amount fixed by rules and*  
33 *regulations of the secretary of the state historical society. Fees charged*  
34 *for filing and retrieval of such reports may be billed and paid*  
35 *periodically.*
- 36 (b) Any person engaged in an activity in which a United States  
37 public land survey corner or any related accessory is likely to be  
38 altered, removed, damaged or destroyed, shall have a person qualified  
39 to practice land surveying establish such reference points as necessary

1 for the restoration, reestablishment or replacement of the corner or  
2 accessory. The land surveyor shall file a reference report with the  
3 secretary of the state historical society and with the county surveyor for  
4 the county or counties in which the survey corner exists. Such report  
5 shall be filed within 30 days of the date the references are made. At the  
6 time of filing such report with the secretary of the state historical  
7 society, the land surveyor shall pay a filing fee in an amount fixed by  
8 rules and regulations of the secretary of the state historical society.

9 (c) Upon completion of the activity likely to alter, remove, damage  
10 or destroy the public land survey corner or related accessory, the land  
11 surveyor shall review the survey corner and its accessories. If the  
12 survey corner or any accessory has been altered, removed, damaged or  
13 destroyed, the land surveyor shall replace the corner or accessory with  
14 a survey monument and file a restoration report with the secretary of  
15 the state historical society and the county surveyor in the county or  
16 counties in which it existed. If the survey corner and accessories are not  
17 damaged during the activity, a restoration report so stating shall be filed  
18 with the secretary of the state historical society and county surveyor's  
19 office. Such report shall be filed within 30 days after the activity is  
20 completed. At the time of filing such report with the office of the  
21 secretary of the state historical society the land surveyor shall pay a  
22 filing fee in an amount fixed by rules and regulations of the secretary of  
23 the state historical society.

24 (d) Failure to comply with the filing requirements of this section  
25 shall be grounds for the suspension or revocation of the land surveyor's  
26 license.

27 (e) The secretary of the state historical society may produce,  
28 reproduce and sell maps, plats, reports, studies and records relating to  
29 land surveys. The secretary of the state historical society shall charge a  
30 fee in an amount to be fixed by rules and regulations of the secretary  
31 for the furnishing of information retrieved from records filed pursuant  
32 to this section and for reproductions or copies of maps, plats, reports,  
33 studies and records filed in such office.

34 (f) All moneys collected by the secretary of the state historical  
35 society under the provisions of this section shall be remitted to the state  
36 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
37 amendments thereto. Upon receipt of each such remittance, the state  
38 treasurer shall deposit the entire amount in the state treasury. Twenty  
39 percent of each such deposit shall be credited to the state general fund

1 and the balance shall be credited to the land survey fee fund, which is  
2 hereby created. All expenditures from such fund shall be made in  
3 accordance with appropriation acts upon warrants approved by the  
4 secretary of the state historical society or a person designated by the  
5 secretary of the state historical society and shall be used only for the  
6 purpose of paying the costs incurred in administering the provisions of  
7 this act. After the effective date of this act, any reference to the  
8 secretary of state in regard to appropriations to the land survey fee fund  
9 shall be deemed to refer to the secretary of the state historical society.

10 (g) The failure of any person to have a land surveyor establish  
11 reference points as required by subsection (b) shall be a class C  
12 misdemeanor.

13 ***Sec. 24. K.S.A. 58-3102 is hereby amended to read as follows:***  
14 ***58-3102. As used in this act and the act of which this section is***  
15 ***amendatory, unless the context otherwise requires; :***

16 ***(a) "Apartment" or "condominium unit" means a part of the***  
17 ***property intended for any type of independent use whether residence,***  
18 ***office, the operation of any industry or business or other use,***  
19 ***including one or more rooms or enclosed spaces located on one or***  
20 ***more floors (or part or parts thereof) in a building, and with a direct***  
21 ***exit to a public street or highway or to a common area leading to***  
22 ***such street or highway. To the extent that ~~walls~~ walls, floors, and***  
23 ***ceilings are designated as the boundaries of a condominium unit or***  
24 ***apartment by the declaration, all doors and windows therein, and all***  
25 ***lath, wallboard, plasterboard, plaster, paneling, tiles, wallpaper,***  
26 ***paint, finished flooring, and any other materials constituting any part***  
27 ***of the furnished surfaces thereof, shall be deemed a part of such unit,***  
28 ***while all other portions of such walls, floors and ceilings shall be***  
29 ***deemed a part of the common areas and facilities. If any chutes,***  
30 ***flues, ducts, conduits, wires, bearing walls, bearing columns, or any***  
31 ***other apparatus lies partially within and partially outside of the***  
32 ***designated boundaries of a unit, any portions thereof serving only***  
33 ***that unit shall be deemed a part of that unit, while any portions***  
34 ***thereof serving more than one unit or any portion of the common***  
35 ***elements shall be deemed a part of the common areas and facilities.***  
36 ***All space, interior partitions, and other fixtures and improvements***  
37 ***within the boundaries of a unit shall be deemed a part of that unit.***  
38 ***Any shutters, awnings, window boxes, doorsteps, porches, balconies,***  
39 ***patios, and any other apparatus designed to serve a single unit, but***

1 *located outside the boundaries thereof, shall be deemed a limited*  
2 *common area and facility appertaining to that unit exclusively.*

3 *(b) "Apartment owner" means the person or persons owning an*  
4 *apartment or condominium unit in fee simple absolute and an*  
5 *undivided interest in the fee simple estate of the common areas and*  
6 *facilities as specified and established in the declaration.*

7 *(c) "Apartment number" means the number, letter, or*  
8 *combination thereof designating the apartment or condominium unit*  
9 *in the declaration.*

10 *(d) "Association of apartment owners" means all of the*  
11 *apartment or condominium unit owners acting as a group in*  
12 *accordance with the bylaws and declaration.*

13 *(e) "Building" means a building, containing one or more*  
14 *apartments or condominium units, or two or more buildings, each*  
15 *containing one or more apartments or condominium units and*  
16 *comprising a part of the property.*

17 *(f) "Condominium" means "property" as hereinafter defined.*

18 *(g) "Common areas and facilities," unless otherwise provided in*  
19 *the declaration or lawful amendments thereto means and includes:*

20 *(1) The land on which the building is located;*

21 *(2) the foundations, columns, girders, beams, supports, main*  
22 *walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes,*  
23 *and entrances and exits of the building;*

24 *(3) the basements, yards, gardens, parking areas and storage*  
25 *spaces;*

26 *(4) the premises for the lodging of janitors or persons in charge*  
27 *of the property;*

28 *(5) installations of central services such as power, lights, gas, hot*  
29 *and cold water, heating, refrigeration, air conditioning and*  
30 *incinerating;*

31 *(6) the elevators, tanks, pumps, motors, fans, compressors, ducts*  
32 *and in general all apparatus and installations existing for common*  
33 *use;*

34 *(7) such community and commercial facilities as may be*  
35 *provided for in the declaration; and*

36 *(8) all other parts of the property necessary or convenient to its*  
37 *existence, maintenance and safety, or normally in common use.*

38 *(h) "Convertible land" shall mean a building site for one or*  
39 *more proposed additional condominium units within the submitted*



1 *land which may be created in accordance with the declaration and*  
2 *this act.*

3 (i) *"Common expenses" means and include:*

4 (1) *All sums lawfully assessed against the apartment owners by*  
5 *the association of apartment owners;*

6 (2) *expenses of administration, maintenance, repair or*  
7 *replacement of the common areas and facilities;*

8 (3) *expenses agreed upon as common expenses by the*  
9 *association of apartment owners; and*

10 (4) *expenses declared common expenses by provisions of this*  
11 *act, or by the declaration or the bylaws.*

12 (j) *"Common profits" means the balance of all income, rents,*  
13 *profits and revenues from the common areas and facilities remaining*  
14 *after the deduction of the common expenses.*

15 (k) *"Declaration" means the instrument by which the property is*  
16 *submitted to the provisions of this act as hereinafter provided, and*  
17 *such declaration as from time to time may be lawfully amended.*

18 (l) *"Expandable condominium" shall mean a condominium to*  
19 *which additional real property may be added in accordance with the*  
20 *provisions of the declaration and of this act.*

21 (m) *"Limited common areas and facilities" means and includes*  
22 *those common areas and facilities designated in the declaration as*  
23 *reserved for use of certain apartment or apartments to the exclusion*  
24 *of the other apartments.*

25 (n) *"Majority" or "majority of apartment owners" means the*  
26 *apartment owners with ~~fifty-one percent (51%)~~ 51% or more of the*  
27 *votes in accordance with the percentages assigned in the declaration*  
28 *to the apartments for voting purposes.*

29 (o) *"Par value" shall mean a number of dollars or points*  
30 *assigned to each condominium unit by the declaration. If par value is*  
31 *stated in terms of dollars, that statement shall not be deemed to*  
32 *reflect or control value for taxation, fair market value, or for any*  
33 *purpose.*

34 (p) *"Person" means individual, corporation, partnership,*  
35 *association, trustee or other legal entity.*

36 (q) *"Property" means and includes the land, the building, all*  
37 *improvements and structures thereon, all owned in fee simple*  
38 *absolute and all easements, rights and appurtenances belonging*  
39 *thereto, and all articles of personal property intended for use in*

1 *connection therewith, which have been or are intended to be*  
2 *submitted to the provisions of this act.*

3 *(r) "Recording officer" means the register of deeds of the county*  
4 *in which the property is located.*

5 *(s) "Size" shall mean the approximate square feet of floor space*  
6 *of each condominium unit computed by reference to the declaration*  
7 *and floor plans and rounded off to a whole number. Certain spaces*  
8 *may be excluded or estimated in determining size if the same basis of*  
9 *calculation is used for all units of the condominium and is described*  
10 *in the declaration or floor plans.*

11 *(t) "Submitted land" shall mean real property, and any incidents*  
12 *thereto or interests therein, lawfully submitted to the provisions of*  
13 *this act as hereinafter provided.*

14 Sec. 24 25. K.S.A. 68-104 is hereby amended to read as follows:  
15 68-104. (a) Upon presentation of any petition for a road, or for the  
16 alteration or vacation of any road, to the county commissioners, at any  
17 regular session of their board, it shall be the duty of ~~said~~ such  
18 commissioners, if they find the petition to be a legal one, and that the  
19 proper bond has been filed, to appoint three disinterested householders  
20 of the county as viewers with ~~said~~ such commissioners, who may act as  
21 viewers of ~~said~~ such road, and the county clerk shall give notice by  
22 advertisement set up in the county clerk's office and in every municipal  
23 township through which any part of ~~said~~ such road is designed to be  
24 laid out, altered, or vacated, for at least ~~twenty~~ 20 days, and by  
25 publication for two consecutive weeks in a newspaper of general  
26 circulation in the county, setting forth that such petition has been  
27 presented, giving the substance thereof, and that the commissioners or  
28 the viewers, on the day designated, which shall not be more than  
29 ~~twenty~~ 20 days after the date of the second publication in the  
30 newspaper of the notice herein required, will proceed to view the ~~said~~  
31 such road, and give all parties a hearing.

32 (b) They shall also cause a record of such notice to be entered on  
33 their journal by the county clerk. They shall issue an order directing the  
34 county surveyor to meet with them at the time and place named in ~~said~~  
35 such notice to survey such road. In case of failure to meet on the day  
36 designated, they may meet on the following day, without further notice;  
37 and in case of failure to meet within the time herein specified, new  
38 notice shall be given as hereinbefore provided; that in all applications  
39 for the location, change and relocation of any road to be located upon

1 or along any section line, and the petition shall so state, and shall  
2 specify the section lines to be followed, the place of beginning and the  
3 place of ending, the survey may be dispensed with, and in case the  
4 owners of the lands taken agree in writing to the proposed location,  
5 relocation, or change, and the commissioners are satisfied that the  
6 location, relocation or change prayed for is practicable, and can be  
7 made without unreasonable expense, they may dispense with the  
8 viewing of such location, relocation or change of road, and shall order  
9 the same to be surveyed, platted and opened, and shall also direct the  
10 county ~~engineer~~ *surveyor* to note such location, relocation or change of  
11 roads upon the road records of ~~his~~ *such county surveyor's* office.

12 Sec. ~~25~~ **26**. K.S.A. 68-131 is hereby amended to read as follows:  
13 68-131. (a) It shall be lawful for the township board of any township  
14 to establish and maintain a sidewalk not more than five (~~5~~) feet in width  
15 in and along the outer edge of any highway or across the same  
16 whenever a petition for such sidewalk or crossing is signed by the  
17 resident owners representing ~~fifty-one percent~~ *51%* or more of the  
18 property abutting upon the improvement sought to be made, and when  
19 ~~said~~ *such* petition is filed with the clerk of the township board, the  
20 township board shall cause such improvement to be made and shall  
21 contract therefor and shall levy a tax for the actual cost of such  
22 improvement against the lots, parcels or pieces of land abutting upon  
23 such improvement on the front-foot basis, and the clerk of the township  
24 board shall certify the amount so levied against each lot, parcel or piece  
25 of land for such improvement to the county clerk, who shall place the  
26 same upon the assessment rolls and ~~said~~ *such* tax shall be collected in  
27 the same manner as other taxes: ~~Provided, That~~ . The owner of any lot,  
28 parcel or piece of land liable to any such special assessment may  
29 redeem ~~his~~ *such owner's* property from such liability by paying the  
30 entire amount chargeable against ~~his~~ *such owner's* property at the time  
31 the amount of such tax is ascertained or after the issuance of the  
32 sidewalk scrip by paying the full amount of such special assessment  
33 represented by such scrip, together with the accrued interest.

34 (b) The owners shall designate in their petitions the width and kind  
35 of sidewalks, and the board shall determine the plans and specifications  
36 and material for such improvement in accordance with such petitions,  
37 and shall issue scrip to contractors for the payment of the same for five  
38 (~~5~~) years with interest at the rate of not to exceed ~~five (5) percent~~ *5%*,  
39 ~~one fifth (1/5)~~ *1/5* of such scrip and interest payable each year. ~~It shall be~~

1 ~~the duty of the county surveyor to establish the grades for all such~~  
2 ~~improvements.~~ Resident owners in this act shall be considered residents  
3 of the township wherein the improvement is sought to be made.

4 Sec. ~~26~~ 27. K.S.A. 2010 Supp. 68-1402 is hereby amended to read  
5 as follows: 68-1402. (a) The reconstruction, improvement, removal  
6 and relocation of bridges or approaches thereto provided for in this act  
7 shall be by written contract separately made and awarded as to each  
8 bridge, to the lowest responsible bidder, upon sealed proposals, based  
9 upon plans and specifications therefor on file in the office of the county  
10 clerk of the county. The county ~~surveyor of the county~~ *engineer*, when  
11 so directed to do by the board of county commissioners, shall make all  
12 necessary surveys and investigations and prepare plans and  
13 specifications for the reconstruction, improvement, removal or  
14 relocation of any bridge or the approaches thereto, and grade separation  
15 structures connected therewith, together with an estimate under oath of  
16 the cost thereof, and file such plans, specifications and estimate in the  
17 office of the county clerk of the county. No contract shall be awarded  
18 for any such improvement at a price in excess of ~~said~~ *the* estimated  
19 cost.

20 (b) The board of county commissioners shall have power, if they  
21 deem it necessary, to employ engineers to assist the county ~~surveyor~~  
22 *engineer* in preparing plans and specifications or superintending the  
23 construction of such improvements, and to pay such engineers out of  
24 the proceeds of bonds issued on account of the cost thereof. After  
25 considering and approving plans and specifications, prepared and filed  
26 as aforesaid, the board of county commissioners shall advertise for  
27 three consecutive weeks in the official county paper for sealed  
28 proposals for the construction of such improvements or works, in  
29 accordance with the plans and specifications therefor. The board of  
30 county commissioners shall require any contractor to whom any such  
31 contract is awarded to enter into a written contract, and to secure the  
32 performance thereof by a bond signed by a surety company. All bids for  
33 the construction of any such improvement or work shall be presented  
34 simultaneously to the board of county commissioners and opened  
35 forthwith by them, in the presence of the public and all bidders present.

36 Sec. ~~27~~ 28. K.S.A. 68-1407 is hereby amended to read as follows:  
37 68-1407. (a) The county ~~surveyor of said county~~ *engineer*, when ~~so~~  
38 directed ~~to do~~ by the board of county commissioners, shall make all  
39 necessary surveys and investigations and prepare plans and

1 specifications for the construction of ~~such a~~ bridge and the approaches  
2 thereto, together with an estimate, ~~under oath~~, of the cost thereof, and  
3 file such plans, specifications and estimate in the office of the county  
4 clerk of ~~said such~~ county. ~~Said Such~~ bridge shall be constructed under  
5 written contract made and awarded to the lowest responsible bidder,  
6 upon sealed proposals therefor based upon the plans and specifications  
7 so prepared and filed in the office of the county clerk of ~~said such~~  
8 county. No contract shall be awarded therefor at a price in excess of  
9 ~~said the~~ estimated cost.

10 (b) The plans and specifications prepared and filed as above  
11 provided shall be considered and approved by the board of county  
12 commissioners and thereafter ~~said the~~ board shall advertise for three  
13 consecutive weeks in the official county paper for sealed proposals for  
14 the construction of ~~said such~~ bridge, and the contract therefor shall be  
15 awarded to the lowest responsible bidder, and any contractor to whom  
16 any such contract is awarded, shall enter into a written contract therefor  
17 and to secure the faithful performance thereof shall file in the office of  
18 the county clerk of ~~said such~~ county a bond duly executed by one or  
19 more surety companies duly authorized to do business in this state to be  
20 approved by ~~said the~~ board of county commissioners.

21 Sec. ~~28~~ **29**. K.S.A. 79-409 is hereby amended to read as follows:  
22 79-409. If the owner or occupant of any lot or tract of land shall neglect  
23 or refuse to furnish the description required by K.S.A. 79-408, *and*  
24 *amendments thereto*, when demanded by the county clerk, ~~the county a~~  
25 *land* surveyor shall ascertain the boundaries and quantity of such  
26 property, and such description shall be held to be valid for all purposes  
27 of taxation; and the expense of such survey shall be returned to the  
28 county clerk of the county in which such property is located; and, by  
29 such county clerk, shall be added to the tax upon such property and  
30 made a part thereof, and when collected the county treasurer shall be  
31 required upon warrants drawn by the county clerk on the orders of the  
32 board of county commissioners to pay the expenses of said survey.

33 Sec. ~~29~~ **30**. K.S.A. 19-1403, 19-1407, 19-1411, 19-1412, 19-1413,  
34 19-1416, 19-1417, 19-1420, 19-1421, 19-1422, 19-1423, 19-1426, 19-  
35 1430, 19-1432, 24-106, 24-802, 25-101, 42-358, 58-2001, 58-2002, 58-  
36 2003, 58-2004, 58-2005, 58-2011, **58-3102**, 68-104, 68-108, 68-131,  
37 68-1407 and 79-409 and K.S.A. 2010 Supp. 68-1402 are hereby  
38 repealed.

39 Sec. ~~30~~ **31**. This act shall take effect and be in force from and after

- 1 its publication in the statute book.
- 2