

HOUSE BILL No. 2407

By Committee on Appropriations

3-22

1 AN ACT concerning real estate; relating to duties of the attorney general
2 and the secretary of administration; *authorizing the department of*
3 *wildlife, parks and tourism to purchase land in Sherman county.*
4

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

6 Section 1. (a) Notwithstanding any other statute, on and after the
7 effective date of this section, no real estate located within or without the
8 state of Kansas, nor any interest therein, may be transferred to the state of
9 Kansas or any agency or instrumentality thereof: (1) Through any probate
10 proceeding, except upon the express, written prior consent of the secretary
11 of administration and the attorney general, which shall be filed with the
12 probate court; or (2) otherwise without consideration, except upon the
13 express, written prior consent of the secretary of administration and such
14 agency or instrumentality, if any, receiving such real estate.

15 (b) The attorney general may bring a civil action to declare any
16 transfer in violation of this section void ab initio or for such other relief as
17 the attorney general may deem appropriate.

18 (c) As used in this section, "agency" means any state office,
19 department, board, commission, bureau or other state authority. "Agency"
20 shall not include a state educational institution as defined in K.S.A. 76-
21 711, and amendments thereto, ~~or a community college as defined in~~
22 ~~K.S.A. 70-701(d)~~ 71-701(d), and amendments thereto, *or the*
23 *department of transportation.*

24 *Sec. 2. (a) Subject to the provisions of K.S.A. 2016 Supp. 32-833,*
25 *and amendments thereto, the secretary of wildlife, parks and tourism is*
26 *hereby authorized to acquire by purchase the following tracts of land*
27 *located in Sherman county, Kansas, more particularly described as:*

28 (1) *Tract A: The Southwest Quarter (SW ¼) of Section Three (3),*
29 *Township Ten (10) South, Range Forty (40) West of the 6th P.M. in*
30 *Sherman County, Kansas, LESS THE FOLLOWING DESCRIBED*
31 *TRACT: Referring to the South Quarter (S¼) corner of said Section 3,*
32 *thence S89°48'57"W (assumed and all bearings relative to) along the*
33 *South section line a distance of 47.00 feet to the Point of Beginning.*
34 *Thence continuing along the South section line a distance of 434.67 feet*

1 *to a point, thence N00°05'32"E a distance of 656.91 feet to a point,*
2 *thence S89°03'30"E a distance of 440.02 feet to a point 41.70 feet West*
3 *of the ¼ section line, thence S00°33'38"W a distance of 648.32 feet to*
4 *the Point of Beginning. Said tract contains 6.55 acres, more or less.*

5 *(2) Tract B: The East Half (E ½) of Section Nine (9), Township Ten*
6 *(10) South, Range Forty (40) West of the 6th P.M., LESS THE*
7 *FOLLOWING DESCRIBED TRACT: The South 440 feet of the*
8 *Southeast Quarter (SE ¼) of Section Nine (9), Township Ten (10) South,*
9 *Range Forty (40) West of the 6th P.M., Sherman County, Kansas.*

10 *(3) Tract C: All of Section Ten (10), Township Ten (10) South,*
11 *Range Forty (40) West of the 6th P.M., Sherman County, Kansas.*

12 *A total containing 1,078 acres more or less.*

13 *(b) Prior to payment for the purchase authorized by this section, the*
14 *secretary of wildlife, parks and tourism shall determine that the*
15 *requirements prescribed by K.S.A. 2016 Supp. 32-833, and amendments*
16 *thereto, have been met.*

17 *(c) The provisions of K.S.A. 75-3043a and 75-3739, and*
18 *amendments thereto, shall not apply to the acquisition authorized by this*
19 *section or any contracts required therefor.*

20 *(d) In the event that the secretary of wildlife, parks and tourism*
21 *determines that the legal description of the parcel described by this*
22 *section is incorrect, the secretary of wildlife, parks and tourism may*
23 *purchase the property utilizing the correct legal description.*

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the Kansas register.