

**SENATE BILL No. 423**

By Committee on Ways and Means

2-26

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1 AN ACT concerning real property; authorizing the secretary of  
2 administration to sell the Landon state office building and the  
3 Eisenhower state office building; authorizing the secretary of  
4 administration to exercise the option to purchase and sell the Van Buren  
5 project and the Curtis state office building and parking facility.  
6

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

8 Section 1. (a) The secretary of administration is hereby authorized  
9 and empowered, for and on behalf of the state of Kansas, to sell and  
10 convey all of the rights, title and interest in the following tracts of real  
11 estate located in Shawnee county, Kansas:

12 TRACT 1: The South 7 feet of Lot 160, and all Lots 162, 164, 166 and  
13 168, on Harrison Street; AND Lots 26, 28, 30, 32, 34 and 36 on 6th  
14 Avenue East, along with vacated alley lying South of Lot 168 on Harrison  
15 Street, and North of Lots 26, 28, 30, 32, 34 and 36 on 6th Avenue East, all  
16 in the Original Town, City of Topeka, Shawnee County, Kansas.

17 TRACT 2: Lots 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45 and 47, on 6th  
18 Avenue East; AND Lots 193, 195, 197, 199, 201, 203, 205, 207, 209, 211,  
19 213, and 215 on Van Buren Street; AND Lots 194, 196, 198, 200, 202,  
20 204, and 206, on Harrison Street, along with all of the vacated alleys in  
21 the block bounded by 6th Avenue on the North, Van Buren Street on the East,  
22 Seventh Avenue on the South, and Harrison Street on the West, all in the  
23 Original Town, City of Topeka, Shawnee County, Kansas, except the South  
24 1.5 feet of said Lot 206.

25 TRACT 3: Lots 217, 219, 221, 223, 225, 227, 229, 231 and 233 on Van  
26 Buren Street; AND Lots 218, 220, 222, 224, 226, 228, 230, 232 and 234  
27 on Harrison Street, along with the vacated alley lying West of Lots 217  
28 through 233 (odd) on Van Buren Street and East of Lots 218 through 234  
29 (even) on Harrison Street; AND Lots 236, 238 and 240 on Harrison Street,  
30 all in the Original Town, City of Topeka, Shawnee County, Kansas.

31 (b) (1) When the sale is made, the proceeds thereof shall be remitted  
32 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,  
33 and amendments thereto. Upon receipt of each such remittance, the state  
34 treasurer shall deposit the entire amount in the state treasury to the credit  
35 of the Eisenhower building escrow fund which is hereby created in the  
36 state treasury. Moneys in the Eisenhower building escrow fund shall be

1 used only to: (A) Call and redeem outstanding bonds associated with any  
2 of the property described in subsection (a) in accordance with their terms  
3 on or after their first optional redemption date as may be permitted in  
4 accordance with the applicable bond covenants, along with any other  
5 legally available revenues as may be necessary; and (B) pay the expenses  
6 of such sale and any costs of appraisal.

7 (2) The Kansas development finance authority shall be responsible  
8 for certifying to the secretary of administration and the state treasurer that  
9 the outstanding bonds associated with any of the property described in  
10 subsection (a) have been legally defeased in full. The president of the  
11 Kansas development finance authority shall transmit a copy of such  
12 certification to the director of legislative research.

13 (3) Upon receiving such certification, the state treasurer shall transfer  
14 any remaining moneys in the Eisenhower building escrow fund to the state  
15 general fund.

16 (4) Expenditures from the Eisenhower building escrow fund shall be  
17 made upon warrants of the director of accounts and reports issued pursuant  
18 to vouchers approved by the secretary of administration.

19 (c) The conveyance of real property authorized by this section shall  
20 not be subject to the provisions of K.S.A. 2013 Supp. 75-6609, and  
21 amendments thereto.

22 (d) In the event that the secretary of administration determines that  
23 the legal description of the parcel described by this section is incorrect, the  
24 secretary of administration may convey the property utilizing the correct  
25 legal description but the deed conveying the property shall be subject to  
26 the approval of the attorney general.

27 Sec. 2. (a) The secretary of administration is hereby authorized and  
28 empowered, for and on behalf of the state of Kansas, to sell and convey all  
29 of the rights, title and interest in the following tract of real estate located in  
30 Shawnee county, Kansas:

31 A tract of land in the Southeast Quarter of Section 31, Township 11  
32 South, Range 16 East of the 6th Principal Meridian in the City of Topeka,  
33 County of Shawnee, State of Kansas, and more particularly described as  
34 follows: All of Lots Nos. 290, 292, 294, 296, 298, 300, 302, 304, 306, 308,  
35 310, and 312 on Jackson Street in original town and the Northerly one-half  
36 of alley lying Southerly of and adjacent to Lot 312 as vacated by  
37 Ordinance No. 3009 dated October 6, 1909, and pursuant to Ord. 3021  
38 dated Nov. 19, 1909, and A.T.&S.F. Cont. No. 25487 filed with Register of  
39 Deeds, Shawnee County, March 15, 1982, at 1:48 p.m. in Book 2160,  
40 commencing on page 172. Said lots and portion of vacated alley  
41 containing 46,800 square feet of land, more or less.

42 (b) When the sale is made, the proceeds thereof shall be remitted to  
43 the state treasurer in accordance with the provisions of K.S.A. 75-4215,

1 and amendments thereto. Upon receipt of each such remittance, the state  
2 treasurer shall deposit the entire amount in the state treasury to the credit  
3 of the state general fund.

4 (c) The conveyance of real property authorized by this section shall  
5 not be subject to the provisions of K.S.A. 2013 Supp. 75-6609, and  
6 amendments thereto.

7 (d) In the event that the secretary of administration determines that  
8 the legal description of the parcel described by this section is incorrect, the  
9 secretary of administration may convey the property utilizing the correct  
10 legal description but the deed conveying the property shall be subject to  
11 the approval of the attorney general.

12 Sec. 3. (a) The secretary of administration is hereby authorized and  
13 empowered, for and on behalf of the state of Kansas, to act as the tenant  
14 for the state of Kansas - Kansas department for children and families,  
15 known as the department of social and rehabilitation services in the lease  
16 with option to purchase agreement dated January 1, 1999, to exercise such  
17 tenant's option to purchase the Van Buren project and the land pursuant to  
18 such lease with option to purchase agreement.

19 (b) When such option has been exercised, the secretary of  
20 administration is hereby authorized and empowered, for and on behalf of  
21 the state of Kansas, to sell and convey all of the rights, title and interest in  
22 the Van Buren project and land subject to the terms and conditions of the  
23 lease and any outstanding bonds.

24 (c) When the sale is made, the proceeds thereof shall be used only to:  
25 (1) Call and redeem outstanding bonds associated with the Van Buren  
26 project and the land in accordance with their terms on or after their first  
27 optional redemption date as may be permitted in accordance with the  
28 applicable bond covenants, along with any other legally available revenues  
29 as may be necessary; (2) pay the costs and expenses resulting from  
30 exercising the option to purchase; and (3) pay the closing costs and  
31 expenses of such sale. Any remaining moneys shall be deposited in the  
32 state general fund.

33 (d) The conveyance of real property authorized by this section shall  
34 not be subject to the provisions of K.S.A. 2013 Supp. 75-6609, and  
35 amendments thereto.

36 (e) In the event that the secretary of administration determines that  
37 the legal description of the parcel described by this section is incorrect, the  
38 secretary of administration may convey the property utilizing the correct  
39 legal description but the deed conveying the property shall be subject to  
40 the approval of the attorney general.

41 (f) As used in this section:

42 (1) "Van Buren project and land" means the following described real  
43 estate located in Shawnee County, Kansas, including all buildings,

1 improvements, machinery and equipment constructed, located or installed  
2 on such real estate:

3 All of lots 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 and  
4 168 on Van Buren streets in the City of Topeka, Shawnee County, Kansas.

5 (2) "Lease with option to purchase agreement dated January 1, 1999"  
6 means the lease with option to purchase agreement dated January 1, 1999,  
7 as amended, entered into between the Topeka public building commission  
8 and the state of Kansas - department of social and rehabilitation services,  
9 currently known as the Kansas department for children and families.

10 Sec. 4. (a) The secretary of administration is hereby authorized and  
11 empowered, for and on behalf of the state of Kansas, as the tenant for the  
12 state of Kansas - Kansas department administration in the lease with  
13 option to purchase agreement dated December 1, 1998, to exercise such  
14 tenant's option to purchase the Curtis state office building and the land  
15 pursuant to such lease with option to purchase agreement.

16 (b) When such option has been exercised, the secretary of  
17 administration is hereby authorized and empowered, for and on behalf of  
18 the state of Kansas, to sell and convey all of the rights, title and interest in  
19 the Curtis state office building and land subject to the terms and conditions  
20 of the lease and any outstanding bonds.

21 (c) When the sale is made, the proceeds thereof shall be used only to:  
22 (1) Call and redeem outstanding bonds associated with the Curtis state  
23 office building and the land in accordance with their terms on or after their  
24 first optional redemption date as may be permitted in accordance with the  
25 applicable bond covenants, along with any other legally available revenues  
26 as may be necessary; (2) pay the costs and expenses resulting from  
27 exercising the option to purchase; and (3) pay the closing costs and  
28 expenses of such sale. Any remaining moneys shall be deposited in the  
29 state general fund.

30 (d) The conveyance of real property authorized by this section shall  
31 not be subject to the provisions of K.S.A. 2013 Supp. 75-6609, and  
32 amendments thereto.

33 (e) In the event that the secretary of administration determines that  
34 the legal description of the parcel described by this section is incorrect, the  
35 secretary of administration may convey the property utilizing the correct  
36 legal description but the deed conveying the property shall be subject to  
37 the approval of the attorney general.

38 (f) As used in this section:

39 (1) "Curtis state office building and land" means the following  
40 described real estate located in Shawnee County, Kansas, including all  
41 buildings, improvements, machinery and equipment constructed, located  
42 or installed on such real estate:

43 Lots 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345 and 347 on

1 Kansas Avenue; Lots 73, 75, 77, 79, 81, 83, 85, 87 and 89 on 10<sup>th</sup> Avenue  
2 East; and Lots 338, 340, 342, 344, 346 and 348 on Jackson Street in the  
3 City of Topeka, Shawnee County, Kansas.

4 (2) "Lease with option to purchase agreement dated December 1,  
5 1998" means the lease with option to purchase agreement dated December  
6 1, 1998, as amended, entered into between the Topeka public building  
7 commission and the state of Kansas - department of administration.

8 Sec. 5. (a) The secretary of administration is hereby authorized and  
9 empowered, for and on behalf of the state of Kansas, as the tenant for the  
10 state of Kansas - Kansas department administration in the lease with  
11 option to purchase agreement dated December 1, 1998, to exercise such  
12 tenant's option to purchase the Curtis parking facility and the land pursuant  
13 to such lease with option to purchase agreement.

14 (b) When such option has been exercised, the secretary of  
15 administration is hereby authorized and empowered, for and on behalf of  
16 the state of Kansas, to sell and convey all of the rights, title and interest in  
17 the Curtis parking facility and land subject to the terms and conditions of  
18 the lease and any outstanding bonds.

19 (c) When the sale is made, the proceeds thereof shall be used only to:  
20 (1) Call and redeem outstanding bonds associated with the Curtis parking  
21 facility and the land in accordance with their terms on or after their first  
22 optional redemption date as may be permitted in accordance with the  
23 applicable bond covenants, along with any other legally available revenues  
24 as may be necessary; (2) pay the costs and expenses resulting from  
25 exercising the option to purchase; and (3) pay the closing costs and  
26 expenses of such sale. Any remaining moneys shall be deposited in the  
27 state general fund.

28 (d) The conveyance of real property authorized by this section shall  
29 not be subject to the provisions of K.S.A. 2013 Supp. 75-6609, and  
30 amendments thereto.

31 (e) In the event that the secretary of administration determines that  
32 the legal description of the parcel described by this section is incorrect, the  
33 secretary of administration may convey the property utilizing the correct  
34 legal description but the deed conveying the property shall be subject to  
35 the approval of the attorney general.

36 (f) As used in this section:

37 (1) "Curtis parking facility and land" means the following described  
38 real estate located in Shawnee County, Kansas, including all buildings,  
39 improvements, machinery and equipment constructed, located or installed  
40 on such real estate:

41 Lots 349, 351, 353, 357 and 359 on Kansas Avenue; and Lots 350, 352,  
42 354, 356, 358 and 360 on Jackson Street in the City of Topeka, Shawnee  
43 County, Kansas.

1       (2) "Lease with option to purchase agreement dated December 1,  
2 1998" means the lease with option to purchase agreement dated December  
3 1, 1998, as amended, entered into between the Topeka public building  
4 commission, the state of Kansas - department of administration and the  
5 City of Topeka, Kansas.

6       Sec. 6. This act shall take effect and be in force from and after its  
7 publication in the Kansas register.