

82a-212. Lease or construction and maintenance easement of certain island in Kansas river in Douglas county to public utility; limitations and period; survey and appraisal; price; disposition of proceeds. (a) The secretary of state is hereby authorized to lease or grant a construction and maintenance easement to a public utility in the tract of land which forms the island in the Kansas river in the South 1/2 of Section 11 and the North 1/2 of Section 14 in Township 12 South, Range 19 East of the Sixth Principal Meridian, in Douglas county, Kansas, for a construction project and the maintenance thereof. Such lease or easement shall be for a period of time of not to exceed 33 years and shall be limited to that portion of such island necessary for such construction project and the maintenance thereof.

(b) If the secretary of state determines that no adequate survey of such tract of land is available, the secretary shall cause such tract of land to be surveyed by a surveyor selected by the secretary. Any survey conducted under this act and appropriate field notes, maps, records and other papers relating to such survey shall be filed with the register of the state land office. A certified copy of such survey may be filed in the office of the register of deeds of Douglas county.

(c) The secretary of state shall obtain an appraisal of the proposed lease or grant of an easement under this section, made by three disinterested persons residing in Douglas county appointed by the secretary of state. The secretary of state shall obtain the best price available for any such lease or grant of an easement, to be agreed upon between the public utility and the secretary of state, acting for and in behalf of the state of Kansas. In no case shall such price be less than the costs incurred by the secretary of state under this act, including but not limited to surveying and appraising such tract of land.

(d) All moneys received by or for the secretary of state under this act shall be remitted by the secretary of state to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

History: L. 1980, ch. 257, § 1; L. 2001, ch. 5, § 470; July 1.