

24-454. Lands in abandoned watercourse; sale; appraisal. Whenever the channel or any part of the channel of any natural watercourse shall be changed or altered by the establishment of a new channel or otherwise, so that any lands situated between the banks of such watercourse at highwater mark, the title to which is vested in the state of Kansas, shall be abandoned or no longer used for a channel, the title to such lands so abandoned for use of a channel shall immediately vest in the drainage district in which the same are situated, and such drainage district may sell, convey and give good title thereto by a deed signed by the president of the board of directors of the district and attested by its seal, and such deed, when acknowledged by such president as the act of said district, may be recorded as other deeds except no such sale shall be made until after such lands shall have been appraised, either as a whole or in such tracts as the same may be subdivided into by the board of directors, by three freeholders of the district, and that no sale of such lands or any part thereof shall be made for less than three-fourths of such appraised value thereof.

Upon application in writing by the board of directors to the judge of the district court of the county, such judge shall, by certificate in writing signed by him or her, appoint three appraisers for the purpose aforesaid, who shall each take and subscribe an oath to fairly and impartially appraise the lands to be designated and described in the certificate of appointment, and such appraisers shall thereupon view and as soon as practicable file a written appraisal of such lands with the clerk of the drainage district. The said application, certificate of appointment and appraisal shall be recorded in the office of the register of deeds of the county and afterwards kept on file in the office of the clerk of the district. For good cause shown, the judge appointing such appraisers may set aside any appraisal and order a new appraisal to be made, and may discharge one or more of the appraisers and appoint others, but no second appraisal shall be made until the prior one shall have been set aside by the judge who appointed the appraisers, for sufficient reasons to him or her shown.

History: L. 1905, ch. 215, § 54; R.S. 1923, 24-454; L. 1976, ch. 145, § 137; Jan. 10, 1977.