

# **2018 Kansas Statutes**

**75-3687. Eisenhower state office building; authorization of sale; proceeds.** (a) The secretary of administration is hereby authorized and empowered, for and on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Shawnee county, Kansas:

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

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

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

(b) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary of administration without having first advised and consulted with and approved by the joint committee on state building construction.

(c) Prior to the sale or conveyance of the real property described in subsection (a), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) (1) When the sale is made, the proceeds thereof shall be remitted 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 Eisenhower building escrow fund which is hereby created in the state treasury. Moneys in the Eisenhower building escrow fund shall be used only to: (A) Call and redeem outstanding bonds associated with any of the property described in subsection (a) in accordance with their terms on or after their first optional redemption date as may be permitted in accordance with the applicable bond covenants, along with any other legally available revenues as may be necessary; and (B) pay the expenses of such sale and any costs of appraisal.

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

(3) Upon receiving such certification, except as provided in subsection (f), the state treasurer shall transfer any remaining moneys in the Eisenhower building escrow fund as provided for the proceeds from the sale of surplus real estate pursuant to subsection (f) of K.S.A. 2018 Supp. 75-6609, and amendments thereto.

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

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

(f) The director of accounts and reports, in consultation with the secretary of administration, shall transfer any remaining moneys pursuant to subsection (d)(3) from such sale proceeds, not exceeding \$15,000,000 in total sum combined with the sale proceeds from K.S.A. 2018 Supp. 75-3688, and amendments thereto, to the docking state office building rehab, repair and razing fund of the department of administration. The secretary of administration shall determine and certify the amount of moneys that are transferred under this subsection. The secretary shall transmit a copy of such certification to the director of legislative research.

**History:** L. 2014, ch. 91, § 1; Apr. 24.