

2012 Kansas Statutes

79-2804f. Record of real estate acquired by county; sale by county; removal and sale of improvements, when; reduction of price and sale six months after confirmation of sale; advertisement; bids; deed; assessment and entry on tax rolls. (a) The county commissioners shall keep a record of all real estate acquired by the county under the provisions of K.S.A. 79-2804, and amendments thereto, showing: The case by name, title and number, together with the date of filing of the petition and of the sale and identifying the tract, lot or piece of real estate described therein; the amount of judgment lien and the amount set forth in the order of sale of the charges, costs and expenses of the proceeding and sale paid by the county. Such record shall upon request be open to inspection at all reasonable times.

(b) Except as provided by subsection (c), such real estate shall be sold by the board of county commissioners of the county at private or public sale for cash in hand; the consideration for the purchase to be at least the original amount of the judgment lien and interest thereon as provided by law, plus the amount of costs set forth in the order of sale and plus any and all subsequent taxes and special assessments on such real estate that were not included in such judgment. If in the discretion of the board of county commissioners it is deemed necessary to prevent a menace to the public health or welfare, or that repair or rehabilitation of any structures thereon would be economically unsound, the board may remove or cause to be removed any such improvements upon any property acquired by the county under the provisions of this act. The board of county commissioners may sell all or any of the salvaged materials therefrom at public or private sale, and after first deducting the cost of such removal, shall credit the remainder of such proceeds to the county general fund. Any deficiency shall be charged to such general fund.

If, at the end of six months from and after the confirmation of the sale to the county to any of the real estate, any of the real estate remains unsold, the board of county commissioners may reduce the price therefor and sell the same after first advertising the same once each week for three consecutive weeks in the county describing the real estate, giving the location thereof and requesting sealed bids therefor on or before a specified date and the board shall accept the highest cash bid received. The board of county commissioners may reject bids in an amount less than the current market value of the real estate and if no bid is accepted or received, such board may sell the same for such sum that, in the board's judgment, would be the market value thereof, but no such sale shall be made for an amount less than the best bid received, if any, and rejected. The board of county commissioners, at any time after the end of six months from and after the confirmation of the sale to the county and after advertising such real estate at least three times in the official county paper and such other papers as the board shall direct, describing the same, giving the general location thereof, and the time and place of sale, may sell such real estate at public auction for cash in hand to the highest bidder therefor.

All real estate sold by the county as provided in this subsection shall be conveyed to the purchaser by a good and sufficient deed by the county clerk of the county upon a written order from the board of county commissioners. Such order shall be deemed conclusive evidence of the compliance with this section in any action challenging the validity of such deed. Immediately upon the execution of any such deed, the county clerk shall assess the real estate so conveyed and enter the valuation thereof on the assessment and tax rolls.

(c) Any property acquired by the board of county commissioners pursuant to K.S.A. 79-2804, and amendments thereto, may be transferred to the county land bank as provided by K.S.A. 1997 Supp. 19-26,108.

History: L. 1941, ch. 375, § 26; L. 1943, ch. 302, § 5; L. 1945, ch. 362, §7; L. 1951, ch. 492, § 1; L. 1969, ch. 444, § 1; L. 1996, ch. 264, § 23; July 1.