

Published 8-9-12 and 8-16-12

CHARTER RESOLUTION NO. CR-01-12

A CHARTER RESOLUTION

exempting the Unified Government of Wyandotte County/Kansas City, Kansas, from the provisions of K.S.A. 79-2401a relating to the redemption of real estate bid off by county; partial redemption; period of redemption; interest; foreclosure on expiration of period; and providing substitute and additional provisions on the same subjects.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. The Unified Government of Wyandotte County/Kansas City, Kansas, by the power vested in it by K.S.A. 19-101 and K.S.A. 19-101a, hereby elects to exempt itself and make inapplicable to it the provisions of K.S.A. 79-2401a relating to the redemption of real estate bid off by the county; partial redemption; period of redemption; interest; and foreclosure on expiration of period, and to provide substitute and additional provisions on the same subject.

Section 2.

- (a)(1) Except as provided by paragraph (2) of this section (a) and subsection (b), real estate bid off by the county for both delinquent taxes and special assessments, as defined by subsection (c), shall be held by the county until the expiration of two years from the date of the sale, subject only to the right of redemption as provided by this section. Any owner or holder of the record title, the owner's or holder's heirs, devisees, executors, administrators, assigns of any mortgagee or the owner's or holder's assigns may redeem the real estate sold in the sale at any time within two years after the sale by paying to the county treasurer the amount for which the real estate was sold plus the interest accrued, all delinquent taxes and special assessments and interest thereon that have accrued after the date of such sale which remain unpaid as of the date of redemption and costs and expenses of the sale and redemption, including but not limited to abstracting costs incurred in anticipation of a tax sale.
- (2) Any abandoned building or structure and the land accommodating such building or structure bid off by the county for either delinquent taxes or special assessments, or both, as defined by subsection (c), shall be held by the county until the expiration of one year from the date of the sale, subject only to the right of redemption as provided by this section. Any owner or holder of the record title, the owner's or holder's heirs, devisees,

executors, administrators, assigns or any mortgagee or the owner's or holder's assigns may redeem the real estate sold in the sale at any time within one year after the sale by paying to the county treasurer the amount for which the real estate was sold plus the interest accrued, all delinquent taxes and special assessments and interest thereon that have accrued after the date of such sale which remain unpaid as of the date of redemption and costs and expenses of the sale and redemption, including but not limited to abstracting costs incurred in anticipation of a tax sale.

When used in this subsection "abandoned building or structure and the land accommodating such building or structure" shall mean a building or structure which, for a period of at least one year, has been unoccupied and where there has been a failure to perform reasonable maintenance of such building or structure and the land accommodating such building or structure.

- (b) Real estate which is a homestead under section 9 of article 15 of the Kansas Constitution and all real estate not described in section (a) shall be held by the county until the expiration of three years from the date of the sale and may be redeemed partially by paying to the county treasurer the amount of taxes for which the real estate was sold for one or more years, beginning with the most recent year for which the real estate was carried on the tax-sale book of the county plus interest at the rate prescribed by K.S.A. 79-2004, and amendments thereto, on the amount from the date the same was carried on the sale book.
- (c) For the purpose of this resolution, the terms "real estate bid off by the county for both delinquent taxes and special assessments" and "real estate bid off by the county for either delinquent taxes or special assessments," or both, shall include only real estate on which there are delinquent taxes of a general ad valorem property tax nature or delinquent special assessments, or both, or other special taxes levied by a city or other municipality in response to a petition or request of the landowners. Upon publication of the listing of real estate subject to sale under the provisions of K.S.A. 79-2302, and amendments thereto, the clerk of any city or other municipality which has levied special assessments during the past 10 years shall certify to the county treasurer those listed parcels of real estate which are located within a special assessment district, but no parcel shall be so certified unless the public improvement was constructed pursuant to a petition or request of one or more landowners sufficient to authorize the improvement under the applicable statutory special assessment procedure used by the city or other municipality.
- (d) If, at the expiration of the redemption period, the real estate has not been redeemed, the real estate shall be disposed of by foreclosure and sale in the manner provided by K.S.A. 79-2801 *et seq.*, and amendments thereto.

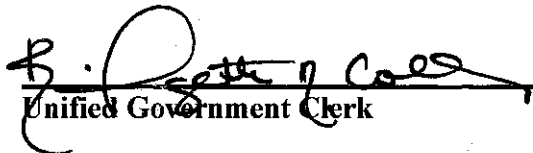
Section 3. This Charter Resolution shall be published once a week for two consecutive weeks in the official newspaper of the Unified Government, and shall take effect sixty (60) days after final publication, unless a petition signed by a number of electors within Wyandotte County equal to not less than two percent (2%) of the number of electors who voted at the last preceding November general election or 100 electors, whichever is the greater, shall be filed in the office of the Unified Government Election Commissioner demanding that this Charter Resolution be submitted to a vote of the electors of Wyandotte County, in which event this Charter Resolution shall take effect when approved by a majority of the electors of Wyandotte County, Kansas, voting at an election held for such purpose.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT
VOTING IN FAVOR THEREOF,
THIS 2ND DAY OF AUGUST 2012.**



Mayor/CEO

Attest:



Unified Government Clerk

Approved as to form:

Unified Government Counsel