

68-735. Certain townships in counties between 25,000 and 200,000; improvement of certain platted land; apportionment of costs; special assessments; bonds. A township having a population of more than 6,000 outside the limits of any incorporated city or town within such township, and located within any county having a population of more than 25,000 and less than 200,000 where all of the land on both sides of any road, street, or avenue, including any adjoining or connecting road, street or avenue, sought to be improved is platted or laid off in lots and blocks, then when the owners of 40% of the frontage of land on the street, road or avenue, including any adjoining or connecting road, street or avenue, present a petition to them therefor, the board of county commissioners shall have the power to provide for the construction or reconstruction of the curbing, guttering, paving, macadamizing or grading, including drainage, of any public road outside of the limits of an incorporated city whenever it deems the same necessary.

Whenever any such work is done or improvements made the board of county commissioners shall have the power to apportion the full cost thereof, including its pro rata share of the cost of street intersections, or apportion the costs as hereinafter provided, and to levy special assessments for the full cost or proportion thereof on each block separately, on all lots and pieces of lands to the center of the block on each side of such street, road or avenue in the manner provided for the payment of cost of paving and curbing in cities of the first class. The board of county commissioners may issue and sell improvement bonds therefor in like manner as is provided by law for the paving and curbing of streets, alleys and public places in cities of the first class. Such bonds may be issued to mature in not more than 20 installments, the last of which shall be not later than 22 years from the date of issuance of the bonds. None of the debt limitations prescribed by law for any such county shall apply to any bonds issued under the authority conferred by this section and in applying any statute limiting bonded indebtedness such bonds shall not be considered.

Whenever the board of county commissioners determines that any part of a street, road or avenue, in addition to being of public utility, is of general importance to the county, and the improvement of which would incur unusual expense, the board may adopt a resolution to that effect, and may charge not to exceed 60% of the expense of the improvement to the county, the expense to the lands within the benefit districts to be decreased in proportion. After the adoption of such a resolution, the board may accept aid or donations, establish an improvement fund, issue bonds, levy taxes, and pay costs out of the general fund and road fund in the same manner as authorized for like purposes under the provisions of K.S.A. 68-707 to 68-709, inclusive, and amendments thereto. Whenever improvements are made in accordance with the provisions of this act in which part of the cost of the improvement is apportioned to the county, the provisions of said K.S.A. 68-707 to 68-709, inclusive, and amendments thereto, shall apply, insofar as the same may be made applicable.

Whenever any street, road, or avenue is improved by the doing of any of the things provided for in this act, then thereafter the township may maintain such improvements within such township.

If the board of county commissioners has adopted a resolution creating such benefit district, it shall complete such work or improvements even though all or any part of the land therein is annexed to a city.

History: L. 1937, ch. 288, § 1; L. 1945, ch. 270, § 2; L. 1949, ch. 347, § 2; L. 1951, ch. 388, § 2; L. 1953, ch. 305, § 2; L. 1955, ch. 302, § 2; L. 1959, ch. 266, § 3; L. 1983, ch. 49, § 88; May 12.