

# THE BOARD OF COUNTY COMMISSIONERS

## OF

### FRANKLIN COUNTY, KANSAS

RESOLUTION 08 - 017

A RESOLUTION AUTHORIZING FORECLOSURE PROCEEDINGS AND THE SALE OF REAL PROPERTY FOR DELINQUENT TAXES

WHEREAS, Franklin County is a duly organized and empowered municipal government having home rule powers under K.S.A. 19-191., and;

WHEREAS, K.S.A. 79-1801, *et seq.*, controls the procedure by which a county must levy real property taxes, and K.S.A. 79-2001 *et seq.*, controls the collections of said taxes, and;

WHEREAS, pursuant to K.S.A. 79-2301 *et seq.*, if real property taxes are not paid by June 20TH of the year after they are levied by a county and proper notice has been provided, the county will acquire the real property for which the taxes are unpaid in a delinquent tax sale for the amount of the taxes owed, and;

WHEREAS, if an owner, holder of title, or other interested party therein does not redeem the real property acquired by the county in the delinquent tax sale pursuant to the procedures described in K.S.A. 79-2401, *et seq.*, the board of county commissioners shall order the county counselor to file a petition, instituting foreclosure proceedings in the district court against that owner, holder of title, or other interested party, and requesting public sale of the real property pursuant to K.S.A. 79-2801 *et seq.*, and;

WHEREAS, Franklin County has complied with all of the rules and procedures outlined in K.S.A. 79-1801 *et seq.*, and K.S.A. 79-2001 *et seq.*, in levying and collecting taxes on real property in Franklin County, and;

WHEREAS, Franklin County has acquired and currently holds real property, listed in the Franklin County Treasurer's Tax Sale Number Thirty-Four (No. 34), in compliance with the rules and procedures of K.S.A. 79-2301 *et seq.*, and K.S.A. 79-2401 *et seq.*

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KANSAS**

1. That, pursuant to K.S.A. 79-2801 *et seq.*, the Board of County Commissioners of Franklin County, Kansas, hereby directs the Franklin County Counselor to initiate judicial foreclosure proceedings on those parcels of real property listed in the Franklin County Treasurer's Tax Sale Number Thirty-Four (No. 34) and which properties remain unredeemed as of the date of this Resolution.

This resolution shall be effective upon its adoption by the Board of County Commissioners.

Passed and adopted in regular session this 30th day of April, 2008.

/s/ Karen S Farrell  
Karen. S. Farrell  
Chairperson

/s/ John E Taylor  
John E. Taylor  
Vice-chairperson

/s/ Donald C Hay  
Donald C. Hay  
Commissioner

/s/ Roy C Dunn  
Roy C. Dunn  
Commissioner

/s/ Donald R Stottlemire  
Donald R. Stottlemire  
Commissioner

Attested and Recorded, this 30th day of April 2008.

/s/ Shari Perry  
Shari Perry

County Clerk