

CHARTER RESOLUTION NO. 2018- 01

**A CHARTER RESOLUTION EXEMPTING ATCHISON COUNTY, KANSAS  
FROM THE PROVISIONS OF K.S.A. 79-2401a(b) RELATING TO THE  
REDEMPTION OF REAL ESTATE BID OFF BY COUNTY AND PROVIDING  
SUBSTITUTE AND ADDITIONAL PROVISIONS THEREFORE**

WHEREAS, Atchison County, Kansas is a county municipal government with the power of home rule vested in it by K.S.A. 19-101 and K.S.A. 19-101a, and,

WHEREAS, pursuant to K.S.A. 19-101b, the Board of County Commissioners of Atchison County, Kansas is authorized to enact Charter Resolutions under its home rule authority; and

WHEREAS, K.S.A. 79-2401a(b)(1) is a statute that applies only to counties except that county identified in K.S.A. 79-2401a(b)(2), which includes Atchison County, Kansas but does not apply uniformly to all Kansas counties and is not a subject on which the power of home rule is prohibited; and

WHEREAS, the Board of County Commissioners of Atchison County, Kansas desires to require those wishing to exercise the right of redemption as provided by K.S.A. 79-2401a(a)(1) and K.S.A. 79-2401a(a)(2) to pay the taxes and interest for the most current delinquent year first.

IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSION OF ATCHISON COUNTY, KANSAS that Atchison County, Kansas, by the power invested in it by K.S.A. 19-101a, hereby elects to exempt itself from K.S.A. 79-2401a(b)(1) and hereby provides the following substitute and additional provisions:

*Real estate which is a homestead under section 9 of article 15 of the Kansas Constitution and all real estate not described in K.S.A. 79-2401a(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.*

IT IS FURTHER RESOLVED BY SAID BOARD that this Resolution shall be published for two consecutive weeks in the official county newspaper and that this Resolution shall take effect 60 days after the date of the final publication unless a sufficient petition for a referendum is filed and a referendum held on the resolution as

provided by K.S.A. 19-101b, in which case the resolution shall become effective if approved by a majority of the electors voting thereon.

ADOPTED AND APPROVED by the Board of County Commissioners of Atchison County, Kansas this 12<sup>th</sup> day of June, 2018.



By: *Eric Noll*  
Eric Noll, Chairman

By: *Jack Bower*  
Jack Bower, Commisisoner

By: *Henry W. Pohl*  
Henry W. Pohl, Commissioner

ATTEST:

*Michelle Phillips*  
Michelle Phillips, Atchison County Clerk

