

LEGISLATIVE BILL 267

Approved by the Governor March 25, 1977

Introduced by F. Lewis, 45

AN ACT to amend section 31-727.03, Revised Statutes Supplement, 1976, relating to sanitary and improvement districts; to change a date; to provide for the recording of statements as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 31-727.03, Revised Statutes Supplement, 1976, be amended to read as follows:

31-727.03. Each sanitary and improvement district shall, upon request, make available to members of the general public and to real estate salesmen and brokers the most recent statement on file as provided by section 31-727.01, and a statement updated each September ~~th~~ 30 containing the names of the current board of trustees of the district, the warrant and the bond principal indebtedness of the district as of the preceding June 30, and the current mill levy of the district. The real estate broker or salesman or, if none, the owner, shall, when reasonably possible, distribute such statements to any prospective purchaser of any real estate located within a sanitary and improvement district. Prior to the conveyance of fee title ownership to any real estate located within a sanitary and improvement district, the real estate broker or salesman, or, if none, the owner, shall provide the grantee such statements. The exclusive remedy for failure to provide such statements prior to conveyance of fee title ownership shall be an action for damages, and any such failure shall not affect title to the real estate or the validity of the conveyance. The measure of damages shall be the difference between the actual value of the property at the time of the conveyance with the disclosures contained in the statements, and the value of the property at the time of the conveyance without the disclosures contained in the statements. Within thirty days after the effective date of this act as to existing districts, and within thirty days after the creation of districts thereafter created, and on or before September 30 of each year thereafter, the clerk of each district shall record with the register of deeds of each county in which the district is located a statement containing the following information: (1) The names of the current board of trustees of the district, (2) the warrant and bond principal indebtedness of the district as of the

preceding June 30, and (3) the current mill levy of the district.

Sec. 2. That original section 31-727.03, Revised Statutes Supplement, 1976, is repealed.