

To place your classified ad, mail (155 W. Fifth), fax (785-462-7749), phone (785-462-3963), or stop by our office at 155 W. Fifth

## Card Shower

**Anyone wanting to send cards** to Byron Sowers, he has been moved to: Denver South, Select Specialty Hospital, 2525 South Downing, 3 South, Denver, CO 80210. Room #3301-2.

## Notices

**Ken's Barbershop will close** at noon Wednesday, June 27 and will reopen Tuesday, July 10.

**1 on 1 Basketball Lessons** Monday through Thursday by appointment. Call to set up. Contact Morgan or Lauren Bell for more information. 785-443-5724 or 785-460-8362.

**Inner Peace Massage by Amber** is now taking appointments. Located at the Movement Connection. Please call 785-462-0024. MEMBER AMTA

**Dan is back!** Dan Geschwentner. Small remodeling and repair jobs. Call 785-443-3673.

**Classified ad deadlines** (word ads only). Noon the day before publication (noon Friday for Monday paper). Please check your ad the first time it runs. If you find an error, please call at (785) 462-3963 so it can be corrected, since we will not be responsible for errors after that first day. The Colby Free Press.

## Help Wanted

**Swart Park Motors in Oakley** is currently seeking a full or part-time Office Manager to organize, manage, and oversee office for Busy Dealership. Must be knowledgeable in Quickbooks and have accounting experience. Apply in person or call 785-671-3321.

**Part-time Administrative Assistant:** Thomas County Community Foundation seeks a highly organized and friendly individual with the ability to multi-task to perform a wide variety of office/computer duties M-F from 10:00 a.m. - 12:00 p.m. and 1:00 p.m. - 4:00 p.m. Skills required include knowledge of Microsoft Office, effective oral and written communication, willingness to learn, ability to work independently, and enthusiasm to interact with the public. Great hourly wage. Interested and qualified applicants should submit a cover letter, resume, and three references by July 10, 2012, to Executive Director, Melinda Olson, 350 S. Range Suite 14, Colby, KS 67701; Questions? Please call (785) 460-9152 or e-mail [tccf@st-tel.net](mailto:tccf@st-tel.net).

**Lab Tech - Archer Daniels Midland Company (ADM)** is a world leader in agricultural processing. We are seeking a Lab Tech at our Goodland, Kansas location. Job duties include, but are not limited to: preparing samples; collecting and distributing samples; testing production samples; calibrating standard lab instruments; recording and interpreting test results; verifying sufficient inventory of testing supplies; maintaining the cleanliness of the laboratory environment; and participating in all safety programs. Candidates must have experience with operating standard lab equipment such as pH meters and balances, be familiar with Microsoft Word and Excel, and have the ability to lift 50 lbs. and stand for extended periods of time. Willingness to work alternating weekends and holidays is required. ADM offers competitive pay and benefits, including medical, dental, prescription drug coverage, life insurance, pension and a 401(k)/ESOP with a company match. Relocation assistance is not available for this position. Apply online or learn more at [www.adm.com/jobs](http://www.adm.com/jobs). ADM requires successful completion of a pre-employment drug screening and background check. ADM is an Equal Opportunity/Affirmative Action Employer.

**City Limits Grill is accepting** applications for Kitchen Personnel. Please apply in person, 2227 So Range, Colby KS.

## Help Wanted

**Utility Worker - Archer Daniels Midland Company (ADM)** is a world leader in agricultural processing. We are seeking a Utility Worker at our Goodland KS, location. Potential assignments may include, but are not limited to: cleaning; working on a packing line at the flour mill; and fulfilling operator positions at various locations within the plant. The ideal candidate will have the ability to: lift at least 50 pounds; work at various heights; sit; stand; kneel; crawl; bend; work in hot, cold or dusty conditions; and provide high-quality customer service. ADM offers competitive pay and benefits including medical, dental, prescription drug coverage, life insurance, pension and a 401(k)/ESOP with a company match. Apply online at [www.adm.com/jobs](http://www.adm.com/jobs). ADM requires successful completion of a pre-employment drug screening and background check. ADM is an Equal Opportunity/Affirmative Action Employer.

**Farm Equipment Mechanic**, 5 temp positions, 10/112-4/30/13, JKD, Inc, Colby, KS. Diagnose, adjust, repair, or overhaul farm machinery and vehicles, such as tractors, harvesters, and irrigation systems. Drive trucks to move equipment from shop/storage and pick up parts. 3 mo exp, clean MVR, employment ref required. \$11.42/hr, \$17.13/hr OT. Send resume to JKD, Inc, PO Box 975, Colby, KS 67701.

**Full time help needed.** 8 a.m. - 5 p.m. M-F. Only have 1-2 co-workers. Start ASAP Working with nice clothes at Oakley Cleaners, Oakley, Ks. Call Maxine 785-672-1012.

**Applications are now being accepted** for a domestic/sexual violence advocate with office located in Colby, KS. Qualifications should include basic knowledge of domestic and/or sexual assault issues; associate's degree, high school diploma or GED with one year work experience. Interested parties should contact Options: Domestic and Sexual Violence Services at 785-625-3055 before 5 pm July 6, 2012 for application information. Minorities encouraged to apply. EOE

**Parts delivery/repair tech**, CDL required, mechanical ability preferred, must be able to lift 80 lbs., competitive wages with benefits. Apply at Jayhawk Oilfield Supply, 3522 East Hwy 40, Oakley KS 785-671-1180.

**St Francis Community Services** is accepting applications for the following positions: Family Support Worker - Provide direct in-home services to children & families. Require HS Diploma/GED, at least 21 years of age, a clear MVR/KBI/CANIS, exp working with children & families & dependable transportation. SFCS offers an excellent benefit package & competitive wages. Send resume to [kerr.kemp@st-francis.org](mailto:kerr.kemp@st-francis.org), or Apply online at [www.st-francis.org](http://www.st-francis.org) EOE

**Greeley County Health Services** has the following positions available: Hospital Registered Nurse; full-time working on nightshift, Hospital Certified Nurse Aide; full-time, Long Term Care Certified Nurse Aide; full-time. GCHS offers flexible hours, competitive wages, and full benefits. Applications for download available at website, [www.myghs.com](http://www.myghs.com). For more information contact Human Resources at: Phone: 620-376-4221 Email: [tkleyermann@gchsnet.com](mailto:tkleyermann@gchsnet.com) Equal Opportunity Employer.

**Timmerman Feeding is looking** to fill a position in the maintenance/feed department. Individual duties may include welding, run heavy equipment, driving a feed truck, along with various other duties. Salary depends on experience and qualifications. If you are looking for a place to start a career, contact Jason Timmerman at 785-462-3947.

**Regional truck drivers.** Must have minimum 2 yrs OTR exp. Minimum 23 years old. Clean MVR and drug test required. 785-462-0087.

## Help Wanted

**Timmerman Feeding is looking** to hire an experienced cattle person to fill a position in the cattle department. Looking to be part of a growing organization, don't pass up this opportunity. Only experienced need apply. Must provide own tack. Very competitive salary based on experience and qualifications. Benefits include but not limited to vacation, profit sharing. Contact Jason Timmerman at 785-462-3947, or send resume to 1762 US 83, Colby KS, 67701.

**Electrician Wanted.** Prefer experience or schooling. Please call Bickner Electric at 785-462-6692 or apply at 1205 S. Country Club Drive., Colby.

**Venture Corporation is now hiring** for laborers and flaggers for the Thomas Co. and Sheridan Co. area. Contact Leslie at 620-792-5921 or 2145. Hwy 281 Great Bend, Ks [ventureoff@hotmail.com](mailto:ventureoff@hotmail.com) equal employment opportunity.

**Sherman County is accepting** applications for a full time Road & Bridge Supervisor. This position requires experience with road maintenance & dirt construction projects, as well as, experience with earth moving equipment. Applicants must possess a valid CDL and pass a pre-employment physical and drug screen. Responsibilities include the ability to work with the public and manage employees. Wages will be based on experience. For an employment application form, inquire at the Sherman County Public Works Office, 1004 West 8th, Goodland, KS Monday - Thursday, 7 a.m. - 5 p.m. Applications will be accepted until position is filled. Sherman County participates in random Drug - Alcohol testing. EOE. Employee benefits.

**Housekeepers needed.** Apply in person. Must be able to work week-ends, lift at least 35 pounds. Equal opportunity employer. Pick up applications at Sleep Inn & Suites, 2075 Sewell Ave., Colby, KS.

**Maintenance person.** Plumbing, heating and air conditioning experience helpful. Part time with flexible hours. Pick up application at Holiday Inn Express; 645 W. Willow, Colby, KS 67701.

**Archer Daniels Midland Company (ADM)** is a world leader in agricultural processing. We are seeking a Branch Manager at our Oakley, KS, location. Potential assignments may include, but are not limited to: managing grain origination, developing and growing customer relationships, oversight of accounting functions, leading teams, and assisting in all areas of operations. The ideal candidate will have two to three years of experience in grain facility management, customer relations and basic accounting skills. ADM offers competitive pay and benefits including, medical, dental, prescription drug coverage, life insurance, pension and a 401(k)/ESOP with a company match. Relocation assistance is available for this position. Apply online at [www.adm.com/jobs](http://www.adm.com/jobs) ADM requires successful completion of a pre-employment drug screening and background check. ADM is an Equal Opportunity/Affirmative Action Employer.

**Hard-working, motivated individual** for full-time kennel care position. Involves cleaning kennels, pet care, laundry and grounds and building maintenance. Contact Joyce at Oakley Veterinary Service, Oakley, Kansas 785-672-3411.

**Construction Help Wanted.** Full-time or part-time. Construction background preferred. Contact Rachel at Latham Construction 785-846-7433.

**Wanted - Experienced Truck Driver.** Good pay, benefits, decent home time. Jack 785-675-8375 or Jim 785-675-2196.

**Now hiring for all positions.** Apply between 6 a.m. - 1 p.m., Monday - Saturday. See Don or Tammy at Village Inn Restaurant, 2215 S. Range.

## Child Care

**Licensed Day Care** in Colby has openings for 6 wks to 4 yr olds. 785-269-7509.

## Misc for Rent

**Roll off boxes.** Great for construction projects. Call for details. 785-443-1339.

## Apartments for Rent

**Small basement apartment** for rent in Colby, furnished or unfurnished. Private entrance and video surveillance for tenant protection. Call 719-649-5839.

**South Park and Meadowlark Manor.** Rent based on income. Equal Housing Opportunity. [www.colbyhousingauthority.com](http://www.colbyhousingauthority.com) 785-460-6763.

## Houses for Rent

**One bedroom,** appliances furnished, no pets. Call 785-443-2251.

## Misc. for Sale

**Gas/wood stoves,** assorted furniture & exercise equipment. For items/prices: 785-462-2486.

**All Steel Buildings,** factory deals. Ask for discounted sizes. Limited inventory, can erect. Source #18X 800-964-8335.

**Must Sell! Construction materials** in front lot, 740 E. 4th, Colby, viewable outside, call 785-443-1339 to make offer.

## Wanted

**Want to lease land for hunting** upland birds and possible turkey for the upcoming season. Have own liability insurance and conservation minded. Would consider long term lease for good land. Please contact Gary 720-933-8224.

**Need: Electric brown or blue recliner** chair, also small gas generator. Call Stan 785-671-1106 anytime.

**Responsible family of 5 moving** to Colby and looking for a 3+ bedroom home to rent. Call 785-639-6072. \*\*\*New number\*\*\*

## Vehicles for Sale

**2007 Chevy Cobalt,** 4-door, power windows and door locks, 41,000 miles, excellent condition. \$8,000/obo. 785-462-2336 or 785-443-5154.

**2008 Chrysler Aspen,** 83,000 miles, some hail damage, runs great. \$18,500 call 785-443-1042.

**Call us before you pay** your next insurance premium. American Family Insurance - Rita Peters Agency - Colby 785-462-8246.

## Recreation Vehicle

**2003 Winnebago 40 ft.** very good condition, ready to go. Complete with 7500 generator, 2 slides, many extras. 719-342-2677.

## Farm Services

**Custom Swathing and Baling.** Late model JD equipment can go out to 30 miles from Gem, KS. 785-443-1777.

## Livestock

**Nicest Tennessee Walkers** this side of the Mississippi. Gentle broke, ready to start. Karen 785-538-2286.

**Registered Bulls** - outstanding quality, excellent disposition. Crooked Creek Angus, Adam Jones 785-332-6206.

## Services

**JC Welds - Welding, fabricating,** manufacturing, specializing in calf sheds, trailer repair. Call Justin Comer 785-443-3336.

## Services

**Do your feet hurt?** We can help with 1-Step Technology. We also provide medicare approved diabetic shoes up to size 15 with doctors prescription by appointment only. Currier Drug, Inc., Atwood. 1-800-696-3214.

**Tree Service:** Call Abel Tree Service LLC for tree removal, stump grinding, and trimming. Equipped with a bucket truck. Will be in the Colby area in June. Call 785-871-7275 now for free estimates. Satisfaction guaranteed.

**Tired of dodging roof leaks** every time it rains? Let Murray Roofing end the bucket brigade! Experienced in installing all types of commercial roofing systems, TPO, EPDM, Elastomeric coating, Torch-down, and Modified, Perfect for any flat or low-sloped roof and Various warranty options to fit every need. Call Murray Roofing an authorized Duro-Last Contractor today for your free estimate at 785-462-6908, 785-443-5347 or 785-443-1339.

## Pets/Supplies

**Kittens for adoption** to good homes, available at Doggone Critters Pet Grooming or call 785-462-6388.

**Three 12 week old Pomeranian puppies** for sale, must sell 785-443-8258.

**Free: Pit Bull/Blue Heeler mix.** 4 year old, neutered male. Very energetic. 785-462-2486.

## Give Away

**FREE: Scrap metal.** 785-462-2486.

## Public Notice

**IN THE DISTRICT COURT OF THOMAS COUNTY KANSAS**

In the Matter of the Estate of E.L. McCormick, Deceased

Case No. —

### NOTICE OF HEARING

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition has been filed in this Court by Brenda Keith, an heir of Beverly McCormick, deceased, praying that: Descent be determined of the following described real estate situated in Thomas County, Kansas:

An undivided 60% of the minerals in the following lands:

East Half of the Southeast Quarter (E1/2SE1/4) of Section Twenty-four (24), Township Seven (7) South, Range Thirty-one (31) West of the 6th P.M.

Southeast Quarter (SE1/4) of Section Thirteen (13), Township Seven (7) South, Range Thirty-one (31) West of the 6th P.M.

West Half (W1/2) of Section Twenty-four (24), Township Seven (7) South, Range Thirty-one (31) West of the 6th P.M.

Northeast Quarter (NE1/4) and the West Half of the Southeast Quarter (W1/2SE1/4) of Section Twenty-four (24), Township Seven (7) South, Range Thirty-one (31) West of the 6th P.M.

and all personal property and other Kansas real estate owned by the decedent at the time of death. Further, that such property and all personal property and other Kansas real estate owned by the decedent at the time of death be assigned pursuant to the laws of intestate succession.

You are required to file your written defenses thereto on or before July 3, 2012, at 10:00 a.m., in the District Court, Thomas County, Kansas, at which time and place the cause will be heard. Should you fail therein, judgement and decree will be entered in due course upon the Petition.

Brenda Keith  
Petitioner

Zuspann & Zuspann, P.A.  
1002 Broadway Ste B.  
P. O. Box 968  
Goodland, Kansas 67735-0968  
Phone: (785) 890-6555  
Attorneys for Petitioner

(Published in the Colby Free Press on Monday, June 11, 18, 25, 2012)

## Public Notice

**REQUESTS FOR BIDS INVITATION FOR BIDS**

**Colby Airport Joint Seal Replacement And Pavement Patching with Alternate**

**Shalz Field Airport Colby, Kansas June 2012**

Sealed bids will be received until **2:00 p.m. on July 26, 2012** by the City Clerk of Colby, Kansas, at City Hall, 585 N. Franklin Avenue, Colby, Kansas 67701 and then publicly opened and read aloud at the City of Colby Council Chambers at City Hall for furnishing all labor, materials and equipment and performing all work necessary on:

**Colby Airport Joint Seal Replacement and Pavement Patching with Alternate**

Copies of the bid documents including project drawings and technical specifications are on file and may be inspected at:

Kirkham Michael, 217 North Douglas, Ellsworth, Kansas 67439  
City of Colby: City Clerk, 585 N. Franklin Avenue, Colby, Kansas 67701

A complete set of bid documents may be obtained from Kirkham Michael at the above address for a fee of **\$50.00**, none of which will be refunded. Questions regarding bids shall be directed to Kirkham Michael at the above address in writing no later than 7 calendar days prior to the bid opening.

Each proposal must be accompanied by a bid guaranty in the amount of five (5) percent of the total amount of the bid. The bid guaranty may be by certified check or bid bond made payable to the City of Colby, Kansas.

Bids must be made on the bid form found in the specifications (remain bound in specification) and submitted in a sealed envelope labeled "Colby Airport Joint Seal Replacement and Pavement Patching with Alternate" to the office of the City Clerk. The City will accept only those sealed bids, either hand delivered or received via the U.S. Mail or other commercial carrier. Items transmitted electronically or by facsimile will not be accepted.

Bids may be held by the City of Colby for a period not to exceed sixty (60) days from the date of the bid opening for the purpose of evaluating bids prior to award of contract. The City of Colby, Kansas reserves the right to reject any or all bids and to waive any irregularities or informalities in any bid received, and to accept any bid which is deemed most favorable to the City of Colby, Kansas, at the time and under conditions stipulated. Bid received after the specified time of closing will be returned unopened.

Award of contract is also subject to the State provision whereas the bidder must specifically agree not to discriminate against any recipients of services on the basis of race, color, sex, religion, creed, age, marital status, physical or mental disability, political affiliation, national origin, or ancestry and not to discriminate against any employee or applicant for employment on the basis of race, color, sex, religion, creed, age, marital status, physical or mental disability, political affiliation, national origin or ancestry.

/s/ Joni L. Ketchum, City Clerk

(Published in the Colby Free Press on Monday, June 25, July 2, 2012)

## Driver Wanted

### AgSun, LLC

Now hiring CDL Truck Driver to deliver feed to area feedlots & dairies.

Perks:  
Home every night.

Plus insurance & participating retirement plan offered.

Some Grain handling involved.

**Please inquire at AgSun, LLC in Brewster, KS by calling Don - 785-694-2752**



## Now Hiring

- Housekeepers
- Laundry Attendants
- Part-Time Night Auditors

Apply at:  
**1100 E. Willow**  
*drug testing required*

## Public Notice

### ORDINANCE NO. 2012-2

**AN ORDINANCE APPROVING ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN FOR THE CITY OF GEM, KANSAS, AND ALL PROVISIONS, TERMS AND CONDITIONS THEREOF, AND AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT FOR INTERLOCAL COOPERATION WITH THOMAS COUNTY, KANSAS AND ALL PARTICIPATING PUBLIC AGENCIES FOR THE PURPOSE OF PROVIDING A PROGRAM FOR NEIGHBORHOOD REVITALIZATION.**

**WHEREAS**, The Kansas Neighborhood Revitalization Act as set forth in K.S.A. 1996 Supp. 12-17, 114 et. seq. authorizes and empowers the Governing Body of the City of Gem, Kansas (herein CITY) to designate any area within the CITY as a Neighborhood Revitalization area if the Governing Body finds that one or more of the conditions described in of K.S.A. 1996 Supp. 12-17, 115 (b) exists thereby encouraging and facilitating the rehabilitation, conservation and redevelopment of any such designated area and also, thereby protecting and promoting the public health, safety and welfare of the residents of the CITY; and,

**WHEREAS**, the CITY, pursuant to the aforesaid statute, has found and determined that all area and land lying within the corporate limits of the CITY is eligible for designation as a Neighborhood Revitalization area; and,

**WHEREAS**, the Governing Body of the CITY hereby determines it necessary and advisable to enter into an Interlocal Agreement with Thomas County, Kansas (the County) for the purpose of considering, adopting, and coordinating a Neighborhood Revitalization Plan, and establishing a Neighborhood Revitalization Fund for the purpose of administering the redevelopment fund and to provide rebates as provided by law.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GEM, KANSAS:**

**SECTION 1. REVITALIZATION PLAN APPROVED AND ADOPTED.** The four (4) page document produced and present at this meeting of the Governing Board entitled "Revitalization Plan" and each and every part thereof is, in all respects, approved,

authorized, confirmed and adopted by the City of Gem as the Revitalization Plan for the City of Gem, County of Thomas, Kansas, such Plan to be in force and effect on and after June 14, 2012. A fully executed copy of such Revitalization Plan shall be filed in the office of the City Clerk and shall be available for inspection by the public at any time during regular business hours.

**SECTION 2. EXECUTION OF INTERLOCAL AGREEMENT.** The City is hereby authorized to enter into, execute and deliver an Interlocal Agreement with Thomas County, Kansas under which the City, County, and all participating public agencies shall cooperate in the consideration, adoption, and coordination of a Neighborhood Revitalization Plan, and the establishment of a Neighborhood Revitalization Fund, upon the terms and condition as set forth in said Agreement.

**SECTION 3. EXECUTION OF REVITALIZATION PLAN AUTHORIZED.** The City shall, and the officers, agents and employees of the City are hereby authorized and directed to take such action, spend such funds and execute such other documents, certificates and instruments as may be necessary and desirable to carry out and comply with the provision of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Interlocal Agreement, all as necessary to carry out and give effect to the terms of the Agreement.

**SECTION 4. AUTHORITY FOR ADOPTION.** This Ordinance is adopted pursuant to the provisions of the Kansas Neighborhood Revitalization Act, as set forth in K.S.A. 1996 Supp. 12-17, 114 et. seq.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall be in force and take effect from and after the date of its approval and adoption as shown below and its publication in the official City newspaper.

**PASSED AND ADOPTED** by the Governing Body of the City of Gem, Kansas on the 14th day of June, 2012.

Phyllis Ziegelmeier, Mayor

ATTEST:  
Helen Poland, Clerk

(Published in the Colby Free Press on Monday, June 25, 2012)

### ORDINANCE NO. 309

**AN ORDINANCE APPROVING ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN FOR THE CITY OF BREWSTER, KANSAS, AND ALL PROVISIONS, TERMS AND CONDITIONS THEREOF, AND AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT FOR INTERLOCAL COOPERATION WITH THOMAS COUNTY, KANSAS AND ALL PARTICIPATING PUBLIC AGENCIES FOR THE PURPOSE OF PROVIDING A PROGRAM FOR NEIGHBORHOOD REVITALIZATION.**

**WHEREAS**, The Kansas Neighborhood Revitalization Act as set forth in K.S.A. 1996 Supp. 12-17, 114 et. seq. authorizes and empowers the Governing Body of the City of Brewster, Kansas (herein CITY) to designate any area within the CITY as a Neighborhood Revitalization area if the Governing Body finds that one or more of the conditions described in of K.S.A. 1996 Supp. 12-17, 115 (b) exists thereby encouraging and facilitating the rehabilitation, conservation and redevelopment of any such designated area and also, thereby protecting and promoting the public health, safety and welfare of the residents of the CITY; and,

**WHEREAS**, the CITY, pursuant to the aforesaid statute, has found and determined that all area and land lying within the corporate limits of the CITY is eligible for designation as a Neighborhood Revitalization area; and,

**WHEREAS**, the Governing Body of the CITY hereby determines it necessary and advisable to enter into an Interlocal Agreement with Thomas County, Kansas (the County) for the purpose of considering, adopting, and coordinating a Neighborhood Revitalization Plan, and establishing a Neighborhood Revitalization Fund for the purpose of administering the redevelopment fund and to provide rebates as provided by law.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BREWSTER, KANSAS:**

**SECTION 1. REVITALIZATION PLAN APPROVED AND ADOPTED.** The four (4) page document produced and present at this meeting of the Governing Board entitled "Revitalization Plan" and each and every part thereof is, in all respects, approved,

authorized, confirmed and adopted by the City of Brewster as the Revitalization Plan for the City of Brewster, County of Thomas, Kansas, such Plan to be in force and effect on and after June 12, 2012. A fully executed copy of such Revitalization Plan shall be filed in the office of