

# public notice

**ORDINANCE NO. 1610**

AN ORDINANCE REGULATING THE TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GOODLAND, KANSAS; INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2010; PROVIDING CERTAIN PENALTIES AND AMENDING AND REPEALING SECTION NO. 16-101.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOODLAND, KANSAS:**

**SECTION 1.** INCORPORATING THE STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Goodland, Kansas, that certain Standard Traffic Ordinance known as the gStandard Traffic Ordinance for Kansas Cities, h Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped gOfficial Copy as Adopted by Ordinance No. 1610, h and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all Administrative Departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.



**Buddy just can't live without his**

**Goodland Star-News!**

PEOPLE WHO READ NEWSPAPERS ARE

**BETTER WRITERS AND SPEAKERS**

It all starts with Newspapers

The Goodland Star-News

**Ad Deadlines**

For Tuesday papers  
Friday Noon

For Friday papers  
Wednesday Noon

For Country Advocate  
Friday Noon

You may call the ad in to  
(785) 899-2338 or stop by the  
Star-News at 1205 Main.

**SECTION2.REPEAL.** Section No. 16-101 is hereby amended and repealed.

**SECTION 3.** EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

**PASSED AND APPROVED** this 16th day of August, 2010, by the Governing Body of the City of Goodland, Kansas.

Rick Billinger, Vice Chairman of the City Commission of the City of Goodland

ATTEST: Mary P. Volk, City Clerk

Published in The Goodland Star-News, Friday, August 20, 2010.

**ORDINANCE NO. 1611**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF GOODLAND, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2010; PROVIDING CERTAIN PENALTIES AND AMENDING AND REPEALING SECTION NO. 12-101.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOODLAND, KANSAS:**

**SECTION 1.** INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Goodland, Kansas, that certain code known as the gUniform Public Offense Code, h Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Offense Code shall be marked or stamped gOfficial Copy as Adopted by Ordinance No. 1611, h and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be opened to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all Administrative Departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such Uniform Public Offense Code similarly marked, as may be deemed expedient.

**SECTION2.REPEAL.** Section No. 12-101 is hereby amended and repealed.

**SECTION 3.** EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

**PASSED AND APPROVED** this 16th day of August, 2010, by the Governing Body of the City of Goodland, Kansas.

Rick Billinger, Vice Chairman of the City Commission of the City of Goodland

ATTEST: Mary P. Volk, City Clerk

Published in The Goodland Star-News, Friday, August 20, 2010.

**IN THE DISTRICT COURT OF SHERMAN COUNTY, KANSAS CIVIL DEPARTMENT**

BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P.

Plaintiff, vs. Johnnie Colby and Tina L. Colby, et al. Defendants.

Case No. 10CV20 Court Number: Pursuant to K.S.A. Chapter 60

**NOTICE OF SALE**

Under and by virtue of an Order of Sale issued to me by the Clerk of the District Court of Sherman County, Kansas, the undersigned Sheriff of Sherman County, Kansas, will offer for sale at public auction and sell to the highest bidder for cash in hand, at the Front Door of the Courthouse at Goodland, Sherman County, Kansas, on September 7, 2010, at 10:00 AM, the following real estate:

Lots Three (3) and Four (4) in Block Seventy (70) in THE ORIGINAL TOWN OF GOODLAND, Sherman County, Kansas, according to the recorded plat thereof, commonly known as 407 West 12th Street, Goodland, KS 67735 (the “Property”)

to satisfy the judgment in the above-entitled case. The sale is to be made without appraisal and subject to the redemption period as provided by law, and further subject to the approval of the Court. For more information, visit www. Southlaw.com.

Kevin Butts, Sheriff Sherman County, Kansas

Prepared By: SOUTH & ASSOCIATES, P.C. Mark Mellor (KS #10255) 245 N. Waco St., Suite 400 Wichita, KS 67202 (316) 684-7733 (316) 684-7766 (Fax) Attorneys For Plaintiff (113207)

Published in The Goodland Star-News on Friday, Aug. 13, 20 and 27.

**IN THE DISTRICT COURT OF SHERMN COUNTY, KANSAS**

IN THE MATTER OF THE ESTATE OF NORMA SCHLEPP, DECEASED

Case No. 2009 PR 28

**NOTICE OF HEARING ON PETITION FOR FINAL SETTLEMENT THE STATE OF KANSAS TO ALL PERSONS CONCERNED:**

On August 17, 2010 a petition was filed in this court by Joann Ross, executrix of the will of Norma Schlepp, deceased, praying for final settlement of the estate, approval of her acts, proceedings and accounts as executrix under the Kansas Simplified Estates Act, allowance of fees and expenses and assignment to the devisees and legatees entitled to the estate in accordance with the will of Norma Schlepp, deceased. You are hereby required to file your written defenses thereto on or before the 14th day of September, 2010 at 10:00 o'clock A.M. on said day, in said court, in the city of Goodland, in Sherman County, State of Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said petition.

Joann Ross 14379 49th Ave Haviland, KS 67059

Michael V. Foust #07507 126 W 11th Street Goodland, KS 67735 (785) 899-5687 Attorney for Petitioner

Published in The Goodland Star-News, Friday, August 20 and 27 and September 3, 2010.

## Notice of certification of class action against defendant OXY, U.S.A., Inc.

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS**

David and Donna Schell, Howard Pickens, )  
And Ron Oliver, Individually, and as )  
Representative Parties on Behalf of a )  
Class of Surface Owners, )  
Plaintiffs, ) Case Number 07-1258-JTM-KMH

v. )  
OXY USA Inc., )  
Defendant. )

**NOTICE OF CERTIFICATION OF CLASS ACTION AGAINST DEFENDANT OXY USA INC.**

**TO: THE MEMBERS OF THE CERTIFIED CLASS**

**IF YOU HAVE RECEIVED OR HAVE THE RIGHT TO RECEIVE FREE GAS FOR HOUSE USE FROM OXY USA, INC. ON AN OXY-OPERATED KANSAS WELL, THIS NOTICE MAY AFFECT YOUR RIGHTS.**

A CLASS ACTION HAS BEEN CERTIFIED IN A PENDING LAWSUIT AGAINST DEFENDANT OXY. THE CLASS ACTION LAWSUIT (THE “LAWSUIT”) SEEKS A DECLARATORY JUDGMENT TO ESTABLISH THAT OXY OWES THE DUTY TO MAKE THE GAS USEABLE FOR HOUSE GAS USE. THE LAWSUIT IS PENDING IN THE UNITED STATES DISTRICT COURT OF KANSAS IN WICHITA, KANSAS. THE LAWSUIT HAS BEEN BROUGHT AGAINST OXY BY FOUR HOUSE GAS USERS ACTING ON BEHALF OF THEMSELVES AND OTHER SIMILARLY SITUATED OWNERS OF THE RIGHT TO USE HOUSE GAS.

THE COURT HAS **NOT** RULED ON THE MERITS OF THE CLAIMS ASSERTED BY THE PLAINTIFFS, OR THE DEFENSES ASSERTED BY DEFENDANT OXY.

- PLEASE READ THIS NOTICE CAREFULLY**
- 1. Why Is This Notice Being Sent To You?**
- You are being sent this Notice because you may be a member of the Class in the Lawsuit described below. OXY’s records reflect that you may be a surface owner on an oil and gas lease that contains a right to use house gas. This Notice is not intended to be, and should not be construed as, an expression of any opinion with respect to the merits of the allegations in the Complaint filed in this action. This Notice explains the claims being asserted in the Lawsuit, and also explains your right to remain a member of the Class (as explained in Section 7 of this Notice), and your right to opt out of the certified Class (as explained in Section 8 of this Notice).

- 2. The Lawsuit**
- The Lawsuit is pending in the United States District Court of Kansas and is captioned as set forth above. The Honorable Judge J. Thomas Marten is presiding over the Lawsuit. On July 29, 2009, Judge Marten entered an Order certifying the Lawsuit as a class action. On August 11, 2010, Judge Marten entered an order allowing notice to the class to proceed.

- 3. The Class.** The Order certifying the Lawsuit as a class action defined the Class as follows:
- All surface owners of Kansas land burdened by oil and gas leases held or operated by OXY USA Inc. which contain a free gas clause.

Judge Marten’s Order certifying the Class appointed the attorneys for the Plaintiffs to act as the attorneys for the Class (“Class Counsel”). The names and addresses of the Class Counsel are listed in Section 9 of this Notice.

- 4. What Is A Class Action?**
- A class action is a type of lawsuit in which the named plaintiffs bring a suit on behalf of other similarly situated persons seeking to recover relief on behalf of other persons they represent, without the necessity of each person incurring the expense of filing a separate lawsuit, or joining in the lawsuit. Class actions are brought when issues of fact or law are common, making it fair to bind all Class members to the orders and judgments in the case, without the necessity of litigating multiple lawsuits involving similar claims.

- 5. What Is The Lawsuit Against OXY About?**
- House gas use is threatened by low pressure and/or high concentrations of hydrogen sulfide which may require compression and/or treatment to make the house gas useable. The Lawsuit against OXY seeks to establish that OXY owes the duty to make house gas useable at its expense. OXY denies that it owes that duty, denies that an implied duty exists in all leases, and contends its obligations are governed by the terms of the oil and gas leases.

A more complete description of the Lawsuit, its status, and the rulings made in the Lawsuit are

available in the pleadings and other papers maintained by the United States District Court Clerk for the District of Kansas located at 401 N. Market, 204 U.S. Courthouse, Wichita, KS 67202, in the file for Case No. 07-1258-JTM-KMH. Should you have questions regarding the status, rulings or issues in the Lawsuit, such questions can be submitted in writing to Class Counsel at the addresses provided in Section 9 of this Notice.

- 6. Who is Included?**
- If you are surface owner on land in which minerals are leased to OXY under an oil and gas lease containing a house gas clause, you may be a Class Member, even if you are not currently living in or renting a house to others on the land and even if you are also a royalty owner on the same land.

- 7. Remaining A Member Of The Class.**
- If you choose to remain a Class member, **YOU DO NOT NEED TO TAKE ANY ACTION WHATSOEVER.** Class Counsel will represent your interests as a member of the Class. You will not be charged for their services or costs, other than as may be deducted from any settlement amount or judgment, as approved by the Court. You also have the option of entering your appearance in the Lawsuit through your own counsel, at your sole cost, if you so desire. However, you will be bound by the result of the Lawsuit, regardless of the outcome, even if no recovery is had. Class members will be barred from bringing any separate legal action against OXY for the claims described in this Notice. If you remain a member of the Class, you will receive notices of, and may participate in, any relief obtained on behalf of the Class. For this reason, you should notify Class Counsel (in writing at the addresses provided in Section 9 of this Notice) of any corrections to, or changes in, your name or address.

- 8. Requesting To Be Excluded From The Class.**
- If you are a member of the Class, you may elect to be excluded from the Class (“Opt Out”). If you elect to be excluded from the Class, you will not be bound by the judgment and final disposition of the Lawsuit. You will retain, and will be free to pursue, any claims, you may have on your own behalf against OXY. OXY may assert any defenses or counterclaims it may have against you. You may consult with your own attorney, at your sole cost, regarding your rights as well as any defenses and counterclaims available to OXY as to your claims. To be excluded from the Class, you must provide a written Opt Out election to be excluded from the Class to Rex A. Sharp, P.O. Box 8553, Prairie Village, KS 66208. The Opt Out election must contain your full name, current address, telephone number, and the property description of the Section (or portion thereof), Township, Range, and County in Kansas where you own the surface rights to land leased by OXY, and either your signature or the signature of a person authorized on your behalf to request exclusion from the Class. Your Opt Out must be postmarked no later than midnight on the 18th day of October, 2010.

- 9. Class Counsel**

If you do not exclude yourself as described in paragraph 8 above, your interest will be represented by the Class Representatives and their counsel, as counsel for the Class (“Class Counsel”), which are:

|   |   |  |
|---|---|--|
| Rex A. Sharp<br>Gunderson, Sharp & Walke, LLP<br>5301 W. 75 <sup>th</sup> Street<br>Prairie Village, KS 66208<br>(913) 901-0500<br>(913) 901-0419 fax<br><a href="mailto:rsharp@midwest-law.com">rsharp@midwest-law.com</a> | Lee Thompson<br>Thompson Law Firm<br>300 N. Main, Ste. 106<br>Wichita, KS 67202<br>(316) 267-3933<br>(316) 267-3901 fax<br><a href="mailto:lthompson@tslawfirm.com">lthompson@tslawfirm.com</a> | M. Moran Tomson<br>111 North Main<br>PO Box 310<br>Johnson, KS 67855<br>(620) 492-6800<br>(620) 492-6801 fax<br><a href="mailto:law@pld.com">law@pld.com</a> |
|---|---|--|

In any written correspondence with the Class Counsel, it is important that the envelope and any documents inside contain the following case name and identifying numbers for the Lawsuit: *David Schell, et al. v. OXY USA Inc.*, Case No. 07-1258-JTM-KMH. In addition, you should include your full name, address, email address, and telephone number.

**DO NOT WRITE OR TELEPHONE THE CLERK’S OFFICE if you have any questions about this Notice. ANY QUESTIONS CONCERNING THIS NOTICE OR THE LAWSUIT SHOULD BE DIRECTED TO CLASS COUNSEL.**

**PLEASE DO NOT CALL OXY, THE COURT OR THE COURT CLERK**

ORDERED: August 13th, 2010.

S/ Karen M. Humphreys

KAREN M. HUMPHREYS  
UNITED STATES MAGISTRATE JUDGE

Published in The Goodland Star-News, Friday, August 20 and Tuesdsy, August 24, 2010.