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Estate of Louise Nauer

PUBLIC NOTICE (Published in The Oberlin Herald.

Wednesday, October 20,27, November 3, 2004)3t

IN THE DISTRICT COURT OF DECATUR COUNTY, KANSAS

In the Matter of the Estate of LOUISE NAUER, Deceased Case No. 2004-PR-20

NOTICE OF HEARING

NOTICE TO CREDITORS

THE STATE OF KANSAS TO ALL PERSONS CONCERNED

You are hereby notified that on October 6, 2004 a Petition was filed in this court by the undersigned.

The Petition states that the undersigned is an heir, devisee and legatee, co-executors named in the Last Will and Testament of the decedent dated October 19, 1999 and the Petition requests that the Will be admitted to probate and record; that Paul R. Nauer and Paula Nauer be appointed as co-Executor and be granted Letters Testamentary without bond.

You are further advised that the Petitioner in this matter has requested administration pursuant to the Kansas Simplified Estates Act, and if such request is granted the court may not supervise administration of the estate and no further notice of any action of the Executor or other proceedings in the administration will be given except for notice of final settlement of the decedent's estate. Should written objections to simplified administration be filed with the court, the court may order supervised administration to ensue.

You are required to file your written de-fenses thereto on or before November 12, 2004 at 10:00 a.m. of said date, in this court in the city of Oberlin at which time and place the cause will be heard. Should you fail, judgment and decree will be entered in due course upon the Petition.

All creditors are notifed to exhibit their demands against the estate within four (4) months from the date of first publication of this notice, as provided by law, and if their demands are not thus exhibited, they shall be forever barred.

> Paul R. Nauer Paula Nauer Petitioners

Ken Eland	
Attorney for Petitioner	
SLOAN & ELAND	
Attorneys at Law	
P.O. Box 565	
736 Main Street	
Hoxie, KS 67740	
(785) 675-3217	
Fax No. (785) 675-3983	

Finance of water plant

PUBLIC NOTICE (Published in The Oberlin Herald. Wednesday, October 27, 2004)1t

ORDINANCE NO. 796

AN ORDINANCE AUTHORIZING THE EX-ECUTION OF A LOAN AGREEMENT BE-TWEEN THE CITY OF OBERLIN, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPART-MENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POL-LUTION CONTROL REVOLVING FUND

Public Notices

FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT: ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CER-TAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.

WHEREAS, the Federal Water Quality Act of 1987 (the "Federal Act") established revolving fund program for public wastewater treatment systems to assist in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to ad-minister a revolving loan program operated by the individual states; and WHEREAS, to fund the state revolving fund

program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and WHEREAS, by passage of the Kansas

Water Pollution Control Revolving Fund Act, K.S.A. 65-3321 through 65-3329, inclusive (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Water Pollution Control Revolving Fund (the "Revolving Fund") for purposes of the Federal Act: and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Pledge Agreement (the "Pledge Agreement") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public wastewater treatment projects (the "Projects") and to pledge the Loan Repayments (as defined in the Pledge Agreement) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the payment of Project Costs (as said terms are defined in the Loan Act); and

WHEREAS, the City of Oberlin, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a wastewater collection and treatment system (the "System"); and

WHEREAS, the System is a public Wastewater Treatment Works, as said term is defined in the Loan Act; and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its Svstem consisting of the following:

The project consists of construction of a new sewage pumping station and three cell discharging lagoon treatment system (the "Project"); and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-16-110 to 28-16-138 (the "Regu lations") applicable thereto necessary to qualify for the loan: and

WHEREAS, KDHE has informed the Municipality that it has been approved for a loan in amount of not to exceed Two Million Nine Hundred Fifty-Eight Thousand Dollars [\$2,958,000] (the "Loan") in order to finance the Project; and

WHEREAS, the governing body of the Mu-nicipality hereby finds and determines that it is necessary and desirable to accept the Loan and to enter into a loan agreement and certain other documents relating thereto, and to take certain actions required in order to implement

the Loan Agreement. THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF **OBERLIN, KANSAS:** Section 1. Authorization of Loan Agree-

ment. The Municipality is hereby authorized to accept the Loan and to enter into a certain

Loan Agreement, with an effective date of May 25. 2004. with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "Loan Agreement") to finance the Project Costs (as defined in the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the Loan Agree ment in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the City Attorney, the Mayor's execution of the Loan Agreement being con-

clusive evidence of such approval. Section 2. Establishment of Dedicated Source of Revenue for Repayment of Loan. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of rev enue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues or levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce amounts which are sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, and (c) pay all other amounts due at any time under the Loan Agreement; provided, however, no lien or other security interest is granted by the Municipality to KDHE on the System Rev enues under this Agreement. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement. In accordance with the Loan Act, the obli-

nations under the Loan and the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipal

Section 3. Further Authority. The Mayor Clerk and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, in-struments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability

Section 4. Governing Law. The Ordinance and the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper

PASSED by the governing body of the City on October 21, 2004, and **APPROVED** by the Mayor.

Ken Shobe, Mayor

ATTEST: Deanna M. Castle, Clerk

Steve Hirsch, City Attorney

Notice of foreclosure

PUBLIC NOTICE (Published in The Oberlin Herald,

Wednesday, October 27, November 3, 10, 2004)3t

IN THE DISTRICT COURT OF DECATUR COUNTY, KANSAS CIVIL DEPARTMENT

Midfirst Bank, Plaintiff.

> Teresa Dowling (Deceased), et al., Defendants.

> > Case No. 2004-C-15

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 Decatur County, Kansas, the undersigned Sheriff of Decatur 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 Oberlin, Decatur County, Kansas, on November 17, 2004, at 10:00 AM, the following real estate:

Lot 2, Block 10, Rodehaver Addition to the Town, now City of Oberlin, Decatur County, Kansas, commonly known as 311 N. Griffith Avenue, Oberlin, KS 67749 (the "Property")

to satisfy the judgment in the above-entitled case. The sale is to be made without appraisement 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.

> Ken Badsky, Sheriff Decatur County, Kansas

SOUTH & ASSOCIATES, P.C. Stacey M. Patterson (KS #19526) 4600 Madison, Suite 801 Kansas City, Missouri 64112 (816) 300-7800 (816) 300-7899 (Fax) Attorneys for Plaintiff (44404)

Estate of Leta Strevey

PUBLIC NOTICE (Published in The Oberlin Herald, Wednesday, October 27, November 3, 10, 2004)3t

IN THE DISTRICT COURT OF DECATUR COUNTY, KANSAS PROBATE DIVISION

In the Matter of the Estate of LETA I. STREVEY, Deceased. Case No. 2004-PR-22

CONCERNED:

given.

NOTICE TO CREDITORS

THE STATE OF KANSAS TO ALL PERSONS

You are hereby notified that a petition has been filed on October 22, 2004, in said court

by Glen R. Strevey and Robert G. Strevey, as

surviving sons and heirs of Leta I. Strevey, de-

ceased, praying for an order refusing to grant

letters of administration in the estate and set-

ting aside exempt property and reasonable

allowance. You are hereby required to file your

written defenses thereto within four (4) months

from the date of first publication of this notice.

Should you fail therein, judgment and decree will be entered in due course upon such peti-

tion. No further notice of the proceeding will be

Glen R. Strevey, Petitioner

Robert G. Strevey, Petitioner

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PUBLIC NOTICE ANNUAL MEETING DECATUR COUNTY **EXTENSION COUNCIL**

PUBLIC NOTICE is hereby given in accordance with K.S.A. 2-611, as amended, State of Kansas, that on Wednesday, November 3, 2004, at the Bohemian Hall located at the Decatur County Museum in Oberlin, Kansas, beginning at 5:30 p.m., the members for the Decatur County Extension Council shall meet for the purpose of: (1) electing from among their members an Executive Board consisting of a chairperson, a vice chairperson, a secretary, a treasurer and five additional board members; (2) organizing the Program Development committees for Agricultural Pursuits, Home Economics Work, 4-H Club and Youth Work, and Economic Development Initiatives; (3) consideration of the County Extension **Education Program.**

All County Extension Council representatives of Agricultural Pursuits, Home Economics Work, 4-H Club and Youth Work, and Economic Development Initiatives are urged to attend.

> Maureen Anderson, Chair **Executive Board**

GENERAL NOTICE TO CONTROL NOXIOUS WEEDS

The Kansas Noxious Weed Law K.S.A. 2-1314 et seg requires all persons who own or supervise land in Kansas to control and eradicate all weeds declared noxious by legislative action. The weeds declared noxious are: Field Bindweed, Musk Thistle, Serica Lespedeza, Johnson Grass, Canada Thistle, Bur Ragweed, Leafy Spurge, Hoary Cress, Quack Grass, Russian Knapweed, Kudzu, & Pignut. Multiflora Rose is a County Option Noxious Weed declared noxious by the Board of County Commissioners of Decatur County. Notice is hereby given pursuant to the Kansas Noxious Weed Law to every person who owns or supervises land in Decatur County that noxious weeds growing or found on such land shall be controlled and eradicated. Control is defined as preventing the production of viable seeds and the vegetative spread of the plant.

Failure to observe this notice may result in the County: 1. Serving a legal notice requiring control of the noxious weeds within a minimum of 5 days. Failure to control the noxious weeds within the time period allowed may result in the county treating the noxious weeds at the landowners expense and placing a lien on the property if the bill is not paid within 30 days or,

2. filing criminal charges for non compliance. Conviction for non compliance may result in a fine of \$100 per day of non compliance with a maximum fine of \$1500.

The public is also hereby notified that it is a violation of Kansas Noxious Weed Law to barter, sell, or give away infested nursery stock or livestock feed unless the feed is fed on the farm where grown or sold to a commercial processor that will destroy the viability of the noxious weed seed. Custom harvesting machines must be labeled with a label provided by the Kansas. Dept. of Agriculture and must be free of all weed seed and litter when entering the State and when leaving a field infested with noxious weeds. Additional information may be obtained from the Decatur County Noxious Weed Department or by contacting the Kansas Dept. of Ag, 109 S.W. 9th, Topeka, Kansas 66612.

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DEVELOPMENTAL SERVICES OF NORTHWEST KANSAS, INC.

Steven W. Hirsch

HIRSCH & PRATT, LLP 124 So. Penn—Box 296

Oberlin, KS 6749-0296 Ph. 785.475.2296

Fax 785.475.2060

Attorney for Petitioner

Opportunities in Human Services Norton

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To assure you of receiving

continuity of care, Dr. Damico will work closely with your personal physician.

To schedule an appointment with Dr. Damico, contact your local physician or call the number below.

McCook: 308.345.8285	Imperial: 308.882.7256
Benkelman: 308.423.2204	Lexington: 308.324.3716