

KANSAS REGISTER



State of Kansas

JACK H. BRIER
Secretary of State

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December 1, 1983

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State of Kansas

LEGISLATURE

INTERIM AGENDA

Notice is hereby given to all interested parties that the following legislative committee meetings have been scheduled during the period of December 5 through December 16, 1983.

DATE	ROOM	TIME	COMMITTEE	AGENDA
Dec. 5	514-S	10:00 A.M.	Joint Committee on Administrative Rules and Regulations	Review rules filed by the Highway Patrol, Dept. of Health and Environment, Dept. of Corrections and others as filed.
Dec. 8	123-S	10:00 A.M.	Joint Committee on State Building Construction	Agenda unavailable.
Dec. 9	123-S	9:00 A.M.		
Dec. 9	Wichita Area Chamber of Commerce 350 W. Douglas Wichita, Kansas	8:00 A.M.	Sedgwick County Legislative Delegation	Local issues.
Dec. 12	527-S	10:00 A.M.	Legislative Educational Planning Committee	Agenda unavailable.
Dec. 13	527-S	10:00 A.M.	Technology Task Force (Advisory Committee to LEPC)	Discussion of occupational categories.
Dec. 15	527-S	10:00 A.M.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
Dec. 16	527-S	9:00 A.M.		
Dec. 15	531-N	10:30 A.M.	Health Planning Review Commission	Agenda unavailable.
Dec. 16	531-N	9:00 A.M.		

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 001678

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PUBLISHED BY
JACK H. BRIER
Secretary of State
State Capitol
Topeka, Kansas 66612



PHONE: 913/296-2236

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES****NOTICE TO BIDDERS**

Sealed bids for items hereinafter listed will be received by the Director of Purchases, State Office Building, Topeka, Kansas, until 2:00 p.m., CST or DST, whichever is in effect on the date indicated, and then will be publicly opened:

MONDAY, DECEMBER 12, 1983

#25506 (Supplement)

University of Kansas Medical Center, Kansas City and Statewide—PHARMACEUTICALS

#55971

Kansas State University, Manhattan—MICROCOMPUTER SYSTEMS

#55972

Kansas State University, Manhattan—SOYBEAN MEAL

#55973

Larned State Hospital, Larned; Parsons State Hospital, Parsons; Kansas State University, Manhattan—MISCELLANEOUS CANNED GOODS

#55974

University of Kansas, Lawrence—INSTALLATION OF MEMORY

#55975

Department of Administration, Division of Printing, Topeka—PRINTED ENVELOPES

#55988

University of Kansas Medical Center, Kansas City—LUMBER AND PLYWOOD

#56000

Department of Human Resources, Topeka—WORD PROCESSING SYSTEM

TUESDAY, DECEMBER 13, 1983

#A-4691(a)

Youth Center at Topeka, Topeka—FURNISH AND INSTALL NIGHT SET-BACK TEMPERATURE CONTROLS—TWO BUILDINGS

#25826

University of Kansas Medical Center, Kansas City—MISCELLANEOUS BEVERAGES

#55407

Kansas Technical Institute, Salina—LATHE

#55982

Kansas Insurance Department, Topeka—OFFICE CHAIRS

#55983

Kansas State University, Manhattan—TELEVISION SETS

#55989

University of Kansas, Lawrence—CARPETING AND INSTALLATION

#55990

Kansas State University, Manhattan—CORRUGATED MILK CARTONS

#56005

Department of Administration, Division of Personnel Services, Topeka—WORD PROCESSING SYSTEM

WEDNESDAY, DECEMBER 14, 1983

#A-4656

Kansas Neurological Institute, Topeka—FURNISH AND INSTALL FIRE SAFETY IMPROVEMENTS—PLEASANTVIEW DINING FACILITY

#25825

Statewide (Department of Transportation Primary User)—AUTOMOTIVE FILTERS (OIL, FUEL AND AIR)

#55981

University of Kansas Medical Center, Kansas City—PROCESSING SYSTEM

#55997

Department of Transportation, Hutchinson—LIGHT POLE SHEAR BASES, Wichita

#56001

Kansas Highway Patrol, Topeka—ELECTRONIC WARNING LIGHT BARS

#56007

Wichita State University, Wichita—COIN-OPERATED COPIERS

#56010

University of Kansas, Lawrence—HPLC PUMPING SYSTEM

#56011

University of Kansas, Lawrence—LAB APPARATUS

THURSDAY, DECEMBER 15, 1983

#A-4341(a)

University of Kansas, Lawrence—MURPHY HALL ROOF AND MASONRY REPAIR

#55999

Wichita State University, Wichita—PRINTERS AND ADAPTERS

#56012

University of Kansas, Lawrence—COMPUTER HARDWARE, SOFTWARE, AND TEACHING MATERIALS

#56013

Kansas State University, Manhattan—VETERINARY/SURGICAL APPARATUS

#56016

Department of Administration, Division of Printing, Topeka—BINDERS BOARD

#56017

Kansas State University, Manhattan—CARPET AND INSTALLATION

#56018

Department of Transportation, Hutchinson—LUMINAIRES, Wichita

FRIDAY, DECEMBER 16, 1983

#55998

University of Kansas, Lawrence—TERMINAL CONTROL UNIT

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 001671

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT No. 4

NOTICE OF MONTHLY BOARD MEETING AND PUBLIC HEARING

The December meeting of the Northwest Kansas Groundwater Management District No. 4 is scheduled for December 8, 1983 at the district office, 1175 South Range, Colby, Kansas. The meeting begins at 1:00 p.m. General administrative matters and other business will be discussed.

The Board will also be holding, on this same day, a public hearing beginning at 4:00 p.m. on a Revised 1984 Operating Budget. The hearing will also be held at the district office. The purpose of this hearing is to rebudget any actual 1983 carryover funds which may occur.

WAYNE A. BOSSERT
Manager

Doc. No. 001669

(Published in the KANSAS REGISTER, December 1, 1983.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., December 15, 1983 and then publicly opened:

DISTRICT I

Douglas—23 C 0330-01—0.276 mile Grading & Bituminous Surfacing, beginning approx. 0.057 mile south of the jct. of Clinton Parkway & county highway FAS-1966; thence north on county highway FAS-1966 (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001674

(Published in the KANSAS REGISTER, December 1, 1983.)

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Notice is hereby given that sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, Kansas, until 10:00 a.m., December 15, 1983 and then publicly opened:

DISTRICT I

Douglas—23 C 1673-01—0.132 mile Grading & Bridge, beginning approx. 1.0 mile south & 1.4 miles east of Eudora; thence east (Bridge over Coleman Creek) (Federal Funds).

Douglas—23 C 1890-01—0.909 mile Bituminous Surfacing, beginning approx. at Stull; thence east on County Highway FAS-212 (Federal Funds).

Johnson—35-46 K 2392-01—Roadside Improvement on I-35 southeast of Gardner (Federal Funds).

Johnson—7-46 K 0447-02—5.174 miles Grading, Concrete Pavement & Seeding, beginning approx. 0.41 mile north of the south jct. of K-7 & K-10; thence north on K-7 (State Funds).

Johnson—7-46 K 0447-03—5.209 miles Highway Signing & Delineation, beginning approx. 0.417 mile north of the south jct. of K-7 & K-10; thence north on K-7 (State Funds).

Johnson—7-46 K 0449-02—2.602 miles Surfacing & Seeding, beginning approx. 1.06 miles north of the north jct. of K-7 & K-10; thence north on K-7. Bids for Seeding on this project will only be received from Small Business Enterprises (State funds).

Johnson—7-46 K 0449-03—2.631 miles Highway Signing & Delineation, beginning approx. 1.07 miles north of the north jct. of K-7 & K-10; thence northerly on K-7 (State Funds).

Marshall—58 C 1469-01—0.132 mile Grading, beginning approx. 7.5 miles east & 1.7 miles south of Marysville; thence south on County Highway FAS-1236 (Federal Funds).

Shawnee—89 C 0681-01—1.646 miles Grading & Bridge, beginning approx. 2.8 miles south & 2.0 miles east of Berryton; thence south (Bridge over Wakarusa River) (Federal Funds).

Wyandotte—70-105 K 1423-01—1.799 miles Grading, Concrete Pavement & 3 Bridges, beginning approx. 0.083 mile west of I-70 & 94th Street; thence east on I-70 (Federal Funds).

Wyandotte—132-105 U 0605-02—Grading, Concrete Pavement & East Approach Spans on K-132 over Kansas River in the City of Kansas City (Federal Funds).

DISTRICT II

Cloud—15 C 1611-01—Bridge, beginning approx. 2.0 miles south & 3.0 miles west of Glasco; thence west (Bridge over Second Creek) (Federal Funds).

Dickinson—21 C 1274-01—0.397 mile Grading & Bridge, beginning approx. 2.0 miles south & 0.8 mile

(continued)

east of Manchester; thence east (Bridge over Mud Creek) (Federal Funds).

Dickinson—21 C 1293-01—0.337 mile Grading & Bridge, beginning approx. 3.6 miles north of Abilene; thence west (Bridge over Mud Creek) (Federal Funds).

McPherson—59 K 2402-01—Highway Lighting at various locations on K-61 & US-81 Alt. (Federal Funds).

McPherson—59 C 1571-01—0.217 mile Grading & Bridge, beginning approx. 5.3 miles north of Windom; thence north (Bridge over Sharps Creek) (Federal Funds).

Washington—101 C 1236-01—0.416 mile Grading & Bridge, beginning approx. 3.0 miles east & 2.5 miles north of Washington; thence east (Bridge over Mill Creek) (Federal Funds).

Washington—101 C 1473-01—0.416 mile Grading & Bridge, beginning approx. at the west edge of Hanover; thence westerly on County Highway FAS-1100 (Bridge over Little Blue River) (Federal Funds).

DISTRICT III

Ellis—26 C 0969-01—Bridge, beginning approx. 0.1 mile southwest of Victoria; thence south (Bridge over North Fork Big Creek) (Federal Funds).

Ellis—26 C 0970-01—0.246 mile Grading & Bridge, beginning approx. 2.5 miles west & 0.7 mile north of Hays; thence north (Bridge over Big Creek) (Federal Funds).

Ellis and Rush—26 C 0971-01—0.152 mile Grading & Bridge, beginning approx. 0.9 mile south & 2.3 miles east of Schoenchen; thence east (Bridge over Big Timber Creek) (Federal Funds).

Ellis—26 C 0972-01—0.208 mile Grading & Bridge, beginning approx. 1.5 miles west and 0.3 mile north of Hays; thence north (Bridge over Big Creek) (Federal Funds).

Ellis—26 C 0973-01—0.170 mile Grading & Bridge, beginning approx. 1.3 miles east & 1.2 miles south of Victoria; thence south (Bridge over North Fork Big Creek) (Federal Funds).

Ellis—26 C 0976-01—0.170 mile Grading & Bridge, beginning approx. 1.3 miles east & 4.4 miles south of Victoria; thence south (Bridge over Big Creek) (Federal Funds).

Ellis—26 C 0977-01—0.208 mile Grading & Bridge, beginning approx. 1.0 mile west of the intersection of County Highway FAS-235 & US-183 located approx. 14.3 miles north of Hays; thence west (Bridge over Saline River Tributary) (Federal Funds).

Ellis—26 C 0979-01—0.246 mile Grading & Bridge, beginning approx. 0.3 mile east & 5.0 miles south of Victoria; thence south (Bridge over Big Creek) (Federal Funds).

DISTRICT IV

Bourbon and Miami—106 K 2405-01—Highway Lighting at various locations on US-54 in Bourbon County & US-169 in Miami County (Federal Funds).

Franklin—30 C 1595-01—0.265 mile Grading & Bridge, beginning approx. 5.0 miles north of Ottawa; thence east (Bridge over West Fork Tauy Creek) (Federal Funds).

Franklin—30 C 1815-01—0.979 mile Bituminous Surfacing, beginning approx. at County Highway FAS-1928 & I-35; thence north on County Highway FAS-1928 (Federal Funds).

Linn—69-54 K 1395-01—7.521 miles Grading, Bituminous Surfacing & Bridge, beginning approx. at the north city limits of Pleasanton; thence northerly on US-69 (State Funds).

Montgomery—63 U 0844-01—Bridge replacement on 8th Street over Sycamore Creek in the City of Coffeyville (Federal Funds).

DISTRICT V

Sedgwick and Harvey—135-87 K 2407-01—Highway Lighting at various locations on I-135 in Sedgwick & Harvey Counties (Federal Funds).

Sedgwick—87 U 0787-01—0.582 mile Grading & Surfacing, beginning approx. at the intersection of Mead Avenue & Central Avenue; thence east on Central Avenue to Pennsylvania Avenue in the City of Wichita (Federal Funds).

DISTRICT VI

Hodgeman—42 C 1646-01—0.151 mile Grading & Bridge, beginning approx. 11.0 miles north & 5.1 miles west of Jetmore; thence west (Bridge over Pawnee River) (Federal Funds).

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone regardless of race, religion, color, sex, physical handicap, national origin or ancestry in the award of contracts.

Plans and specifications for the project(s) may be examined at the offices of the respective County Clerks or at the Kansas Department of Transportation district offices responsible for the work.

BY ORDER OF THE KANSAS
DEPARTMENT OF TRANSPORTATION

JOHN B. KEMP
Secretary

Doc. No. 001666

State of Kansas
DEPARTMENT OF TRANSPORTATION
REQUEST FOR COMMENTS

Notice is hereby given to all interested parties that the Kansas Department of Transportation is soliciting comments regarding the National Transportation Safety Board recommendations listed below:

H-83-39. Ensure that passengers in small (more than 10 passengers and less than 10,000 GVWR) school buses and school vans are required to use available restraint systems whenever the vehicle is in motion; ensure that all users of such vehicles are aware of and comply with these provisions.

H-83-40. Ensure that vehicles designed to carry more than 10 passengers and weighing less than 10,000 GVWR used to transport children to and from school, school-related events, camp, day care center, or similar purposes meet all Federal Motor Vehicle Safety Standards applicable to small school buses.

H-83-41. Require drivers of school buses to wear seat belts whenever the vehicle is in motion, inform all school bus drivers of this requirement, and conduct periodic monitoring to ensure compliance.

H-83-46. Upgrade the quality of school bus inspection and repair by examining and revising, as required, the qualifications and training of and facilities for inspectors and mechanics and by instituting quality control procedures to determine if needed repairs have been performed adequately or if major repairs are required.

H-83-47. Institute and enforce procedures to prevent activity groups and drivers from organizing, beginning, or continuing trips in mechanically unsafe vehicles.

H-83-48. Place fire extinguishers at the front and rear of school buses, post signs in school buses on the location and use of emergency equipment, and brief passengers on the location and use of emergency equipment, both periodically and before beginning activity trips.

All interested parties are requested to submit their comments, in writing or questions, by 5:00 p.m., December 16, 1983, to the Kansas Department of Transportation, Bureau of Management Services, Seventh Floor, State Office Building, Topeka, Kansas 66603.

JOHN B. KEMP
 Secretary

Doc. No. 001670

State of Kansas
DEPARTMENT OF
HUMAN RESOURCES
KANSAS COUNCIL ON EMPLOYMENT
AND TRAINING

NOTICE OF MEETING AND AGENDA

The Kansas Council on Employment and Training will meet from 9:00 a.m.-12:00 noon on Friday, December 2, 1983, in the Conference Room, Southwestern Bell Administrative Office, 220 East 6th Street, Topeka, Kansas. The meeting agenda includes the following:

- I. Comments from Secretary Jerry Shelor
- II. Report on High Technology Initiative and Kansas Department of Economic Development
- III. Presentation and Remarks from Governor John Carlin
- IV. Recommendations of Plans Review Committee
- V. Modification of State Plan
- VI. Report on State Vocational Education Plan Committee
- VII. Report on SDA Activities
- VIII. Cost Analysis of SDA Plans

The meeting is open to the public.

LARRY E. WOLGAST, Ed.D.
 Assistant Secretary

Doc. No. 001673

State of Kansas
STATE CORPORATION COMMISSION

NOTICE OF TERMINATION OF THE
KANSAS INTRASTATE FUEL SURCHARGE
SUMMARY OF COMMISSION'S ORDER

The Kansas intrastate fuel surcharge which applies to motor common and contract carriers has been terminated effective November 22, 1983, by order of the State Corporation Commission in Docket 15,600-R.

The Kansas intrastate fuel surcharge was originally granted in June of 1979 and it has mirrored the Interstate Commerce Commission's fuel surcharge from its inception. Since the Interstate Commerce Commission has discontinued its fuel surcharge, the State Corporation Commission found that a continuation of the Kansas intrastate fuel surcharge would cause Kansas carriers and shippers undue complications.

Interested parties may obtain a copy of this order by contacting the State Corporation Commission, Transportation Division, 4th Floor, State Office Building, Topeka, Kansas 66612.

WILLIAM GREEN
 Transportation Administrator

Doc. No. 001677

State of Kansas

STATE CORPORATION COMMISSION

**NOTICE PERTAINING TO
MOTOR CARRIER HEARINGS
BEFORE THE**

STATE CORPORATION COMMISSION

Applications set for hearing are to be heard before the *State Corporation Commission, State Office Building, 4th Floor, Topeka, Kansas, commencing at 10:00 a.m. unless otherwise noticed.*

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, State Office Building, Topeka, Kansas 66612, or telephone (913) 296-3352 or 296-2110.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

**Application set for December 29, 1983—
TOPEKA, KANSAS**

RENOTICED Application for Transfer of Certificate of Convenience and Necessity:

Eugene Fitzsimmons) Docket No. 130,792 M
210 W. 1st)
Medicine Lodge, KS 67104) Route No. 18634

TO:
Richard D. Diesselhorst, dba
Diesselhorst Truck Line
Medicine Lodge, KS

Applicant's Attorney: William Barker, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601

Livestock, farm feeds, mill feeds and grain, new and used farm machinery, set-up, emigrant farm movables, building materials, unprocessed farm feeds, processed mill feeds, cement plaster, salt, emigrant movables,

From the Kansas-Oklahoma border in Clark County upon U.S. Highway 283, north through Ford County to the city of Dodge City,

Thence,
In and around Dodge City, via U.S. Highway 56 and Ford County roads to U.S. Highway 50 and/or U.S. Highway alternate, north of Dodge City,

Thence,
East on U.S. Highway 50 through Ford, Edwards, Stafford and Reno Counties through the city of Hutchinson,

Thence,
East on U.S. Highway 50 through Reno County to the Reno-Harvey County line,

Thence,
South on the county road that separates Reno and Harvey Counties, and continuing on that road that further southward separates Reno and Sedgwick Counties,

Thence,

West on the county road that separates the southern border of Reno County from Sedgwick County,

Thence,

South on the county road that separates Kingman and Sedgwick Counties and continuing on that road that further southwards separates Harper and Sumner Counties,

Thence,

South to the Kansas-Oklahoma border and west to the place of beginning in Clark County, Kansas.

Also,

Livestock, equipment farm movables, unprocessed farm feeds, farm machinery (new and used, set-up), emigrant farm movables,

Between points & places in & from the KS-OK border in Clark County upon U.S. 283, north through Ford County to the city of Dodge City,

Thence,

In & around Dodge City via U.S. Hwy 56 & Ford County roads to U.S. Hwy 50 and/or U.S. Hwy Alternate North of Dodge City,

Thence,

East on U.S. Hwy 50 through Ford, Edwards, Stafford & Reno Counties, through the city of Hutchinson,

Thence,

East on U.S. Hwy 50 through Reno County to the Reno-Harvey County line,

Thence,

South on the county road that separates Reno & Harvey Counties & continuing on that road that further southward separates Reno & Sedgwick Counties,

Thence,

West on the county road that separates the southern border of Reno County from Sedgwick County,

Thence,

South on the county road that separates Kingman & Sedgwick Counties, & continuing on that road that further southwards separates Harper & Sumner Counties,

Thence,

South to the KS-OK border & west to the place of beginning in Clark County, KS, on the one hand, & all points & places within the state of KS, on the other.

**Applications set for January 3, 1984—
TOPEKA, KANSAS**

RENOTICED Application for Extension of Certificate of Convenience and Necessity:

Hofer, Inc.) Docket No. 87,805 M
20th & 69 Bypass)
P.O. Box 583)
Pittsburg, KS 66762) Route No. 8237

Applicant's Attorney: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601

Lumber and wood products,

Between points in Crawford County, KS, on the one hand, & points in KS, on the other; and

Paper products,

Between points in Crawford, Cherokee, Labette,

(continued)

Wilson, Montgomery, Allen, Bourbon, & Neosho Counties, KS, on the one hand, & points in KS, on the other.

RENOTICED Application for Extension Certificate of Convenience and Necessity:

Wichita Southeast Kansas) Docket No. 84,770 M
Transit, Inc.)
P.O. Box G)
Parsons, KS 67357) Route No. 7989

Applicant's Attorney: John L. Richeson, P.O. Box 7,
Ottawa, KS 66067

General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment because of size and weight, and those injurious or contaminating to other lading,

Between Sedgwick, Butler, Greenwood, Allen, Woodson, Bourbon, Wilson, Neosho, Crawford, Montgomery, Labette, Cherokee, Shawnee, Osage, Coffey, Anderson, Franklin, Douglas, Wabaunsee, Riley, Geary, Wyandotte, Leavenworth, & Pottawatomie Counties, KS.

**Applications set for January 12, 1984—
TOPEKA, KANSAS**

RENOTICED Application for Certificate of Convenience and Necessity:

Jerry O. Koci) Docket No. 139,168 M
9120 S.W. 61st St.)
Topeka, KS 66604)

Applicant's Attorney: None

To transport general commodities (except those items of unusual value, household goods, explosives, liquid commodities in bulk, cement and fly ash); livestock, grain, processed feed, steel products and hay,

Between all points & places in Shawnee, Douglas, Osage, Wabaunsee & Jackson Counties, KS.

Also, between all points & places in the afore listed counties on the one hand, & all points & places in the state of KS, on the other.

Application for Extension of Certificate of Convenience and Necessity:

Tiona Truck Line, Inc.) Docket No. 91,741 M
102 Ohio)
P.O. Box 312)
Butler, MO 64730) Route No. 8767

Applicant's Attorney: Larry Gregg, 641 Harrison, P.O.
Box 1979, Topeka, KS 66601

Cement,

Between points in Allen, Johnson, Montgomery, Neosho, Wilson, & Wyandotte Counties, KS, on the one hand, & on the other, points in KS.

Application for Transfer of Certificate of Convenience and Necessity:

Bruce C. Randall, dba) Docket No. 59,272 M
Bud's Tank Truck Service)
920 E. 10th)
Winfield, KS 67156) Route No. 5296

TO:

Bud's Tank Truck Service, Inc.
920 E. 10th
Winfield, KS 67156

Applicant's Attorney: Mark Krusor, First National
Bank Bldg., P.O. Box 731, Winfield, KS 67156-0731

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh water for drilling purposes,

Between all points & places in the counties of Cowley & Sumner.

Crude oil, used in and for production, processing, treating, salvage, construction and for lease road purposes, in bulk, fresh water for drilling purposes, and salt water for disposal purposes,

Between all points & places in Cowley, Sumner, Sedgwick, Butler, Chautauqua, Harper, Greenwood & Elk Counties, KS.

Application for Transfer of Certificate of Convenience and Necessity:

R. E. Hind, dba) Docket No. 8,588 M
H. & S. Truck Service)
Hartford, KS 66854) Route No. 183

TO:

Duane Birk Trucking
R.F.D. #5, Box 11BB
Emporia, KS 66801

Applicant's Attorney: Stanley R. Ausemus, 418 Commercial, P.O. Box 1083, Emporia, KS 66801

General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment because of size and weight, and those injurious or contaminating to other lading,

Between Hartford & Emporia, KS.

**Applications set for January 17, 1984—
TOPEKA, KANSAS**

Application for Abandonment of Certificate of Convenience and Necessity:

Isreal Transfer Company) Docket No. 90,989 M
1919 Cherry)
Kansas City, MO 64108) Route No. 8667

(continued)

**Application for Extension of Certificate
of Convenience and Necessity:**

Becker Corporation) Docket No. 99,555 M
131 N. Haverhill Rd.)
El Dorado, KS 67042) Route No. 10078

Applicant's Attorney: Rodney Peake, 1836 "M" St.,
Belleville, KS 66935

*To transport grain and related products, salt, cement
(bagged), feed ingredients and supplements,
Between all points & places in KS.*

**Application for Certificate of Convenience
and Necessity:**

Gary Winter, dba) Docket No. 139,710 M
Winter Trucking)
1651 Walnut Dr.)
McPherson, KS)

Applicant's Attorney: Brad Murphree, 614 Century
Plaza Bldg., Wichita, KS 67202

*To transport food and related products,
Between all points in the state of KS on & west of
US Hwy 81 & on & north of US Hwy 56.*

**Application for Certificate of Convenience
and Necessity:**

Gary L. Jansonius, dba) Docket No. 139,711 M
G & J Enterprises)
409 S. 5th)
Phillipsburg, KS 67661)

Applicant's Attorney: Lowell Hahn, 353 F St., Phil-
lipsburg, KS 67661

*To transport fresh water for drilling purposes and
salt water for disposal purposes,*

*Between all points & places within the counties of
Smith, Osborne, Phillips, Rooks, Norton, Graham,
Decatur & Sheridan.*

**Applications set for January 19, 1984—
TOPEKA, KANSAS**

**Application for Extension of Certificate of
Convenience and Necessity:**

Shane Mullen &) Docket No. 137,929 M
Kevin Mullen, dba)
K & S Trucking)
Leoti, KS 67861) Route No. 21655

Applicant's Attorney: Clyde Christey, 1010 Tyler St.,
Suite 110-L, Topeka, KS 66612

Dry farm products,

*Between points & places in Gove, Wichita, Greeley,
Scott, Logan, Wallace, Hamilton, Kearny, & Finney
Counties, KS.*

Also,

Between points & places in Gove, Wichita, Greeley,

*Scott, Logan, Wallace, Hamilton, Kearny & Finney
Counties, on the one hand, & points & places in the
state of KS on the other hand.*

**Application for Certificate of Convenience and
Necessity:**

Robert C. Wilhite, dba) Docket No. 139,712 M
Wilhite Truck Sales)
& Parts)
R.R. 2, Box 26)
Burrton, KS 67020)

Applicant's Attorney: None

*Grain and related products, dry commodities in bulk,
salt (bag and block), wood and forest products, dog
food, alfalfa and hay, farm products, machinery and
metal products, cement and cement by-products,
sandblasting sand, building and construction materi-
als, oil field machinery,*

Between all points & places in KS.

**Application for Certificate of Convenience
and Necessity:**

Donald W. Jones, dba) Docket No. 139,713 M
Don Jones Trucking)
R.R. 1, Box 11)
Burrton, KS 67020)

Applicant's Attorney: None

*Grain and related products, dry commodities in bulk,
salt (bag and block), wood and forest products, dog
food, alfalfa and hay, farm products, machinery and
metal products, cement and cement by-products,
sandblasting sand, building and construction
materials, oil field machinery,*

Between all points & places in KS.

**Applications set for January 24, 1984—
TOPEKA, KANSAS**

**Application for Extension of Certificate of
Convenience and Necessity:**

B.O.W. Express, Inc.) Docket No. 18,438 M
3163 Fairfax Trafficway)
Kansas City, KS 66115) Route No. 884

Applicant's Attorney: John Jandera, 641 Harrison St.,
P.O. Box 1979, Topeka, KS 66601

*General commodities, except those of unusual value,
classes A and B explosives, household goods as de-
fined by the Commission, commodities requiring
special equipment, and those injurious or contami-
nating to other lading, and commodities in bulk,*

*(1) Between points in Johnson, Wyandotte & Leav-
enworth Counties, KS, on the one hand, & on the
other, points in KS.*

*(2) The authority sought herein shall be tacked or
(continued)*

joined with those routes & authority presently authorized in the captioned route & docket number.

Application for Certificate of Convenience and Necessity:

James Landoll, dba) Docket No. 139,714 M
Landoll Charter)
507 S. 14th St.)
Marysville, KS 66508)

Applicant's Attorney: Larry Gregg, 641 Harrison St.,
P.O. Box 1979, Topeka, KS 66601

Passengers and their baggage,

Between points in Republic, Cloud, Ottawa, Saline, Washington, Clay, Dickinson, Marshall, Riley, Pottawatomie, Geary, Nemaha, Brown, Jackson, Shawnee, & Wabaunsee Counties, KS, on the one hand, & on the other, points in KS.

Application for Extension of Certificate of Convenience and Necessity:

Dahlsten Truck Line, Inc.) Docket No. 77,667 M
P.O. Box 95)
Clay Center, NE 68933) Route No. 7166

Applicant's Attorney: Clyde Christey, 1010 Tyler St.,
Suite 110-L, Topeka, KS 66612

General commodities, in truck load lots (except household goods, explosives, petroleum products in bulk, and commodities which because of size or weight require special equipment),

Between points in KS lying on & east of KS Hwy 14. Also,

Between points & places in KS lying on & east of KS Hwy 14, on the one hand, & all points & places in the state of KS, on the other hand.

WILLIAM E. GREEN
Administrator
Transportation Division

Doc. No. 001676

State of Kansas

ATTORNEY GENERAL

OPINION NO. 83-170

Criminal Procedure—Aid to Indigent Defendants; Payment for Attorney Services Under Act; Compensation from Other Sources. Ronald E. Miles, Director, Board of Indigents' Defense Services, Topeka, November 22, 1983.

An attorney, appointed to represent an indigent defendant under the *Kansas Indigent Defense Services Act*, may accept compensation for such services from private sources as long as the attorney complies with the Act's requirements regarding such compensation. The Act requires the appointed attorney to report to the court the availability of private funds sufficient to fully pay for representation of a defendant and to seek permission to either withdraw from the case or to accept compensation. K.S.A. 1982 Supp. 22-4507 requires an attorney to report any partial compensation received to the Board of Indigents' Defense Services when he or she submits a claim for compensation under the Act. K.S.A. 1982 Supp. 22-4510 does not prohibit the acceptance of such compensation as long as the attorney acts as authorized or directed under the Act. Cited herein: K.S.A. 1982 Supp. 22-4501, 22-4503, 22-4507, 22-4510, L. 1976, ch. 169; 18 U.S.C. § 3006A. MFC

OPINION NO. 83-171

Taxation—Kansas Retailers' Sales Tax—Exempt Sales. L. Franklin Taylor, DeSoto City Attorney, Olathe, November 22, 1983.

A sale of natural gas, electricity, heat or water (delivered through mains, lines or pipes) to the owner of a mobile home park, for noncommercial use of the owner's tenants or lessees, is within the exemption from retailers' sales tax prescribed by subsection (x) of K.S.A. 1982 Supp. 79-3606, provided the utility services are delivered to "residential premises."

Any claim for refund of retailers' sales taxes must be filed by the taxpayer with the Director of Taxation within three years from the date of payment of the tax. Cited herein: K.S.A. 12-105b, K.S.A. 1982 Supp. 79-3602, 79-3606, K.S.A. 79-3609, 79-3618, K.A.R. 92-19-25, K.A.R. 1982 Supp. 92-19-38. TRH

OPINION NO. 83-172

Uniform Commercial Code—Secured Transactions—Financing Statement; Incorporation by Reference of Legal Description. Jack H. Brier, Secretary of State, Topeka, November 22, 1983.

By action of the 1983 Kansas Legislature (ch. 344, 345), the Kansas Uniform Commercial Code has been amended so that certain financing statements will hereafter be filed with the Secretary of State rather than the register of deeds in a county. Such financing statements, which include those having as collateral equipment used in farming operations, farm products, or accounts or general intangibles arising from the sale of farm products by a farmer, may be continued as set

(continued)

forth in L. 1983, ch. 345, § 2, as amended by L. 1983, ch. 344, § 1. These acts provide that existing financing statements may be continued through the filing of a new financing statement which complies with K.S.A. 84-9-402, together with a statement that the prior financing statement is still effective and copies of the most recent effective financing statement and any amendments or statements related thereto. Such copies may incorporate by reference the description of the land on which the farm products are produced, which description is required by K.S.A. 84-9-402(1). Cited herein: K.S.A. 84-1-101, 84-9-401, as amended by L. 1983, ch. 345, K.S.A. 84-9-402, L. 1983, ch. 345, as amended by L. 1983, ch. 344. JSS

OPINION NO. 83-173

State Departments; Public Officers, Employees—Open Meetings Act—Notice of Regular Meetings.

Schools—Boards of Education; Organizations, Powers, Finances—Notice of Regular Meetings. Representative Thomas F. Walker, Seventy-Second District, Newton, November 22, 1983.

Annual notice of regular meetings of a school board established pursuant to K.S.A. 1982 Supp. 72-8205, satisfies the requirements of the *Kansas Open Meetings Act*. However, notice of special meetings must be provided separately prior to each special meeting of the school board. Individual notice is required and publication in a newspaper does not comply with Kansas law, although notice may be given in writing or orally via the telephone. Cited herein: K.S.A. 1982 Supp. 72-8205, K.S.A. 75-4317, K.S.A. 1982 Supp. 75-4318. BJS

ROBERT T. STEPHAN
Attorney General

Doc. No. 001679

(Published in the KANSAS REGISTER, December 1, 1983.)

**NOTICE OF BOND SALE
\$750,000.00
GENERAL OBLIGATION BONDS
OF THE
CITY OF CONCORDIA, KANSAS**

The CITY OF CONCORDIA, KANSAS will receive sealed bids at the OFFICE OF THE CITY CLERK, CITY HALL, CONCORDIA, KANSAS, until 4:00 o'clock P.M., C.S.T., on

WEDNESDAY, DECEMBER 7, 1983
for \$750,000.00 par value GENERAL OBLIGATION BONDS of the City, at which time and place such bids will be publicly opened. No oral or auction bids will be considered.

The Series B, 1983 Bonds will be dated as of December 1, 1983, and shall mature on December 1 in each of the years and in the amounts set forth below. Such Bonds shall consist of fully registered certificated Bonds, each in the denomination of \$5,000.00 or integral multiples thereof not exceeding the principal amount of Bonds maturing in each year. Interest will be payable semiannually, commencing June 1, 1985,

and each December 1 and June 1 thereafter. The principal of, and premium, if any, on the Bonds shall be payable in lawful money of the United States of America, at the principal office of the Treasurer of the State of Kansas (the Paying Agent and Bond Registrar) to the registered owners thereof upon presentation of the Bonds for payment and cancellation. Interest on the Bonds shall be payable in lawful money of the United States of America, by check or draft of the Paying Agent to the registered owners appearing on the books maintained by the Bond Registrar as of the 15th day of the month next preceding the Interest Payment Dates (the "Record Dates"). The fees of the Bond Registrar for registration and transfer of the Bonds shall be paid by the City. The Bonds will mature serially in accordance with the following schedule:

Principal Amount	Maturity Date
\$50,000.00	December 1, 1985
50,000.00	December 1, 1986
50,000.00	December 1, 1987
50,000.00	December 1, 1988
50,000.00	December 1, 1989
50,000.00	December 1, 1990
50,000.00	December 1, 1991
50,000.00	December 1, 1992
50,000.00	December 1, 1993
50,000.00	December 1, 1994
50,000.00	December 1, 1995
50,000.00	December 1, 1996
50,000.00	December 1, 1997
50,000.00	December 1, 1998
50,000.00	December 1, 1999

REDEMPTION

Bonds maturing December 1, 1995, and thereafter, are subject to call for redemption and payment prior to their respective maturities at the option of the City on and/or after December 1, 1994, in whole at any time or in part in inverse order of maturity, and by lot within maturities, on any interest payment date, at the redemption price set forth below, plus accrued interest to the redemption date:

Redemption Period (Dates Inclusive)	Redemption Price
12-1-1994 to 6-1-1996	103%
12-1-1996 to 6-1-1998	102%
12-1-1998 to 6-1-1999	101%

Notice of any call for redemption will be mailed to the registered owners of such Bonds to be redeemed at the address shown on the registration books maintained by the Bond Registrar not less than 30 days prior to the date fixed for such redemption and payment. Interest on the Bonds so called for redemption and payment will cease to accrue after the redemption date, provided notice has been given and funds are then available to pay the full redemption price thereof.

INTEREST RATE

Proposals will be received on the Bonds bearing such rate or rates of interest, as may be specified by the bidder. The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall

(continued)

be in an even multiple of one-eighth (1/8th) or one-twentieth (1/20th) of one percent (1%). The difference between the highest and lowest coupon rates specified in any bid shall not exceed three percent (3%). No interest rate shall exceed the maximum interest rate allowed by Kansas law; said rate being the "20 Bond Index" of tax exempt municipal bonds published by the *Weekly Bond Buyer* in New York, New York on the Monday next preceding the day on which the Bonds are sold (December 5, 1983), plus 2%, and no bid of less than par and accrued interest will be considered. Bids for less than the entire issue of Bonds will not be considered.

BID FORM AND GOOD FAITH DEPOSIT

Bids shall be submitted on the OFFICIAL BID FORM furnished by the City, and shall be addressed to the City at CITY HALL, CONCORDIA, KANSAS 66901, ATTENTION: VERNA SCOTT, CITY CLERK, and shall be plainly marked BOND BID. All bids must state the total interest cost of the bid, the premium, if any, the net interest cost of the bid, and the average annual interest rate, all certified by the bidder to be correct; and the City will be entitled to rely on the certificate of correctness of the bidder. Each bid must be accompanied by a certified or cashier's check equal to two percent (2%) of the total amount of the bid, and shall be payable to TREASURER, CITY OF CONCORDIA, KANSAS. In the event a bidder whose bid is accepted shall fail to carry out his Contract of Purchase, said deposit shall be retained by the City as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

AWARD OF BIDS

The sealed bids for the Bonds shall be opened publicly and only at the time and place specified in this Notice; and the Bonds will be sold to the best bidder. The City reserves the right to reject any and/or all of the bids, and to waive any irregularities. Unless all bids are rejected, the Bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the City; and the net interest cost will be determined by deducting the amount of any premium paid from the aggregate amount of interest upon all of the Bonds from their date until their respective maturities.

DELIVERY OF THE BONDS

The Bonds, duly printed, executed and registered, will be furnished and paid for by the City; and the Bonds will be sold subject to the unqualified approving opinion of GAAR & BELL, Bond Counsel, of Wichita, Kansas. THE NUMBER, DENOMINATION OF BONDS, AND NAMES OF THE INITIAL REGISTERED OWNERS TO BE INITIALLY PRINTED ON THE BONDS SHALL BE SUBMITTED IN WRITING BY THE SUCCESSFUL BIDDER TO THE BOND REGISTRAR NOT LATER THAN DECEMBER 21, 1983. The purchaser will be furnished with a complete Transcript of Proceedings evidencing the authorization and issuance of the Bonds; and the usual closing proofs, which will include a Certificate

that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in immediately available funds. Delivery of the Bonds will be made to the successful bidder on or before DECEMBER 30, 1983, at any bank in the STATE OF KANSAS or KANSAS CITY, MISSOURI, at the expense of the City. Delivery elsewhere will be made at the expense of the purchaser.

LEGAL OPINION

Bids shall be conditioned upon the unqualified approving opinion of GAAR & BELL, Bond Counsel, Wichita, Kansas, a copy of which opinion will be printed on the reverse side of each Bond and a manually signed original will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The cost of this legal opinion and the expense of printing the Bonds and legal opinion will be paid by the City. Said legal opinion will state in part substantially that the Bonds will constitute general obligations of the City, payable as to both principal and interest in part from the collection of special assessments which have been levied on benefited property; but any portion of said specially assessed part not so paid, and the remainder of said principal and interest will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the City; and that, under existing law, the interest on said Bonds is exempt from present Federal income taxation and the Bonds are exempt from intangible personal property taxes levied by Kansas cities, counties and townships.

PURPOSE OF ISSUE

The Bonds are being issued for the purpose of certain street, sewer, water, airport and public building improvements.

CUSIP IDENTIFICATION NUMBERS

CUSIP identification numbers will be printed on said Bonds. All expenses in relation to printing of CUSIP numbers on said Bonds and the expenses of CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the City.

ASSESSED VALUATION

Assessed valuation figures for the City of Concordia, Kansas, for the year 1982, are as follows:

Equalized Assessed Valuation of Taxable Tangible Property	\$16,756,043
Tangible Valuation of Motor Vehicles	\$ 2,120,684
Tangible Valuation of Motor Vehicle Dealers' Inventory	\$ 213,107
Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations	\$19,089,834

BONDED INDEBTEDNESS

The total bonded indebtedness of the City of Concordia, Kansas, at the date hereof, including this \$750,000.00 proposed issue of Bonds, is in the amount of \$1,678,200.00. The City will retire \$650,458.50 of outstanding Temporary Notes from the proceeds of

(continued)

the Bonds, special assessments which have been collected in cash, and other available funds.

OFFICIAL STATEMENT

Additional copies of this Notice of Bond Sale, or copies of the City's Official Statement relating to the Bonds, or further information may be received from the office of the City Clerk, City of Concordia, Kansas, City Hall, Concordia, Kansas 66901.

DATED NOVEMBER 16, 1983.

VERNA SCOTT, City Clerk
City of Concordia, Kansas

Doc. No. 001668

(Published in the KANSAS REGISTER, December 1, 1983.)

NOTICE OF BOND SALE
\$6,960,668
GENERAL OBLIGATION BONDS
SERIES B-1983
OF THE
CITY OF LENEXA, KANSAS
(payable from unlimited ad valorem taxes)

Sealed Bids. Sealed bids will be received by the undersigned, City Clerk/Finance Director of the City of Lenexa, Kansas (the "City"), on behalf of the City Council at the City Hall, 12350 West 87th Street Parkway, P.O. Box 14888, Lenexa, Kansas 66215, until 7:30 o'clock p.m., Central Standard Time, on Thursday, December 8, 1983

for the purchase of \$6,960,668 principal amount of General Obligation Bonds, Series B-1983 (the "Bonds"), of the City hereinafter described. All bids will be publicly opened and read at said time and place and will be acted upon by the governing body immediately thereafter.

Bond Details. The Bonds will consist of fully registered Bonds in the denomination of \$5,000 or any integral multiple thereof except one Bond in the denomination of \$5,668. The Bonds will be dated December 1, 1983, and become due serially on August 1 in the years as follows:

YEAR	PRINCIPAL AMOUNT
1985	\$465,668
1986	505,000
1987	550,000
1988	595,000
1989	650,000
1990	705,000
1991	765,000
1992	835,000
1993	905,000
1994	985,000

The Bonds will bear interest at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on February 1, 1985.

Place of Payment and Bond Registration. The principal of and interest on the Bonds will be payable in

lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Bond Registrar"), to the registered owners thereof whose names are on the registration books of the Bond Registrar as of the 15th day of the month preceding each interest payment date. The Bonds will be registered pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas. The Bonds may be registered as fully registered certificated Bonds or uncertificated (book entry) Bonds at the option of each registered owner.

The City will pay for the fees of the Bond Registrar for registration and transfer of the Bonds and will also pay for printing a reasonable supply of registered Bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, will be the responsibility of the bondholders.

The type and denominations of the Bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the City at least two weeks prior to the closing date.

Redemption of Bonds Prior to Maturity. Bonds maturing in the years 1985 to 1992, inclusive, shall become due without option of prior payment. At the option of the City, Bonds maturing in the years 1993 and 1994 may be called for redemption and payment prior to maturity in whole or in part in inverse order of maturity (selection of Bonds within the same maturity to be by lot by the City in such equitable manner as it may determine) on August 1, 1992, or on any interest payment date thereafter at the redemption price of 102% of the principal amount, plus accrued interest thereon to the date of redemption.

Whenever the City is to select the Bonds for the purpose of redemption, it shall, in the case of Bonds in denominations greater than \$5,000, if less than all of the Bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered Bond as though it were a separate Bond of the denomination of \$5,000.

If the City shall elect to call any Bonds for redemption and payment prior to the maturity thereof, the City shall give written notice of its intention to call and pay said Bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States registered or certified mail addressed to the registered owners of said Bonds, to the State Treasurer of Kansas, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed not less than 30 days prior to the date fixed for redemption. If any Bond be called for redemption and payment as aforesaid, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids. Proposals will be received on the Bonds bearing such rate or rates of interest as may
(continued)

be specified by the bidders, subject to the following conditions: The same rate shall apply to all Bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1%. No interest rate shall exceed a rate equal to the "20 Bond Index" of tax exempt municipal Bonds published by *The Weekly Bond Buyer* in New York, New York, on the Monday next preceding the day on which the Bonds are sold, plus 2%. The difference between the highest rate specified and the lowest rate specified shall not exceed 2%. No bid of less than the par value of the Bonds and accrued interest thereon to the date of delivery will be considered and no supplemental interest payments will be authorized. Each bid shall specify the total interest cost to the City during the life of the Bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the City on the basis of such bid. Each bid shall also specify the average annual net interest rate to the City on the basis of such bid.

Basis of Award. The award of the Bonds will be made on the basis of the lowest net interest cost to the City, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the City. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body shall determine which bid, if any, shall be accepted, and its determination shall be final.

Authority, Purpose and Security. The Bonds are being issued pursuant to K.S.A. 12-6a01 to 12-6a17, inclusive, K.S.A. 12-631(r) and 12-631(s), K.S.A. 12-631(t), K.S.A. 12-685 to 12-690 and K.S.A. 12-1301 and 12-1302 for the purpose of paying the cost of certain storm drainage, sewer and street improvements and for the acquisition of park land. The Bonds and the interest thereon will constitute general obligations of the City, payable in part from special assessments levied upon the property benefited by the construction of said improvements and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City, with the balance payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City.

Legal Opinion. The Bonds will be sold subject to the legal opinion of GAAR & BELL, Overland Park, Kansas, Bond Counsel, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the City, printed on the Bonds and delivered to the successful bidder as and when the Bonds are delivered. Said opinion will also state that in the opinion of Bond Counsel, under existing laws and regulations, the interest on the Bonds is exempt from federal income taxation and from Kansas intangible

personal property taxes. Certain legal matters will be passed upon for the City by its Counsel, Gerald E. Williams, Gage & Tucker, Overland Park, Kansas.

Delivery and Payment. The City will pay for printing and registering the Bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before January 20, 1984, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Bonds and the usual closing proofs which will include a certificate that there is no litigation pending or threatened at the time of delivery of the Bonds affecting their validity. Payment for the Bonds shall be made in federal reserve funds, immediately subject to use by the City.

Good Faith Deposit. Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$140,000 payable to the order of the City to secure the City from any loss resulting from the failure of the bidder to comply with the terms of its bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if its bid is not accepted. If a bid is accepted, said check will be held by the City until the bidder shall have complied with all of the terms and conditions of this Notice, at which time the check will be returned to the successful bidder or paid to its order at the option of the City. If a bid is accepted but the City shall fail to deliver the Bonds to the bidder in accordance with the terms and conditions of this Notice, said check will be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this Notice, the proceeds of such check will be retained by the City as and for liquidated damages.

CUSIP Numbers. It is anticipated that CUSIP identification numbers will be printed on certificated Bonds or assigned to uncertificated Bonds, but neither the failure to print such number on or assign such number to any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the assignment and printing of CUSIP numbers on the Bonds will be paid by the City.

Bond Rating. The outstanding general obligation Bonds of the City are rated "A" by Moody's Investor Service, Inc., and the City has applied for rating on the Bonds herein offered for sale.

Bid Forms. All bids must be made on forms which may be procured from the City Clerk/Finance Director. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The City reserves the right to waive irregularities and to reject any or all bids.

(continued)

Submission of Bids. Bids must be submitted in sealed envelopes addressed to the undersigned City Clerk/Finance Director and marked "Bid for the Purchase of Bonds." Bids may be submitted by mail or delivered in person to the undersigned at the City Hall and must be received by the undersigned prior to 7:30 o'clock p.m., Central Standard Time, on December 8, 1983.

Official Statement. The City has prepared a Preliminary Official Statement dated November 28, 1983, copies of which may be obtained from the City Clerk/Finance Director or from the Financial Advisor, George K. Baum & Company, 1004 Baltimore, Kansas City, Missouri 64105, Attention: P. Martin Nohe (816/474-1100). Upon the sale of the Bonds, the City will adopt the final Official Statement dated December 1, 1983, and, at the request of the successful bidder, will furnish the successful bidder with a reasonable number of copies thereof without additional cost. Additional copies may be ordered by the successful bidder at its expense.

Assessed Valuation and Indebtedness. The total assessed valuation of the taxable tangible property within the City for the year 1983 is \$149,742,837. The total general obligation indebtedness of the City as of the date of the Bonds, including the Bonds being sold, is \$32,642,646. Temporary notes in the principal amount of \$6,285,000 will be retired out of proceeds of the Bonds.

Additional Information. Additional information regarding the Bonds may be obtained from the City Clerk/Finance Director, or from the Financial Advisor.

DATED this 28th day of November, 1983.

CITY OF LENEXA, KANSAS
Sandra Howell
City Clerk/Finance Director
City Hall
12350 West 87th Street Parkway
P.O. Box 14888
Lenexa, Kansas 66215
(913/492-8800)

Doc. No. 001672

KANSAS REGISTER
Secretary of State
State Capitol
Topeka, Kansas 66612

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